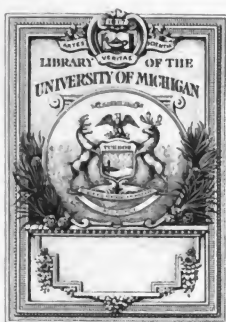


NILES' WEEKLY REGISTER





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NILES' NATIONAL REGISTER.

THE EDITOR TO HIS PATRONS.

EIGHTEEN MONTHS have transpired since the present proprietor has had charge of the NATIONAL REGISTER. A period of greater difficulties in conducting periodical publications in this country, is probably remembered by none. Many—very many, valuable papers, owing to pecuniary embarrassments have been compelled to suspend or stop altogether, and others, some of them amongst the most useful, are sustained by the greatest exertions if not by ruinous sacrifices. Perhaps neither the commercial nor any other part of the community suffer in proportion as severely from derangement of the currency and high prices or stoppage of exchange, as those editors who have subscribers widely distributed, and who, however well disposed to pay, find it exceedingly difficult to obtain notes that will pass beyond their own communities. Such we know to be the case with many of the patrons of the Register.—The times have required sacrifices from all of us. We have submitted to our full share with whatever of patience we could muster. The remittances received from our friends, whenever they were of funds which passed without a discount when they came from, have been credited AS AT PAR, and the discount here has been at our cost, though it has been in many instances a severe drawback. Nevertheless even that process has enabled us to float with the troubled current of business, when without such aid, we might have sunk. To his patrons, therefore, the editor would say, that though the individual sums due from each is inconsiderable, yet the aggregate to him, is his only capital for continuing the publication, and that the loss submitted to in the exchange for payments now made promptly, is by no means so serious as the detention of the amount, waiting for a better currency. He invites payment therefore in such money as his friends may be able to obtain.

Experience enables us to add, that there is no better means of making payments, than through the medium of the post office, directly from the subscriber to the editor, without the intervention of agents—the subscriber availing however of the franking privilege which the postmasters under the regulations of the post office are authorised to use, in all cases, for the transmission of payments for subscription to public papers.—It is safe to the subscriber, because the receipt of the post master of having enclosed and transmitted such payment, is valid proof of payment by him, and though a remittance is sometimes lost—it very seldom occurs. In all our intercourse since editing the Register, we know of but two or three failures to receive sums mailed for us through that medium—and we have of course credited the subscriber in those cases whenever the post master has certified that he had forwarded the money. We even hope yet to recover some of those few, when the MISSENT letters come to be examined at the general post office; to which we regularly report every failure to receive remittance. We record the above proof of the general punctuality and attention of Postmasters throughout the union, IN JUSTICE TO THOSE OFFICERS, to whose kindness we are often indebted, as well as to invite our friends to adopt this method of paying their subscriptions. They have but to

prepare a letter, addressed to the editor, mentioning the sums enclosed, and for whose subscription it is in payment—hand it to the postmaster, who subscribes his name thereto, encloses the money, seals the letter and endorses it "FREE"—A receipt is returned immediately upon its reception, also free of postage. More than half of the collections so far made by the editor, have been in this manner.

One other topic—Amongst the most embarrassing and sometimes provoking difficulties with which in the course of our editorial labors we have had to contend, and which some of our subscribers have had a share of also, are those growing out of the distinct accounts which have accrued within the last few years to the several proprietors that have had charge of the establishment. Accounts have been sometimes due to the estate of the original proprietor, Hezekiah Niles—others to William Ogden Niles, his successor—the latter have in part been assigned to an agent for the benefit of the creditors of William Ogden Niles, and who is charged with the collection of that portion—others again have accrued to the present proprietor, and payments have sometimes been made to one, of which, for a time, the other claimant was not apprised. The effect of this complication of claims upon the patrons of the Register, and the inconvenience to which it has undoubtedly subjected some of them, has been visited—may we say sometimes UNKINDLY, upon the present proprietor of the establishment, who has had neither control nor agency in the MANNER in which demands have been made for settlement of the prior accounts. With accounts which have occurred since his control, the editor has had but little difficulty, in comparison with those of older date—some of which it appears have not been very accurately kept. To get all these derangements into something like order, and ascertain what was right in each case, has required much investigation, much correspondence, and a large sacrifice of time. These difficulties it is fervently to be hoped we are nearly through with. We are entitled to the indulgent consideration of every real friend of the publication whilst encountering them.

It may be a convenience to some of our subscribers for us to repeat, that,

Subscriptions from the commencement of the publication up to the 1st September, 1836, (or to No. 1,300 of the Register) are payable to the administrators of HEZEKIAH NILES, of whom PHILIP REIGART, esq. is the acting agent.

Subscriptions from 1st September, 1836, to 1st March, 1839, (from No. 1,300 to No. 1,430) payable originally to WILLIAM OGDEN NILES, are now payable to THOMAS HILL, esq. as agent and assignee of Wm. Ogden Niles, for his creditors—and,

Subscriptions from 1st March, 1839, (or No. 1,430) of the Register, is payable to the subscriber,—whose acknowledgments are sincerely made to those EFFICIENT friends of the publication, who, by regular and prompt payments, have aided and cheered him on in his arduous task.

JERH. HUGHES.

MARCH, 1841.



PROSPECTUS OF NILES' NATIONAL REGISTER.

JEREMIAH HUGHES, EDITOR AND PROPRIETOR.

Sixteen pages, published every Saturday, at five dollars per annum.

This standard national publication, has acquired a character of the highest estimate in foreign countries, as well as throughout the United States, and is recognised, not only by official diplomatists, statesmen and politicians, as an invaluable record for reference, but is admitted and extensively used as authority in our courts of law and equity. To the libraries and lyceums of the country, it furnishes the best history of the times. Possessing nearly all the advantages of a daily newspaper, divested in a great measure of their errors, and entirely without their heavy columns of advertisements, in which so few take an interest, and those few only for the day, the REGISTER rescues from oblivion and preserves in a convenient form for reference, all the most important and authentic articles that the newspapers contain, and which, but for such a depository, would often, in a short time be inquired for in vain. Whatever is material, belonging to the history of the times, is recorded in the pages of the Register in a form to be available for future use, including so much of the politics of the day as to furnish a fair and impartial development of the principles *avowed by, or attributed to, every party*, as it rises or falls, at the same time avoiding carefully all participation in the bitter animosities which are so often engendered by party strife. Discarding the light literature and fictions which are so abundant elsewhere, the Register is proposed as a MATTER OF FACT RECORD, where impartial truth may be found in reference to men and measures. More matter interesting to the generality of readers, will be found in its 16 closely printed pages, issued every week, than in the columns of almost any daily newspaper for the same time, and with this decided advantage, that it is furnished in a form suitable for preservation and convenient for reference, and that too, at *considerably less than half the cost* of a daily paper, if postage be included in the calculation. After serving its purpose as a journal of the day, it is retained and becomes one of the most valuable of books in the library of its patron, to the pages of which he may in after times recur for the establishment of facts in which none of us can be without an interest.

A publication having such an object and such advantages ought to commend itself to generous support.

Already has the Register attained an enviable reputation. Nearly the entire edition of the fifty volumes published during the life time of the elder Mr. NILES, has been disposed of, and the few remaining copies in the hands of his administrators, are rapidly going at the price fixed by the orphan's court, \$125 per set.

THE NEW SERIES of the work, in an enlarged form, and in a better sized type, commenced with September, 1836, since which a

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The present proprietor of the work has already introduced several very material improvements—amongst which, is not only a more comprehensive INDEX of the contents of each volume than has heretofore accompanied the work, but also a brief index of the contents of each separate number, contributing vastly to that convenience for reference, on which so much of the value of a Register depends.

Again, each number of the Register, instead of having the articles promiscuously thrown into its pages, has them now arranged, so far as they will admit, after the following plan:—

- 1st. FOREIGN ARTICLES.—1st, of a general character, as of Europe, &c. 2d, British affairs. 3d, France. 4th, Germany and so of the various sovereignties and sections of the globe, succeeding geographically,
- 2d. NATIONAL CONCERNS.—1st, of a general character—executive, diplomatic and official documents—appointments, &c. 2d, foreign relations—trade—commerce—tariff. 3d, concerns of the departments. 4th, post office. 5th, public lands. 6th, army. 7th, navy. 8th, Indian frontier, &c.
- 3d. STATES OF THE UNION,—under heads arranged geographically—Maine, Massachusetts, New Hampshire, &c. including statistics, election returns, &c.
- 4th. PASSING INCIDENTS,—local affairs of places and persons, including a regular account of the latest market prices and statistics of staple articles, such as flour, cotton, tobacco, &c. so as to furnish a regular compendium of each.
- 5th. LAW AND CASES IN COURT,—trials and legal decisions.
- 6th. POLITICS OF THE DAY,—an impartial record of movements and principles of parties.
- 7th. INVENTIONS AND IMPROVEMENTS in arts and manufactures, &c.
- 8th. CONGRESSIONAL PROCEEDINGS AND SPEECHES—to the recording of which, a considerable portion of the work is necessarily devoted.
- 9th. A CHRONICLE, alphabetically arranged, occupies the last page of each number.

RECOMMENDATIONS.

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Niles' Register. It is not necessary, we are sure, for us to say a word in commendation of that valuable repository of facts and documents which is already almost the only authority that can easily be referred to, and entirely relied upon, for an impartial portion of our country's history.

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From the New Hampshire Patriot.

Niles' Register. As a record of facts, notwithstanding a slight tinge of whig coloring is generally apparent, the Register stands among the first publications in the country.

From the New York Evening Post.

Niles' Register. As a record of facts and documents, and of the news of the day, this journal stands among the foremost, and some improvements in contemplation will still further enhance its value to its subscribers.

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From the Ohio Republican.

Niles' Register. As a record of documents, facts, and news of the day, this work has no equal in the United States. Its pages abound with a valuable information of all kinds, but more particularly with facts and incidents connected with the history of our country, and is essentially useful as a book of refer-

RECOMMENDATIONS.

ence, and is now a standard work of all the principlal libraries in the United States. We recommend it with pleasure to all wishing a faithful record of the times—the price per annum is five dollars.

From Freedmen's Sentinel, Schenectady, N. Y.

Niles' Register. This old, faithful and valuable paper—is so well known, as well in Europe as the United States, that the Register is chiefly compiled of all the important public documents, and political and statistical details—which are recorded with the utmost accuracy and impartiality—that it is scarcely necessary to add one word in its commendation. We hope that the proprietor will be amply compensated for his efforts to render the Register still more valuable.

From the Charleston (S. C.) Mercury.

Niles' Register. We take this opportunity of saying something of the character of this publication, and its claims to the patronage of the community. As a political journal, the Register stands quite alone—it has no partisan character—its object is not to propagate the opinions of one man, or advocate the advancement of any one party, but to present from week to week, a judicious collection of facts and documents connected with, and tending to elucidate the political history and condition of the country.—Too much praise cannot be given to the uniform judgment, and good sense, which have governed the conductor of the Register in the selection of its articles. The citizen will find in it every thing necessary to give him a complete acquaintance with the spirit of the political world, and to the future historian, the Register will be an inestimable treasury of the most authentic and ample materials for the history of this country. The great popularity, and indeed authority which it has attained, both in this country and in Europe, attest that this is no exaggerated praise, and the unobtrusive character of its conductor is another proof if any other were needed, that its reputation depends exclusively upon its merits. We sincerely wish it, both for the benefit of the editor and the community, a universal circulation.

From the St. Louis (Mo.) Republican.

Niles' Register. There is no periodical in this union, probably in the civilized world, that has won for itself so lasting and so enviable a reputation as this. Every where, at home and abroad, by the public men of our own and of other countries, without distinction of party, it is regarded as a strictly correct register of passing events, and upon all occasions, its pages are cited and respected as authority, and although the editor has never surrendered the integrity of his own opinions, he has won from those of opposite sentiments their respect and confidence. The many testimonials given by congress and other public functionaries, is a certain evidence of the integrity and ability with which facts pertaining to the history of the country have been presented and preserved.

From the Lynchburg Virginian.

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events—furnishing, as they do, a complete documentary and of course authentic history of the times. We cordially recommend it to public patronage.

From the Boston Atlas.

Niles' Register. As a work of reference, the Register is valuable. It has been conducted with judgment, and presents a mass of political and historical matter which is to be found in no other publication.

From the Zanesville, (O.) Gazette.

Niles' Register. The Register has been published for 29 years, and is well known to be the best record of the events of the day that is published in the United States.

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From the United States Gazette, Philadelphia.

Niles' Register may now be deemed one of the most valuable repositories of facts—political, statistical, geographical, historical, religious and miscellaneous. It is when we need such information that we learn to know the value of Niles' Register.—We observed, while at Harrisburg a few weeks since, that "Niles' Register" was a text book for those that dealt in facts and wished to chasten the little extravagancies of the fancy members.

From the Charleston (Va.) Free Press.

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Niles' Register. As a magazine of facts and documents for reference, we know of no periodical in the country more worthy the patronage of the public. The editor's political opinions differ in some respects from our own, so that we do not recommend the Register from party bias, but as a repository of useful matters—of documents and statistics which should be universally known and permanently preserved. Without professing neutrality, the Register presents the most valuable characteristic of a neutral paper, the leading facts on which opinions may be formed and arguments founded. The news department of the Register is likewise worthy of commendation: without any attempts to gather up the fictitious novelties of the day, the most important items of domestic and foreign news are duly selected and chronicled. The Register may be denominated the contemporary history of the politics and facts of the day.

From the Buffalo (N. Y.) Journal.

Niles' Register. It is unnecessary, at this day, to speak in terms of praise of this paper. It enjoys a reputation, as an impartial record of all the important matters connected with the history of the United States, for the last twenty-six years—and

which may in vain be looked for in any other publication—that is beyond all price; and it is but justice to add, that since it has passed into the hands of the present editor, that reputation has been fully sustained.

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The Patuxent Advertiser, Georgetown, D. C.

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Niles' Register, is a very useful and interesting journal, and is eminently worthy of public patronage, ranking as it does, among the best papers in our country. Success to the proprietor.

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DOCUMENTS, ESSAYS AND FACTS:

TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES.

JEREMIAH HUGHES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

FROM SEPTEMBER, 1840, TO MARCH, 1841—VOLUME LIX—OR, VOL. IX, FIFTH SERIES.

BALTIMORE:
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FOREIGN ARTICLES

ENGLAND

Great steam project. The East India Steam Navigation Company, (by way of the Mediterranean, Egypt and the Red Sea; to be incorporated by royal charter, capital £800,000). The following abstract will show the estimated outlay, charges and revenue of this great enterprise:

Outlay. Building and fitting 7 steamships, cost of stations abroad, and incidental expenses.	£600,000
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Annual charge. Wages, coal, victualing, insurance, &c. sinking fund for

Income. Passengers, less victual.

Freight, consisting of light parcels, periodicals, bullion, &c.	24,000
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305,000
655,000

Yielding a clear annual surplus of or upwards of 11
per cent. upon £600,000.

The vessels are to be constructed of such tonnage and power as to be applicable to the route by the Cape of Good Hope, in case of any interruption to that through Egypt.

CHINA.
The New York Courier and Enquirer of Wednesday says: "We learn by the ship John N. Gray

1000

Macao from Singapore the day before she left; that one of the transports, with troops on board, from Hong Kong for China, had already arrived at the latter port, and that a large fleet was seen standing in the bay when she left, supposed to be the expedition. At Tongkoo there were a few English ships, and the frigate Druid, and sloop of war Vengeance and Flycatcher.

SOUTH AMERICA.
Detraction of Ternate by an earthquake. Ternate

st of the Molucc

NATIONAL AFFAIRS

Eljah H. Gordy, receiver of public moneys at
the land office at St. Stephens, Ala. vice T. J. Wil-
kinson, deceased.

MEXICAN COMMISSIONERS. We learn that senor D. Pedro Fernandez del Castillo and senor D. Joa-

RETURN OF A MINISTER. It is stated that Mr. Muhlenberg, American minister, at the court of V.

NORTH EASTERN BOUNDARY. The American commissioners for the survey of the north eastern boundary, were to leave Portland on Thursday last for the disputed territory.

have arrived at either of primitive American exploration, and the position of the latter is not more likely to be disputed than that of the former. We will, by the result of an exploration which we have been making, with little pain, through the immensity of Worms snodded in the report, seeking for a solution to the question whether Messrs. Mudge and Featherston have ever went upon the range of mountains claimed by us as the treaty line. We give the fruit of that exploration in the last page of this number. It is the first time that a party has been sent to the direct route from the southern or British range to Quebec, about midway between the two extremities of the northern or American range.

"On the 22d of October the commissioners arrived at Quebec, and waited on his excellency, &c."

stream flowing into the St. Lawrence, also hundred and fifty-seven feet above the level of the sea, and a hill twelve hundred and twelve feet above that level. Not liking these elevations, probably, the commissioners hurried on to Quebec—and this is all they know about the range of highlands claimed by us as the boundary! [N. Y. Com. Adr.,

We are informed that her instructions are, to continue the cruise till she captures the suspected vessel, or at least discovers her intentions. We would respectfully suggest to the worthy U. S. marshal of our district, whether it would not be an easier and much shorter cut to get at those intentions, by taking a promenade in Broadway any pleasant afternoon, meeting or calling on the owners of the errand and asking their opinion in the premises.

Detruction of Ternate by an earthquake. Ternate is among the largest of the Molucca or Spice Islands and belongs to the Dutch.

LAND SALES IN DUBUQUE. A sale of eleven townships of land in Iowa commenced at Dubuque on the 4th instant. These townships contained some of the best land in the territory, yet we learn from the News that the sale was very slow, and the amount of land sold very small. A sale of 70,000 acres of fine lands on the Wabash and Erie canal, between Fort Wayne and Logansport, Indiana, is advertised by the state commissioners for October 6th. A part of these lands will be offered at \$2, a part \$3 and a few choice lots at \$7 per acre, at the minimum price. The terms of payment, one-fourth at the sale; one-fourth in 12 months, and the residue in 10 years from sale. The canal is now in operation for 30 miles, and will be completed to Lake Erie during the next year.

MAIL ROBBERIES. A mail bag was discovered a few days since sunk in the Roanoke river, at Weldon, N. C. which contained a number of letters which had been broken open and their contents run out. An investigation is being had in reference to it.

It would appear, by the following extract of a letter from Wilmington, N. C. under date of 21st instant, published in the Charleston Courier, that a robbery of the southern mail had been recently perpetrated:

Recent circumstances have made their appearance in so prominent a manner, that not the least doubt remains but there has been a robbery of the southern mail, perhaps to some extent. The facts, as far as I have learnt them, are from a person who saw the mail bags, and therefore may be relied on as being correct, as far as they go. They are as follows:

"On the 19th inst. as some person or persons were crossing the bridge over the Roanoke, at Weldon, they perceived a bag, and supposed it to contain mail or something of the kind, and gave notice to that effect to others, one of whom procured a hook and line (the bridge being a considerable distance above the water) and soon fastened on to it, but found it so heavy that he could not raise it, until he had procured the assistance of several negroes.

They finally got the bag on the bridge, and found it to contain a quantity of large stones, and also a smaller bag, and in this small bag were a number of letters and papers thoroughly saturated with water. They were taken to the bridge, and examined. The letters had all been opened, and drafts, checks, money, &c. extracted therefrom, as some of the letters themselves clearly indicated they contained each. Among them was one directed to col. R. M. Johnson, from Alabama. There were also papers—among them a Constitutional (Augusta) of August 11.

"A messenger was forthwith sent on to Washington to make known the circumstance, and to have the matter settled, which will be done in a few days, and then you will have the particulars."

Arrest. We learn that a man named George Phillips was arrested yesterday afternoon by officers Basil James and Jesse Sunwall, charged with having robbed the mail for the west from Baltimore between this city and Hagerstown. Phillips was arrested in the western part of the city and underwent an examination in the presence of Joshua Venable, esq. postmaster, before justice Wright, by whom he was committed for further examination.

(Ball. Amer.)

THE ARMY.

The western Indians. Intelligence has reached St. Louis that the Sioux and Chippewa Indians were engaged in a war. The Bulletin of the 18th inst. also states that a large number of the Winnebago Indians have crossed the Mississippi and returned to their old "hunting grounds." General Atkinson, with five or six companies of infantry, were to leave Jefferson barracks immediately for the upper country, for the purpose of conducting them back to the government allotment. [See the *Winnebagos*.]

The Winnebagos. The St. Louis News of the 4th inst. Tuesday says: "We understand that information was received yesterday from general Brooks, that the movement of troops from Jefferson barracks, in anticipation of difficulties with the Winnebago Indians, has not considered necessary by him; and in consequence the order for that purpose has been countermanded. The Indians have, we suppose, returned to their homes on the west side of the Mississippi."

THE NAVY.

The Army and Navy Chronicle says the reports in circulation of a contemplated change in the head of the navy department, are without foundation. Mr. Paulding is on a visit to the White Sulphur Springs, Virginia, and com. Morris has been appointed acting secretary. There are many rumors abroad

of contemplated changes, says the Chronicle some of which we give as rumors only, however, without vouching for their correctness.

It is understood that com. Wadsworth will retire from the navy board, and be appointed inspector of ordnance and ammunition; and that the vacant seat has been tendered to com. Warrington, who it is believed will accept.

It is reported that, in consequence, of ill health, com. Crane has asked to be relieved from the command of the navy yard, at Portsmouth, N. H. and if so, there is no doubt that his wishes will be gratified. Com. C. has participated largely in active service ever since he attained his present grade—now up to twenty-five years.

Captain F. H. Gregory has been ordered to the frigate Constellation, now fitting out at Boston. She is to be one of the fleet destined for the East Indies. We understand that the squadron will be composed of the razee Independence, frigate Constellation, sloops of war Concord and Boston, and another sloop, all under the command of com. Lewis Warrington. It is rumored that capt. Wm. Broom is to command the Boston. Such a fleet under all sail will present a splendid sight.

The squadron on our coast. The Portland Advertiser of Friday says:—We have seen a letter from one of the officers of the United States frigate *Levant*, which says that the Macedonian, *Levant* and *Erie* arrived at Eastport on the 16th instant. The squadron will sail from Eastport to Castine, and from thence to Portland. From Portland it is intended to proceed to Townsend, Portsmouth, Gloucester, Provincetown, Newport and New York. The squadron were saluted at Eastport on the 17th, and the flag ship returned the salute.

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STATES OF THE UNION.

MARY.

John Fairfield, who was elected governor last year by 6,000 majority, is the administration candidate for re-election, and is opposed by **Edward Kend**, (whig).

(Candidates for congress. The following are the candidates at the election which takes place on the 14th instant.)

Administration.
1. Nathan Clifford, Daniel Goodenow,
2. Albert Smith, Wm. P. Fessenden,
3. Joseph S-wall, Benj. Randall,
4. John Hubbard, Geo. Evans,
5. N. S. Littlefield, Elsie H. Allen,
6. Alfred Marshall, Joseph C. Noyes,
7. Joshua A. Lowell, Zadoc Long,
8. Hannibal Hamlin, Rhode Island.

Election. The result of the semi-annual election on the 16th inst. places political parties in this state as follows:

The next legislature of Rhode Island will stand as follows:

Counties.	Whigs.	Administration.
Providence,	14	8
Westerly,	6	3
Bristol,	6	0
Washington,	6	9
Newport,	16	4
	49	23
	23	

Whig majority, 26
Senate, 10

Maj. on joint ballot, 36
YEAS.

The election for governor, members of congress, state legislators and state officers, took place on Tuesday last, of course we have no returns in time for this number.

John J. Jencks (whig) was elected governor last year by a majority of 2,351 and is a candidate for re-election. **Paul Dillingham, jr.** is the administration candidate.

Two of the present congressmen from Vermont are friends of Van Buren, viz. John Smith in the 4th district, and Isaac Fletcher in the 5th district. The candidates, for the next congress, as far as is known to us, are as follows:

Dist.	Whigs.	Adm.
1st	Hiland Holt,	Daniel Kellogg,
2d	William Stiles,	Truesman B. Ransom,
3d	Horace Everett,	
4th	Augusta Young,	John Smith,
5th	John Mettacks,	Isaac Fletcher.

NEW JERSEY.
Election. The period at which the state elections take place in this state have been erroneously represented in the tables lately published of periods of election. The annual election for members of the legislature (and who elect the governor and U. States senator) takes place on the 2d Tuesday and Wednesday, 19th and 14th October. The election for members of congress and electors president and vice president on the 3d and 8d of November.

VIRGINIA.
Administration continued. The system recommended by the central committee of vigilance, of holding a general convention in each congressional district, is in regular progress, and we have the papers of the party in the state crowded with their notes of preparation or proceedings thereat.

A whig state convention, "a last general rally of the party previous to the final conflict in November" is to be held at Richmond, on the 5th October, the anniversary of the battle of the Thames.

A whig convention came off at Wheeling on the 3d inst.

NORTH CAROLINA.
A whig state convention is to assemble at Raleigh on the 5th October.

KENTUCKY.
Election returns. The Frankfort Commonwealth of the 25th ult. contains the official returns of the late election, which vary very slightly from the table inserted in the last number of the Register.

The total number of votes given were
For governor,
Robt. P. Fletcher, (whig.) 55,370
Richard French, (adm.) 39,650

Whig majority, 15,720

*Present members: the 5th district is now represented by Virgil D. Harris, 6th by Hugh J. Anderson, and the 9th by Thomas Darve—all friends of the present administration.

For lieutenant governor.
 Maslin F. Thomas, (whig), 52,951
 John B. Helm, (adm.), 36,190

Whig majority, 16,761
 The legislature.

The senate consists of 23 whigs and 14 Van Buren members—whig majority nine.

The house of representatives consists of 76 whigs and 24 Van Buren members—whig majority fifty-two. Whig majority on joint ballot sixty-one.

Close of the extra session. After passing the single act to provide for the election of electors, the legislature adjourned sine die.

ALABAMA.

We give below returns from all the counties in the state.

	1840.		1839.	
	Whig.	Adm.	Whig.	Adm.
Mobile,	1	0	2	2
Baldwin,	1	0	2	0
Montgomery,	2	0	2	0
Louwdens,	2	0	1	1
Antauga,	1	1	0	2
Blount,	2	1	0	1
Butler,	2	1	0	1
Mecon,	0	1	0	1
Russell,	1	0	1	0
Perry,	3	0	2	1
Greene,	3	0	2	0
Pickens,	2	0	2	0
Dallas,	2	0	2	0
Shelby,	2	0	1	1
Marango,	2	0	1	1
Tuscaloosa,	4	0	3	1
Birmingham,	0	1	0	1
Telladega,	0	2	1	1
Jefferson,	0	2	1	1
Wilcox,	2	0	2	0
Monroe,	2	0	2	0
Sevier,	0	1	0	1
Clarke,	0	1	0	1
Washington,	0	1	0	1
Madison,	0	4	0	4
Limestone,	0	2	0	2
Franklin,	0	3	0	3
Morgan,	0	2	0	2
Jackson,	0	4	0	4
Fayette,	0	2	0	2
Walker,	0	1	0	1
Covington,	0	2	0	2
Benton,	0	2	0	2
Sinclair,	0	1	0	1
Randolph,	0	1	0	1
Merion,	0	1	0	1
Lauderdale,	0	3	0	3
Henry,	0	1	0	1
Dale,	0	1	0	1
Blount,	0	2	0	2
De Kalb,	0	2	0	2
Marshal,	0	2	0	2
Cherokee,	0	2	0	2
49	52	33	67	
Administration maj.	4	34		54
Whig gain,	30			
OHIO.				

Administration convention at Mount Vernon. The Columbus Statesman gives us the following:

"*Transcendent meeting*—the largest ever held in the state of Ohio by any party. "We learn that the young men's convention at Mount Vernon on Wednesday in Ohio. All concur in saying there could not have been one less than twenty thousand people present. Allen G. Thurman, of Chillicothe, was president. The enthusiasm that prevails among the democrats is unparalleled.

"Col. Johnson, gov. Shannon and senator Allen passed through here last evening, on their way to Xenia, where they held forth to-day."

"*Well done, Richman!*" We are told that there was a turn out of three thousand at Mansfield on Monday last, to hear colonel Johnson, Shannon and Allen. Whiggery in Ohio, is shaken to its centre. The leaders are alarmed—bunderstruck and scared half out of their senses, at the signs in the horizon. They believe that what was done in Illinois, may be done in Ohio.—No mistake in that."

The Cincinnati Advertiser of the 19th, says: "About 3,000 persons attended from all parts of Clermont county, on Saturday last. The meeting was addressed by general McDowell, of Highland county, by particular request, with most powerful effect. General McDowell is a veteran in democracy—has been frequently a member of the Ohio legislature, and is an influential man in his county. He was succeeded by doctor Dusen, Thomas L. fiamer, esq. Dr. Doane, member of congress, and Mr. Buchanan, speaker of the late house of representatives. The nominations were then gone into, and Dr. Doane, was put in nomination for re-election to congress, and Mr. Buchanan for the house of representatives of Ohio, by acclamation. From present appearances, Clermont county will give a large increased democratic majority at the ensuing election."

On the 26th an administration meeting was held at New Castle, Ohio.

On the 22d ult. a large meeting assembled at Dayton, the numbers variously estimated at from 5,000 to 15,000, which was addressed by vice president Richard M. Johnson, governor Shannon, Mr. Allen and captain Daniel, of Virginia. There was a splendid procession on the occasion.

A whig convention is to be held at Erie on the 10th instant, the anniversary of Perry's victory, for which large preparations are making.

On the 25th ult. a whig meeting took place in Washington, Ohio. And on the 4th inst. another at New Castle, Ohio.

Celebration at Carthage. The anniversary of the battle of Maumee, 20th August 1794, was celebrated at Carthage, Hamilton county, on Thursday last.

It is supposed that the number present was not less than twenty thousand. Many of the ladies. Numerous canoes, flags and mottoes, and several bands of music, added to the interest of the scene. General Harrison, governor Metcalfe, of Kentucky, general Murphy, of Chillicothe, Mr. Smith, of Indiana, and Mr. Southgate, of Kentucky, addressed the people upon this occasion. The Cincinnati Gazette says:

"The breathless attention of the great mass, for hours, interrupted only by an occasional shout of approbation, told the effect of these speeches. One old gentleman listened to general Harrison with more than usual intensity; at first in perfect silence, then with low expressions of approbation. When the general sat down, the old man rose up to himself—"I have done him a general wrong, great injustice. I have opposed him and abused him. He has been vilified and shamefully wronged. I will do him justice in future. He is the man to save the country."

ILLINOIS.

Election. A complete list of the members has been returned, showing 40 whigs and 51 administration in the house of representatives; and in the senate, whigs 14, administration 26; giving the administration a majority on joint ballot of 23.

YOLANDA.

By the schooner Empire, capt. SCHRIJVER, we have received St. Augustine papers of the 21st inst. from which we copy the following account of the butchery at Indian Key, which varies in some particulars from that already published.

The steamer Sanite, capt. Pinnett, arrived on Wednesday morning from the south, bringing passengers the family of Dr. Perrine, late of Indian Key. She brought in tow, from New Smyrna, the steamer Wm. Gaston, which boat had sustained injury some time since.

It becomes again our mournful duty to record the successful effusion of blood in this ill-fated territory, and the triumphant accomplishment on the part of the Indians, of an adventure bordering on rocamboles. Indian Key, a small spot not over seven acres in extent, and situated a short distance in advance, midway between old and new Matanzas Key, about thirty miles from the main land, and on our Southern Atlantic coast, was invaded by seventeen boats containing Indians; seven of its inhabitants murdered, the island plundered, and its buildings burnt.

About two o'clock on the morning of the 7th inst. A. Mr. Glas, in the employ of Mr. Houseman, happening to be up, saw boats approaching, and informed a person in the same employ, when they passed into Mr. Houseman's garden, and were satisfied that they were boats containing Indians. The Indians commenced their firing upon the house of Mr. Houseman and Dr. Perrine; the former of whom was killed. The family, and the family of Howe and family, succeeded in escaping to boats, and crossed over to Teatable Key. The family of Dr. Perrine passed through a trap door into their bathing room, from whence they got into the tarble crawl, and by great effort removed the logs and escaped to the front of Houseman's store, they then

went to a boat at the wharf, which 6 Indians (all who remained) had partly filled, and were in the store after a further supply—they then pushed off and pulled with an oar, a paddle and poles towards the Medium, they were met by a boat when they had rowed a mile, and taken to the schooner.

Mr. Motte and wife, and Mrs. Johnson, a lady of 70 years of age, fled into an out house, from whence Mrs. M. was dragged by an Indian, and while in the act of calling on her husband, she was killed. Mr. Motte shared the same fate, and was scalped; and the old lady, as she was dragged forth, suddenly jerking from the Indian, broke his hold, and escaped under a house. Her grandchild, a daughter of Mrs. Motte, aged four years, was then killed with a club, and the Indian struggled and throws in the water. This was seen by Mrs. Johnson from her hiding place; but the Indians fired this building, and she was again forced to flee, and escaped to Midway's wharf, and secured herself and was finally rescued. James Sturdy, a boy about 11 years of age, hid himself in the cistern under Mr. Houseman's house, and was scalded to death by the burning building heating the water. The remains of an adult skeleton were found among the ruins of Dr. Perrine's house, supposed to be the doctor, as well as that of a child, thought to have been a slave of Mr. Houseman.

The Indians were what is known as Spanish Indians, and were headed by Chokeika, the same chief who headed the party massacring the Calcasenatchie. They obtained a great amount of plunder from the houses and stores; and whilst engaged in obtaining these articles, Mrs. Perrine with her two daughters and little son, reached a boat partially loaded, and pushed off to the island of Midway, carrying with them their little son. They were promptly rescued by a boat coming to their assistance, and were taken to the schooner.

On Mr. Houseman reaching Teatable bay, midshipman Murray, U. S. N. started with only available force of 19 men and two swivels, 10 of whom were in hospital, so sick as to be certainly unfit for duty, but urging their claim, were permitted, hoping to cut off the boats, and thus prevent the escape of the Indians. On the second fire of his guns, they recoiled overboard, and the Indians then commenced a fire upon his boat from a six pounder belonging to Mr. Houseman, charged with musket balls, and drove back this active officer.

Communication was immediately despatched to West. McLaughlin, who was at Key Biscayne with the U. S. schooner Flirt and Otsego, and they proceeded down. The Indians, however, had escaped, after maintaining possession of the island twelve hours, carrying off large quantities of powder and other articles, and laying the little settlement in ashes. All escaped save the unfortunate named above.

Among the bold and lawless deeds of daring which have characterized the enemy during the war, there is nothing that will bear a comparison with this. We have seen the murdered remains of the citizen and soldier almost within sight of the garrison, when the white flag of overture was waving to these inhuman rascals in acts of kindness. We have seen the armed rifled battery, by a signal from the covert of the hammock, and the carriage of the traveller made to receive the last life drop of its occupant. We have seen the faithfulness of the tribe, even when the humanity of the white man was deserving every means for its support, planning their cruel schemes of murder, and, as a shatechie, the ground of confidence and good will, red with the blood of our troops and citizens. But on island—we had thought safe—as little would we have looked for an avalanche amid the sands of Arabia, or the whirl of a cyclone in the water amid the "Greenland's icy mountains," as an attack from Indians upon an island. A force too of seventeen canoes, averaging five men each, make a voyage of at least thirty miles from the main land, and "musket, pillage, and destroy" and return in safety!! When will these horrors end?

[*Charleston Mercury.*]

Indians.—On the 12th instant, two men were fired upon at Hope's, seven miles from Micapony, and Smart killed, and Lerein badly wounded in both his legs.

Shortly after, Indians made their appearance at Fort Crane, carrying off corn from the fields, and firing at two of the citizens, wounded both of their horses. The men escaped.

On the 12th inst. the crew upon a body of soldiers at McIntosh's field; two of the soldiers killed and one wounded. The Indians numbered from 90 to 100. They were pursued closely by upwards of a hundred men from Micapony and the adjoining points, under capt. Benneliver; the trail leading to the Ocklawaha.

Portions of five or six families have been murdered near the Georgia line.

On the night of the 28th inst. at 11 o'clock, Cook, B. H. Arthur, commanding at Fort Barker, Creek's hammock, Middle Florida, with a detachment of his company (E, 1st Infantry,) surprised a party of three Indians, about seven miles from the fort on the road to Tallahassee, and killed two instantly, the other ran into the hammock and it being very dark he could not be found. The next morning there was a shower of rain, which washed away all traces of his trail. He is probably dead, as he appeared to be badly wounded; he fell several times while running away.

A murder of four persons, named Coxe, took place, by Indians, at New River, on Tuesday the 11th inst. near Thigpen's station. The trail crossed the Black creek and Fort Harlee road. The family had but lately moved to Tallahassee, Inst. May, 2d dragoons, and Inst. Hanson, 7th infantry, started in pursuit.

On the 26th ult. as privates McDowell and Harlan, of company K, 3d artillery, were proceeding from Fort Landerside to the river, they were fired upon by Indians, who were in the neighborhood. The white flag was flying from the staff of the garrison at the time, and the men were within gunshot of its folds. They will both recover.

A negro of Jack Hope's, hunting for birds near the mouth of the river, at Albany, Florida, came unexpectedly upon five Indians. He discharged his double barreled gun at them, killing one and wounded another. The Indians took to their heels and the negro also. The body was found, and the wounded trailed a long distance.

Excitement at Tallahassee. Letter of the committee of citizens of Tallahassee, to the president of the United States, remonstrating against Gov. Reid's conduct.

Tallahassee, Florida, Aug. 10, 1840.
To Martin Van Buren, President of the U. States:

Sir: The constitution of the United States has placed the government of the territories entirely under the control of congress—and congress has established a form of government for the territory of Florida, by which all the civil rights guaranteed by the constitution of the United States to the people of the several states, are extended and secured to the people of this territory, although they have not the same political privileges.

The acts of congress were intended to secure to our persons and property the same protection but deny us the privilege of electing our executive and judicial officers. The power of appointment and removal of officers, and consequently of control and responsibility so far as they exist, are vested in the president of the United States, and no officer appointed by him are not responsible to the people of Florida in any respect.

This state of dependence leaves the people of this territory only the remedy of complaint and remonstrance to the federal executive, in case of misadministration of officers on the part of the territorial functionaries, and the ultimate right of armed resistance which nature gives all people, only when their grievances become too burthensome to be endured, and their remonstrances are unavailing with the power which should give redress.

Such being our situation, we respectfully claim a right to call the attention of your excellency to the recent conduct of Robert Raymond Reid, governor of this territory. We refer to the annexed documents, and the facts and statement as evidence of the nature of that conduct.

It appears that the governor has, in a time of peace and quiet in our city, when nothing had occurred of a more serious character than a few angry words between some few of our citizens, and the cause of private quarrel; without calling upon the civil authority, without issuing or asking for any civil process; without any attempt by civil means to sustain the laws, which indeed there had been no attempt to violate; exercised his military authority, and called into our city an armed force in the pay of the government of the United States, and subject to his orders and stationed them about his house, taking possession of the cannon on the capital square, and occupied certain of the public streets with lines of musquetry, along which his citizens were allowed to pass without his leave, on pain of being shot. That he at the same time sent expresses into various sections of the country, to certain of our fellow citizens, supposed to be attached to his person and political party, not pursuing their peaceful avocations, not in the service of the government, and not subject to his orders, except to reveal information or suppress insurrection, with orders, or requests for them to come armed to the city.

That when our citizens, surprised and excited at these unusual measures, sent some respectable gentlemen, to inquire into the causes and purposes

of these operations, they were haughtily received, and told in reply to their inquiry, that he was not amenable to the laws of Florida, and that he was, but to the president of the U. States, from whom he received his appointment, but condescended to say that his life had been threatened, and summarily dismissed them without any reply.

That subsequently, on the evening of the 4th day of August, he caused five citizens to be arrested by his armed soldiers, who were pursuing their way peacefully in the public streets, and no charge was made against them then, and none has been made since, and no other person is known for it except the president of the U. States.

That it was only when our people, justly indignant and alarmed at these invasions of their personal rights, this violation of the constitution and laws of the land, by the authority sent to protect them, and pecuniary bound by his office to uphold them, had solemnly determined in self-defence, to resist force, by force, and were preparing with becoming forbearance and moderation, before any innocent blood was shed, to send another civil and respectable deputation of citizens to learn if possible, the causes of these proceedings, and to request a dismissal of the troops. That they were at last dismissed, as we are informed, at the earnest solicitation of some individual citizens. But the deputation apologetically by the citizens, wishing to be fully informed of his purpose, and to request a dismissal of the troops, which they had just proposed, a copy of which is annexed hereto, and dated the 5th August, 1840, and addressed by the committee to the governor. A committee waited on the governor with this communication, and only received a verbal answer, that the troops had just then been dismissed, and the only reason assigned for his extraordinary conduct, was, that the governor had received some (anonymous) threatening letters, by which he had been so excited that his repose was disturbed for several nights. And no assurance was given against the recurrence of similar scenes for the future. A further communication was promised in writing, but has not yet been received. These have been the gross outrages upon the personal and civil rights of our citizens, and the conduct of the governor since the foundation of the republic; and scarcely a parallel can be found in the arbitrary conduct of the British government in the incipient stages of the revolution; and the conduct in the representation of British majesty, less in violation of their existing laws, and less warranted by the ready and indignant resistance of the people.

Our regard for the governor's personal character compels us to believe that the anonymous letters mentioned must have been a mere pretext, as the governor is a man of high standing and high honor, the commander-in-chief of our people, whilst he is waging around us, whose duty it is to protect us from the savages, whose even now proclamations in the papers exhorting the people to firm agitation and courage, in protecting themselves upon the frontiers, could exhibit such a degree of pusillanimity as to withdraw troops from those frontiers exposed to a real and terrific foe, to protect him in the bosom of a peaceable community from the idle threats of anonymous and childish scribblers, and could permit his sense of propriety to be so far distorted by his fears as to induce him to arrest peaceable and innocent citizens at the point of the bayonet. In his behalf and for ourselves, we repel the imputation upon our chief magistrate. Common sense and common decency, in protecting themselves could have perpetrated his fell purpose hitherto might hereafter, as he could not always remain fortified in his own house, and that a person entertaining such intention would not have warned him against the blow. And in order that inquiry would have informed him (if his ignorance of the people he governs was such as to render it necessary) that the peaceable citizens would have turned out to a man to protect him from the violence of a mob, if he had been one, for their own sake, if not for his.

Nor can we suppose Gov. Reid to have been actuated by an idea so stupid as that of establishing a permanent petty military despotism in our territory, and that in future executive power was to be manifested and executive will executed, by the sword and bayonet, and not as hitherto, by the moral influence arising from the knowledge that a free people always stand ready with their lives to sustain their public functionaries in all lawful and just acts of power.

We confess with humility and mortification, that the only reasonable or plausible purpose which we can conjecture for his conduct, is as grave and pernicious as the two former have been ludicrous and contemptible. It may not be unknown to your excellency that we are divided here into two parties, the one must be, into parties, each struggling to main-

tain its own opinions, and each, doubtless, for the most part, equally conscientious, and anxious only for the good of our common country; both as to territorial affairs and general politics.

Governor Reid is among the leaders of one of these parties, and has manifested in all his acts, official as well as private, a desire to promote and sustain the policy of the party to which he belongs. Although we should prefer that our government, as he is sent to us by the president and not chosen by ourselves, should, as far as possible, hold himself aloof from, and above party influence, yet we shall not complain, so long as it does not lead him to transcend his powers, or urge him to acts of oppression. But it is a remarkable fact, that the very first attempt at organization made by the party opposed to governor Reid, was made on the 11th of August, as will be seen by a notice of a public meeting hereafter, and that some of the members of the governor's expresses were sent for the troops, which arrived the next morning. This coupled with the fact that expresses were sent to the country at the same time calling in citizens of his party, (who, we are happy to say, had too much good sense and patriotism to be misled by such a connection more than accidental between the two occurrences, and to stamp that connection with a political character. And we are led irresistibly to the conclusion, that it was his design to overawe and put down by a timely exhibition of arms, the first germs of an opposition likely to be formidable for the first time, because for the first time organized, with the hope that by this interference with peaceable citizens in the exercise of their rights and duties, and the establishment of a party, the influence of which might be deterred from opposing his measures, and that large class of orderly and peaceable men, who prefer to culture the evils of almost any government to the anarchy, confusion and bloodshed of civil war, might remain quiescent, in preference to joining in the movement, and that some of the members might, by possibility lead to disastrous consequences.

If such was his purpose, we submit it to your excellency to say whether it was becoming in a democratic governor. We are fully satisfied the people do not state in the union, nor of the United States, would tolerate it for a moment in their respective chief magistrates. We have no power and can only represent our grievances to the consideration of the federal executive. But whatever may have been the purpose of governor Reid, (for we do not say he has not thought proper to explain,) we are left to see, his conduct would have inevitably led, but not better counsel prevailed with him at the last moment, to most fatal results, and we pray Heaven in its mercy to avert a similar crisis from occurring in our country again, as we are well aware that the sanctity of the governor's person would be in danger of being violated thereby, but the lives of valuable citizens be put in jeopardy. In conclusion, we assure your excellency that our citizens generally entertain a personal hostility to governor Reid, and it confided to his legitimate powers, his political feelings would be a matter of utter indifference to us, as that of such a functionary could possibly be. We heard, at the time of his appointment, that he was selected as a *civilian*, whose duty it would be to be peaceful himself, and to respect the rights of the army. As far as the enemy is concerned, he is certainly as peaceful as could be desired, but his civil knowledge has not taught him respect for civil rights. Towards the people he assumes a belligerent attitude, and declares the law to govern him, and he confided to his legitimate powers, his political feelings would be a matter of utter indifference to us, as that of such a functionary could possibly be. We heard, at the time of his appointment, that he was selected as a *civilian*, whose duty it would be to be peaceful himself, and to respect the rights of the army. As far as the enemy is concerned, he is certainly as peaceful as could be desired, but his civil knowledge has not taught him respect for civil rights. Towards the people he assumes a belligerent attitude, and declares the law to govern him, and he confided to his legitimate powers, his political feelings would be a matter of utter indifference to us, as that of such a functionary could possibly be.

We, therefore, submit these facts to your excellency, as the only authority which he recognizes, and the only one before which we can civilly lay our grievances. We respectfully request that we may be informed, in such manner and time as may be convenient, of the result of the proceedings in the conduct of governor Reid upon this occasion meets with the censure or approbation of the chief executive magistrate of our republic. All of which is respectfully, submitted by

WM. P. DUVAL,
WM. WYATT,
D. F. WILSON,
T. BEZEAU,
A. M. GATLIN,
J. H. GATLIN,
W. W. TAYLOR,
THOS. BROWN,
J. B. BULL.

Committee on behalf of the citizens of Tallahassee.
The following is the statement of the Globe in relation to the above, as it appeared in the issue of the last Register from the Tallahassee Star.

We have received, from a gentleman of Florida who is perfectly familiar with the transaction which the National Intelligencer proclaims to be "*marital law in Florida*," the following account of it.

"On the Florida of the 1st of August, the proceedings of a meeting of the citizens of the county of Leon county, in Florida, were published. One of the resolutions passed by the meeting was in the following words: 'Resolved that the recent union between the bank party of this territory and the abolitionists and high landers of the north and south, the raprobation of this people, and gives renewed and additional ground for distrust and suspicion.'

"Much resentment was expressed by the bank party at the charge made in this resolution; and on Monday, the 3d, great excitement prevailed in Tallahassee among the members of the north and south. On the forenoon of that day, three persons, who stated that they were acting as a committee, called on the editor of the *Floridian*, and demanded the author of the resolution, or the name of the person who handed it out for publication. The editor promised a reply in the afternoon, but was too much indisposed in the afternoon to be at his office. During the day, as it is stated in the whig paper, the excitement increased, and, as it appears from affidavits in possession of the editor, several persons belonging to the democratic party were assailed with the streets with abusive language, and a person connected with the printing office was threatened with a Bowie knife.

"After dark the editor of the *Floridian* received information, from an unquestionable source, that a party had assembled at the residence of the editor. The persons, who were preparing to tear down his office; and gentlemen unconnected with the excitement waited on him, to urge him to make some communication to them, to divert them from their purpose. He accordingly sent them a message promising to give a satisfactory answer at 9 o'clock on the morning following the demand for the author of the resolutions—with which message it was understood that the party was satisfied, and dispersed. Governor Reed was informed at the same time of the threats of violence then made known, and on the occurrence of the day, that there was a great degree of excitement in the city, and that there was too much cause to fear disorder and bloodshed, he sent for a small company of volunteer militia, who were paraded in front of his office, with orders, from the states in his letter, to preserve the peace not to break it.

"On their arrival on the morning of the 4th they were stationed near the governor's house, which is in the same city, and ordered to molest no one; but to hold themselves in readiness to aid in maintaining good order.

"The statement in the *Star*, of the indignation and excitement which in the measure occasioned amongst the whigs, is, in the main, accurate. The drums were beat, and the militia were called out, and the resolutions were made, and a message was sent to the commander of the volunteers that they must leave town by a certain hour or they would be driven out by force. Several committees also waited on the governor, to express to him the feelings of the party opposed to him; and on the morning of the 5th, the mayor of the city made an official communication to the governor, offering to aid him in preserving the public peace, and with that view placing at his disposal any force which he might require. Immediately on the receipt of this communication, the governor dismissed the militia, and in less than ten minutes, they were on their return to their station in the country, having remained in town just twenty-four hours, during that time having never left the premises of their encampment near the governor's house."

"The circumstances attending the arrest of citizens mentioned in the *Star*, are as follows: During the night that the troops spent in town, sentinels were posted according to their inveterate custom, around their places of encampment, and as already stated, was in a detached spot. During the night a small party of persons, attempting to pass the line of sentinels, were stopped and detained until the sergeant of the guard was sent for, who immediately dismissed them. No complaint was made by the militia to go into the city, or in any respect, save in the instance just mentioned, to arrest or in any way interfere with any citizen.

"The object proposed by the governor of preventing any breaches of the peace, was accomplished without injury in any way to the actual execution of any force, which was only held in readiness in case its interference might be necessary."

All acquainted with the present state of things at Tallahassee, know that it has arisen from a long and bitter feud, originating with a rotten bank, and is striving for mastery in Florida. The bank understands that there were the most shocking circumstances of fraud connected with the legislation in its

behalf, and it is certain, from this, or some other cause, it is greatly impeded in credit. Its notes, we are told, are depreciated to about fifty cents in the dollar, notwithstanding the bank has a powerful party, the whole body of whigs, in support of it. This feeling, generated by the bank has led to personal feuds of the most mortal kind.

One fatal duel with rifles has been the consequence, followed up with subsequent shooting and stabbing, and the arming of combatants on both sides. From the account of our informant, at the outbreak, it will be seen, grew out of a resolution passed by a portion of the democratic party, identifying the bank whigery of Florida with the bank abolition whigery of the north. If co-operation in support of a presidential candidate can be effected, the resolution of the resolution of a portion of the democracy of Florida is certainly true of the mass of southern whigery, and the mass of northern abolitionism and high landers. But whether true or false, a meeting of freemen had a right to express their opinion freely. This, in fact, appears from the course of the bank party in Florida, they were resolved should not be, without bringing down vengeance on the head of the editor, who published, or of the individual who brought the resolution of the meeting to him. Demand was made of the editor for the author of the resolution of the resolutions which were adopted by a public meeting. The editor declining to comply, the persons in his employment were threatened with the Bowie knife, and the determination to pull down his house and destroy his establishment was expressed. The proceeding resolution, from previous acts of violence on the part of persons who were in concert on this occasion, the apprehension that all they threatened would be attempted, was well warranted. The governor, to guard against personal animosity, and to prevent any further disturbance of the territory under his command. Whether there was authority to do this depends upon the facts of the case, as made out to the chief magistrate and peace officer of the territory. If the combination of armed men were intended to demolish the house and to destroy the press of the editor of the *Floridian*—if his fears were just, as to designs against his own and the persons of those employed in his office—then, as a peace officer, the governor was authorized to call on the militia, or any other posse he might assemble, to prevent such a disturbance, and to protect the people and the territorial legislature, to congress, as well as the president. His acts and the grounds he supposed authorized them, we have no doubt, will be thoroughly scrutinized, and if he has erred, he will be held to the strictest accountability.

Ex governor Call's remarks. The part of the speech made at Central Log Cabin, Broadway, New York, on the evening of the 18th inst, by ex-governor Call, of Florida, which relates to the union between the whig party of this territory and the abolitionists to the history of the times. It is extracted, from the "*man book*" of Mr. Sutton, short hand writer.

Fellow citizens, I feel I have trespassed too long on your time. (No, no, go on.)—Well, then, if you are not fatigued I will go on, for there are many authorities to be criticised, that we might speak until the last trump sounded, before we could exhaust the catalogue before us.

Fellow citizens, I told you I was a stranger here, and then I said, I was a citizen. I come from Florida, land which was once said to be the land of flowers, and hence its name. Yes, my countrymen, it was from those ever-green fields, those heavenly plains, I came, which, when I first visited that happy land, were so beautiful, and the most beautiful I ever saw. I was so beautiful a country, and I consider it was named as the land of flowers. It was the land of peace—it was the land of prosperity; but it has been blighted, and the same breeze which swept over Florida, which blighted our flowers, has blighted our people. I am a New Yorker; the same polluted air of Java, which cast its pestiferous blast over that land, has poisoned all the sources of your own state. Stranger though I may have been to you, I am no stranger to your sufferings. I too have suffered: I have suffered what you have suffered; yes, ten times more than you have suffered. The flowers are not only blighted in that land to which this significant title was given—the flowers are not only withered, but now, instead of a land of flowers, it is a land of carnage and desolation. And why did I suffer? I am a small band of savages, not one little of those minions who are feeding on the public purse—not one little of those who are exhausting the resources of the treasury of this nation, has marched in triumph over these peaceful plains, and has covered them with blood and carnage. And why did I suffer? All this has been done under the administration of Mr. Martin Van Buren. Yes, I come from that land which has been made desolate under his ad-

ministration—from a land of graves, and of ruin, and of carnage; and could it be expected that I should fall down and worship the man who has prostrated my country—and sustain the man who has allowed the savage to triumph over the civilized man without extending the hand of aid to him, which was required. No, I never could; I should be recreant to myself, and a traitor to Florida, if I did so, when I saw him turn a deaf ear to our supplications.

Gentlemen, it is always a delicate and an unpleasant task to speak of one's self, and if I mention myself at all, it is because some remarks which seem to require that I should do so, have appeared in one of the papers of your city. True, it was the language of kindness—I knew it was well meant and kindly received. I was asked to tell why I was removed from the office of governor of this territory; and I I speak of it, therefore, I speak of it not to anger or regret, but because I have been asked to do so. (A voice in the crowd—yes, tell us all about it.) I would to God I could, but I cannot—I cannot say more than I can say. I don't like to hazard any thing, but I will tell you all I believe about it, and I will send to the editor of that paper, who I know means me kindly, a copy of a memorial which I sent to the congress of the United States, and which I have in my hand, and which I invoked that power to tell us who were asked to tell why they would ever tell; but I did not wish the world to believe that I was turned out for any dishonorable act, and therefore I invoked congress to tell. I was not afraid of an investigation, but they gave no response. But it must appear to you, as a matter of matter which I believe is reproachful to my country; or rather not to my country, but to those who administered the government of that country. I must say that I believe that such a system of misrule, and mismanagement, and prodigality, and shameful expenditure of money, and of blood, and of time in any country. I believe it is unequalled in the history of warfare. I have not those matters before me in detail, yet though they have expended millions on millions in what they said was the conducting of the Florida war, the money was left at the mercy of the savage; and when I asked the secretary of war to give me the means to defend those that looked to me for defence, and to save helpless women and children from the scalping knives of the savage, he refused to give me any aid, and I was compelled to rely upon my own resources, and on the pledge of my own fortune—to raise money to defend that frontier, while your government had been expending millions. For two years I had I stood in that position, defending the frontier with my own resources, and my own fortune, and my own government for that pay which the soldiers had fully earned while gallantly defending the country, it was refused, and the soldiers then became dissatisfied. And while in this position, the enemy advanced within twenty miles of the frontier, and in one night reeked their hands in the blood of men, women, and children, and consumed their yet living bodies in the flames of their own dwellings! In that emergency, I called the citizens again together, and they required from me a pledge that their pay would be secure, and I secured it by a pledge of my own estate, and thus I raised money to defend my country. (Great applause.) I did that; I tell you I did that; I told the secretary of war I did it; and I told the president of the United States I did it; yes, further—I raised \$10,000 at my own expense, and I raised it. I went on that credit system which is so much condemned. I resorted to the credit system to defend the country! I got the money, I saved the country, and when in their shame and repentance they said to the secretary of war, "Give us money for the sum he has paid." Yes, at length they said this, but it was after I had restored to all these means to defend the country, that they did it. Yes, and I can tell you of family after family that was murdered, because I could not get money to pay for the soldiers which was multiplying in their hands, when a few ounces of it would have given satisfaction and security. I have thrown it in their teeth; I have complained of it as a damning aid; I have spoken of it as an American citizen should speak when he felt that he was wronged and outraged. (Applause.)

Fellow citizens, you all remember that a trace was established with those Indians. The commander-in-chief of the U. States army went to Florida to make peace. He held a treaty with the Indians, and then he issued a proclamation, telling the people of Florida that he had made peace with the Seminoles. But the ink was scarcely dry, before the savages were again reeking their vengeance on the peaceful people. Their houses were attacked, their families were murdered, and their habitations were consumed over their heads. Numerous instances occurred even while the trace was said

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to exist between the civilized and savage man. I am not aware that the president could be sensible of these outrages, and yet refuse to give us the necessary support. I would not believe that he would elevate to be commander-in-chief of the army or navy, a man with no power to make him responsible for its victories and the lives of our citizens. I did not believe he would turn a deaf ear to our representations, if they were just and honorable; and that he might be informed, I selected five of the most talented and respectable inhabitants of Florida, and I sent them to the capital to speak to the president of the United States of the ravages and outrages to which we were subject. Yes, and I instructed that committee to use to the president this language, "It is necessary that the governor of Florida, be whom he may, should have power to defend this territory. It is not necessary that governor Cal should be the governor; but whoever the governor may be he should have that power." If that power could not be granted to me, I directed them to demand my recall, and the appointment of a man in whom be had more confidence, for the settlers of the country could not be safe until that power was given. My friends proceeded to the capital, and they went to that office where they should have found the president of the United States as the secretary of war; but instead of finding them engaged in planning a campaign against those savages who had violated the truce and massacred our people—instead of finding them at the capital mustering their forces to redress our wrongs, where were they? Why, making a crusade on the state of New York, against the true enemies of the state of New York. They considered a campaign against the whigs of New York a matter of more importance than against the hostile Seminoles of Florida. One was local; but they had not felt the blast in Florida; but they had felt the weight of the whigs of New York at the ballot box, and here then they waged war. And here then my friends followed them, but they were too busy to listen to my friends, and an appointment was made at Whitehall. As friends were there, and there the president did not like to be interrupted! but he said he would see them at Pittsburgh, and there too they went, and wherever the president told them to go. They were charged to tell the president that the United States army should be sent men ready to march at midsummer to chastise the foe, and that all I wanted was bread. Yes, in five days I could have them in camp, wherever it might be. The president referred to Mr. Pointsett. A very convenient man to Mr. Pointsett (laughter), and he was not willing to give the governor of Florida with the tremendous force of 5,000 militiamen; but he could recommend the president of the United States to raise 200,000 soldiers, and the president of the United States could not too highly approve of it. Laughter.

But when he found he had rather got into the wrong box, he said, "why, verily gentlemen, I am not read it." [Renewed laughter.] But I make you laugh gentlemen, in the midst of a tragical tale. My friends were instructed to show their suffering condition, and implore protection to demand either that power should be given to me to defend the land, or that I should be removed and somebody else appointed, in whom they had more confidence. But not that was not a negative act, it was rather more action than Mr. Pointsett could give. No, saying me a compliment which I will not here repeat, he said, "I will not remove him." When I found he would not remove me, I resorted to the territory once more, and raised troops on her and my own responsibility; and I had up the army's encampment, which was within ten miles of our military posts. When I say what I have said, I mean to cast no reflection on our gallant army. No, there is as much gallantry, as much patriotism, in the army now, as there was in the glorious days of the revolution—much courage and as much high chivalry as there was on the plains of New Orleans, and on the memorable battle fields of Bridgewater and Chippewa. The same gallant men and noble hearts, are now to be found in your army. But their energies are paralyzed. The president of the United States has made a secretary of war who recommended the raising of 200,000 men as a standing army, and stands between the president and the reproaches of the people of the United States—a man who fetters the energies of the army, and so long as Martin Van Buren is president so long will Joel R. Pointsett be secretary of war, and so long as those two worthless direct the army I care not how brave and patriotic our soldiers may be, nothing but disgrace and dishonor will stand it. They have not the capacity to feel the presence of our countrymen—of us who have their delibe-

rate judgment on the matter, and if they found me wrong let them condemn me as one having done them injustice. But I am not wrong, then I call upon them to rally under William Henry Harrison, (hearty applause), I call upon them to sustain the hero of Tippecanoe, and redeem their country's disgrace and dishonor. (Renewed applause.) No, my countrymen, your Scott, your Jensep, your Taylor, and I may say almost any of your officers would conquer that enemy if government gave them the direction of the war. I myself called upon Colonel Ross and urged him to take the field; that gallant soldier said to me, "I knew I should be in the field earlier, but I am commanded by the secretary of war to be in the field at such a time and not before." Some of your officers, I have known since I was a subaltern in the camp. I know them to be brave and gallant soldiers. Some I have mentioned—your Jensep, your Taylor, your Scott, and others I could name. But your brave army even under the command of this gallant band, will entitle the nation to nothing but disgrace so long as they are governed by the present head of the war department.

POLITICS OF THE DAY.

THE STANDING ARMY OF 200,000 MEN!

Important correspondence. We call the particular attention of our readers to the subjoined correspondence between Messrs. Rice Garland and John C. Clark on the one part, and the president of the United States on the other. It relates one of the most important questions that have arisen in any age or country, and which we rejoice to add, the public mind has grasped and decided already, by expressing against the policy of the government its indignant condemnation. The letter of president Van Buren to certain citizens of Elizabeth City, in Virginia, (which has been going the rounds of the federal loco-foco press), contains the following passage at the close:

"Unfair as these animadversions are thus shown to be, this we can even here the worst aspect in which they have been presented. We have been compelled to see, not, I should think, without shame and mortification on the part of every ingenious mind, whatever may be his political preferences, the manner of respectable citizens subscribed to statements, that I had in my actual message expressed my approbation of a plan, which not only never had been submitted to me, but was not even matured until more than three months after the message was sent to congress; and an attempt to prove that the president's assumption of the publication of a garbled extract from that document, with its true meaning falsified by the suppression of a material part. Nor was the avowed object of these extraordinary proceedings less remarkable than the manner themselves, being nothing less than an attempt to fix upon me the design of establishing a standing army of 200,000 men, for political and personal purposes. If I had been charged with the design of establishing among you, at the public expense, a managerie of two hundred thousand wild beasts, it would not have surprised me more, nor would it, in my judgment, have been one jot more preposterous.

I am, fortunately, gentlemen, not over-sensitive to attacks of this character, and have, without an abiding confidence in the intelligence of the people, which renders them peculiarly all such attempts to deceive them. If I understand you correctly, my chief regret in witnessing such degrading exhibitions, arises from a consideration of the opinion, which foreigners, who have not the same reasons to respect our political institutions that we have, are prone to entertain of the character of our people, when they see that conspicuous men among us, who can mislead themselves any advantages, from attempts to delude their fellow citizens, by means of such monstrous absurdities. This regret is, however, I confess, materially diminished, by the conviction that the people, in the acquisition of the truth, have been fore-drawn, to convince those who attempt in this manner to operate upon their credulity, of the folly of seeking to accomplish, in this country, political objects by such discreditable means. I have the honor to be, gentlemen, very respectfully, your obedient servant.

M. VAN BUREN.

To Messrs. John B. Cary, A. G. Hudgins, Thomas Jones and G. A. Cary, of Elizabeth City county, Virginia.

This passage was received with more than ordinary delight by the trained band of our executive. The editor of the Richmond Enquirer pronounced it "perfectly new and satisfactory," and begged himself on the flattering idea that "the standing army of 200,000 men will scarcely enter the field of elocutionary agency."

It is not literally inferred that the president intended to allude particularly in the remarks above

quoted, to a pamphlet published in this city bearing this caption—"Plan of the standing army of 200,000 men, submitted to congress by the secretary of war, and recommended by the president of the United States," which pamphlet contained the following letter as an introduction:

TO OUR FELLOW CITIZENS.

Washington, May 26, 1840.

We have been informed that the editors of some newspapers, who advocate the re-election of Mr. Van Buren to the presidency, have refused to publish the recommendations and project of the secretary of war for the reorganization and discipline of the militia of the United States, with the approval of the president. Being also informed that the authenticity of those portions of the message of the president and the reports of the secretary of war submitted to congress have been frequently denied when published in the newspapers, we have, for the purpose of removing all doubts, procured duly certified copies of that portion of the message, and all the reports of the secretary of war submitted, to the present session of congress, but relate to the subject, which we present for your consideration.

R. GARLAND, of Louisiana,

JNO. BELL, of Tenn.

M. H. GRINNELL, of N. Y.

JNO. M. BOTTS, of Va.

THOMAS S. BISHOP, of Conn.

CHARLES WATSON, of Penn.

L. SALTONSTALL, of Mass.

J. C. CLARK, of N. Y.

Messrs. Garland and Clark lost no time in taking the proper steps to ascertain whether the highest officer of the government intended to apply the remarks above contained in the publication they and their colleagues on the committee had put forth. They accordingly addressed to the president the following letter:

Washington City, August 12th, 1840.

Sir: The Globe of the 10th inst. has been shown to us, and our attention directed to a portion of a letter published in it, purporting to be written by you, dated the 21st July, 1840, addressed to several persons in Elizabeth City county, Va. The part of the letter to which we wish to call your attention is contained in the slip now enclosed, cut from the newspaper. We enclose it in this manner, as we wish you to see the letter as published.

We desire to be informed if the language used in the slip, or extract, from the Globe, is yours, and also to be informed if the pamphlet published in this city on the 26th of May, 1840, contains the Secretary's message, entitled "Plan of the standing army of 200,000 men," &c. &c. a copy of which we enclose, in one of the statements to which you allude. We request a reply as soon as convenient. Very respectfully, your obedient servants,

R. GARLAND,

J. C. CLARK.

Hon. Martin Van Buren, Washington.

The president returned the following reply:

GENTLEMEN: I have received your note of the 12th instant. When my letter of the 21st of July—an extract of which you have enclosed in your letter and written, I had not seen the pamphlet to which you have called my attention, and, of course, could not have alluded to it.

On an examination of that pamphlet I find its caption to be in these words: "Plan of the standing army of 200,000 men, submitted to congress by the secretary of war, and recommended by the president of the United States; and in the note of the 27th (26th) of May last, signed by yourself and others, you spoke of 'the recommendations and project of the secretary of war for the reorganization of the secretary's army and the discipline of the militia of the president.' I also find that the extract from my message of the 2d of December, 1839, in which the project of the secretary for a reorganization of the militia contained in his report of the 80th of November, 1839, is recommended to the 'freedom' of congress, is correctly taken. I enclose as the letter of the secretary of war, giving the details of his plan, contained in your pamphlet, and occupying thirteen of its sixteen pages, is dated March 28, 1840, several months after my message, quoted by you, was sent to congress. It is manifest and discriminating reader will not fail to perceive that the caption and introductory note cannot be understood as charging me with having recommended or approved the contents of that paper. Whether the caption of your pamphlet, so far as it implies that the secretary's army was proposed, or that I have 'recommended' a standing army of 200,000 men, does injustice to him and myself, the public will decide. Yours, respectfully,

M. VAN BUREN.

To the hon. Rice Garland and John C. Clark.

Washington, August 15, 1840.

RECEPTION OF COLONEL JOHNSON AT COLUMBUS.

From the Ohio Statesman, August 12.

Great and overwhelming meeting of the people. The rush of the yeomanry of Franklin and the adjoining counties on Saturday last, (which we can call it nothing but a rush) to meet and greet the great soldier, Richard M. Johnson, to bid him welcome among us—and also to meet and warmly greet our talented buckeye governor, Wilson Shannon, and the great orator and revered and distinguished senator, Allen, the young, gallant, able and brave, and the great and the most cheering gatherings of a free people, are the most rapturous and enthusiastic assemblage of the unshaken democracy of the centre of Ohio, ever convened here; and duly eulgy to any popular bar of the public feeling we ever witnessed in any part of the union.

In the ecstasy of our feelings, we were lead to exclaim, what an evidence of the popular will—what a rebuke to the malignant spirit of opposition, now pervading the country, have we here.

The distinguished guests were escorted into the city by the thousands of freemen, on horseback, on foot and in carriages, composed of the laboring interests of the country around us, who met Colonel Johnson, the governor and senator Allen, at Stewarts' grove, about a mile from the city, on the Chillicothe road. The procession was between one and two miles in length. The military of the city, the 1st and 2d companies of German artillerymen, made a fine display, and the juvenile light band of City Lancers, who appeared on the occasion, elicited high encomiums from all quarters.

The people, that in the republican portion of the city, all turned out on the occasion. The procession was placed under the direction of Major Sanderson, marshal of the day, whose fine appearance and great military skill, are so well known and appreciated in this country. Arrived at the American Hotel, the speaker, between one and two miles in length, through which Colonel Johnson, gov. Shannon and col. Allen, assisted by auditor Brough and major Morgan, approached the front steps of the hotel, where the real hero of the Thames was received on the occasion by J. A. Bryan, ex-governor of this city, who addressed him in the following beautiful and feeling manner:

Col. R. M. Johnson: We bid you welcome to our town and country—to the capital of a state, whose suffering frontier you have defended, and whose people your patriotic valor has saved from the hands of the enemy. It is a welcome that flows warmly from the hearts of the thousands of freemen who now surround you—a welcome that mocks no empty paucity here, but one that attests the best feelings of our nature for the sacrifice of a patriot and philanthropist, whose deeds of valor will ever stand a halcyon light upon the bright page of our country's history.

You have lived down the malice of the envious few who once wantonly assailed you, and the rancorous spirit of political envy that sought to rob you of the glory of a triumph whose brilliancy would have given lustre to the brightest laurel that ever gleamed upon the conqueror's helmet in any age of the world, has been exchanged for a nobler inspiration, the spontaneous burst of a nation's gratitude.

From one end of the continent to the other, amid the cheering elements of the three political parties, now raging through the land—while the popular excitement is found at the very zenith of its fury, and the spirit of party madness has blunted the natural impulses of thousands, it is our pride as Americans, to witness, and prize, the great man who everywhere as the nation's guest, the man whom the nation delights to honor. If that fell spirit of party rivalry can be thus quelled by a just sense of your merits and worth—if the bitter feeling of political opposition can thus easily disarm of its disposition to underlie the virtues you here rendered the cause of liberty—if your deeds of war in the field of blood can thus stifle the venomous spirit of your political opponents, and induce them to offer compliments where once were curses—if those who were once political enemies, and to point the way has been so directly and distinctly opposed, that throw down their arms to offer you the cheering smile of welcome among them—how much more ardent, devoted and enthusiastic, should the greeting of that party and of the friends of your whole life, in the pouring of their confidence and regard in whose ranks and by whose side you have stood, as an old war-veteran in the great political struggle of the last forty years.

Welcome, then, sir, to the scenes of your early suffering—to the hospitalities of a people who will cherish the memory of you have been given to us, and that tempted field whence were borne the numerous wounds you received from the fire of the ambushed foe.

Standing now within sight of the very ground, upon yonder bank of the Scioto, where you once languished from the wounds you received in the last great contest for freedom—in that almost fatal hour when the angel of death, with threatening in his quiver, hovered around your head, but when, for some great end, and you were left to rise to the first honors of your grateful country, to unite the qualities of the statesman with the prowess of the soldier—we can truly, sir, offer you the warmest welcome to which all around us must respond—a welcome to the homes and the firesides of those you defended—to the friendly congratulations of those who know how to appreciate your services, and how to honor one of their country's greatest deliverers, and most deserving benefactors.

To which, Colonel Johnson thus happily responded:

For this kind reception, this generous expression of the confidence and fever of the people in this delightful region, I feel indeed truly grateful. I am quite happy sir, thus to meet my friends on this occasion. I have been honored by the benevolence of so long so long connected in the kindest of friendships, and the most close and endearing associations. I am no stranger to this ground—I was on this soil before a single house or helmet adorned your beautiful city. You know full well, sir, upon what I stand, I am employed, in whatever I was engaged. It was an hour when deep disaster prevailed throughout the land—when the desolations of war were preying with insupportable hand upon the defenseless frontiers of Ohio. It was when the wild savages of the wilderness had come from their haunts to burn your towns and butcher your people. I did no more then sir, than my duty demanded in coming to the rescue, and doing what my feeble arm would allow me to do in defence of such a people. They were at the mercy of the government for protection. I was then a member of congress, and having voted for the war, and been among the most zealous and ardent in urging an immediate redress of the insults and injuries to which we had too long submitted, I felt that duty called me to my country's aid. I could not stand idly by and see the banners and hazards to which so many of our innocent countrymen were then exposed. I lived here, as I do now, nearly upon the borders of your own state, on the other side of the Ohio, and within the sound of the cannon. The sufferings of the people of Ohio were felt to be those of my own native Kentucky—and if I ever, in any manner, or by any hardships or trials, have been the instrument in the hands of a kind Providence in protecting and defending any of my old, endeared friends in this new great and flourishing state of the west—if any of my then companions in arms are now present, or the sons or descendants of those dear associates of my early toils are here this day, to them one end I all, I say if I have ever done any thing for them, or for their country, or for the kindred, either here or peace, any where or upon any occasion, let them place it entirely to the cells of duty in the service of my dearly beloved country, for which I make no claim but that which your generous reception this day has most amply repaid. My compensation, sir, for any sacrifices endured for a people whom I so sincerely regard and love, a people who are all of them as I trust, my personnel, if not my political friends, is to be found in the consciousness feeling of having done my duty, and no more then my duty, to my brave and brave country.

You brave Ohio militia (and rarely, no country in the world could ever boast a more patriotic or invincible band of soldiers than Ohio embraces) was then upon your northern borders, upon the lakes and in Canada, in every spot where danger threatened or duty called. To them I was indebted for every attention, for every kindly aid which a humble volunteer like myself could desire, to repel an invader, or protect the defenceless. Your kind address, sir, has freshened my recollection of the dangers and storms of those times, and I take this occasion to express my gratitude to you for the gratitude of one whose bosom will ever vibrate with the memory of their services and virtues. I thank you, sincerely thank you, for this very flattering reception, and for the generous and friendly manner in which it has been conveyed to me. I am, sir, quite sure that I have been long and intimately acquainted, an early, tried and intimate friend, whose former attentions and kindnesses I can never forget, and for whose future happiness and prosperity, as well as that of all those whom you represent in this assembly, when you speak, it will ever be my fervent prayer may be continued.

With my best wishes for your continued success, I make this feeble offering of my sincere and grateful thanks for the flattering testimonial of kindness and regard with which you have this day honored me. It will go with me through life as a memorial worthy of my remembrance forever.

After an hour's interval, for a free interchange of friendly greetings and salutations, the Am. on the order of procession was resumed, when it moved to a beautiful grove on the east bank of the Scioto, where the colonel and the other guests of the occasion, headed by the venerable president of the day, William Ballard, ex-a revolutionary soldier of upwards of 80 years of age, accompanied by the presidents and secretaries of the day, took the station prepared for them by the committee of arrangements, on a platform erected for their accommodation. Colonel Johnson was handsomely introduced to the meeting by John Brough, ex-auditor of state, when he arose, evidently moved and affected by the rapturous feeling with which his presence was cheered and greeted by the many thousands around him. He enchaind the attention of the audience for about an hour. Every eye rested upon the old hero, and every sentence he uttered sank deep in the minds of the people, who knew his history in the sanguinary conflicts in which he had been engaged, and who were ready to shout "HONOR AND GRATITUDE" to the gallant warrior who had shielded his countrymen from destruction by the deeds of the mightiest strategists ever known in the annals of American bravery.

No man was ever more enthusiastically cheered—no man more warmly welcomed. It seemed as if every friend around him was eager in being the first to take him by the hand. This intensity of feeling was no doubt greatly increased by the fact that, before them stood the identical individual who, in the war of 1812, had marched over the very soil he then occupied, with his brave companions in arms, to meet "Acquassu and his ferocious band in their own chariot, and to march up the banks of their own camp, and within the circle of their own council fire. The result of that great event is before the country and the world.

Colonel Johnson sat down amid the deafening cheers of the animated multitude around him, and governor Shannon, who was introduced to the audience in a similar manner, for about two hours occupied the attention of the people. He dwelt long and eloquently upon the actual condition of the times—the efforts of the aristocracy to create a panic through the combined frauds of the banks, and the wicked pocketing of the currency, and the hoarding of specie, and to excite the prejudices of the people. He made a very happy reference to the wily intrigues, grovelling tricks and secret management of our adversaries to gain power at the expense of truth and fair dealing. When gov. Shannon concluded, the voice of the great assembly fully attested the high estimation in which it is held by his fellow countrymen, and fairly told that the popular opinion, now rolling forward with such resistless force in his favor, will nobly, honorably sustain him in the coming struggle.

Colonel Allen was then, in a similar manner, made known to the people. He came forward, and for three long hours, a standing, very edifying, who had then, (from half past 12 o'clock, to 3 P. M.) been upon their feet, seemed neither impatient or tired. His courteous countenance seemed peculiarly bright up with animation, for about two hours of applause were long and long. The speech of Colonel Allen was one of the most enrapturing specimens of rare eloquence and sarcasm, of wit and repartee, to which we have ever listened. During much of the time, no deep, intense apathy, and the cheerfulness of the scene, amid the natural tumult which might be expected among such a mixed population of more than 6,000 freemen, that one could almost have heard a pin fall upon the ground. And when this splendid orator came to touch upon the history of the battle of the Thames, and to point to the veteran hero then by his side, who breathed himself to the storms of that day, and whose body yet bore some of the balls sped from the fire of the savage foe in that mighty conflict, many a furrowed cheek and many a tearful eye were seen, and the symbol of nature which sometimes attests the intensity of the feelings of the heart for the sufferings of our fellow man. Many of the incidents of that great battle will stand unrivaled in the history of American heroism, and the name of the patriot Johnson will go to posterity, marked with a dying laurel as ever yet bloomed around the head of a fallen hero.

Col. Allen spoke until near sunset, and yet, all were peculiarly and agreeably entertained, and evinced the feeling with which they were inspired by frequent bursts of applause, and the cheering of one voice, "in rapturous chorus run," to attest that all were grateful for such an opportunity for information and instruction as the interesting occa-

tion had afforded. Its memory will live long among us, and we trust be productive of lasting good to our state and county. Let such meetings be held throughout Ohio, and the days of federal boasting and fraud will surely be numbered.

COLONEL JOHNSON AT CHILLICOTHE.

We expressed the other day our strong convictions that col. Johnson could not have been correctly reported in the speech at Chillicothe, which was contained in the Chillicothe Advertiser of the 9th inst. and in proof of our having just grounds for this belief, we are gratified in the opportunity of spreading the following correspondence before our readers.

It is well known in Kentucky, as well as in this State, that major Carneal is probably on terms of greater intimacy with both Gen. Harrison and Col. Johnson than any individual in the west. His conduct in the following correspondence adds to the claims which his services as a quartermaster under general Harrison in 1812, and as a senator of Kentucky, give him to public respect:

Cincinnati, 25th August, 1840.

DEAR SIR: It was my object, if practicable, in addressing the enclosed letter to col. Johnson, to prevent any unpleasant feelings between two gallant officers of the late war, who, from my own personal knowledge, entertained a high respect for each other. I am more than gratified to find I have not been unsuccessful in the attempt. Without communicating with either of those gentlemen, I take upon myself the responsibility of authorizing you to publish the correspondence, and am yours, respectfully,

T. D. CARRILL.

Col. C. S. Todd.

Cincinnati, Aug. 24, 1940.

Gen. W. H. Harrison:
DEAR SIR: Immediately after reading the substance of a speech, said to be made by col. R. M. Johnson, at Chillicothe, I addressed a letter to him, a copy of which is furnished. On yesterday, I received his answer, which, with pleasure, I enclose to you.

I view it as putting to rest, now and forever, the foul slanders that have been and now are circulating against you, as regards your conduct in the decisive and glorious battle of the Tlomas, and in my judgment leaves no good grounds for controversy or unpleasant feelings between two brave officers of that gallant army. Truly, your friend.

T. D. CARNEAL

Cincinnati, Aug. 24, 1840.

I have read the correspondences between yourself and col. Johnson, relative to him at Chillicothe. From the perusal of col. Johnson's letter I am satisfied that he intended me no injustice in the speech referred to, and that his opinions and sentiments must have been misrepresented. Thanking you for the interest you have manifested in this matter, I return the correspondences.

T. D. Caracul

Cincinnati, Aug. 12, 1840.

MY DEAR COLONEL: I enclose a copy of the speech published in the Chillicothe Advertiser. The reporter of your speech, so far as you speak of general Harrison, has surely misconceived you. I not only so think, but have so said. An inference may be fairly drawn, that you are not only in doubt as regarded his courage, but that you had but little respect for him as a commanding general. My personal regard for you, induces me alone to call your attention to the subject, and furnish you an opportunity of correcting what I conceive to be an erroneous and a garbled report of what you did say in Chillicothe on the 9th inst.

From the enclosed remarks of col. C. S. Todd, you will at once discover that you take issue and widely differ. If consistent with your feelings furnish me with your views on the subject. They will be published or not, as you may desire. Truly your friend,
T. D. CARNEY

Col. R. M. Johnson, V. P., Mansfield, Ohio

—
Minersfield, August 18th, 1840.
 MY DEAR SIR: Your favor has been received, in
 which you observe, that by my reported speech at

inference may be drawn that I am not only in doubt as regards the courage of gen. Harrison, but that I had but little respect for him as a commanding general. I am happy to have this opportunity of informing you that during my service with general Harrison, I had no cause to doubt his courage, but consider him a brave man, and I have always expressed myself to that effect—nor have I ever dis-

improved or insured any of his measures as commanding general in the pursuit of Procter; or in the battle of the Thames,—every thing I saw met my personal approbation, and I have never spoken of it in any other terms. In speaking of the battle of the Thames, and the part acted by my regiment, I did not intend to increase the merit of that regiment, or of my regiment, but I did intend to imply that general Harrison, or governor Shelby, or any officer attached to the army, avoided duty or danger. Each had his part to act, and I should feel myself much degraded to suppose that they did not perform their duty fearless of danger—nor have I ever doubted, that these gallant officers were precisely where duty called them. I am proud to be in an army that has so many so victorious, that there should be a controversy about the merit due to the actors in that battle.

I claim nothing above the most humble soldier, who performed his duty on that occasion, nor shall I have any earthly consideration ever induce me knowingly to do injustice to the commanding officer, Governor Shelby, or any other officer in the army. I have therefore confined myself to general remarks, not knowing that a particular fact, injustice is supposed to have been done to me, and I am glad to be enabled to know what particular issue is made as to the facts stated in the reported report, respecting which I had no agency. I shall feel no difficulty to state the facts as far as my own personal knowledge extends, and what I understand from others, and not to conceal or criminate, but to state the truth as far as I know or believe the facts. I expect to be in your city before long, and I shall be happy to see you. R. H. M. JOHNSON.

Mrs. Tho. D. Curren.

THE GREAT SOUTH WESTERN CONVENTION.
From the Nashville Union, Aug. 17.

From the Nashville Whig, Aug. 17.
We have detained our paper this evening, with a view to present to our distant friends some account of this day's great work in Nashville—of the mighty ingathering of the real people and of their boundless enthusiasm in the cause of constitutional liberty, on the occasion of the great south western convention.

On approach to the great intersection, we were told that our poor powers of discernment are wholly inadequate to any thing like an impression to the life, of the scenes which have this day passed before our unaided vision. The richness and grandeur of the scenery, the fervid zeal of the people, and the burning eloquence of the champion of liberty, whose fortune it was to occupy their attention; the cheering extremities of the union, and the commingling of hundreds of kindred spirits from all portions of the great valley of the Mississippi; the presence of the illustrious statesman of Kentucky and his distinguished co-laborers in the wihg cause, and the peerless and cloudless beauty of the day, all, all conspired to render the scene so vivid in our minds, which it would be vain to attempt to portray.

It would be equally futile to undertake a close estimate of the extent of this immense procession. We have no data upon which to base a calculation of numbers, beyond the long line of procession which was seen in the western extremity of the city at the intersection of the line of the Broad street—from which point the line moved—to the western line of the corporation on Lower College street. This, it will at once be seen, would be by no means a fair criterion, for a view of the fact that countless thousands of the people of the convention ground both in advance of and subsequent to the centre of the procession. Mr. Clay, remarked incidentally, in his speech this morning, that the *celebration of August, 1840*, might be regarded as, *perhaps*, the largest ever witnessed in 1850, since it exceeded both in extent of numbers and magnificence of its procession the great convention of the fourth of May at Baltimore. Our country is to be considered the relative size and population of the twelve little states to day deserves to be held as a more striking evidence of the extraordinary zeal that now pervades the friends of executive reform throughout the country. It is a day which will be remembered as a great fortune to witness both pagants, and we speak with pride when we say, that the free valley of the Mississippi has this day followed, in bold and generous rivalry, the example of her sister states of

The morning was ushered in by "a glorious summer sun," thus giving early promise of a day as bright with the smiles of beneficent nature as it is destined to be memorable for the scenes which have marked this triumphal movement of a free people.

At day light three guns were fired from an eminence above the city, known, since the celebration of the triumph of the whigs of New York in 1837

as a whig bill. At ten rise a gun was fired from the log cabin, on lower Market street, the signal for the procession, the different delegations, clubs and militia companies. At seven o'clock, two gamblers were fired as the pole of preparation for the procession. T. S. Straight Out, capt. Tannehill were then marched into Broad street, in pursuance of the programme of the chief marshal and as the base of the line of procession. Between the hours of seven and nine o'clock, the line was formed, ready to move from the intersection of Broad and Spruce streets.

On riding up Broad street just before the procession moved out of that street, we discovered that as many as fourteen states were represented, some of them quite largely, the delegation from each preceded by a general state banner, besides the insignia of the various town and county clubs and delegations, an infinite variety of which decorated the line and imparted unnumberable interest to the marchant.

The banner of the noblest interest of the pageant, the banner of the human rights of the colored people, was the company of STRAIGHT OATS, and a more appropriate band of pioneers, we dare venture, could not have been selected. The dress, discipline and origin of the Straight Oats, we have heretofore had occasion to describe. They are the representatives of a hardy race of honest log cabin freemen, who, however ridiculed for their primitive manners, by the more polished and more refined of their countrymen, influence felt and appreciated at the ballot box, and in the halls of legislation. The banners borne by this corps, were plain but expressive—the first, with a plain white ground, inscribed: "One presidential term, and four wages for labor." The second, a spread eagle, on white ground, bearing in its talons: "Harmony and reform," and underneath, the celebrated waterworks of the emperor Constantine, "In hoc signo vinces." The third, a cross of St. Andrew, on a cross sashin ground, with the inscription: "A loud crew Chapman—March, 1841."

The Straight Outs were followed by the GENERAL COMMITTEE ARRANGEMENTS, with their invitation to guests, food and in carriages. These were suggested by a division, composed of the delegates from Arkansas, Missouri and Alabama. The Arkansas banner was inscribed with the motto of the lamented Crockett: "*Be sure you're right, then go ahead!*" with an eagle in the centre. The Missouri banner represented a Buffalo, with the inscription, expressive of the part borne by the illustrious Harrison in the admission of that state into the union, "*Raised to the claims of an early friend.*"

Our Alaska friends numbered three or four different delegations, headed by a general bearing the inscription—*"Four years long enough for a good president; too long for a bad one."* The Madison county delegation displayed a beautiful fancy banner, representing the goddess of liberty looking down on the tip of the state, with the inscription—*"The good of the whole is the commonwealth, day is dawning."* Our attention was especially attracted to the standard leader of this delegation, an ingenious artisan, we are told, of Hainesville, who wore in his bosom a red cabin bracelet, representing, by means of miniature springs, the movement of the hands of a cabin with the door, latch string, &c., all perfect, and a miniature anchor on the couch of the roof.

Next followed a delegation from Illinois, with a magnificent sash banner, representing the great seal of the state.

The Mississippi delegation came next in order, with the state banner, inscribed: "It is ours to rectify, not to overthrow." The delegation from Yallabush county, carried a rich satin banner, wrought with fine taste and inscribed: "Mississippi—she beats the smokers once, and can do it again."

Indiana followed her southern sister. Her banner represented a huge ball, inscribed: "The ball in motion—Indiana 10,000 majority." The New Albany delegation bore a handsome satin banner, representing a log cabin, "with the string of the latch hanging out."

Louisiana succeeded. Her state banner represented the ballot box: "*The freemen's sword and shield—Louisiana 25,000 majority.*" A separate banner was borne by the Timbecaue club of New Orleans.

Ohio was represented by a small though spirited delegation, chiefly from Cincinnati. Her banner represented a spread eagle, bearing in its talons: "For president, the farmer of North Bend," with the inscription above: "Ohio—Tm. Tam and Tyler."

Kentucky was slowly represented. Nearly all the southern comice had their separate delegations on the basis of two hard-earned military companies. We went to Hopkinsville and Bowling Green. We noticed a delegation from Mercer, one of the upper counties of the state, with a handsome satin banner representing among other things, "Little Mally" near springing out of the white house. The state banner was carrying in the last compliment to her recent

signal triumph at the ballot box: "*Kentucky, she speaks not by thousands, but by tens of thousands.*"—The Louisville delegation was headed by a beautiful silk banner, representing, we believe, a scene at the battlr of the Thames.

The Livingston county delegation (Smithland) displayed two remarkably neat satin banners, one of which represented a golden ball in motion. The Caldwell banner bore the portrait, in military dress, of gen. Harrison.

The banners of the District of Columbia, of Virginia, of Delaware, of New Jersey, of New York, and New England were borne by small delegations from each state. That of the District of Columbia was inscribed: "*Let his days be few, and let another take his place.*" That of Virginia: "*The blood of our fathers, let it not have been shed in vain. Independence now, and independence forever.*" That of Delaware: "*Our cause, it is just.*" That of New Jersey: "*Her great seal shall be respected.*" That of New York represented a pair of scales, with the words "*W. B.*" and "*Old Tip*" in the other, the former "*kicking the beam*;" the inscription; "*Welched in the balance and found wanting.*" That of New England:

"From hill and from valley,
From mountain and plain,
We come to the rescue
Of our country again."

The Pennsylvania delegation numbered two or three sections, preceded by a banner, representing a fox trailing a lion, with the inscription—"This won't do Matty."

The Tennessee delegation formed, of course, much the largest division of the procession. The county delegations bore a large number of flags and banners, some of which excelled in grandeur of design, richness of material and beauty of execution any that were seen elsewhere. The most notable of these were displayed. In this respect, indeed, we found assured that the Columbus, Baltimore and Fort Meigs conventions were thrown completely in the background. We must necessarily, for the want of time and space, reserve a more particular description of the various county delegations, for our next paper. The various county delegations were headed by a band of ground, a magnificent full rigged seventy-four, her head pointed to the white house and capital which are seen in the distance. The "Constitution" is the name of this truly national vessel and she bears on the topmast signal, the initials "T. and T." The state flag bore a beautifully wrought device, (one of the fringed and tasseled flags), representing the tomb of the honored White.

The great ball, from Zanesville, Ohio, which came safe to hand on the steamer Rochester, on Saturday night, occupied a conspicuous place in the procession. It was given in charge of the Kentucky delegation, and was hauled on four wheels, under the immediate care of Porter, the Kentucky giant. The ball is in the form of a hemisphere, moving upon its axis and representing each of the individual states of the union, with the inscriptions, as heretofore copied from Ohio State papers. Porter appeared from Louisville, and is a native of that city. It is difficult to determine which of the two lines attracted the most attention.

The military brought up the rear, and made a rich and beautiful display. This division of the line was composed of the independent infantry companies from Hopkinsville and Bowling Green, Ky. Franklin and Clarksville, Tennessee, and the Harrison guards, cadets and lancers of this city.

At ten o'clock the immense procession moved amidst the most deafening shouts of the multitude, from the head of Broad street, through Spruce to Spring, down Spring to Sumner, down Sumner to Cedar, down Cedar to the square, round the square to West College street, and thence that street to Walnut Grove, the country seat of Dr. D. T. McGahey. The convention was temporarily organized by Dr. Thomas R. Jennings, the chairman of the nominating committee from the state, who announced the following nominations: for officers of the convention

President—Hon. E. H. Foster, of Tennessee.
Vice presidents—W. M. McPherson, of Arkansas
 hon. John Gayle, of Alabama; S. A. Bowen, esq. of
 Missouri; Garnet Duncan, esq. of Kentucky; hon.
 Jas. Bush, of Mississippi; John Hogan, of Illinois;
 C. L. Ash, esq. of Pennsylvania; J. P. Erskine, esq.
 of Maryland; hon. B. Storer, of Ohio; A. C. Bullitt
 of Louisiana; J. White, of Indiana.

Secretaries.—W. Sneathen, of Louisiana; R. Scott, of Pennsylvania; C. Scott, of Mississippi; C. C. Norvell, of Tennessee; A. A. Hall, of Tennessee; C. G. Wintersmith, of Ky.; W. W. Ferguson, of Arkansas; S. S. L'Honniedien, of Ohio; J. R. Blocker, of Ala.; J. H. Matheney, of Illinois.

After an invocation of the divine blessing, from the rev. J. W. Ogden, the assemblage was address-

ed by Mr. Foster, the president of the day. [We omit Mr. F's address, and bring our readers at once to that of Mr. CLAY, who followed Mr. Foster.]

MR. CLAY'S SPEECH

Mr. Clay was called for with an enthusiasm which seemed to contain no bounds, and when he came forward, with those characteristic smiles playing all over his remarkable countenance, the air was rent with nine such cheers as it has seldom fallen to the lot of any man to receive. When these had subsided, he commenced somewhat as follows:

Mr. President—gentlemen of the convention—ladies—friends and fellow citizens: This day may be likened to the glorious and genial sun that now shines upon us. Clouds are occasionally lifting over it and obscuring for the moment its beaming rays, but truth will break through the mist and shine the brighter for having been for a time obscured.—By November next, the dark clouds which have been lowering above the political horizon will all disappear. I congratulate this vast multitude upon the glorious prospect before us.

This, said Mr. Clay, is a convention of the people, and he asked if he might not, without arrogance, revert to the cause of his appearing before them. During the arduous contest in which he had been long engaged, occasional clouds lowered about him, but conscious of the correctness of his motives, of the purity of his intentions, he had stood out from the beginning dauntless, erect and undimmed.

Had he visited Tennessee during the campaign to which he had alluded, he would have disabused the public mind in relation to the charges which were made against him. In giving his vote, in 1835, for the late Governor Adams, he was not guilty of any constitutional impropriety. It had been charged that he did not do this, but the charge was unfounded. It was true that the legislature of Kentucky at the time made a request that he should give a different vote; but he was not bound to do so, as he was not a member of the province; he had no right to interfere in the matter; the right belonged exclusively to his constituents in the counties of Fayette, Woodford, Jessamine. Each of these counties sustained, approved and ratified his vote. He never doubted that he was entitled ever to this day revoked or annulled that approbation. With respect to his motives for the course he pursued, he had nothing on this occasion to offer. Those motives were known, and would be acknowledged by God. He never doubted that the course he would come when justice would be done him—Yes, he never doubted that brave, generous, patriotic Tennesseans would be among the first to do him justice. He never doubted that the Tennesseans with which he was greeted on his arrival at the procession—the banners—and last, though not least, the many bright eyes that beamed, and the handkerchiefs that waved on the occasion—all—were as grateful as it was flattering to his feelings.

It was true that he had some reluctance, some misgivings, about making this visit at this time, which grew out of a supposition that his motives might be misconstrued. The relations which had for a long time existed between himself and the illustrious captain in this neighborhood were well understood, and, if he were to accept the invitation, it would make the visit all the more conspicuous by some that his motives were less patriotic than sinister or selfish. But he assured that great assemblage that towards that illustrious individual—their fellow citizen and friend—he cherished, he possessed, no unkind feelings. He was a great abolitionist—he had fought well and bravely for his country—he hoped he would be long and could most happily be spared from this free world, but he was full of fears, that he would enter into the abode of the just, made perfect.

Mr. Clay said that, in addressing an assembly of so many thousands as he now saw around him, when so many topics were crowding into the mind, he was at a loss to select a theme. Shall I, he asked, dwell upon a ruined currency—upon the prostration of business—the stagnation of trade—and the destruction of commerce? Or shall I speak of the wasteful extravagance of the present powers that be?

Mr. Clay said a paper had just been put into his hands, which he had never seen before, that represented in the form of a pyramid, the expenditures of the last three administrations. He held it up for view and explained its meaning. He read some of the items of expenditure under the present administration, which is so characteristically economical, and contrasted them with expenditures under the same heads, made by the administration of John Quincy Adams—an administration whose extravagance so shocked the sensibilities of the whole nation!

But Mr. Clay said, this was not one of the themes he had selected to address the audience upon. He had thought to refer to, among other things, some of the very extraordinary doctrines now advanced by those who are called abolitionists. The greatest ven-eration and regard for the state rights of our country in this connection, he brought up the ridiculous man-oeuvre, in the United States senate, at the late ses-sion, on the subject of the debts of the several states. Mr. Clay's report contained his general government would not assume the payment of the debts—a thing that nobody ever dreamed of! This report, of which an extraordinary number of copies were ordered to be printed for circulation, was drawn up by Mr. Clay, by your fellow citizen and an acknowledged acquaintance, Mr. John C. Cal-houn—surely which I promised myself, in making this visit to your beautiful town, was to meet and talk over matters with him. But on my inquiry for him, I learned that he had gone to East Tennessee, making no return in favor of the federal government.

Ah, said I, at his old occupation, defending criminals! [The manner in which this was said, sur-passes description. Those who only saw it or who are acquainted with Mr. Clay's gestulations and mannerisms can imagine any thing ap-proaching the reality.]

But there is this difference, said Mr. Clay, between my distinguished friend's present and past defence of criminals. He is now defending great criminals of state, not before a carefully packed jury, but before the free, enlightened, virtuous and patriotic people—and therefore we may well hope that his present defence will not be attended with his hitherto usual success.

Mr. Clay referred to Mr. Van Buren's recommendation, in 1837, of a bankrupt law, bearing exclusively upon state banks, as an evidence of his regard for state rights, and mirrored forth the evils of such a law.

He reverted to the progress of the sub-treasury bill through its several stages, and descended upon the manner in which it was finally got first through the senate and then the house, with great ability and eloquence—in which connection he gave a clear and succinct account of the manner, and for what cause, New Jersey was so disgracefully disfranchised.

Mr. Clay of the party in power professes to be democrats *par excellence!* Among all their usurpations he knew of none more absurd than the usurpation of this name. He professed himself to be a democrat, and he carried his democracy in the schools '90, '91, and '92. He carried it into the confessional, from the democracy taught now-a-days in high places. It did not say, in the language of the motto upon the Bedford county banner, which was just read, "The people expect too much from the government to be satisfied with the government of itself and the people of themselves." Not the democracy that he had learned was the reverse of this language of the present democratic president. But the new democracy does not stop here. It goes on to say, "The people expect too much from the government of Jefferson asked a candidate for office if he was capable, and honest and would support the constitution. But the new democracy asks very different questions. It asks, how many votes can you get? How many votes can you influence?—Are you boisterous partizans? It asks, how many disreputable or briliant, which Jefferson's democracy did not. It says, if you labor in my cause and the people reject you, I will take care that your reward shall be the same as the reward of the appointment of Mr. Grundy, and the reward of the appointment of John M. Niles, as postmaster general, who not four months ago was rejected by the people by 4,500 votes. To be thus beaten was a mere painful and a lucrative office. By the bye, he said, "I will not confound the people with the people, an enviable one, for he had to take a seat previously occupied by a creature than whom a more despicable creeping reptile could not be named. His fellow citizen, he presumed, would be known to whom

Mr. Clay here waited for some minutes upon the issue, and then, to which such a course of adulteration, as he had been accused of, was admitted. But he trusted it would be checked—that the physician, the ballot box, was near at hand, and, that by November the disease would be met by an effective and most salutary remedy. When before had things as now exist been known to be so dangerous? When before had 64 out of 67 had officers proved so faulty? When before had defaulter not been retained in office after their defalcations were known, but absolutely reappointed? He referred to the appointment of Mr. Livingston as secretary of the treasury, who was known to be a defaulter, and instructed the president did not refer, sufficient

upon the tendency since an appointment would have. He referred to the Moore and Letcher case, and to the appointment of Hocker to the best office in the country for his services in that dark transaction. He had heard that Hocker had since proved a defaulter.

Mr. Clay said he would like to address himself directly to the democrats within the sound of his voice. He wished to address them, not as enemies, but as brothers, as men equally patriotic and equally devoted with the whigs, to the best interests of the country. We differ, said he, but upon what subject do men not differ? Have all your hopes been realized in regard to the administration of the government? Have the pledges that were made you, been fulfilled? Take, for example, the one term for the presidency. Did not the great captain promise you that one term was enough for a president to serve? Was it carried out? How was the promise, not to appoint members of congress to office, carried out? How was the promise, to reduce the extravagant expenditures, fulfilled? What principle was carried out? What promise kept? What pledge redeemed? There are admirers of the whigs in this vast assemblage that will answer, shouted the Kentucky orator in the loudest tones of his musical voice!

Mr. Clay said he had called the present a vast assemblage, and he would take that occasion to declare that there were more people and more banners there than there were at the great Baltimore convention. And why are there so many people here, coming together from almost every state in the union?

Mr. Clay said he claimed to be a democrat in the true sense of the word—a democrat ready to stand by or die for his country. He referred to the great contest now going on, and asked that nothing should be done to the injury of our opponents. Al, he said, we were interested alike—all were on board the great ship of state, and all were interested in the success of the voyage. But there were exemptions to the general rule; there were beings in the lead of the party who could not be hung too high—being who set all the baser passions of men at work—and labor constantly and solely for no good. There was another class—the bolstering officeholders, the parlorian band, the palace slaves—was he about to say of Martin Van Buren? But then to call such a man a king over such a people as this great counsel-off, he would not so insult them!

Mr. Clay, in concluding his address to the Tennesseeans, particularly. He reverted to the position of Tennessee and Kentucky. They stood side by side—their sons fought side by side at New Orleans. Kentuckians and Tennesseans now fight another and a different kind of battle. But they are fighting now, as then, a band of mercenaries, the cohorts of power. They are fighting a band of officeholders, who call gen. Harrison a coward, an imbecile, an old woman!

Yes, general Harrison is a coward—but he fought more battles than any other general during the last war, and never sustained a defeat. He is a statesman—and yet he has filled more civil offices of trust and importance than almost any other man in the union!

A man in the crowd cried out, "tell us of Van Buren's battles!"

Ah! said Mr. Clay, I will have to use my colleague's language and tell you of Mr. Van Buren's three great battles! He says that he fought general commerce and conquered him—that he fought general currency and conquered him—and that he fought all allies, he fought the Seminoles and got conquered!

Mr. Clay referred, with great good humor, to the 17,000 whig majority of Kentucky, and asked if generous, chivalric Tennessee would not enter the lists of competition with her? He said that Tennessee would make a gallant effort to not only run up alongside, but to come out ahead of her!

[In the course of the day addresses were delivered by Messrs. HOPKINS, UNDERWOOD, of Kentucky, WHITE, of Indiana, BROWN, of Ohio, HOSAN, of Illinois, Judge GAY, of Georgia, and others.] The collation of the day, for the delegates and other strangers present, was provided by the farmers of Davidson county. The convention adjourned at 8, P. M. to meet again on the field the next day, when the hon. Mr. CARRINGTON, of Ky. Mr. BATTLE, of Ohio, and others were to address the people. More than a thousand ladies were on the convention ground, in front of the principal stand.]

GEN. JACKSON AND MR. CLAY.

From the *Nashville Whig*, August 21.

In the Nashville Whig of Wednesday there appeared the following card:

To the editor of the Union: Sir: Being informed that the hon. Henry Clay, of Kentucky, in his pub-

lic speech at Nashville yesterday, alleged that I had appointed the hon. Edgar and Livingston secretary of state when he was a defaulter and knowing him to be one, I feel that I am justified in declaring the charge to be false. It is known to all the country that the nominations made by the president to the senate were referred to appropriate committees of that body, whose duty it is to inquire into the character of the nominees, and that if there is any evidence of default, or any disqualifying circumstances existing against them, a rejection of the nomination follows. Mr. Livingston was a member of the senate from the state of Louisiana when he was nominated by me. Can Mr. Clay say that he opposed the confirmation of his nomination, because he was a defaulter? If so, the journals of the senate will answer.—But his confirmation by the senate is a sufficient proof that no such objection, if made, was sustained, and I am satisfied that such a charge against him could not have been substantiated.

I am also informed that Mr. Clay charged me with appointing Samuel Swartworth collector of the revenue at New Orleans, and knowing that he was an associate of Aaron Burr. To this charge it is proper to say that I knew of Mr. Swartworth's connection with Aaron Burr, precisely as I did that of Mr. Clay himself, who if the history of the times did not do him great injustice, was far from avoiding an association with Burr when he was at the town of Lexington in Kentucky. Yet Mr. Clay was appointed secretary of state, and I may say confidently with recommendations for character and fitness not more favorable than those produced to me by the citizens of New York in his nomination, and without doubt. Mr. Clay too at the time of his own appointment to that high office, it will be recollected, was directly charged throughout the union with having bargained for it, and by none was this charge more earnestly made than by his present associates in Tennessee, Messrs. Bell and Foote.

Under such circumstances how contemptible does this demagogic appear, when he descends from his high place in the senate and roams over the country, retailing slanders against the living and the dead.

ANDREW JACKSON.

Hermage, Aug. 18, 1840.

We have been favored with the following card from Mr. Clay in reply to the foregoing extraordinary paper. His treatment of the attack, it will be perceived, is entirely consistent with his rude, ungenerous, and uncalled for language of his answer.

TO THE PUBLIC.

Your surprise, I am quite sure, will be as great as mine was, on the perusal of a note, signed Andrew Jackson, addressed to the editor of the Nashville Union, and bearing date on the 18th inst.

The circumstances of my present visit to Nashville are well known here. I declined repeated invitations to attend the convention holden on the 17th inst., and finally yielded to an unusual appeal, which was honored, and which it would be difficult for any man to resist.

I was called upon to address the convention. In what terms of respect and, for his military services, of praise, I spoke of the distinguished individual who is the occasion of this note all who heard me can testify. Among the subjects which I discussed, was that of the degeneracy in public virtue, and especially the delinquency and infidelity in public officers, of which within the last few years we have had such lamentable proof. In assigning the blame to the honorable state of things, I stated, as among them, the subversion of the constitution, by Mr. Jefferson, of honesty, capacity and fidelity to the constitution, and the substitution for it of one founded on devotion and subversive, not to the country, but to the chief of a party. That perusal of the office too, I considered them as being only put in possession of their legitimate share of the spoils of victory instead of feeling bound by the obligations of a sacred trust conferred for the benefit of the people.—In respect to defaulters, I referred to the case of Mr. Livingston, of whose administration as a joint notary and assistant with truth than my feelings, I spoke in the highest terms. He was one of the earliest and one of the greatest defaulters. His case occurred under Mr. Jefferson's administration. The records both of the executive and judicial departments established his default. He remained a defaulter about a quarter of a century if not more. How he finally liquidated the balance against him, and when, I do not certainly know, but I believe it was by property and under the first term of general Jackson. But whenever and however it was liquidated, the composition of the debt could not and did not expunge the fact of his original default.

In arguing from cause to effect, I contended that the appointment of Mr. Livingston was a pernicious

precedent. That it was a virtual proclamation to all who were or might be defaulters that they could, in a public trust, constitute no insuperable barrier to a promotion to one of the highest offices in the government. I did not attribute to general Jackson a knowledge of the default. I went even so far as to say that it might have redounded to the consequences of the appointment of an individual so situated. I must now say that, until general Jackson otherwise asserts, I am constrained to believe that he could not have been ignorant of a fact, so conspicuous in the annals of our country, as that of the default of Edward Livingston, esq., attorney of the United States, in the district of New York, during the administration of Mr. Jefferson, to the amount of about \$100,000.

It was in the train of the same thought and argument, that I adduced the appointment of Mr. Swartworth to the office of collector of the most important port in the U. States, as one of the most important and injurious examples. His participation in the schemes of col. Burr was a fact of such universal notoriety that I supposed, and yet suppose, that no man in the least conversant with the history of the country, could be ignorant of it. But it was not upon gen. Jackson's knowledge of that fact, it was upon the fact itself that I dwelt.

It is now said that the appointment of Mr. Swartworth was recommended by citizens of New York. I know nothing of these recommendations. Whether they were cause or effect—whether they were gotten up to produce or to give color and cover to the appointments, previously determined to be made—their secret history only could disclose. An appointment occasioned by such influences, engaging the friends and foes of administration, at the time, and the sequel demonstrate how unwise it was.

These topics of my address to the convention on Monday last, have been selected by general Jackson for comment and analysis. He was not present on the occasion. He has made no application to me for a correct account of what I actually said; but has been contented to reply upon "being informed," by whom, with what motives, and with what objects, I have no means of ascertaining. He has belittled the importance of the trial of Mr. Van Buren, who in the present desperate state of his political fortunes, wishes to bring the general into the field, and to turn the tide of just indignation on the part of the people from the general's proteges, the exhibition of his name only would enable the public to decide.

With regard to the insinuations, and gross epithets contained in gen. Jackson's note, like impudent, malevolent, and derogatory from the dignity of a man who has filled the highest office in the universe, respect for the public, and for myself, allow me only to say that, like other similar missiles, they have fallen harmless at my feet, exciting no other sensation than that of scorn and contempt.

H. CLAY.

Nashville, August 20, 1840.

SPEECH OF DANIEL WEBSTER.

At the great mass meeting at Seneca on the 19th of August, 1840.

From the *New York American*.

We are here, my friends, in the midst of a great movement of the people. That a revolution in public sentiment on some important questions of public policy has begun, and is in progress, it is vain to attempt to conceal and folly to deny. What will be the extent of this revolution, what its immediate effects upon political men and political parties, what influence it may have on the integrity of the constitution, and the permanent prosperity of the country, remains to be seen. Meanwhile, no one can deny that an extraordinary excitement exists in the count such as has not been known for more than half a century—not local, not confined to any two, or three, or ten states, but pervading the whole, from north to south, and from east to west, with equal force and intensity. For an effect so general, a cause of equal extent must exist. No cause, local or partial, can produce consequences so general and universal. In some parts of the country, indeed, local causes may in some degree add to the flame; but no local cause, nor any number of local causes, can account for the general excited state of the public mind.

In portions of the country devoted to agriculture and manufactures, we hear complaints of want of market and low prices. Yet there are other portions of the country which are consumers, and not producers of food and manufactures, and as purchasers, are not subject to such complaints. There are also prices of which the sellers complain; but in these portions too of the country, there is dissatisfaction and discontent. Every where there is complaining and a desire for change.

There are those who think this excitement among the people transitory and evanescent. I am not of that opinion. So far as I can judge, attention to public affairs among the people of the United States has increased, and is not likely to be diminished, and this not in one part of the country, but all over. This certainly is the fact, if we may judge from recent information. The breeze of popular excitement is blowing every where. It fans the fire in Alabama and the Carolinas, and I am of opinion when it shall cross the Potomac, and range along the northern Alleghenies, it will grow stronger and stronger, until, mingling with the gales of the empire state and the mountain blasts of New England, it will blow a great hurricane.

There are those again who think these vast popular meetings are got up by effort, but I say that no effort can get them up, and no effort can keep them down. There must then be some general cause that animates the whole country. What is that cause? It is upon the point I propose to give my opinion to-day. I have no design to offend any feeling, but in perfect plainness to express my views to the vast multitude assembled here. I know there are among them many who from first to last supported general Jackson. I know there are many who by conscientiousness and patriotism had permitted, would support his successor, and I should ill repay the attention with which they may honor me by any reviling or denunciation. Again, I come to play no part of oratory before you. I have already been so occupied in my life. I have been so occupied in the service of my country, that I might be supposed anxious to exhibit myself in such a light, that period has passed, and this is not one of the occasions. I come to dictate and prescribe to no man. If my experience, not now short in the affairs of government, entitle my opinions to any respect, I leave others to form their own. I leave to my fellow citizens. What I shall state as facts, I shall hold myself and my character responsible for; what I shall state as opinions, all are alike at liberty to reject or to receive; asking only such fair interpretation of them as the candor and sincerity with which they are uttered may claim.

What then has excited the whole land from Maine to Georgia, and that gives us assurance that while we are here meeting in New York in such vast numbers, other like meetings are holding throughout the country? This I leave to the wisdom of the people as its effect is certain, for it agitates the whole country and not parts only.

When that fluid in the human system indispensable to life becomes disordered, corrupted or obstructed, the circulation of the blood is impeded, the system suffers, but the whole body, head, heart and hand, and all the members and all the extremities, are affected with debility, paralysis, numbness and death. The analogy between the human system and the social and political system, is complete, and what is true of the former, is true of the latter, and the same is true to the latter; and if that be disordered or corrupted, paralysis must fall on the system.

The original, leading, main cause, then, of all our difficulties and disasters, is the disordered state of the treasury. This is perhaps not a perfectly correct truth, and yet one susceptible of easy demonstration. In order to explain this the more readily, I wish to bring your minds to the consideration of the condition and the vast affairs of the United States. Our country is not a small province or canton, but a region extending over a large and fertile surface, with a population of various conditions, products and pursuits. It is in this variety that consists its prosperity, for the different parts become useful one to the other, not by identity, but by different products and the variety of the services they render to the interest of the other. Hence our internal trade; that which carries on this exchange of the products and industry of the different portions of the United States—is one of our most important, I had almost said the most important, interest. It is upon it that the life of the nation depends, and it is upon it that the health and life throughout the system by the intercourse thus promoted from neighborhood to neighborhood, and from state to state.

Let me explain this a little in detail. You are all of you grain growers. Your interest, then, is to have consumers, not growers of grain. The hands that in the belt of earth in which grain best succeeds, grow wheat, are interested in fact months elsewhere to eat what they raise. The manufacturers of the north and the east need the grain of the middle states, and the cotton of the south, and these in turn buy the manufactures of the east. Nor is this solely matter of interest, but it is in some degree brought about by the regulation of foreign governments. Our manufactures find no sale in Europe, unless such of our grain is sent to the continent, and the staples excluded from its markets. In France it is never admitted, and in England contingently and uncertainly only, and in a manner to tantalize rather than gratify the American husbandman.

This internal trade, moreover, moves as it were in a circle, and not directly; the great imports of the country are made in New York, where they pass to the south and to the west; but our exports are not mainly from New York, but from the south—the main imports then are made at one corner of the union, and the exports from another. The same thing is true of other branches of trade. The produce of Ohio is sent to the river to the Ohio, and from there to Ohio is supplied with foreign commodities and domestic fabrics mainly through the New York canals, the lakes and the Ohio canal. The livestock of Kentucky goes to the Carolinas, but Kentucky buys nothing there, but transmits the money to Baltimore, Philadelphia, and there procures what she wants, to be sent to her across the Alleghenies.

This circuit of trade in a country of such great extent as ours, demands more than in any country under heaven, a uniform currency for the whole people; that what is money in one place shall be so elsewhere, that what the Kentucky drover receives, what the planter of Alabama sells for, what the laborer in New York gets in pay for his work and carries home to support his family, shall be of ascertained and uniform value.

This is not the time nor the occasion for a long or disjointed speech, but I must distinctly express the opinion, that until the general government shall take in hand the currency of the country, until that government shall devise some means, I say not what, of raising the whole currency to the level of gold and silver, there can be no prosperity.

Let us retrace briefly the history of the currency question in this country—a most important branch of the commercial question. I appeal to all who have studied the history of those times and of the constitution, whether our fathers, in framing the constitution, which should settle us on common rights and a common glory, had not also among their chief objects, to provide a uniform system of currency for the whole country. I especially invite the ingenious youth of the country to go back to the history of the country particularly to the Virginia resolutions of 1775, and to the proceedings of the convention at Annapolis in the same year, and they will there find the prevailing argument for forming a general government, was in order to secure a uniform system of currency, a uniform mode of exchange, and a general regulation of the commerce of the whole country. It was no longer to be the commerce of New York, or of Massachusetts, but of the United States, to be carried on under that star-spangled banner, which bore on it, and into every sea, the glorious motto of the American union.

This being a chief and cherished object, when the first congress under the constitution assembled in New York, general Washington in his speech naturally drew their attention to the necessity of a uniform currency, looking probably at that time to the mint first established in Philadelphia, to provide that currency.

I mention these circumstances to show that the differences in the currencies of the several states, and the want of a uniform system, both of commerce and currency, being among the chief inconveniences to be remedied by the establishment of a constitution, the subject very naturally and properly attracted the early attention of the president, at the first term of the first congress.

At the second term, the United States bank was established. Without detaining you by quoting papers or speeches of that day, I will simply refer you to the history of the subject, to the reports of the time, and to the extemporaneous expressions of public opinion on the leading measures of that day, for proof, that while one object of incorporating a national bank was, that it might occasionally make loans to incorporate and take charge of the disbursement of its revenues, another object, quite as prominent and important, was to furnish a circulation—a paper circulation—founded on national resources, that should be current all over the country. General Washington had the sagacity to see, what indeed many less sagacious than he could not fail to perceive, that the confidence reposed in the United States under the constitution, and in George Washington as the head of it, would impart to whatever came from congress more authority and value than to any thing emanating from a single state. The assumption by congress of the single state illustrates this remark, for the moment the United States became bound for those debts and proceeded to fund them, they rose enormously and rapidly in value.

General Washington and his advisers saw that a national currency, if the paper had the sanction of the union, and bore on it the spread eagle—would command universal confidence throughout the country; and the result proved the wisdom of their foresight. From the incorporation of the first bank to the ex-

piration of its charter, embracing a period of great commercial and political vicissitudes, the currency of that bank was never objected to—it, indeed, surpassed the hopes of an equal currency of every body. The charter expired in 1811—how or why or from what state of parties, it is not my purpose to discuss—but the charter expired in 1811. War with England was declared in June, 1812. Immediately upon the declaration of war, all the banks south of New England stopped, and the banks of New England ceased to issue notes, and thus, in fact, the specie paying there amounted to little or nothing. At the close of the war, the condition of the currency, which had become very much damaged, not improving, Mr. Madison presented the subject to congress. In his messages, both in 1814 and 1816, he dwelt earnestly on the subject, and in the latter year the second Bank of the United States was incorporated, and went at once into operation. At its outset, owing possibly to mismanagement—perhaps unavoidably—the bank met with heavy losses—but it fulfilled its functions in providing a currency for the whole country, and neither during the eight years of president Monroe's administration, or the four years of president Adams', were any complaints made against it, and no measure was called to attention to a particular fact. There were several candidates for presidency to succeed Mr. Monroe. General Jackson, Mr. Adams, Mr. Crawford and Mr. Clay. None of them received a sufficient number of votes to be chosen president. General Jackson received the largest number of any—but the house of representatives chose J. Q. Adams president. From that moment a fierce opposition was commenced against Mr. Adams' administration. I do not propose to discuss the character of the opposition, and I do not discuss its existence in all that I have to do with now, and that from the inauguration, in March, 1825, to March 1829, an opposition, distinguished for its remarkable ability, perseverance and ultimate success, was carried on under the name and flag of gen. Jackson.

All other candidates had disappeared. General Jackson was the sole opponent—and four years of active, angry political controversy ensued—during every topic of complaint that could be dragged into the discussion, the subject of the currency was brought to the front, and I repeat with special attention to this fact—not once during the four years controversy did general Jackson himself—nor any press in his interest—not any of his friends in congress or elsewhere, raise a single voice against the currency of the United States, or propose any change therein. Of the hundreds of resolutions, which supported Jackson, not one dreamed that he was elected to put down established institutions and overthrow the currency of the country. Who, among all those who in the hottest convictions of the doctrine, cried battle for Jackson, and battle was expected, or desired, that he would interfere with the Bank of the United States, or destroy the circulating medium of the country. I stand here upon the fact, and defy contradiction from any quarter—that there was no complaint, then, any where, of the bank. There never was, before, a country of equal extent, where exchanges and currencies were carried on so cheaply, so conveniently and so securely. General Jackson was inaugurated in March, 1829, and pronounced an address upon that occasion, which he had read for Jackson before he took the constitution. In that address were enumerated various objects, requiring, as he said, reform—but among them was not the Bank of the United States—nor the currency. This was in March, 1829, and the president, 1829, general Jackson came out with the declaration, that "I have to do, I have ever heard, surprised me more) that "the constitutionality of the Bank of the United States might be well questioned," and that it had failed to furnish a convenient and uniform currency to the country.

What produced this change of mind? In the month of March, of the same year, nothing of this sort was indicated or threatened. What then indicated the change? (a voice from the crowd said *Mr. Tan Buren*). If that be so, immediately rejoined Mr. Jackson, it is the president's duty to consider the consequences by a cause not at all proportioned to the will state, in connection with, and in elucidation of, this subject, certain transactions, which constitute one of those contingencies in human affairs, where casual circumstances, acting upon the peculiar temper and character, affect the fate of nations. A movement was made in the autumn of 1829, in order to effect a change in certain officers of the branch of the Bank of the United States in Portsmouth, N. H. Mr. Woodbury, then a senator from New Hampshire, was chosen president of the bank at Philadelphia, a request, previously to proceed to merchants and men of business of all parties, asking the removal of the president of that branch, not on political grounds, but as acceptable and advantage-

case to the business community. At the same time Mr. Woodbury addressed a letter, marked *confidential*, to the then secretary of the treasury, Mr. Ingham, suggesting that his department should, on political grounds, obtain from the most influential members of the branch, permission. This letter was transmitted to the president of the mother bank, and reached him about the same time as the other; so that, looking upon this picture and upon that, upon one letter that urged the removal on political grounds, and on the other that denied that political consideration entered into the matter at all, he concluded to let things remain as they were. Appeals were then artfully made to the president. His feelings were enlisted, and it is well known that he was had an evil influence over him. He went on ahead. I mean to speak no evil, nor disrespect of general Jackson. He has passed off the stage to his retirement at the hermitage, which it would be as well, perhaps, that his friends should not disturb, and where I sincerely wish he may, in tranquility, pass the residue of his days. The action of Jackson's character was imperious—he took the bank track over; and however his friends might differ, or whether they concurred or dissented—it were vain affairs to submit. General Jackson then put forth the pretence that he required that the president should have regard to the wishes of the treasury; the matter was formally submitted to the directors of the bank; and they as formally determined that the treasury could not rightfully or properly have any thing to say in the matter. A long, and somewhat angry correspondence ensued for, gen. Jackson found in the president of the bank a man who had something of a spice of his own quality. The result was, that the bank resisted, and refused the required acquiescence in the dictations of the treasury.

What happened in October, 1838, and in December we had the message, in which, for the first time, the bank was arraigned. Then came the application of the bank for reincorporation, the passage of a bill for that purpose through both houses, and the president's veto on it. The Bank of the United States being thus put down, a multitude of new state banks sprang up; and next came a law, adopting some of these as deposit banks. Now, what I have to say in regard to gen. Jackson in this matter is this: he said he could not be a better conservator, and, without success, of the bank, than he could at least to be said in his favor and praise, that he never did renounce the obligation of the federal government to take care of the currency—paper as well as metallic of the people. It was in furtherance of this duty, he said, that he was in charge, of "providing a better currency," that he recommended the exclusion of small bills. Why? Because, it was argued, it would improve the general mixed currency of the country; and, accordingly, he did not so distinctly as Mr. Madison, recognizing the duty of the federal government to provide a currency for the people, he never renounced it, but, on the contrary in his message of December, '38 held this explicit language:

"By the use of the state banks, which do not derive their charters from the general government, the currency are not controlled by its authority, it is ascertained that the moneys of the United States can be collected and distributed without loss or inconvenience, and that all the wants of the community, in relation to exchange and currency, are supplied as well as they have ever been before. [Message, Dec. 2, 1835.]

It is not here a question whether those banks did, or not, effect the purpose which gen. Jackson takes so much pains to himself of accomplishing through their agency—that is, supplying the country with good currency as they ever enjoyed. But why, if this was not a duty of the federal government, as it is mentioned at all? In his last message in December, 1836, reviewing the benefits (!) of his experiments on the currency, he said:

"At the time of the removal of the deposits, it was alleged by the advocates of the Bank of the U. States, that the state banks, whatever might be the regulations of the treasury department, could not make the transfers required by the banks, or negotiate the domestic exchanges of the country. It is now well ascertained that the real domestic exchanges performed through discounts by the United States bank and its twenty-five branches, were one-tenth less than those of the deposit banks for an equal period of time. And if a comparison be instituted between the amounts of services rendered by these institutions, on the broader bases which has been used by the advocates of the U. States bank, in estimating what they consider the domestic exchanges, the result will be still more favorable to the deposit banks."

Here we have the distinct assertion, that through the state banks, he had accomplished more in establishing a good currency and easy exchanges, than

had been done by the Bank of the United States. However this fact may be, all this, I say, amounts to acknowledgment of the duty of the general government, and as an emanation of the power of coining money, and as the responsibility of that metallic money, the exclusive power of coining which is in congress—to provide a uniform currency.

I contend for this principle, that down to the end of gen. Jackson's administration, no administration of this country had turned their back upon this power, and I now proceed to show, by extracts from Mr. Van Buren's letter to Sherrod Williams, to which, since he has largely referred to it lately, there can be no nobility in my referring, that he, too, admitted the obligation of supplying a uniform currency, and admitted means of exchange, which he thinks can be effected by the state deposit banks:

"Sincerely believing for the reasons which have just been stated, that the public funds may be as easily and conveniently transmitted from one portion of the United States to another, by means of the bank, as can be as successfully and as cheaply effected, and the currency to be rendered at least as sound under the existing system, as those objects could be accomplished by means of a national bank, I would not, for the sake of the evil to which you allude, should they unfortunately occur and through such a medium, even if the unconstitutional objections were not in the way." [Aug. 8, 1836.]

He denies not the duty of superintending the currency, and the deposit banks of the states under the control of congress, can effect the purpose. This letter was written when Mr. Van Buren was a candidate for the presidency.

Two months only after gen. Jackson had retired, and when his vigorous hand was no longer there to uphold it, the league of state banks fell and crumbled into atoms; and when Mr. Van Buren had been only two months president, he convoked a special session of congress for the ensuing September. The country was in wide-spread confusion—paralysed in its commerce—its currency utterly deranged. What was to be done? What would Mr. Van Buren recommend? He could not go back to the Bank of the United States, for he had committed himself against its constitutionality; nor could he, with any great prospect of success, undertake to reconstruct the league of deposit banks, for he had broken the banks, and the country had lost confidence in it. What then was to be done? He could go neither backward nor forward. What did he do? I mean not to speak disrespectfully, but I say, he—*hesitated*—he hesitated in the fragments of the broken banks—unable to touch the United States bank—he folded up his arms and said—the government has nothing to do with providing a currency for the people. That I may do him no wrong, I will read his language. His predecessors had all said, we will not turn our backs upon this duty of government to provide a uniform currency—his language is, we will turn our backs on this question. He proposes nothing for the country, nothing for the relief of commerce or the regulation of exchanges, but simply the means of getting money into the treasury without loss:

From Mr. Van Buren's first message.

"It is not the province of government to aid individuals in the transfer of their funds, otherwise than through the facilities of the post office department. As justly might it be called on to provide for the transportation of their merchandise."

"If, therefore, I refrain from suggesting to congress the currency—refraining from suggesting to congress—or interfering with the ordinary operations of foreign and domestic commerce, it is from a conviction that such are not within the constitutional province of the general government, and that their relief is to be promoted by the aid of the permanent welfare of those they might be designed to aid."

I put it to you, my friends, if this is a statesman's argument. You can transport your merchandise yourselves, by your own boats and ships, on your own wagons; but can you make a currency? Can you say what shall be money, and what shall not be money—and determine its value here and elsewhere? Why, it would be as reasonable to say, the people could make war for themselves, as to say that they may exercise this other, not less exclusive attribute of sovereignty, of making a currency for themselves. He insists that congress has no power to regulate currency or exchanges—none to mitigate the embarrassments of the country—none to relieve the state industry and labor, even if the power did exist, it would be unwise, in his opinion, to exercise it.

These are the doctrines of the president's first message, and I have no opinion of it now, that I did

not then entertain. I desire not to appear wise after the event—I am not a prophet, nor the son of a prophet, and yet I declare when I heard the declaration of this message, and reflected on its consequence, I saw, or thought I saw, all the suffering, loss and evil that is now before us.

Let us compare this declaration with that of one now numbered with the mighty dead—of one, who has left behind a reputation excelled by that of no other man, as understanding thoroughly the constitution—the one born and cradled with it, taking part in its inception, and closing his public career by administering its highest office—I need not name James Madison.

In his message to congress in December, 1815—when the country was in the throes of the panic under the divorced currency of that period, the president thus spoke:

"It is essential to every modification of the finances, that the benefits of a uniform national currency should be restored to the community. The absence of that currency, which has been believed, to be a temporary evil, but until they can again be rendered the general medium of exchange, it devolves on the wisdom of congress to provide a substitute, which shall equally engage the confidence, and accommodate the wants of the community. If the operation of the state banks cannot produce this result, the probable operation of a national bank will merit consideration, &c."

At that session, congress incorporated the Bank of the United States, and at the next session, the president held this language, respecting the currency and that bank:

From Mr. Madison's last message.

"For the interests of the community at large as well as for the purposes of the treasury, it is essential that a currency should possess a currency of equal value, credit and use, wherever it may circulate. The constitution has entrusted congress exclusively, with the power of creating and regulating a currency of that description; and the measures taken, during the last session, in execution of that power, give every promise of success. The bank of the United States has been organized under auspices the most favorable, and cannot fail to be an important auxiliary to those measures."

How that sound counsel can be an argument for the sub-treasury! Here you have set up, a doctrine vitally affecting the business and pursuits of the country, fatal to your families, and you must determine for yourselves if it shall be the doctrine of the country. But before determining, look well at the constitution—look at the powers of the government, and authority are to be applied to, contrast those of president Van Buren, with those of the dead Patriarch, whose words I have just read to you, and decide accordingly.

We have heard much from the administration against banks and banking systems. I do not mean to discuss that topic—but I will say, that their tampering with the currency, and course in relation to it, has more than all other causes increased these banks.

But Mr. Van Buren's message contains a fatal principle, one altogether wrong, the principle that the government has nothing to do with providing a currency for the country, in other words, proposing a separation between the money of the government and the money of the people. This is a great error—which cannot be compromised with—which is susceptible of no amelioration, or modification, or remedy, but the caustic which shall totally eradicate it.

Do we not know that there must always be bank paper, there a man here who expects that he or his children, or his children's children, shall see the day when only gold coin, glittering through silk purses, will be the currency of the country, to the entire exclusion of bank notes? Not one. But it is the neglect of the government to perform the duties that makes these bank notes questionable. You here, in New York, have sound bank paper, redeemable in coin, and if you were surrounded by a Chinese wall, it might be indifferent to you whether government bonds or bank notes were the currency. This is the daily business relations with Pennsylvania, and with the west, and east, and south, and have a direct interest that their currency too shall be sound; for otherwise the very superiority of yours is, to a certain degree, an injury and loss to you—since you pay in the equivalent of specie for what you buy, and you sell for such money as circulates in the states with which you deal. But New York cannot effect the general restoration of the currency, nor any one state, or any number of states short of the whole—only the general government can effect the restoration to its original position.

What does the sub-treasury propose? Its basis is a separation of the concerns of the treasury from those of the people. That bill provides:

Sub treasury law.

There shall be provided in the new treasury building at Washington, rooms for the use of the treasurer, and fire proof vaults and safes for the keeping of the public money; and these vaults and safes are declared to be the treasury of the United States.

That the vaults and safes of the mint in Philadelphia and the branch mint at New Orleans, shall also be places for the deposits and safekeeping of the public money, and that there shall be fire proof vaults and safes also in the custom houses of New York and Boston, and in Charleston, South Carolina, and St. Louis, Missouri, and that these also shall be places of deposit.

That there shall be a receiver general at New York, Charleston and St. Louis. That the treasurers of these mints, and the receivers general, shall keep the public money without loaning or using it until ordered to be paid out; and into the hands of these treasurers and receivers general, shall the collectors of public money are to pay what they receive.

That the resolutions of congress of April, 1816, be so far altered as that hereafter of all duties, taxes and debts due and becoming due to the United States, after June of this year, one-fourth shall be paid in specie after June next, and the balance in bank notes of 1812 three fourths; and after June 1843, the whole. So after June 1843, all debts due to the United States, whether for duties, taxes, sales of public lands, patents, postages of letters, or otherwise, shall be paid in gold and silver only.*

That from and after June, 1842, every officer or agent in the government, in making disbursements or payments on account of the U. States, shall make such payments in gold or silver coin only.

Receiver general in New York to be paid \$4,000 salary—the others each \$2,400.

I propose to say a few words on these provisions. In the first place, it seems very awkward to declare by law certain rooms in Washington, and certain safes and vaults therein the treasury of the United States. We have been accustomed heretofore to look upon the treasury as a department of the government, recognised by the constitution, which declares that no money shall be drawn from the treasury, except upon appropriations made in due course of law. It may, however, be made a question whether any thing but these rooms and safes at Washington are not now withdrawn from the protection of the constitution. It is senseless. It is absurd. It is that the legislature of New England has established that certain desks and tables, in a certain large room at the United States hotel*, constituted the court for the correction of errors of the state of New York.

What else does this bill do? It declares there shall be certain vaults and safes in Washington, and it has not been for want of adequate vaults, and safes, and rooms, that we have lost our money, but owing to the hands to which we have trusted the keys. It is in the character of the officers and not in the strength of bars and vaults, that we must look for security of the public treasury. What would be thought in private life, if some rich merchant, J. J. Astor for instance, should determine no longer to trust his money with banks and bank directors, who, nevertheless, have a common interest with him in upholding the credit and stability of the currency, and should build for himself certain safe vaults, and having placed his treasures therein should, of some 40 or 50 hungry individuals, who might apply for the office of treasurer, give the keys to him who would work the best bargain? You might then perhaps, pronounce him insane but you would certainly not say, he acted very unlike J. J. Astor. Now what is true of private affairs is especially true of public affairs, and what would be absurd in an individual is not less in government. What is doing in Boston, where belongs? There are here respectable speculators paying trust-worthy banks, managed by prudent and discreet men—and yet the treasure of the country is withdrawn from the keeping of those institutions, with a capital paid in of two millions of dollars, and locked up in sales and vaults, and one of the president's political friends from another state, is sent for to come and keep the key. There is in his case no intention to watch the cashier, no cashier to watch the teller, and no directors to overlook and control all—but the whole responsibility is vested in one man. Do you believe that, if under such circumstances, the United States, following the example of individuals, were to offer to receive private funds in deposits in such a safe, and allow interest on them, they would be entrusted with any? There are no

securities under this new system of keeping the public money that we had not before, while any thing that exists in the personal character of the men, the diversified interests of the officers and directors of banks are removed. Moreover, the number of receiving and disbursing officers, is increased, and in proportion is the danger to the public treasure increased.

The next provision is, that money once received into the treasury is not to be loaned out; and if this law is to be the law of the land, this provision is not to be complained of, for dangerous indeed would be the temptation, and pernicious the consequences, if the treasury were to be let loose to the credit of favorites and party associates, the money drawn from the people. Yet the practice of this government hitherto has always been opposed to this policy of locking up the money of the people when and where it is not required for the public service. Until this time the public deposits, like private deposits, were used by the banks in which they were placed, as some compensation for the trouble of safe keeping, and in furtherance of the general convenience. When, in 1835, general Jackson formed the league of the banks, and the banks, in turn, directed by Mr. Taney, then secretary of the treasury, to use the public funds in discounts for the accommodation of the business of the country. And why should this not be so? The president now, as he has kept in his hand, and has used up by them in discounts, and they will derive benefit therefrom. What then? Is it a sufficient reason for depriving the community of a beneficial measure, because the banks that carry it out will also measurably derive some benefit from it. The answer to the public be bested, if it is answered affirmatively, it is no bar to say that the banks will be too. The government is not to play the part of the dog in the manger. The doctrine is altogether pernicious, opposed to our experience, and to the habits and business of the nation.

The next provision is, that, requiring, after 1843, all dues to the government shall be paid in gold and silver; and however onerous or injurious this provision, it is to be considered that the government can, if they choose to enforce it. They have the power, and it is the duty of the citizens, we must submit. But such a practice will be inconvenient; I will say oppressive. How are those who occupy 3-4ths of the surface of the United States to comply with this provision? Here, in commercial neighborhoods and in large cities, the money is paid out with the silver and specie; and a man who is to take up lands in the western states to get specie—how transport it? The banks abroad him pay none—he gets none for his labor; and yet, oppressive as all this is, I admit that the government has a right to such a law, and that while it is a law, it must be obeyed.

But what are we promised as the equivalent for all this inconvenience and oppression? Why, that the government in its turn will pay its debts in specie and that this what it receives with one hand, it will pay out with the other, and a specie circulation will be established. I undertake to say that no greater fallacy than this was ever uttered; that this is impossible, and for this plain reason. The dues which government collects come from individuals each pays for himself. But it is far otherwise with the disbursements of government. They do not go down to individuals, and seeking out the workmen and the laborers, pay to each his dues, government pays in large sums to large contractors—and these they pay gold and silver. But do the gold and silver so received then find their way to the employes? On the contrary, the contractors deal as they see fit with those whom they employ, or of whom they purchase. The army and navy are fed and clothed by contract; the materials for your ships are purchased by contract; your measures for the Cumberland road, and for other public works, are all supplied by contract. Large contractors flock to Washington and receive their tons of gold and silver; but do they carry it with them to Maine, to purchase a wagon, or to hire a team, or to pay a vacation pay to his men? No—not a dollar; but selling it for depreciated paper, the contractor swells his profits by this added premium, and pays off those he owes in depreciated bank notes. This is not an imaginary case. I speak of what is in proof. A contractor came to Washington last winter, and secured a draft of \$180,000 on a specie paying bank in New York. This he sold at 10 per cent. premium, and with the avails purchased wild-cat money, with which he paid the producer, the farmer, the mechanic, the laborer, and the mechanic, for it gives to the government bad money, to the rich contractor bad money, but to the producer and laborer it gives paper, and bad paper only; and yet this system is recommended as specially favoring the poor man, rather than the rich, and credit is claimed for this administration as the poor man's

friend. Let us look a little more nearly at this matter, and see whom, in truth, it does favor. Who uses the rich? The rich? There is no extraordinary wealth among us—and large capitalists are not numerous. But some there are, nevertheless, who live on the interest of their money, and these certainly do not suffer by this new doctrine; for their resources are rendered more valuable, while the objects of living are reduced in value. There is the money lender, too, who suffers not by the reduction of prices all around him. Who else are the rich in this country? Why, the holders of office. He who has a fixed salary, of from \$2,500 to \$5,000, is not suffering, but does his salary fall? On the contrary, three-fourths of that salary will now purchase more than the whole of it would purchase before; and he therefore, is not dissatisfied with this new law.

There is, too, another class of our fellow citizens, the wealthy men, who have prospered during the last year, and they have prospered, when nobody else prospers. I mean the owners of shipping. What is the reason? Give me a reason. Well, I will give you one. The shipping of the country carries on the foreign trade of this country. There is no living steadily in the foreign trade. Now, why have these been successful. I will answer by an example. I live on the sea coast of New England, and one of my nearest neighbors is the largest ship owner, probably, in New England. During the past year he has made what might suffice for the life of three laborers; and how has he made it? He sends his ships to Alabama, Louisiana, Mississippi, to take freights of cotton. This staple, whatever the price abroad, cannot be suffered to rot at home, and therefore it is shipped. The owner takes his captain to provisions, ship at Natchez, for instance, where he buys flour and stores in the depreciated currency of that region, and pays for them by a bill on Boston, which he sells at 45 per cent. premium. Here at once, as we have seen, he gets his provision for half price. He draws his freight in Europe, and gets paid for it in good money. The disordered surertry of the country to which he belongs does not follow nor afflict him abroad. He gets his freight in good money, places it in the hands of a prudent banker, who again draws at discount for it. The banker, in turn, makes money, when all others are suffering, because he can escape from the influence of the bad laws and bad currency of his own country. Now, I will contrast the story of this neighbor with that of another of my nearest neighbors, a mechanic in New England, a mechanic, hard working, sober and intelligent, a tool maker by trade, who wields his own sledge hammer. His particular business is the making of augers for the south and southwest. He has for years employed many hands, and been the support of many families around him—himself, meanwhile, moderately prosperous until these evil times came on. Yearly, however, for some years, he has been going back wards—not less industrious—not less frugal—he has yet found, that, however anxious of good the prices he has received from the north and southwest for his tools, the cost of converting those funds into funds current in New England was ruinous. He has persevered, however, always hoping for some change for the better, and contacting gradually the circle of his work and the number of his workmen, until at length, the little earnings of the past wasted, and the condition of the currency becoming worse and worse, he is reduced to bankruptcy; and he and the twenty families that he had supported are beggared by no fault of their own. What was his business? He was a mechanic, and he was the victim of bad laws and bad currency at home; and while his rich neighbor, who could, and did, make richer by these very causes, he, the honest and industrious mechanic, is crushed to the earth; and yet we are told that this is a system for promoting the interests of the poor.

This leads me naturally to the subject of American labor, which has hardly been considered or discussed as carefully as it deserves. What is American labor? It is best described by saying, it is not European labor. Nine-tenths of the population of this country is performed by those who cultivate the land they or their fathers own, or who in their workshops employ some little capital of their own, and sink it up with their labor. Where does this exist elsewhere? Look at the different departments of industry, whether agricultural, manufacturing or mechanical, and you will find that in all, the laborers mix up some little capital with the works of their hands. The laborer of the United States—strike out the laborer of the United States, including there in all who in some way or other are independent, serious and working classes and you reduce the population of the United States from sixteen millions to one million. The American laborer is expected to have a comfortable home, decent, though frugal living, to clothe and educate his children, to qualify

*It may be necessary, to the explanation of this illustration, to state, that the court of errors was at that time holding a session at the United States hotel at Saratoga.

them to take part, as all are called to do, in the political affairs and government of their country. Can this be said of any European laborer? Does he take any share in the government of his country, or feel it an obligation to educate his children? There nineteenth of the laborers have no interest in the soil they cultivate nor in the fabrics they produce; no hope under any circumstances of raising themselves, or of raising their children by the education of the soil, laborer at wages, and only know the oppression under which they live, by the sense of its oppressiveness, which they have no voice in mitigating.

To compare such a state of labor with the labor of this country, or to reason from that to this, is preposterous. And yet the doctrine now is, not of individuals only—but of the administration, that the wages of American labor must be brought down to the level of those of Europe.

I have said this is not the doctrine of a few individuals, and on that they think injustice has been done to a senator from Pennsylvania, who has been made to bear a large share of the responsibility of suggesting such a policy. If I mistake not, the same idea is thrown out in the president's message—, and in the treasury report. Hear what Mr. Woodbury says:

"Should the states not speedily suspend more of their undertaking which are unproductive, but by new loans, or otherwise, find means to employ armies of laborers, in consuming, rather than raising crops, and should they continue in many cases to be unannually inflated, as they have been of late years, in the face of a contracting currency, the effect of it on our finances would be still more to lessen exports, and, consequently, the prosperity and revenues of our foreign trade."

It is for turning off from the public works these "armies of laborers" who consume without producing crops, and thus bring down prices, both of crops and labor. Diminish the mouths that consume, and multiply the areas that produce, and you have the treasury prescriptions for mitigating distresses and raising prices! How would that operate to this great state? You have, perhaps, some 15,000 men employed on your public works—works of the kind that the secretary calls "unproductive"—and even with such a demand as they continue in for provisions, prices are very low. The secretary's remedy is to set men to raise provisions themselves, and thus augment the supply while they diminish the demand. In this way the wages of labor are to be reduced, as well as the price of agricultural products. But this is not all. I have in my hand an extract from a speech in the house of representatives, of a gentleman from New Hampshire, Mr. Burke, a zealous supporter of the administration, who maintains that other things being reduced in proportion, you reduce the wages of labor without evil consequences. And where does he seek his example? In the Mediterranean. He fixes himself upon Corsica and Sardinia. But what is the Corsican laborer, that he should be the model upon which American labor is to be formed? Does he know any thing himself? Has he any education or does he give any to his children? Has he a home, a freehold, and the comforts of life around him? No. With a crust of bread and a handful of olives, his daily wants are satisfied. And yet from such a state of society the laborer of New England, the laborer of the United States, is to be taught submission to low wages. The extract before me states that the wages of Corsica are:

"For the male laborer,	24 cents a day.
"And the female laborer,	11 cents do."
And the honorable gentleman argues that, owing to the greater cheapness of other articles, this is relatively as much as the American laborer gets, and he illustrates the fact by this bill of clothing for a Corsican laborer:	
Jacket,	lasting 24 months, 8 francs.
Cap,	do. 24 do. 2 do.
Waistcoat,	do. 36 do. 4 do.
Pantaloon,	do. 18 do. 5 do.
Shirt,	do. 12 do. 3 do.
Pair of shoes,	do. do. 6 do.

28 francs.

Now what say you, my friends—what will the farmer of New York, of Pennsylvania, and of New England say, to the idea of walking on Sunday to church at the head of his family, in his jacket two years old? What will the young man say, when his work ended, he desires to visit the families of his neighbors, to the one pair of shoes, not quite 2 years old individual, and as the farmers say of a suit, counting two next grays, and which for 18 months have done yeomen's service! Away with it all—away with this plan for humbling and degrading the free, intelligent, well educated, and well paid labor of the United States to the level of the almost bare labor of Europe.

There is not much danger that schemes and doctrines, such as these, shall find favor with the people. They understand their own interest too well. But Gentlemen, I am a farmer, on the sea shore, and have, of course, occasion to employ some degree of agricultural labor. I am sometimes also rowed out to sea, being, like other New Englanders, fond of occasionally catching a fish, and finding health and recreation in warm weather from the air and the ocean. For the few months during which I am able to enjoy this retreat from labor, public or professional, I do not often trouble my neighbors, or they me, with conversation on politics. It happened, however, about three weeks ago, that on such an excursion as I have mentioned, with one man only with me, I mentioned this doctrine of the reduction of prices, and asked his opinion of it.

He said he did not like it. I replied, the wages of labor, if true, are reduced, but then flour and beef, and perhaps clothing, all of which you buy, are reduced also. What, then, can be your objection? Why, said he, it is true that flour is now low; but then it is an article that may rise suddenly, by means of a scanty crop, in England, or at home; and if it should rise to one dollar a bushel, it is not certain that it would fetch the price of my labor up with it. But while wages are high, then I am safe, and if produce chances to fall so much the better for me. But there is another thing. I have but one article of necessity which my labor can make, and that is not only flour, and meat and clothing, but also some articles that come from other countries; a little sugar, a little coffee, a little tea, a little of the common spices and such like.

Now, I can show how these foreign articles will be brought down, by reducing wages at home; and before the price is brought down of the only thing I have to sell, I want to be sure that the prices will fall, also, not of a part, but of all the things which I must buy.

Now, gentlemen, though he will be astonished, or amused, that I should tell the story, before such a vast and respectable assemblage as this, I will place this argument of *Seth Peterson*, sometimes farmer and sometimes fisherman on the coast of Massachusetts, stated to me while pulling on our wither neck, and with the sleeves of his red shirt rolled up above his elbows, against the arguments, the theories, and the speeches of the administration and all its friends, in or out of congress, and take the verdict of the country, and of the civilized world, whether he is not right in this conclusion.

Since I have adverted to this question, gentlemen, allow me to say, that this neighbor of mine is a man of fifty, one of the several sons of a poor man; that by his labor he has obtained some few acres, his own unencumbered freehold, has a comfortable dwelling, and plenty of the poor man's blessings. Of these, I have known six, decently and cleanly clad, each with the book, the slate, and the map, proper to its age, all going at the same time daily to enjoy the blessing of that which is the great glory of New England, the common free school. Who can contemplate this, and thousands of other cases like it, not as pictures, but as common facts, without feeling how much our free institutions, and the policy hitherto pursued have done for the comfort and happiness of the great mass of our citizens? Where in Europe, where in any part of the world out of our country, shall we find labor thus rewarded and the general condition of the people so good? No where. No where! Away, then, with the injustice and the policy of reducing the cost of productions with us, to the cost of productions in the most distant foreign market. Away, then, away at once and forever, with the miserable policy, which would bring the condition of a laborer in the United States, to that of a laborer in Russia, or Sweden, in France or Germany, to Italy or England, the common free school. Who can hold up our own, which all nations may well envy, and which, unhappily, in most parts of the earth it is easier to envy than to imitate.

But it is the cry and effort of the times to stimulate those who are called poor, against those who are called rich; and yet among those who urge this cry and seek to profit by it, there is betrayed sometimes an occasional sneer at whatever saviors of humble life. Witness the reproach against a candidate now before the people for their highest honors, that a log cabin, with plenty of Lord cider, is good enough for him.

It appears to some persons, that a great deal too much use is made of the symbol of the log cabin—, a thing which, as some suppose, certainly, that the having lived in a log cabin is an essential qualification for the presidency, then as if it creates a presumption, that any one, who from humble condition, or from unfavorable circumstances, has been able to attract a considerable degree of public attention, and to possess of reputable qualities, moral and intellectual.

But it is to be remembered, that this matter of the log cabin originated, not with the friends of the whig candidate, but with his enemies. Soon after his nomination at Harrisburg, a writer for one of the leading administration papers spoke of this "log-cabin," and his use of "hard cider," by way of sneer and reproach. As might have been expected, for pretenders are generally false, his snout at humbling life, from a poor party which claims for itself the character of the pure democracy. The whole party appeared to enjoy it, or at least they countenanced it, by silent acquiescence; for I do not know that, to this day, any eminent individual, or any leading newspaper, attached to the administration, has rebuked their scornful jeering at the supposed humble condition or circumstances in life, past or present, of a worthy man and a war soldier. But it touched a tender point in the public feeling. It naturally aroused indignation—What was intended by such a rebuke, was immediately seized on, as merit. "Be it said, be it said," the instant burst of the public voice. "Let him be the log cabin candidate. What you say in scorn, we will about with all our lungs; from this day, we have our cry of rally, and we shall see whether he, who has dwelt in one of the rude abodes of the west, may not become the best house in the country."

All this is natural, and springs from sources of just feeling. Other things, gentlemen, have had a similar effect. In all the wars of the American revolution, was bestowed in derision, two hundred years ago, on those who were thought too fond of liberty; and our national air of Yankee doodle was composed by British officers, in ridicule of the American troops. Yet, ere long, the last of the rude abodes of the west, its name at Yorktown, while this snarling was playing in the ears of officers and men. Gentlemen, it is only shallow-minded pretenders, who either make distinguished origin matter of personal merit, or obscure origin matter of personal reproach. Witness the scoffing at the humble condition of early life, affect nobody in this country, but those who are foolish enough to indulge in them, and they are generally sufficiently punished by public rebuke. A man who is not ashamed of himself, need not be ashamed of his early condition.

Gentlemen, it did not happen to me to be born in a log cabin; but my elder brothers and sisters were born in a log cabin, raised amid the snow-drifts of New Hampshire, at a period so early as that when the smoke first rose from its rude chimney and curled over the frozen hills, there was no smaller evidence of a white man's habitation between it and the settlements on the rivers of Canada. It remains still exist. I make to it an annual visit. I carry my children to it, to inspire like sentiments in them, and to teach them the simple virtues of the generations which have gone before them. I love to dwell on the tender recollections, the kindred ties, the early affections, and the touching narratives and incidents, which mingle with all I know of this humble, primitive family abode. I try to think that none of those who inhabited it are now among the living; and if ever I am ashamed of it, or if I ever fail to effete veneration for him who reared it, and defended it against savage violence and destruction, cherished all the domestic virtues beneath its roof, and through the fire and blood of a seven years' revolutionary war, shrunk from no danger, no toil, no sacrifice, to serve his country, and to raise his children to a condition better than his own, may my name, and the name of my ancestors, be blotted for ever from the memory of mankind!

[Mr. Webster thus reviewed the expenditures of the government, but just at the last moment, we find with regret that the sheet containing this portion of the speech, and the entire of the manuscript, had therefore from memory, a very brief, and we are aware, a very inadequate outline of the argument.]

The expenditures of this administration have been eminently wasteful and extravagant. Over and above the ordinary revenues of the country, Mr. B. has borne upon more than twenty millions that reached the treasury from other sources. I specify: Reserved under the deposit act, \$6,000,000 4th instalment of surplus kept back, 9,000,000 Payment by the Bank of United States, 5,000,000 on its bonds,

\$20,000,000

But even this has been found insufficient for the prodigality of the administration, and we had not time to publish the account of the expenditure, was made upon it, notwithstanding the flattering representations of the message and the treasury report, for authority to issue five millions more of treasury notes; and this, we were assured, if congress would not pass a law, that the treasury would be exhausted, would be ample. Congress did the departments, would be ample. Congress did

keep within the estimate; and yea, before we broke up, intimations came from the treasury that they must have authority to borrow, or issue treasury notes for four and a half millions more.

This time even the friends of the administration demurred, and finally refused to grant this new aid,—and what then was the alternative? Why, after having voted appropriations for the various branches of the public service, all within the estimates, and of which they were told, they were irresponsible, they conferred on the president, by a special section, authority to withhold these appropriations from such objects as he pleased, and to select at his discretion the objects upon which money should be expended. Entire authority was thus given to the president over all the expenditures, except the extravagance of that provision of the constitution forbidding all expenditure, except by virtue of appropriations—which if it mean any thing, must mean the specification of distinct sums for distinct purposes.

In this way, then, it is proposed to keep back from indispensable works four and a half millions, which are, nevertheless, appropriated, and which, with the five millions of treasury notes already in issue, will constitute a debt of from nine to ten millions.

So, then, when general Harrison shall succeed, in March next, to the presidential chair, all that he will inherit from his predecessors—besides their brilliant example—will be three treasury vaults and three without a dollar in them, and a debt of five millions of dollars.

The whole revenue policy of this administration has been founded on error. While duties are laid on articles of daily use and necessity, articles of luxury are delisted free of duty. Look at the custom house returns, \$20,000,000 worth of silks imported in one year, free of duty, and other articles of luxury in proportion, that should be made to contribute to the revenue.

We have, in my judgment, imported excessively, and that the president argues it as an objection to works of public improvement, to rail roads and canals, that they diminish our importations, and thereby interfere with the comforts of the people. His message says:

"The people will no long be inescapable to the extent of the burdens entailed upon them by the false system that has been operating on their sanguine, energetic and industrious character; nor to the means necessary to extricate themselves from these embarrassments. The weight which presses upon the spirit of the people, and the expenditure of an enormous debt, foreign and domestic. The foreign debt of our states, corporations and men of business can scarcely be less than two hundred millions of dollars, requiring more than ten millions of dollars a year to pay interest. This sum has to be paid out of the exports of the country, and must of necessity cut off imports to that extent, or plunge the country more deeply in debt from year to year. It is easy to see that the increase of this foreign debt must augment the annual demand on the exports to pay the interest, and to the same extent diminish the imports; and in proportion to the enlargement of the foreign debt, and the consequent increase of interest must be the decrease of the import trade. In lieu of the comforts which it now brings us, we might have one gigantic banking institution, and splendid, but in many instances profitless, rail roads and canals, absorbing to a great extent, in interest upon the capital borrowed to construct them, the surplus profits of national industry for years to come, and securing to posterity no adequate return for the comfort which the laborers of their hands might otherwise have secured."

What are these comforts that we are to get so much more of, if we will only stop our rail roads and canals? Foreign goods, loss of employment in our European wages, and lastly direct taxation.

One of the gentlemen of the south, of that nullifying state rights' party that has absorbed the administration, or been absorbed by it, comes boldly forth with the declaration that the period is arrived for a direct tax on land; and among the reasons assigned for this project is this one, that it will bring the north to the grindstone. We shall see, before this contest is over, who will be the parties ground, and who the grinders. It is, however, but just to add, that there is this in our expression of individual opinion, and I do not charge it to be otherwise.

I had proposed to say something of the militia bill, but it is already so late that I must forego this topic. (No, no—go on, go on—the crowd.) Mr. Webster resumed and briefly analyzed the bill.

Owing, however, to the lateness of the hour, he did not go largely into the discussion. He did not,

he said, mean to charge Mr. Van Buren with any purpose to play the part of a Caesar or a Cromwell, but he did say that in his judgment, the plan as recommended by the president in his message, and which the annual report of the secretary did not accompanying the message developed the leading features, would, if carried into operation, be expensive, burdensome, in derogation to the constitution, and dangerous to our liberties. Mr. W. referred rapidly to the president's recent letter to some gentlemen in Virginia, endeavoring to exculpate himself for the recommendation in the message, by endeavoring to show a difference between the plan then so strongly recommended, and that submitted in detail some months afterwards by the secretary of war to congress. Mr. W. pronounced this attempt wholly unsatisfactory.

Mr. W. then went on to say—I have now frankly stated my opinions as to the nature of the present excitement, and have answered the question now brought us to the center of the revolution in public sentiment now in progress. Will this revolution succeed? Does it move the masses, or is it an ebullition merely on the surface? And who is it that opposes the change which seems to be going forward? Here some one in the crowd lifted up his voice, loudly but the speaker did not heed it. Mr. Webster continued—I hear one say that the officers holders oppose it, and that is true. If they were quiet, in my opinion, a change would take place, chosen by common consent. I have heard of an officer of the army, a hardy soldier, and of the dignity of this occasion, but which confirm the answer which my friend in the crowd has given to my question. It happened to a farmer's son, that his load of hay was blown over by a sudden gust of wind. He was so angry, that he went out, seeing him manifest a degree of distress, which such an accident would not usually occasion, asked him the reason, he said he should not take on so much about it, only father was under the load. I think it very probable, gentlemen, that there are many now who are active and zealous friends, who do not care much whether the wagon of the administration were blown over or not, if it were not for the fear that father, or son, or uncle or brother, might be found under the load. Indeed it is remarkable how few of our patriotic friends are to be found among the holders of office. A thousand favored contractors fear lest the proposed change should put the interests of the public in great danger. Ten thousand post offices, moved by the same apprehension, join in the cry of alarm, while a perfect earthquake of disinterested reconstruction proceeds from the custom houses. Patronage and favoritism tremble and quake through every limb, and every nerve, lest the people should be found in favor of a change, which might endanger the liberties of the country, or hurt the interests of its present enemies and distinguished prosperity, by abandoning the measures so wise, so beneficial, so successful, and so popular, which the present administration has pursued!

Fellow-citizens, we have all sober and important duties to perform. I have not addressed you to-day for the purpose of joining in a premature note of triumph, or raising a shout for anticipated victories. We are in the controversy, not through it. It is our duty to spare no pains to circulate information, and to spread the truth far and wide. Let us persuade those who differ from us, if we can, to hear both sides. Let us remind them that we are all embarked together, with a common interest and a common fate; and let us without rebuke or unkindness, beseech them to consider what the good of the people requires, what is best for them and for us. There are two causes which keep back from us, the aid of honest men from joining those who wish for a change.

The first of these is the fear of reproach from former associates, and the pain which party denunciations, and the habit of indulging in the manifestations of the American character is superior to third—Surely, no American citizen will feel himself chained to the wheels of any party, nor bound to follow it, against his conscience, and his sense of the importance of the interests of the country. There is one thing which ought to dispel such restraints, and to leave men free at once to act upon their own convictions. Unless this can be done, party has entailed upon us a miserable slavery, by compelling us to act against our consciences, on questions of the greatest importance.

The other cause is the content cry that the party of the administration is the true democratic party, or the more popular party, in the government, and in the country. The falsity of this claim has been for some time exposed. It shows, more than met, and should be now met, not only by denial, but by proof. If they mean the new democracy, the cry against credit, against industry, against labor, against man's right to leave his own earnings

to his own children—why, then, doubtless, they are right; all this sort of democracy is theirs. But if by democracy they mean a conscientious and stern adherence to the true popular principles of the constitution and the good of the people, they have very little claim to it. Is the augmentation of executive power a democratic principle? Is the separation of the currency of government from the currency of the people a democratic principle? Is the embodying of a large military force, in time of peace, a democratic principle?

Let us entreat honest men not to take names for things, nor pretences for proofs. If democracy, in any constitutional sense, belongs to our adversaries, let them defend it, and produce their evidence. Let the question be decided by a brave and intelligent and well-meaning citizenry be kept to the support of measures, which in their hearts and consciences they disapprove, because their authors put forth such loud claims to the sole profession of regard for the people.

Fellow citizens of the county of Saratoga!—In taking leave of you, I cannot but remind you how distinguished a place your county occupies in the history of the country. I cannot be ignorant, that in the midday of your history, a crisis moment, who saw in this neighborhood the General Burgoyne's arms in the surrender of General Burgoyne. I cannot doubt that a fervent spirit of patriotism burns in their breasts, and in the breasts of their children. They helped to save their country amid the storm of war, and they will not be fully persuaded, in the present severe civil crisis. Fellow citizens, I verily believe it is true, that of all that are left to us from the revolution, nineteen parts are with us, in the existing contests. If there be things to be done, as a citizen or soldier, who has joined in the attacks upon Gen. Harrison's military character, I have not met with him. It is not, therefore, in the county of Saratoga, that a cause sustained by great means is likely to prevail.

Fellow citizens, the great question is now before the country, and with the experience of the past, the American people think proper to confirm power in the hands which now hold it, and thereby sanction the leading policy of the administration, it will be your duty and mine to bow with submission to the public will, and to the public will, it will be possible for me to be of service to the country in any department of public life. I shall look on with no less love of country than ever, but with fearful forebodings of what may be near at hand. But, fellow citizens, I do not at all expect that result. I fully believe that I shall not be able to do all our duty, we shall restore the government to its former policy, and the country to its former prosperity. And let us here, to-day, fellow citizens, with full resolution and patriotic purpose of heart, give the pledge, that until this great controversy be ended, our talents, our efforts, are all due, and shall all be faithfully given, to our country.

CONVENTION AT THE CUMBERLAND GAY. The Lexington Commonwealth says: "Of all the contemplated public conventions preparatory to the final action, it appears to us that the one to be held at the Cumberland Gap, on the 10th of September, exceeds in interest and in importance. The meeting is to be at the point where the three states of Virginia, Kentucky and Tennessee come in contact; and it is known that in the mountainous regions of Virginia and Tennessee, the administration party have been making unparalleled exertions. This convention will be the means of collecting to one point, all the active population of those regions, and they will there have an opportunity of hearing discussion upon the leading measures pursued by the government. That section of the union has been flooded with extra Gales and Van Buren missionaries, and all their supporters, and the party make use of it to mislead public opinion. The whigs of Tennessee have invited the whigs of Kentucky to unite with them in the celebration of the 10th. The mountain boys of Kentucky have accepted the invitation, and there will be a patriotic rivalry between these two states so united in every thing that goes to make up one people—similar in institutions—similar in habits, and similar in language. We hope and believe that our side of the line will turn out in full force. The recent elections have shown that our platform of reform is sound in the true faith. No section of our state has done better in the late canvass. And we hope too, that our public speakers will make it a point to attend on this occasion. We know that many persons from this region will be present, and that the celebration, and if no unforeseen event occurs, we predict that the assemblage will equal in number and interest, any of the large meetings which have heretofore occurred.

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REMITTANCES BY MAIL. "A postmaster may enclose money in a letter to the publisher of a newspaper, to pay the subscription of a third person, and frank the letter, if written by himself."—*Anna Kendall.*
Some of our subscribers may not be aware that they may enclose the postage on subscription money, by requesting the postmaster where they reside to frank their letters containing such money, he being able to satisfy himself before a letter is sealed, that it contains nothing but what refers to the subscription. —*Am. Exrmer.*

FOREIGN ARTICLES.

FRANCE.

Atlantic steam navigation. The English will not long be permitted to monopolize the honors and advantages of ocean steam navigation. France and Belgium will both come in as competitors at an early day. The Paris correspondent of the National Intelligence says:

"It is understood that the chambers will adopt next the ministerial bill for the various lines of steam navigation between France and the two Americas. No time will be lost in the execution of this comprehensive project, which the official and semi-official organs confess to be even more political than commercial. The legislature of Belgium has passed the bill for an appropriation of a sum not to exceed four hundred thousand francs annually, during fourteen years, for the establishment of a line of steam packets between that country and the United States. Various passages of the above report of the Belgian committee on the subject may be translated usefully, for your column. The Belgians will not lag behind their neighbors of France in this enterprise."

The royal decrees of the French government, issued on the 19th July, it is estimated in Paris will enable to service 130,000 soldiers. The increase of the cavalry force will be 15,000 men.

CHINA.

Accounts from Singapore to the 25th March, say: No part of the expedition against China has yet arrived. Should the contest be long, there will be

an extensive demand for salted provisions, flour, bread, &c. The port is free of port charges of duties. Siam sugar, white, 5 50s 60, per picul; pepper, 5 25 to 5 80 do; tin, 18, scarce.

Our latest previous intelligence, by the way of England, was to the 24th of March.

The foreign trade at Canton, suspended on account of the death of the empress, or for some other cause, was renewed on the 13th of April, and all the vessels in port had obtained cargoes.

The American merchants had sent most of their effects to Macao, and expected to be ordered away as soon as the English squadron should arrive. Only one ship had yet arrived—the *Druid*, of 41 guns.

No event of moment had taken place, and Canton was perfectly tranquil. Some show of preparation for the hostile visit of the English was to be seen, such as the erection of batteries, the drilling of recruits, &c. but nothing adequate to the powerful force of the assailants. Meantime, however, the local authorities, at Canton and elsewhere, were vigorously prosecuting their war upon the dealers in opium.

PANAMA.

Accounts from the isthmus of Panama have been received at Havana to the middle of June. The government of Central America was said to be without funds and entirely unable longer to carry on the war against their neighbor. The civil war rages in Panto, and the rebels have made themselves quite formidable. The small pox was making great havoc among the natives in Chagres—the foreigners, having mostly been vaccinated, escaped the epidemic. The inspection in the government of New Grenada was daily increasing. The insurgents threatened to overturn the government.

MEXICO.

The federalists in the city of Mexico, notwithstanding their partial success, have been completely put down, by Bustamante and his party. The *Norma* arrived here yesterday from Havana, bringing dates from the Mexican capital to the 28th July. It appears that, after twelve days skirmishing, the revolutionists under Urrea, who held the palace, capitulated on the 27th inst. under a full indemnity for all past political offences. Urrea and Gomez Farias, (the insurgent "president ad interim,") notwithstanding this guarantee were supposed to have fled.

A letter from Mexico, of the latest date, (July 28th), says:

"The firing continued until yesterday; the advantage gained on either side not indicating what would be the final result. There were frequent parleys, suspensions of firing, &c. &c. And while we were waiting the arrival of Santa Ana, to put a stop to the war, for which purpose he had been sent for by government, we learn that every thing had been arranged.

"Yesterday afternoon at 2 o'clock, the capitulated troops left the palace, and proceeded to a village near the city, to drill up their arms; but according to the rumors in circulation to-day, instead of making the surrender, they fortified themselves on Mount Santa Monica, 3 leagues from here.

"At present, notwithstanding the departure of the capitulated troops from Mexico, the terms of the capitulation are entirely unknown, nor is it known what is the fate of the leaders, Farias, Ragon, Cerecero, Cardona, Horta, &c. although it is said that Urrea fled at 2 o'clock yesterday morning, the 27th. Nevertheless, the insurgent troops marched out with all the honors of war, park and artillery.

"From these circumstances, and rumors which are abroad to-day, I surmise that some trick is at the bottom of the movement. Perhaps my political vision deceives me, but time will decide."

Receipts of Tobacco. Tobacco has been captured by the federalists. The New Orleans Bee of the 24th inst. "It is rumored that we have been able to ascertain from the captain of the *Atravida*, that a part of the centralist army, consisting of two hundred men, who had been obliged to leave the city, had afterwards received reinforcements, and had marched towards Tobacco, which they had succeeded in recapturing, and taking them to the mercy of their enemies, who were suffering from sickness, had been guilty of cruelties of the most revolting nature. Nothing was spared; and all the inhabitants who pronounced themselves in favor of the

federalists were massacred without distinction, and their property pillaged and devastated.

[Since placing the above in column later accounts have reached as contradicting the massacre.]
Yucatan. The schooner *Atravida*, arrived yesterday from Campeche, which place is left on the 13th inst. Perfect tranquility reigned in the city at the departure of this vessel. A Texian brig and schooner were at anchor in the harbor.

CANADA.

Several meetings have recently been held in Upper Canada, with the object of imposing a tax on American agricultural produce.

The black troops stationed at Waterloo, who lately fired on the steamboats Cincinnati and Chesapeake, are to be removed into the Interior of Canada.

NATIONAL AFFAIRS.

APPOINTMENT BY THE PRESIDENT. Montgomery Blair, of Missouri, to be attorney of the United States in and for the district of Missouri.

CONSULS OF BELGIUM. The president of the U. States has recognized Joseph Mors Moss, as consul of Belgium, for the port of Philadelphia; John Douglass Bates, for the port of Boston; Thomas Anonyrithus, for the port of Portland; Samuel D. Walker, for the port of Baltimore; A. W. Nolting, for the port of Richmond; George A. Hopley, for the port of Charleston; John C. Ferrell, for the port of Savannah; Charles Auze, for the port of Mobile; Hippolyte Mali, for the port of New York; Lorenz F. Wheeler, for the port of Eastport, Maine; and John Capron, for the port of Norfolk.

DEATH. A letter from Puerto Cabello, dated the 14th ult. mentions the death of J. G. A. Williamson, enq. our charge d'affaires at Caracas. He had died on the 7th, of dysentery, after an illness of only a few days.

NAPOLEON INDEMNITY. The secretary of the treasury gives notice that the seventh instalment of the Napoleon indemnity, amounting to \$218,351 61, will be paid to the claimants on application at the Bank of America at New York, and at such other places as that bank may designate. The rate is supposed to be 11 83 1000 per cent. on the amount awarded.

The council of the Royal society of London have recommended to the government to urge upon the government of the United States the establishment of magnetic observations similar to those now in operation in other parts of the world.

TREASURY NOTES. *Sept. 1st, 1840.* Amount outstanding of the issues of 1837, 8 and 9 \$274,063 61
Of the issues of 1840 4,692,428 86

Aggregate outstanding \$4,966,502 47
Amount of treasury notes issued and redeemed under the authority of the act of 31st of March, 1837, 21st of July last, prepared in compliance with the resolution of the senate of that date.

	Issued.	Redeemed.
At 2 per cent. interest, \$3,062 27	24,100	21,000
do. do. 663,360 36		
5 2 5 do. do. 1,107,000 00		
6 do. do. do.	22,051,21	1,500
1 mill per cent.		

\$1,833,316 63 \$78,681 21
The Philadelphia Inquirer says—It is said that the government, having already issued the authorized quantity of treasury notes, will be compelled to depend for the next two months, upon the \$2,500,000 dollars due by the United States bank, and payable, according to the sub-treasury law, one-fourth in specie, and three-fourths in bills or notes payable on demand. It is believed, however, that the bank has already anticipated a large portion of this debt.

THE POTTAWATTAMIE INDIANS. The South Bend, Indiana, Free Press, states that the Pottawattamie Indians, who were taken to the reservation on the 17th inst. under the charge of Mr. A. Coquilhard, for their new homes west of the Mississippi. The number that had consented to go was something over 500.

The following interesting tables have been carefully compiled for the REGISTER by a highly valued friend, who selected for his signature the name of the state of which he is a distinguished citizen. For accuracy, they may be implicitly relied upon. We have reason to flatter ourselves that the pages of the Register will often be enriched by similar communications, the result of that patient and laborious research and precision, for which our worthy correspondent is distinguished and so well qualified.

THE SUB-TREASURY BILL. The following are the yeas and nays on the final passage of this bill, with the name of each member placed to his respective state.

STATES.	YEAS.	NAYS.
1 Maine,	Clifford, Smith, Parris, Anderson, Lowell, Davee,	Evans, Vandall,
2 N. Hampshire,	Atherton, Williams, Shaw, Burke, Eastman,	
3 Massachusetts,	Parmenter, Williams,	Saltonstall, Cushing, Lincoln, Briggs, Reed, Calhoun, Hastings, Adams, Baker,
4 Rhode Island,		Tidlinghast, Cranston,
5 Vermont,	Smith, Fletcher,	Hall, Slater, Everett,
6 Connecticut,		Trumbull, Williams, Osborne, Smith, Brockway,
7 New York,	Jackson, Montague, Kemble, Jones, Ely, Vanderpool, Hand, Fine, Doig, Floyd, Allen, Brewster, Prentiss, Leonard, Dana, Rogers, Strong, Mallory, Earl,	Hoffman, Curtis, Grinnell, Monroe, Morgan, Johnson, Hunt, Paken, Barnard, Kempsball, Russell, Wagner, Gates, Cliftenden, Clark, Peck, Marvin, Mitchell, Fillmore,
8 New Jersey,	Dickerson, Vroom, Ryall, Kille, Cooper, Robison,	Randolph,
9 Delaware,		
10 Pennsylvania,	Paynter, Fornace, Wagner, Newhard, Ramsey, McCulloch, Petriken, Hammond, Mareband, Davis, Galbraith, Morris, Keim, Gerry, Hook, Leet, Benny,	Sergeant, Toland, Naylor, Edwards, James, Davies, Simonton, Cooper, Ogil, Biddle, Henry,
11 Maryland,	Thomas, Worthington, Carroll, Hillen, Thomas,	Dennis, Johnson, Jenifer,
12 Virginia,	Hollenman, Rives, Banks, Jones, Coles, Dromgoode, Samuels, Lucas, Craig, Johnson, Hopkins, Bierse, Steiward,	Talliaferro, Garland, Botts, Hill, Goggin, McCarty,
13 N. Carolina,	Byrno, Shepard, Montgomery, McKay, Hill, Cannon, Hawkins,	Rayner, Deberry, Stanley, Graham, Williams,
14 S. Carolina,	Holmes, Pickins, Rogers, Sumter, Butler, Rhett, Griffin,	Thompson, Campbell,
15 Georgia,	Cooper, Colquitt, Black,	Warren, Nesbit, King, Habersham, Alfred, Dawson,
16 Alabama,	Chapman, Hubbard, Lewis,	Crabb, Dillett,
17 Louisiana,		White, Chinn, Garland,
18 Kentucky,	Boyd, Butler,	Underwood, Green, Pope, Graves, Andrews, White, Hawes, Davis, Triple,
19 Tennessee,	McClellan, Blackwell, Watterson, Turley, Brown, Johnson,	Cartel, Williams, Campbell, Bell, Gregory, Crockett, Williams,
20 Illinois,	Reynolds,	Casey, Stuart,
21 Indiana,	Davis, Carr, Smith,	Proffit, Karidan, Wick,
22 Ohio,	Dunson, Weller, Doan, Medill, Parrish, Taylor, Leadbetter, Sweney, Starkweather, Swearngen, Hastings,	Goode, Morris, Bond, Allen, Ridgeway, Giddings, Mason,
23 Missouri,	Jameson, Miller,	
24 Mississippi,	Brown, Thompson,	
25 Arkansas,	Crow,	
26 Michigan,	Crary,	

<i>Abent.</i>	124	107
Massachusetts, Lawrence,	1	Recapitulation.
Connecticut, Storrs,	1	Year, 124
New York, Granger, Brown, (dead)	2	Nays, 107
Virginia, Wise, Hunter,	1	Abstent, 11
N. Carolina, Fisher,	1	—
Kentucky, Williams, Anderson,	2	In all, 212 whole number of members.
Ohio, Corwin,	1	Add 62 whole number of senators,
Indiana, Howard,	1	make 294, whole electoral vote.
		Necessary to a choice 145.

MR. EDITOR: Your numerous readers, no doubt consisting of both parties, Van Buren and Harrison, have before them a distinct view of the vote of the members of their respective states, on passing this important bill, which appears to have many friends and a great many enemies. All respectfully submitted by
PENNSYLVANIA.

September, 1840.

A comparative view of the expenditures of the District of Columbia, taken correctly from secretary Woodbury's reports.

Public buildings, Washington	1836.	1837.	1838.	1839.
Relief of corporate cities, D. C.	51,196	261,298	201,858	297,032
Support of the mili- tary, D. C.	72,188	61,875	56,371	55,750
Foreign increase Post- office	12,000	5,085	7,000	10,689
Consolidation Alex- andria canal	33,215			
		100,000	75,000	40,000
	\$178,629	431,259	310,229	403,471
RECAPITULATION.				
1836			\$178,629	
1837			431,259	
1838			310,229	
1839			403,471	
In all			\$1,333,588	

MR. EDITOR: From the above view it appears the District of Columbia is a dear little District of Columbia to the people of the U. States. Would it

Clerk of the house	\$3,000
Principle clerk	1,800
Ten clerks, \$1,500 each	15,000
Messenger	700
Sergeant at arms	1,500
Door keeper	1,500
Assistant door keeper	1,450
Postmaster to the house	1,500
Chaplain to the house	500
	<hr/>
	\$26,950
Incidental expenses	300,000

In all	\$326,950
Recapitulation, 1st session 26th congress.	

Pay of members	8454,816
Pay of clerks	26,950
Pay of speaker	3,728
Incidental expenses	300,000

In all	\$785,494
Pay of members of senate, speaker, clerks, inci-	

Fifty-one members 233 days, whole number of days
11,883, at \$8 per day \$95,064
Speaker of senate (vice president) \$5,000

Speaker of senate (vice president)	\$3,000
Secretary of senate	3,000
Principle clerk	1,800
Five composing clerks, \$1,500 each	7,500

Messenger	700
Sergeant at arms	1,500
Door keeper	1,500

Assistant door keeper	1,450	
Chaplain	500	
	<u>22,950</u>	

Incidental expenses	95,000
In all	<u>\$213,014</u>

Recapitulation—both houses	1st session 26th con-
	gress.
Expenditures lower house.	785,494

Pay of members of senate	95,064
Pay of speaker, (V. P.) clerks, &c.	22,950
Incidental expenses	93,000

Travelling expenses to and from the seat of government	134,000
In all	21,150,000

Mr. Editor: From this view it appears that long sessions and expenditures increases with the hard times. Would not less talking and much more in-

trious. Would not less talking and much more industry be two very necessary ingredients in that honorable body? It would not only relieve them of a weight of unnecessary talk, but it would relieve

the United States treasury from an immense burden of expenditures. All respectfully submitted by

September, 1840.

MAIL ROBBERY We learn from the Wabash Courier that J. B. King, a postmaster at Baltimore, Indiana, has been arrested and recognized before a justice, to appear at the next term of the U. States circuit court for a violation of the post office laws.

WRIGHT, who was taken up on suspicion of robbing the mail at Le Roy on the 12th instant, has been committed to Rochester jail on the charge. The evidence against him was conclusive. He had spent about five hundred dollars of the money he took from the mail, and had about six hundred dollars in his possession.

Geo. Phillips, the person accused of robbing the mail stage at Hagerstown on the 20th of August, was brought out on Saturday and examined before chief justice Taney. The evidence adduced, and the circumstances of the case were such, that his honor required of him bail in the sum of \$3,000 in his own recognizance, and two sureties of \$2,500 each. Failing to procure that bail, he was committed to jail to await his trial at the November term of the circuit court.

THE DAMASCUS PERSECUTION. Copy of a letter addressed by J. D. Karsheedt, esq. chairman, &c. to his excellency, the president of the United States. To his excellency, Martin Van Buren, president of the United States:

Sin: At a meeting of the Israelites of the city of New York, held on the 19th inst. for the purpose of uniting in an expression of sympathy for their persecuted brethren at Damascus, and of taking such steps as may be deemed necessary to procure for them equal and impartial justice, the following resolution was unanimously adopted:

"Resolved, That a letter be addressed to his excellency, the president of the U. States, respectfully requesting that he will direct the consuls of the U. States in the dominions of the pacha of Egypt, to co-operate with the consuls, or other agents accredited to the pacha, to obtain a fair and impartial trial for our brethren at Damascus."

In transmitting the same to your excellency, we beg leave to express what we are persuaded is the unanimous opinion of the Israelites throughout the union, that you will cheerfully use every possible effort to induce the pacia of Egypt to manifest more liberal treatment towards Jewish subjects, not only from the dictates of humanity, but from the obvious policy and justice by which such a course is recommended by the tolerant spirit of the age in which we live. The liberal and enlightened views in relation to matters of faith, which have distinguished our government from its very inception to the present time, have secured the sincere regard and kind regard of the members of all religious denominations, and we trust that the efforts of your excellency in this behalf, will only serve to render more grateful, and to impress more fully on the minds of the citizens of the United States, the kindness and liberality of that government under which they live.

With the best wishes of those to whose behalf we address you—for your health and happiness, and for the glory and honor of our common country, we have the honor to be, your excellency's obedient servants,

THEODORE J. SEIXUS, *acc'y.*

New York, August 24, 1840.

Copy of the reply of the honorable secretary of state.

Washington, 24th August, 1840.

Messrs. J. B. Karsheed, chairman, and Theodore J. Seixus, secretary, &c.

GENTLEMEN: The president has referred to this department your letter of the 21st inst., containing a resolution unanimously adopted at a meeting of the Israelites in the city of New York, held for the purpose of uniting in an expression of sentiment on the subject of the persecution of their brethren in Damascus, and has directed me to have the honor to inform you that the honorable secretary which took place at Damascus had previously been brought to the notice of the president by a communication from our consul at that place, and that in consequence thereof, a letter of instruction was immediately written to our consul at Alexandria, a copy of which is herewith transmitted for your satisfaction.

About the same time, our charge d'affaires at Constantinople was instructed to interpose his good offices in behalf of the oppressed and persecuted race of Jewsin the Ottoman dominions, among whose kindred are found some of the most worthy and patriotic of our own citizens, and the whole subject, which appeals so strongly to the universal sentiments of justice and humanity, will be recommended to his zeal and discretion. I have the honor to be, gentlemen, very respectfully, your obedient servant, (Signed) JOHN FORSYTH.

Copy of a letter from the same to John Gildon, esq., United States consul at Alexandria.

Department of state,

Washington, 14th August, 1840.

John Gildon, esq., U. S. consul at Alexandria, Egypt: Sir: In common with all civilized nations, the people of the United States have learned with horror the atrocious crimes imputed to the Jews of Damascus, and the cruelties of which they have been the victims. The president fully participates in the public feeling, and he cannot refrain from expressing equal surprise and pain, that in this advanced age, such unnatural practices should be ascribed to any portion of the religious world, and such barbarous measures be resorted to in order to compel the confession of imputed guilt. The offences with which these unfortunate people are charged, resemble too much, those which in less enlightened times were made the pretences of fanatical persecution or sacrilegious utterance, to permit a doubt that they are equally unfounded.

The president has witnessed, with the most lively satisfaction, the efforts of several of the Christian governments of Europe, to suppress or mitigate these horrors, and he has learned with no common gratification, their partial success. He is moreover anxious that the active sympathy and generous interposition of the government of the United States should not be withheld from so benevolent an object, and he has accordingly directed me to instruct you to employ, should the occasion arise, all those good offices and efforts which are compatible with discretion and your official character, to the end that justice and humanity may be extended to these persecuted people, whose cry of distress has reached our shores. I am, sir, your obedient servant, (Signed) JOHN FORSYTH.

NAYAL.

The United States ship of war Preble, captain Breeze, arrived at Sydney, C. B. 14th ult. from a cruise on the coast of Labrador, and sailed on the 15th for Pictou—all well.

The United States frigate Macedonian, capt. Rowan, ship Erie, capt. Taylor; ship harbor, capt. Smoot; arrived in Portland, lower harbor, on the 2d instant, from Eastport, via Portland, and were to have sailed on the 6th or 8th for Newport.

Latest from the exploring expedition. The editors of the Journal of Commerce have been favored with the following extract of a letter, dated

United States ship Vincennes,

Bay of Islands, N. Zealand, April 7, 1840.

I wrote you from Sydney, about three weeks ago, informing of our great discoveries south. I was then in the French vessel, and French soldiers were for the honor of being first. They cannot do it now, as the Porpoise saw the land some days before us. As soon as a breeze makes, we are off for Tongataboo, from thence to the Pepees, then the Sandwich Islands, which we expect to reach in July, on the way to the N. W. coast. We shall return to the islands by December.

This island has been lately taken possession of by the English. Some of the chiefs have eeded their sovereignty to the British queen. They do not appear to know what they have done, and probably as soon as they understand the matter, they will do all in their power to destroy the settlements. The richness of the soil is said by our geologists to be all wanting. We are all in good health.

The Queen Charlotte, the flag ship of the British at the battle of Lake Erie, is now a merchant ship, with the stars and stripes fluttering at her mast head.

Shedding of scales of war. Some remarkable facts are related of the new British steam vessel of war, the Blazer, which has only been out four months in the Mediterranean. On her return, she was taken into one of the dry docks in the Woolwich dock yard, and on examination was found to have her copper sheathing incrustated with barnacles, gorgons, knotted corals, oysters, muscles, and various other shell fish, thousands of them alive, and in many places in clusters several inches thick. This state of the sheathing must have taken place from some chemical action on the copper, which has not yet been accounted for, perhaps a small portion of zinc may have been inadvertently used in its formation, or in the construction of the nails with which it was fastened. It is not generally known that a very small portion of zinc either by being mixed with the copper, or by being completely neutralized its quality of preventing the adherence of shell fish in sea water. [N. Y. Star.

STATES OF THE UNION.

Five young ladies drowned. We learn from the Portland Advertiser that a boat called the Banner, which left the wharf early in the afternoon to visit the three U. S. ships composing the squadron then there, when within one hundred rods of the island, the vessel squall struck the boat, and she, with all sail board, and she went down stern foremost. The five young ladies who were in the cuddy were drowned, and seemingly death was but the work of an instant. The persons saved, placed themselves on board the tender to the Banner. The first assistance came from those on board the Water Lily, a strong, safe and excellent boat, belonging to Mr. Samuel Davis.

The Water Lily arrived at the steamboat Bangor, between six and seven o'clock, where a crowd's inquest was held, and a verdict rendered. The parents and friends were present at this mournful ceremony. The following are their names—their ages were from 11 to 18:

Frances Ingraham, daughter of widow Ingraham. Adeline Thurston, daughter of Mr. Saml. Thurston, caulker.

Julia Ann Miliken, daughter of capt. Miliken, of the bark Oceola.

Caroline and Elizabeth Isley, daughters of Mr. Nathan Isley.

MASACHUSETTS.

Boston and Portland rail road. The Daily Advertiser says that trains of cars now run twice a day from Boston to Exeter, and back, over a part of the route to the Boston and Maine, and the Boston and Maine rail roads. The usual duration of the journey, between Boston and Exeter, is about two and a quarter hours, the distance being 49 miles.

Building in Boston. In a walk of an hour, the editor of the Post saw he counted eighty-three brick dwelling houses and stores, one very extensive foundry and an elegant church, now being built and finished in Boston.

The city council of Boston have appropriated \$147,475 for the building up of the old city hall on School street, for the accommodation of the two branches of the city council, and the most important offices of the city.

VERMONT.

Election. Last year governor Jennings (which) was elected by a majority of 2,351 votes. At the presidential election in 1836 the vote was 20,978 and the Van Buren vote 14,040. Whig majority 6,938.

The returns are not yet all received, of the election which took place on the 5th inst. So far as received Jennings has a majority of upwards of ten thousand votes.

In the senate, which last year stood 18 whigs to 12 Van Buren, the whigs have elected 25 and the Van Buren 2.

In the house which last year stood 115 whigs to 107 Van Buren. The whigs have now somewhere over 170 to 56 Van Buren.

Congress. In the last congress, Vermont was represented by three whigs and two Van Buren members. All five of the representatives now elected are whigs—Mr. Young having beaten Mr. Smith, the present Van Buren member over 1,000 votes in the 3d district, and Mr. Mattocks beats Mr. Fletcher in the 3d district 181 votes.

NEW YORK.

Administration candidates. The Van Buren convention which met at Syracuse have made the following nominations:

WILLIAM BRUCE, for governor.
DANIEL S. DICKERSON, for lieutenant governor.
SAMUEL YOUNG, } for state electors.
GEORGE P. BAKER, }

The New York Commercial says: "The ballot for governor stood as follows: For Wm. C. Bruce, 107,000; John A. Dix, 14; Silas Wright, Jr. 2; Benj. F. Butler, 1; blank 1." Mr. Bruce was then unanimously nominated."

The United States district attorney for this state, Mr. Butler, is addressing the people in various parts of the state. He addressed the meeting at Kinderhook a few days since.

Canals tolls. The toll received on the N. Y. state canals, during the last week in August, are stated in the Albany Journal to amount to \$87,879.11. The amount of receipts for the month of August is stated at \$137,204.25.

The cities of Albany and Rochester are now connected by a rail road. The New York and Erie rail road is to be done on a route not contemplated, much sooner than that on the contemplated route.

King's county, assessment. The assessed value of the real estate of King's county, is as follows:

Towns and wards.	Assessment of 1839.	Assessment of 1840.
Brooklyn.	\$9,000,000	\$9,000,000
First ward.	2,512,411	2,733,964
Second ward.	3,633,600	3,728,590
Third ward.	2,178,590	2,851,150
Fourth ward.	1,361,360	1,508,840
Fifth ward.	5,075,085	5,161,010
Sixth ward.	3,137,002	2,899,000
Seventh ward.	872,205	824,960
Eighth ward.	1,115,970	1,026,051
Ninth ward.		
Towns.		
Williamsburgh, }	2,652,540	2,642,824
Brooklyn, }		
Flatbush.	832,330	882,485
New Utrecht.	576,415	588,616
Flatlands.	394,196	338,300
Gravesend.	305,216	300,846
	27,128,761	27,051,023

Whig meetings. The times says: Another of those remarkable meetings so characteristic of the times was held at Goshen, Orange county on Thursday. As large gatherings were held the same day at Brooklyn and Catskill, and a few days since at Goshen from other counties. Old Orange how-ever poured out its thousands of the hardy tillers of the soil, and the number assembled was variously estimated from six to nine thousand. It was larger, however, than the concourse at the burial of the "Minisink Bones" when all the country pretty much turned out. The procession of wagons, some of them drawn by four and six horses, horsemen, &c. with their bands of music, their countless banners, almost every horse having the Harrison banner streaming from his bridle in a straight line over three miles. Oeden Hoffman, Messrs. Starr and Hoxie, of New York were present.

The meeting at Walton, Delaware county, numbered several thousands. Isaac Ogden presided, Erasmus Root, N. P. Tallmadge, Messrs. Hoxie, Clark and Bruen, of this city, and Mr. Fay, of Ulster, addressed the meeting. The Delhi paper will contain probably a full report, to which we will recur.

New York City. The registration of voters under the new law, commenced on the 7th instant.

Police. About twenty women and a dozen men, out of the forty-two unclothed by us yesterday as

Counties.	1840.		1836.	
	Bigger.	Howard.	Whig.	Adm.
Adams,	144	135	68	28
Allen,	5,8	471	353	264
Bartholomew,	983	693	808	412
Benton,	25	42		
Blackford,	67	148		
Brown,*	49	279		
Boone,	709	720	464	471
Crawford,	429	357	196	126
Clay,	876	521	153	251
Clark,	1,038	1,245	893	978
Cass,	583	407	318	286
Clinton,	538	750	331	427
Carroll,	672	805	375	565
Darvies,	740	964	438	253
Decatur,	1,268	790	850	512
Dearborn,	1,813	1,676	1,293	1,282
Delaware,	818	512	369	307
DeKalb,†	96	122		
Dubois,	230	281	165	127
Elkhart,	610	673	324	309
Floyd,	819	829	574	499
Franklin,	1,188	1,089	963	875
Fulton,	211	135	55	89
Fayette,	1,103	765	965	545
Fountain,	951	1,222	697	948
Gibson,	607	697	496	423
Grant,	442	347	238	180
Greene,	667	678	366	330
Harrison,	1,241	138	747	456
Henry,	1,579	844	1,894	712
Huntington,	117	178	52	67
Hendricks,	1,178	716	731	590
Hancock,	903	685	509	262
Hancock,	660	574	336	293
Jackson,	597	791	439	307
Jennings,	799	479	626	292
Jefferson,	1,692	1,096	1,172	679
Johnson,	250	225		
Johnson,	610	962	438	558
Jasper,	60	84		
Knox,	1,024	679	736	437
Kosciusko,	393	358	160	149
Lawrence,	397	964	670	815
Lagrange,	407	290	138	150
Laporte,	1,004	778	490	452
Lake,	106	136		
Marion,	315	378	142	197
Madison,	1,668	1,360	1,409	1,043
Morgan,	1,033	921	666	543
Madison,	927	474	487	367
Monroe,	739	936	424	604
Miami,	297	272	133	86
Marshall,	167	154	44	42
Montgomery,	1,414	1,257	1,066	752
Noble,	213	272	46	80
Orange,	678	947	583	564
Owen,	715	660	427	266
Perry,	585	1,009	336	731
Perry,	423	232	292	114
Pike,	472	334	226	218
Putnam,	1,371	1,285	1,067	694
Parke,	1,313	1,061	823	534
Putlaski,	59	88		
Rush,	220	219	87	60
Ripley,	1,591	1,225	1,167	748
Ripley,	918	569	663	403
Randolph,	1,028	514	633	234
Spencer,	516	394	171	179
Sullivan,	339	1,011	203	558
Scott,	496	877	294	287
Switzerland,	1,044	864	630	519
Steuken,	236	196		
Shelby,	964	1,123	688	676
St. Joseph,	507	470		
Tippecanoe,	1,513	1,259	1,231	1,041
Union,	732	641	700	563
Vanderburgh,	570	384	269	130
Vigo,	1,408	647	963	227
Vermillion,	840	635	574	433
Warwick,	229	708	157	880
Washington,	1,040	1,433	656	947
Wabash,	278	210	122	47
Wayne,	2,397	1,272	2,285	985
Whitley,	86	89		
Wells,	64	112		
Warren,	727	859	541	329
White,	191	139	109	106
	62,934	54,297	41,281	32,478
	54,297		32,478	

W. maj. '40, 8,627 do. '36, 8,803

* V. B. maj. '38, 1,038, as stated above.

† In 1836, Brown voted with Monroe and Bartholomew counties.

† The township of Concord not included, the votes being lost on account of informality. The township gave 31 votes for Bigger and Hall, and 23 for Howard and Tulcy.

Legislature. The following is a complete table of the politics of the next legislature of this state.

	1840.		1839.	
	Whig.	Adm.	Whig.	Adm.
Cass, &c.	1	0	0	1
Marion,	1	0	0	1
Montgomery,	1	0	1	0
Tippecanoe,	1	0	1	0
St. Joseph, &c.	1	0	1	0
Carroll and Clinton,	0	1	0	1
Floyd,	1	0	0	1
Switzerland,	1	0	0	1
Dearborn,	1	0	1	0
Vigo, &c.	1	0	1	0
Fayette and Union,	1	0	0	1
Franklin,	1	0	1	0
Decatur,	1	0	1	0
Delaware, &c.	1	0	0	1
Fountain,	0	1	0	1
Laporte, &c.	1	0	0	1
Wayne,	1	0	1	0
	15	2	7	9
Old senators,	16	13		
	31	15		

HOUSE OF REPRESENTATIVES.

Marion,	2	0	1	1
Hamilton,	1	0	6	1
Hancock,	1	0	0	1
Montgomery,	2	0	1	2
Rush,	3	0	1	2
Johnson,	0	1	1	0
Morgan,	1	0	0	1
Hendricks,	0	1	0	1
Monroe,	0	1	0	1
Madison,	0	1	0	1
Putnam,	3	0	1	1
Shelby,	0	2	1	1
Cass,	1	0	0	1
Bartholomew, &c.	2	0	0	1
Henry,	4	0	2	0
Wayne,	4	0	3	1
Jennings,	1	0	0	1
Jefferson,	3	0	2	1
Tippecanoe,	2	0	0	2
Boone,	0	1	0	1
Marion,	0	0	0	1
Jackson,	0	1	0	1
Seott,	1	0	0	1
Switzerland,	1	0	0	1
Ripley,	1	0	1	0
Dearborn,	1	0	0	1
Sullivan,	4	0	0	2
Clay,	0	1	1	0
Owen,	1	0	0	1
Decatur,	1	0	1	0
Parke,	0	2	0	2
Vermillion,	0	0	0	2
Franklin,	2	0	0	2
Union,	0	0	1	1
Fayette,	2	0	1	1
Delaware,	1	0	0	1
Randolph,	1	0	1	0
St. Joseph,	1	0	1	0
Clinton,	0	1	1	0
Miami and Fulton,	1	0	1	0
Knox,	1	0	2	0
Gibson,	1	0	1	0
Vanderburgh,	1	0	1	0
Warren,	1	0	1	0
Pike,	1	0	1	0
Dubois,	1	0	1	0
Darvies,	1	0	0	1
Fountain,	0	2	0	0
Porter and Lake,	1	0	0	1
Laporte,	1	0	1	0
Carroll,	1	0	1	0
Lawrence,	1	1	1	1
Marshall, &c.	1	0	0	1
Lagrange,	0	1	0	1
Crawford,	1	0	0	1
Narlin,	1	0	0	1
Harrison,	2	0	1	1
Elkhart,	0	1	0	1
Warwick, &c.	1	0	1	0
Allen,	1	0	1	0
Huntington,	0	1	0	1
Grant, &c.	1	0	0	1
White,	1	0	0	1
Greene,	1	0	0	1
Warwick,	0	1	0	1
Perry,	1	0	1	0
Spencer,	1	0	1	0
Washington,	0	2	0	2
Clark,	0	2	0	2
Putnam,	3	0	2	0
Vigo,	3	0	2	0
	78	22	39	61

Official returns for the seventh congressional district.

Counties.	Law.	Hanscom.
Clinton,	845	741
Porter,	223	216
Kosciusko,	396	349
Marshall,	160	189
Fountain,	953	1,389
Boone,	21	86
White,	196	152
St. Joseph,	810	464
Tippecanoe,	1,517	1,269
Warren,	733	380
Vermillion,	854	642
Carroll,	678	789
Laporte,	1,015	760
Montgomery,	1,425	1,241
Parke,	1,349	1,020
	10,888	9,227

Lane's majority, 1,656

The Indiana Sun states, that Judge Bigger, the whig governor elect of Indiana, has fully recovered from his recent severe illness.

OHIO.

Political. The vice president, col. R. M. JOHNSON, and the governor of the state are amongst the orators who address large assemblages of the people in various parts of this state in favor of the re-election of Mr. Van Buren.

Among the speakers on the whig side are Mr. CORWIN, the whig candidate for governor, and Mr. EWING, late U. S. senator.

Great preparations were in progress at Dayton for the anniversary of Perry's victory on the 16th inst.

Whig meeting at Warren, (The Cleveland (Ohio) Herald of Wednesday, says: "The Corwin meeting at Warren was without a parallel, even in this day of magnificent assemblages of the people. The number is estimated at 15 to 20,000. The display of banners, mottoes, big teams and big wagons was grand and animating. "Tom Corwin's buggy," brought in over 200 persons from one neighborhood, drawn by 32 yoke of oxen. A car, decked with evergreens until it resembled a moving wood, was filled by some 60 ladies, and drawn by 9 or 10 span of horses, each span under the guidance of a youth in jockey uniform. Old Trumbull bears away the palm. All the counties contiguous, both in Ohio and Pennsylvania, poured out their thousands to hear Ohio's favorite wagon boy. Tom was at home among them, making his very happiest effort."

The same paper mentions that the meetings at New Lisbon and Ravenna, were very large and enthusiastic.

ILLINOIS.

The Peoria Register of the 14th, from returns received and estimated, says that the senate will consist of 15 whigs and 25 Van Burens; and the house of 42 whigs and 49 Van Burensites.

MISSOURI.

The last St. Louis Argus contains returns*, official and otherwise, from every county in the state except one, and the vote stands for Governor, Reynolds, democrat, 28,607; Clark, whig, 20,534—being a majority of 7,653. The remaining county, it is believed, will swell the majority to 8,000. In the legislature there is a democratic majority of 13 on joint ballot.

MICHIGAN.

A whig convention was to assemble at Detroit on the 20th ult. at which it is stated that gen. Harrison, Henry Clay, Webster, Tallmadge and other distinguished men were expected to attend.

IOWA.

The whigs of Iowa have nominated Mr. Rich as congressional delegate of that territory, and the democrats have nominated gen. Dodge.

FLORIDA.

Indian Key, the theatre of the late massacre by the Seminoles, is situated about thirty miles from the main land. The number of canoes which came that distance was seventeen, each containing about five men. This fact of daring is unparalleled in the annals of the Florida war.

POLITICS OF THE DAY.

Communication from general Jackson. The following communication from ex-president Jackson, appeared in the Nashville Union, in reply to the card from Henry Clay, inserted in the last Register.

To the editor of the Nashville Union: Sir—I have just read in the Banner of this day an article addressed by Henry Clay, of Kentucky, to the public; the object of which is evidently to exculpate himself, for the calumnies and slanders made upon my character and that of Edward Livingston, deceased, in his speech to the multitude on Monday last.

In the Nashville Whig of last Tuesday's date, the paper selected for the publication of Mr. Clay's speech on that occasion, he is reported to have used the following language—"He referred to the appointment of Edward Livingston as secretary of state, at a time when he was a defaulter, but said he presumed the president did not reflect sufficiently upon the tendency such an appointment would have."

"On the same day several gentlemen of the legal-whig party, informed me that Mr. Clay had charged me with appointing defaulter to office, and since my arrival at Nashville a great number of my friends have stated that they heard Mr. Clay's speech on the occasion alluded to, and that he did declare that I had appointed Mr. Livingston secretary of state when he was a defaulter."

With this evidence before me I cannot entertain a doubt that the information on which I acted when I addressed you on Tuesday is correct, nor is it at all impaired by the imputation which Mr. Clay has addressed to the public. Knowing the man as I do, I think that he would not go to some such infidelity to cover his retreat from the position into which he had been thrown by his vain desire to qualify those who had followed him in the rascally and hard-cider jaegering of the day. Convinced of making an assertion which the records of the senate and other families with history proved to be false, and unwilling to qualify it by the following language—"In regard to the cause to effect, I contended that the appointment of Mr. Livingston was a pernicious precedent—that it was a virtual proclamation to all who were charged by defaulters that the infidelity in public trust constituted an honorable and honorable promotion to one of the highest offices in the government. I did not attribute to gen. Jackson a knowledge of the default. I went even so far as to say that he might not have reflected upon the consequences of the appointment of Livingston as secretary of state. I must now say that until gen. Jackson otherwise asserts, I am constrained to believe that he could not have been ignorant of a fact so conspicuous in the annals of our country as that of the default of Edward Livingston, an attorney at law, and a member of the senate of the United States in the district of New York, during the administration of Mr. Jefferson, to the amount of \$100,000." And all this moral sin is now made to result, not from the fact that Mr. Livingston was a defaulter when he was appointed to the office of secretary of state, but that he had been some thirty years before. It would be as if a man who had been the life of Mr. Livingston that the default here alluded to was one which did not prejudice his moral character, or lessen the high standing which he enjoyed at the time, and which since invariably sustained wherever he has been known. But it is not my purpose here to vindicate the memory of that eminent patriot and statesman. Every one can see that explained as Mr. Clay now places his reference to the appointment, he fails to conceal his real design of leaving an impression on the public mind unfavorable to my character, and to resort to facts which, when examined, are insufficient or imaginary.

He cannot say, in an article which bears his signature, that I ever appointed a defaulter or retained one in office, knowing him to be one. Yet this was the impression which he sought to make on the multitude that were assembled here with him on Monday last. That he did then predicate this charge on the appointment of Mr. Livingston is proved by the testimony which I have adduced, but my exposure of the calumny will never reach, probably, those who heard its utterance. This was my complaint—not that Mr. Clay had not a right to examine in public any official conduct, but that he had no right to pervert facts for the purpose of giving effect to slanders of Mr. Livingston and myself.

Taking the same latitude that Mr. Clay did in his speech, and in his answer to my card, or by tracing effects to their cause with an impartiality and candor which will stand neither the living nor the dead, it would not be difficult to refer the public to a far more appropriate source for the evils of which Mr. Clay complains, than Mr. Livingston's appointment. This would be the extravagant extent of the bank paper system, which has been the cause of the great variety in their efforts to make the federal government subservient to the schemes of the stock-jobbers and money-brokers of this country and Europe. But I do not feel called upon here to vindicate the measures of the administration on this subject, which have been so long resisted by the party of which Mr. Clay is the head.

Mr. Clay, when successful in the intrigue which made him secretary of state, declared, *ex professo*, and we will make ourselves popular. He grasped two sides of the same question. The people repudiate the principles of the administration of

which he was a prominent member. He has made an incessant war upon every measure of my administration, and assailed the character of every public man who has not favored his ambitious pretensions. Availing himself of the corruptions of the Bank of the United States, and of the disasters which have befallen the country in consequence of the paper money system, he now makes piteous appeals to the people, enucleating the real causes of their pecuniary difficulties, and instead of exhorted to unite in maintaining the inviolability of contracts and reforming the currency, he tells them to make another bank of fifty millions.

This certainly is not the man to come here and lecture Tennessee on morals or politics, and to pull down on itself the reputation of her citizens.

Mr. Clay has been considered that he was then a man who could be trusted when he might indulge his malignant disposition to slander the living and the dead without exposure, and whose passions might be appeased to by the exhibition of empty boasts and flags of new device, not the flag of the country, indicating allegiance to our free institutions, but flags representing the evil passions of the leaders of the various factions that are united in the present war against the principles of the republican party. I leave an impartial public to determine whether he should be placed in the statements of a demagogue thus reckless of the public decency.

ANDREW JACKSON.

Nashville, Friday, 21st August, 1830.

MISCELLANEOUS ARTICLES.

MELANCHOLY HIPOCRISY. *Loss of the brig Florence of New York, with fifty lives.* The brig Attention, which arrived at Boston on Monday from St. Johns, Newfoundland, furnished the Messrs. of the Exchange rooms, with an account of the wreck of the brig Attention, which was on her return from Rotterdam to New York. She left the latter place on the 30th June, it appears, with a crew of eight men and seventy passengers. She was under the command of Samuel Rose, a merchant of the city of New York, and a veteran voyager. Her cargo was composed chiefly of a few cases of wine and a small quantity of ballast. The following narrative is given by the mate, who arrived in Boston with the Attention.

"The vessel was covered with pleasant weather until noon, when with the eastern gale of the banks of Newfoundland—20°—that they were assailed with a succession of gales, attended with fog and rain, up to the time of their shipwreck. On Sunday morning, August 9, the man on the helm cried out 'hard down, the helm, breakers ahead.' The helm was immediately let go, and before the vessel could make a lurch, the brig struck the rock on the starboard side. A moment before she was going at the rate of seven or eight miles per hour. She instantly fell and fell on her side. Immediately a roar of confusion and confusion was heard, the horror of which can better be imagined than described. The wife and husband hiding each other a last farewell—the frantic mother clapping her infant to her bosom, as if even death should not separate them, and some few who had no relations on board, were endeavoring to secure what money they had by fastening it to their bodies; which alas, proved the means of their destruction. For that which they vainly thought would secure them a comfortable home in the fertile lands of the far west, chance sent them to an eternal home in death. On attempting to swim to the land, the weight of the money sunk them to the bottom.

"Captain Rose, with commendable coolness, commanded all to remain by the wreck until some means were devised to escape with safety. For some purpose the second mate, Mr. William Robb of Springfield, Mass. took the end of a line and sprung from the vessel to a ledge which lay between her and the shore; but at the time an overwhelming sea overtook him, and dashed the devoted sailor against the rocks, and he was never seen again. The captain attempted the only source of saving the lives of those on board. He was more fortunate, and reached the land in safety. The crew were all saved, with the exception of the second mate, but only 30 of the 79 passengers were saved, and of them many were by capt. Rose and the chief mate, Mr. Schofield, at the imminent peril of their own lives. By this time all were on shore who were saved; about three hours after the brig struck, there were scarcely two planks together; all was literally in splinters. Thus 37 were thrown ashore without a barrel, and to their unknown part of the coast. Many were half clad, and most of them without shoes. Not a solitary biscuit was saved. In this pitiable condition, they commenced their journey through thick woods and swamps, and over bleak and rugged hills, in hopes of finding some human habitation."

"For four days they continued their course, governed chiefly by the wind, the sun, moon and stars being obscured nearly all this time by the fog and rain squalls, which latter were very frequent, sometimes eating bark from the trees and what few berries they could find. Early on the morning of the 12th, capt. Rose and Mr. Schofield ascended a hill, in hopes the fog might clear away and afford them a view of the surrounding country. At nine o'clock the weather cleared a little and they were enabled to see the harbor and village of Rensselaer. The happy intelligence was soon communicated to the rest, and they resumed their march with better cheer. When they entered the village, the inhabitants welcomed them with every thing their present need demanded. Mr. Goodrich, of whose benevolence the crew and passengers speak in the warmest terms of gratitude, gave them money and clothes, and furnished them with a vessel to convey them to St. Johns, the residence of the United States consular agent. At 9 P. M. on Saturday, the 15th, they were landed at St. Johns.

"The news of their arrival soon brought to the shore rich and poor, old and young, some thrusting bread into the hands of the shipwrecked men, and others taking the poor wretches home with them. Nothing was spared which could suggest to alleviate their wants or sufferings. The next day being Sunday, nothing was publicly done for them, but on Monday, handbills were posted up requesting the meeting of the citizens for the purpose of commencing, to devise means to relieve the necessities of those whom fate had thrown upon their shores.

"Some seventy or eighty pounds were collected in a short time, and resolutions were passed to secure sufficient sum, whereby the emigrants might be enabled to reach the place of their destination. A committee was also appointed to receive clothing or money from all who felt disposed to give. Captain M. did not learn the result, as he sailed on the following morning; but funds from the philanthropic spirit manifested by the people of St. Johns, that the unfortunate people were amply provided for."

Dr. FERRINE. We published a few days ago a short notice of this excellent man, whose death was caused by the hands of savages at the massacre of Indian Key was one of the most melancholy events of that bloody affair. We find in the Newark Advertiser a more detailed account of the life and character of Dr. Perrine, some particulars of which will be interesting to our readers.

Dr. P. was a native of Connecticut. He resided for many years in the northern part of South America as consular the United States, and became intimately acquainted with the provinces of Campeche, Yucatan and Sinaloa. These districts abound in valuable plants. It became a favorite object with Dr. Perrine to collect seeds of plants and animals, and seemed suitable, into the southern portion of the U. States—being convinced that the staples of the tropics both for food and manufacture would thrive in our southern soil and climate. Some of his letters written at Campeche to friends in the United States found their way into the public journals, and were read with much interest.

During the session of congress of 1837 and '38, Dr. Perrine was in Washington. He obtained the use of the room assigned in the capital to the committee on agriculture, where he exhibited some specimens of minerals and other things, for the examination of members of congress. The account goes on to say:

He had also laid before both branches a vast amount of information, describing the habits of different sorts of animals, and the utility of the products that the sand barrens of the south, and their impracticable morasses, for all other purposes not merely useless, but deleterious, might be made to produce, by self propagation, and almost without labor, the various precious plants which yield the fibres from which Manila and Sinaloa, and all the great and beautiful variety of grass cloths are manufactured.

The marshes bear one class of plants and the most arid sands another class, and the climate is sufficiently warm, through Florida, Alabama, Georgia and S. Carolina, to grow such crops as there are in the Virginia. It was Dr. P.'s strong desire to see those productions introduced into all that section of country that the decline of cotton, rice and tobacco crops from exhaustion of the soil, might be made up by this spontaneous and prolific culture of useful and profitable products, and thus to give a new and permanent source of wealth and prosperity. It was for aid in this great and philanthropic project that he asked the aid of the government—not in money, but in a grant of those same barren lands which some of our great military have pronounced worthless and uninhabitable.

With all these memorials of his labor, Dr. Perrine remained nearly unnoticed for two or three months. In this neglected condition we first knew of him, his labors and his projects; and among the most pleasant recollections of our acquaintance is that which we look upon with great satisfaction, that it was in our power, in consequence of a favorable position to call the attention of a great many members of congress to the valuable specimens, and interesting illustrations of Dr. Perrine. The north and the south at last became acquainted with the subject he had so dearly at heart. They saw he did a splendid scheme for the increase of national wealth, by the improvement of otherwise barren soils, for the production of new materials for useful manufactures; and his simple request that he might locate a settlement for the propagation of tropical fruits in Florida upon government lands was granted, with the privilege of purchasing any surrounding lands hereafter when the Indians should be removed and the lands he was offered for sale at the regular market price. They gave him a right to enter upon the land and it was all his ask. It was readily granted.

After this, Dr. Perrine came to the north and spent some considerable time in Boston, making inquiries into the wants of manufactures, the kinds of furs most likely to be demanded, and the kinds of machinery which would be most useful in the tropics and skin. He did this with a prudent forecast for the final prosperity of his establishment. He was waiting, also, for the termination of Indian hostilities, that he and such coadjutors as might associate with him should be interpreting the spirit of the country. His plan was to collect a number of poor families, who were industrious and of good character, and willing to migrate to Florida. He would then have given them lands from his grant, and would for a time have carried them a subsistence, till, by their labor in carrying out his project, they might support themselves or acquire wealth.

HISTORICAL. SIEGE OF FORT MEIGS—COL. CHRYSTIE'S ACCOUNT. At the late whig convention at Nashville, Mr. William Chrystie was one of the speakers. We copy the following passages from his address:

"It is true, my countrymen, that I had the honor of being by the side of the hero of Tippecanoe, during the most trying periods of his military life, and I look upon the time which I spent with him as the most happy of my existence, that I have been spared to common with my old companions in arms, to be permitted to stand forth to-day, as a living witness of the skill, the patient firmness, the patriotism and the valor displayed by general Harrison at the times that tried men's souls. [Shouts of applause.] It is true, fellow citizens, that when the first gun was fired upon Fort Meigs, by the enemy, at the commencement of the siege, general Harrison called me to his side, and was acting quarter master, and had charge of all the public stores and arms; and said: 'Sir, go and nail a banner upon every battery, where they shall wave as long as an enemy is in view!' [Immense cheering.] I did go, and with this right hand, I did nail a flag upon every battery, not one of which was struck, except by the balls of the enemy, until victory had perched upon them. [Tremendous cheering.]

"I promised, fellow citizens, not to make a speech, (cries of go on—go on), but I must take the liberty of explaining two or three facts connected with the siege, and which have not, so far as I have seen, properly brought to light."

"By the special order of the general, I was at his side, night and day, during this memorable siege, and am proud to declare, in the presence of this great convention, and to the world, that there was no skulking, no shrinking from danger on his part, [applause], but on the contrary, his smile and encouraging countenance were seen in every part of the fort. His addresses to the soldiers from time to time were such as to inspire them with most true confidence, and his example in braving dangers and in his courage even to the coward, had once been present. But to the point."

"When the messenger, Lieut. Hamilton, from Gen. Green Clay's corps of reinforcement reached the fort, I was present and heard every word that passed between him and the general. The plan of attack, for the purpose of relieving the fort, was the prompt and sole work of the general himself. There were British batteries on either side of the fort lying upon it by cross fire, the river interlying between them on one side, and the enemy's cannon on the other. The general was aware that the main force of the enemy on the opposite side of the river, was encamped near two miles below the fort, in which there were only enough to guard the river. He therefore sent an order to General Clay, to land Dudley's regiment on the opposite side of the river

from the fort, with directions to storm the enemy's batteries, to spike and cut down his cannon, retreat to their boats and cross the river immediately to the fort, which, he observed, could be done without the loss of a single man, and which must be done, as he had no force, which could be spared from the fort to send to their aid in case of need. It was also explained to the messenger, that a sortie would be made from the fort at the same moment, and the batteries of the enemy on the side of the plain be stormed. This was done in the most gallant style. Then it was, that the American arms were completely victorious, and had Col. Dudley obeyed the whole orders, sent to him, as was expected, the 5th of May, 1813, would have been one of the most glorious days in the military history of the country, during the last war. But few decreed otherwise, except so far as Colonel Dudley and his gallant regiment were concerned; for, after having executed the orders of his general by storming the batteries and spiking and cutting down the cannon, without the loss of a man, the brave Dudley found himself incapable of drawing off the impetuous Kentucky men, who had not yet had an opportunity of engaging in battle. The result was, such as you all know, the total defeat and capture of his regiment by the British troops, who had marched up after the destruction of the batteries, and closed the campaign. He was anticipated by General Harrison, when he issued the order for the regiment to cross the river by all means immediately after executing their work. It may be well to observe here, that victory had crowned the sortie made from the fort, before the unfortunate issue on the opposite side of the river. I am, therefore, the only living witness, who heard the general deliver his plans and orders to lieutenant Hamilton, the messenger. Every thing was clearly explained, the absolute necessity of a prompt retreat on the part of the British troops, the enemy's cannon, was pointed out. In the energetic manner, peculiar to the general himself, he said to lieutenant Hamilton: 'Tell your commander, that these orders are to be obeyed, at the hazard of his life!' [Great applause.]

THIRTEENTH ANNUAL FAIR OF THE AMERICAN INSTITUTE. This great anniversary exhibition of the choice products of agriculture, manufactures, and the arts, will open to visitors at Niblo's garden, at the corner of New York, on Monday, the 5th of October, 1840. Articles for competition, in order to be entitled to all the privileges of the fair, must be delivered on the previous Friday or Saturday.

In address on "home production and particularly that of silk," will be delivered by the president of the American Institute, on Wednesday evening the 7th of October, at 8 o'clock.

On Friday, the 9th of October, at 2 o'clock, P. M. the ploughing exhibition, for testing such ploughs as will be introduced for competition in the fair, will commence in some suitable field near the city.

On Wednesday the 14th of October, at 12 o'clock, M. the exhibition of pure blood cattle and choice farming live stock, will be made within or near the garden. As they will be selected by the judges for this purpose, they must be entered on the books of the fair by 12 o'clock on Tuesday the 13th of October.

On Thursday evening October 15th, at 7 o'clock, the anniversary address will be delivered and will be accompanied by an annual report of the fair.

On Friday, evening, the 16th of October, the 13th fair will close, with the public announcement of the premiums awarded, and so address by the president of the institute.

"More than twelve years," have elapsed since a first volunteer in behalf of the cause of industry first brought the American institute, to existence. In several years after its organization, it was dependent on small voluntary contributions from individuals. In 1835, seven years after its first organization, by the voluntary services of its members, and by great economy, it had accumulated a small fund. It was then determined to establish a repository, for the daily exhibition of machines, models, &c. with a library, for the benefit of mechanics, artists, inventors, &c. and an expensive room was leased, and an officer was appointed to receive a salary to superintend the same. In the five years which have succeeded, the institute has gone on triumphantly.

Ploughing and cattle exhibitions have been since introduced, and steam power, for moving machinery on our farms upon a large and costly scale. The premiums of gold and silver medals, which were first bestowed, before 1835, had been in a measure made up by solicited contributions in small sums, have since been paid for solely from the funds of the institute, had been a greater amount in a single year than all that had been received by the institute in the seven preceding years. And our annual fairs have gone on

increasing in variety and splendor, unsurpassed by any other fairs ever held within the limits of our country. At the same time, taking into view the increase of our library, machinery, models, furniture and fixtures, the value of our assets has not diminished, while the number of paying members have multiplied four-fold.

The American institute is a magnificent standing evidence of the efficacy of the spirit of association, which in this age is accomplishing such mighty results. Its influence, (untransmitted for centuries years), through its annual fairs, annual addresses and premiums, have reached every part of our country. By creating extended competition, the latent powers of invention have been brought into action far and near, and disheartened and prostrate genius has been raised up to the midst of national embarrassment with renewed strength. Old and dormant institutions have, by its example, been roused and invigorated, and the creation of new ones has been induced, that had not been thought of before, which now hold their periodical celebrations upon the precise plan first adopted by this institute.

Much of the attention of the managers will be devoted to agriculture. They will be aided by the board of agriculture, composed chiefly of practical farmers. The plough, the great instrument of human civilization, and the most important of their first regard; and such as may be sent to the coming fair for competition, will be tested by actual experiment. The competition already excited, has brought invention and skill to bear upon this instrument, and it is believed ploughs made in the purpose essentially improved, will be exhibited at the thirteenth fair. The displays of the select productions of the garden and the field promise to be more abundant than ever.

Not the least interesting portion of the last exhibition were the noble blood animals, the cattle, &c. from this and other states. It is hoped that those public spirited gentlemen who took such a deep interest last year, will appear again with increased zeal, and that others will follow their example.

Improved agricultural machines and implements of all kinds are desirable objects of exhibition. The occasion will afford the best opportunity for their display, and for our farmers to learn the multiplied improvements in agricultural labor saving machines, which have been introduced, and to become acquainted with the attention their value demands. It is believed that the mechanic arts are competent, if properly applied for this purpose, to dispense with a large proportion of the heavy labor and drudgery heretofore deemed necessary in farming operations. The steam engine will be so adapted, as to propel the lighter and more delicate machines, and air of sufficient power to move those more massive and ponderous.

No farmer whose convenience will by any means admit, should forego this opportunity.

The progress in the culture and manufacture of silk the last year, and the preparations for the coming fair, promise a rich treat. It is felt as an interest in this new branch, so those who the experience of this year in the farming operations, and the state of the industry, and we think, will be well as a specimen of every possession an intrinsic, as Exhibitions of silk will do a service by accompanying their contributions with accurate details of their experiments.

The large and growing importations of silk fabrics have done much to produce the general embarrassment recently remedied by increased domestic production. It is our policy to follow the example of Great Britain, by limiting as much as possible the importation of such articles as can conveniently be produced within the country. A gold medal will be awarded for the best reel, and the best.

The accommodation of the garden, in consequence of the improvements made since, in consequence, will be more complete than ever; not only the display of assortments of the best qualities of staple goods, but also of the larger factories and work shops, but likewise for the more delicate workmanship of the artificer, in all the varieties of wood and metals, and the numerous other substances, every year brings into use. These, when arranged in the great hall, presents a spectacle which excites the admiration of those familiar with the most costly and gorgeous displays of London or Paris; and on which the American patriot gazes with glowing emotion. But it is in the apartment devoted to machinery for labor saving purposes, where the strong original character of American genius are most strikingly exemplified, and where every foreigner reluctantly acknowledges the superiority of our youthful country.

The American institute has, from its commencement, always been the favorite institution of the

ladies, and the managers hope it may so continue. Some of the celebrity of the annual fairs, particularly in the ornamental parts, has arisen through their favor, and the attractions their industry and delicate labor have produced. Indeed, on most occasions, the view of their contributions alone would have more than compensated the visitors. The most desirable places will be allotted for their accommodation.

Mrs ELLIS, THE DANSEUSE. NEW PHRENOLOGICAL THEORY. A correspondent of the N. York American in an article which contains sound sense on the subject of dancing, pleasantly observes: "While I perfectly accord with you in sentiment concerning the discrimination which should be made by the public in distributing their rewards among the cultivators of the arts, appropriating their favors and plaudits to the degrees of excellence and value attached to them, I know not, that we should be fully justified in assigning so low a grade of dignity to the performances of this German danseuse. From some intelligence I have lately received, it would seem that her exploits may lead to more important results than we had reason to anticipate. Besides that her grace and elegance of manners may contribute to the polish and refinement of our young women, and perfect their movements through the waxes of the dance, her exquisite address and skill in her polite art, I am told, have already suggested some important hints to our most enlightened philosophers, and are paving the way to the introduction of new and interesting theories in science. I have in my pocket a letter from a learned friend, in which all these advantages and improvements are fully detailed and highly eulogized. He informs me of miracles which have been wrought by the magical feats of this German danseuse. That a zealous and confirmed phrenologist, who had been for years lecturing upon his science to crowded audiences, to their infinite admiration and delight, as soon as he had witnessed her wonderful feats, found his former system, by the new light she shed upon his mind, disapproved of, and he was obliged to resign. He now no longer believes, that the head and brain are the seat of the intellectual and moral powers, but affirms that they are scattered over the whole body, are developed in the limbs, and are most singularly indicated by the motions of the muscles. He undertakes conclusively to demonstrate, that the feet are the organ of reason, bring the union support of the understanding; the legs, of judgment and discernment, the buttresses of the intellectual structure. Ideality is in the hands, the equilibrium in the knee, the intuition, that upon this instrument meet in paying their devotions to mammon, the object of general idolatry; and as to emotiveness and philoprogenitiveness, their organs are expressed in Greek or Hebrew, a language I was unable to interpret. Thus you see, that the German danseuses are working a signal change, and I suspect for the better, in phrenological science."

"My friend proceeds to inform me of the conversion of some ornithologists, who you know, by the tracks of birds' feet, which they traced in rocks and sandstones, upon some of our rivers in the eastern states, had concluded, that long before the flood, a kind of biped had lived in that part of the world, beyond all conception larger than any of the winged tribe now subsisting upon earth; and, of consequence, that this our planet must formerly have been occupied by very different beings from the present. This discovery, continually improving upon her prior efforts, and advancing in wisdom, though diminishing in the stature of her productions, as she advanced in years. This ingenious theory, however, is now completely overturned. An able ornithologist, after taking a dissection of Miss Ellis's feet, and accurately comparing them with these prints in rocks and sandstones, has discovered that they exactly correspond. Hence, he has concluded, that they were not imprinted by birds, but that probably in the time of St. Francis, that eccentric ascetic, who was a most rigid anchorite and bitter enemy of pleasure, or of some pope of similar temperament and habits, a company of danseuses were expelled from Rome, and came over to New England to play their tricks among the witches of those days, and were probably at last hung by the Yankees, and so their race, like that of Gypsies, became extinct."

This fascinating danseuse seems to have been received at Boston with no less eclat than in the southern cities. The Post says: Twenty-one boxes were offered to the public for Monday night, and the first appearance was so successful, that the boxes were all taken. Seventy-five orders were received; of course fifty-four were rejected. The remainder of the box-ware will be sold at auction, on Monday.

AMERICAN CREDIT.

INTERESTING CORRESPONDENCE BETWEEN MR. WEBSTER AND A NEW YORK COMMERCIAL ADVERTISER.

We copy from the New York Commercial Advertiser of Saturday the following interesting correspondence:

Boston, August 3, 1840.

DEAR SIR: When I came through Philadelphia in the latter part of June, it was my expectation to return again to Washington, and my intention, on such return, to find an opportunity of seeing you.

Among the reasons for desiring to see you, one was to thank you for your warm and liberal welcome to our celebration, and for your many and just defence therein of American credit. Almost the only unkind feeling which I brought home Europe, was no small degree of indignation at the injustice and arrogance of certain European journals, whenever they speak of American credit, or the responsibility and integrity of the governments of the American states.

It has appeared to me that there must be looking at the bottom of all this a strong desire to disparage free institutions, by representing them as unworthy of reliance, on the part of foreigners, and unworthy to the sacred obligations of public faith. It is true, at the same time, and cannot be too much lamented, that a few—I hope a very few—among ourselves have been found to utter sentiments totally subversive of the foundations of that public faith, and in deed of all social obligations. But there are such disorganizers in all countries. I wish we could find more leisure, from our domestic controversies, to direct the public attention, as it ought to be directed, against these foreign misrepresentations.

The recent proceedings of your legislature have given me great pleasure. Amid all the fierce contests of party, Pennsylvania seems to have remembered that she is Pennsylvania—that she has a character to preserve, both at home and abroad, and great efforts to be maintained, which can be maintained only by upholding that character. I take for granted your people will cheerfully pay the very small tax required for these high purposes, and am quite sure that this example of Pennsylvania will be followed by other states.

It is my purpose to be at home through this month and the next, as much as possible, although I may possibly have occasion to go to New York, and perhaps to Philadelphia, for a day or two. If you can spare yourself to exchange your highly cultivated ground, for a plain farm, for a few days, and cooled by the sea breezes, I shall be most happy to see you at Marshfield. Yours, very truly, always,

DANIEL WEBSTER.

N. Biddle, esq. Andalusia, Pa.

Andalusia, Pa. Aug. 7, 1840.

My DEAR SIR: I have had the pleasure of receiving your favor of the 3d instant, and am gratified that what I said on the occasion to which you allude meets your approbation. It was in truth a little anxious on the loss of some politicians in respect to the public debt, and therefore, for the first time since my retirement, ventured to appeal, which I have never found unsuccessful, to the native honesty and intelligence of my countrymen. That I did not misunderstand them, the conduct of Pennsylvania since has abundantly proved. Finding the income from her public works, in their unfinished state, insufficient to pay the interest on the public debt, she has laid a tax for that purpose. This will be paid promptly and cheerfully. All the anticipations of public odium against the measure, which I have been disappointed, and what is very remarkable, in the case of a popular election, when each party is prompt to turn every circumstance to the disadvantage of its rival, neither party has reproached the other with laying the public credit and property of this sustaining the public credit, and all sides succeeded. But Pennsylvania has done more. She has agreed, as some of the other states have done, to make up to the foreign creditor the difference between specie and her domestic currency.

This, as you know, is a financial novelty quite unknown elsewhere, and as much as Americans are the steamboat or the quadrant, though its originality runs less risk of being disputed, from the little probability of its adoption abroad. And yet, although the U. States form the only union that ever paid off the principal of the national debt, and are the first independent foreign creditor against the depreciation of the local currency, one might imagine, from the tone assumed by some Europeans, that America had been guilty of some great default towards foreign nations, and that the whole of its felicity; and it is amusing to read the grave homilies, directed against the people about the propriety of paying their debts, by older nations who have lived in the habitual violation of all the duties they recommended.

Now we must refer the country to be thus scolded to the banks of the self-sufficing. And though I would discourage all national prejudices as generally the result of passion and ignorance, yet it seems within the limits of a just self defence respectfully and kindly to warn such assailants, that these reproaches are very apt to become reciprocal, that the party attacked is often forced to remember of his antagonist that which he would willingly forget—and that if we were to judge them by the same harsh law they apply to us, the retort would be equally easy and decisive. Take for instance our excellent friends the English, who have been endeavoring to deliver lectures about the infidelity of republican institutions—they would be startled perhaps at being told that the first and greatest violation of faith to public creditors known in modern Europe, was committed by the government of England. But it is historically and literally true. The very foundation of their whole debt is an enormous wrong. The first item of it is a certain sum of £664,263, of three per cents. You recollect the history of this. The government had borrowed, partly for the use of the navy too, a sum of £1,325,326, at eight per cent, the security of certain assignments of the public revenue. The payments were stopped, first for a year, and then indefinitely. The public creditors, many of whom were ruined, applied for redress to parliament, but in vain. They then went into the courts, and after twelve years obtained judgment against the crown. The chancellor reversed the decision of the courts. The house of lords reversed the decision of the chancellor, and the creditors now hoped by the grace of heaven to be secured, but unaccounted, with the accumulation of twenty-five years' interest, to £3,428,526; but at the last moment they were met by an act of parliament, declaring that they should receive only three per cent. on the principal, and that even this principal might be redeemed on the payment of one-half of it. Thus was a debt of about seventeen millions of dollars, at eight per cent, reduced to three millions, at three per cent. An injustice running through a period of twenty-five years, begun by the profligacy of Charles II, but consummated by the great and good king George III. William III. Well may Hume say of it, that it was "a forfeiture of public credit, and an open violation of the most solemn engagements, both foreign and domestic." Well may bishop Burnet call it "a discomposable stain, but in vain. They then went into the courts, and after twelve years obtained judgment against the crown. The chancellor reversed the decision of the courts. The house of lords reversed the decision of the chancellor, and the creditors now hoped by the grace of heaven to be secured, but unaccounted, with the accumulation of twenty-five years' interest, to £3,428,526; but at the last moment they were met by an act of parliament, declaring that they should receive only three per cent. on the principal, and that even this principal might be redeemed on the payment of one-half of it. Thus was a debt of about seventeen millions of dollars, at eight per cent, reduced to three millions, at three per cent. An injustice running through a period of twenty-five years, begun by the profligacy of Charles II, but consummated by the great and good king George III. William III. Well may Hume say of it, that it was "a forfeiture of public credit, and an open violation of the most solemn engagements, both foreign and domestic."

Now that I have seen, let us compare the conduct of America and of England, with regard to public creditors in our own time.

You know that the whole debt of the U. States, more especially the foreign debt contracted during the revolutionary war—that incurred during the last war—has been paid, and that the debt of Louisiana and Florida—amounting in the whole to about one hundred and eighty-four (184) millions of dollars, were all paid, principal and interest, to the last cent, the very three per cents. being paid off at par.

In the year 1727, the U. States were in the full career of this reimbursement, when the government of Great Britain began by forbidding the Bank of England to pay specie; and then borrowed so much from the bank as to cause the multiplication of its notes, and by degrees a depreciation of them, till in 1745, it had reached a discount of about ten per cent. In order to sustain them the house of commons then adopted one of the most extraordinary proceedings in the history of legislation. It passed a resolution, "That the bank of England and the Bank of England have been and are at this time held in public estimation equivalent to the legal coin of the value, and generally accepted as such in all pecuniary transactions to which such coin is lawfully applicable."

It is in this which Burke calls Mr. Vanitt's "resolution of unshaken debauchery," that the Edinburgh Review denounces as "an ever memorable resolution, a resolution which took for granted that a part was equal to the whole; and ninety pounds and one hundred pounds were the same thing;" and declared that "the bank of England, which was then bought at a premium, and bank notes were at an open discount, as compared with gold and bullion, or upward of ten per cent." Having declared, in defiance of the fact, that the notes were at par, it remained to punish every body who took them at less than par; accordingly parliament enacted:

1. That the notes should be a legal tender for all debts.

2. That whoever should receive or pay for any gold coin more than its lawful value, whether such additional value was in other coins or in bank notes, should be "deemed and adjudged guilty of a misdemeanor," and fined and imprisoned.

3. That whoever should receive or pay any notes for less than the lawful amount expressed therein, should in like manner be fined and imprisoned.

Notwithstanding these laws, the notes continued to depreciate, till at last they reached a discount of twenty, thirty, forty, and at one time forty-one per cent. What course did the government of England then pursue? Why it paid the public creditors in this depreciated paper, and in nothing else. The loan had been made in specie; the interest was paid in notes at this enormous depreciation—twice or three as great as that of the bank paper of the U. States during the last war, or during the suspension of specie payments since. It never entered into the imagination of the English government to allow for this depreciation, and the public creditor knew that if he did not take this, he would get nothing. And yet the saving to the government was clearly understood and noted; for it is calculated by an English writer, Muesel, that on the debt contracted before 1800, the government gained—and the fund holders of course lost—no less than thirty-seven millions sterling, or one hundred and thirty-seven (137) millions of dollars, the difference between the paper and specie. Combine the provisions of these laws and observe their effect on an American who had money more than in England from either the government or individuals. If his fortune was in the English funds, he received his interest in paper depreciated to forty per cent. But if he wished to convert it into gold to bring home—if he changed his notes for gold at the market rate—if when his note of twenty pounds was worth only twelve pounds, he exchanged it for gold at any rate less than the twenty pounds, he was liable to be put in jail and fined. If, instead of gold, he wished to bring home British merchandise, and passed off his twenty pound note for less than twenty pounds, which every body knew it to be worth only twelve pounds, or even for his travelling expenses, exchanged it for less than twenty pounds, he was again liable to be put in jail and fined.

If the debt to him was from an individual Englishman his case was rather worse, for he was obliged to receive not only the interest but the principal in this depreciated paper. If for a debt of one hundred pounds his English debtor offered him paper which was worth only sixty pounds, he was obliged to take it or get nothing. But if the Englishman was inclined to be just to do as the American states have done in the same reference, and to give him its equivalent, both the creditor and the debtor might be found exploiting their honesty in the same jail, the act of parliament making it criminal in both to do an American that act of justice which the American states require to be done to an Englishman. And yet, so short is the remembrance of one's own injustice, the English seem to have forgotten all this and rail at their neighbors for similar acts, with the most entire unconsciousness of what they have themselves done. Even that most excellent temperance man, Walter Scott, in his life of Napoleon, can forbear to sneer at the French, who said that "the assigns were raised to par by guilotineating those who sold or bought them at less than their full value."

It is forgot that during a much longer period than the forced circulation of assigns in France, all those who sold or bought notes in England at less than their full value were—not absolutely guillotined, that not being the English fashion—but fined and put in prison; with this difference too, which might dispose the loyalty of Scott, that if the contumacious American who would not believe that sixty was equal to one hundred was sent to France, it was done by Jacobins and terrorists, whereas his countryman imprisoned in England for the same offence had the consolation of knowing that the law which condemned him was enacted, as it is grossly said, "by the king and certain great nobles," and with the advice of the lords spiritual and temporal and commons in this present parliament assembled." To make the case of the American states at all parallel to this, would be necessary to follow the example of England, and, 1st, forbid their banks to pay specie; 2d, borrow from those banks till their issues become depreciated; 3d, then declare by legislative resolution that there was no depreciation; 4th, then, as the depreciation increased, pay the public debt in this paper, and force all foreigners to take it in payment of debt; not merely from the government but from all private American creditors; and 5th, by enacting that if any Englishman should receive for any debt a ten dollar note for less than ten dollars, although it was worth only six dollars, or having received it should exchange it either for specie or gold for less than the value, he should be fined and put in jail at the discretion of the American judges.

Fortunately for America her whole conduct has been the direct reverse of all this. One of the fundamental laws of the union is that no state shall "make any thing but gold and silver coin a tender in payment for debts," or "pass any law impairing the

obligation of contracts;" and this power, which is withdrawn from the states, has never been exercised by the federal government. You remember, at the gloomiest period of the last war with England—that very England, where at that moment, and during several years previous, paper money was a legal tender—the American government declined that measure. The secretary of the treasury, Mr. Dallas, declared in his official report of October 17th, 1814, "that the extremity of that day cannot be anticipated when any honest man, and enlightened statesman, will again venture upon the desperate expedient of a tender law." No tender law has, therefore, been passed in the United States. The courts have never closed against foreign debtors. They have never been forced to take paper money—they have never been punished for receiving it, or for passing it at any rate they pleased; and every dollar of principal or interest due to them by the government has been paid. How faithfully that principle was carried into execution is seen by a very remarkable manner the treaty between the United States and England in the year 1793. It was then agreed by the United States, that inasmuch as British subjects had debt due to them from American citizens found difficulty in collecting them, the United States assumed to discharge, in specie, and complete compensation for the same to the said creditors." For which purpose commissioners were to be appointed to examine and make awards to the complaints, "and the United States undertake to cause the sum so awarded to be paid in specie to each creditor, or claimant without delay." Afterwards finding trouble in adjusting the details, the United States agreed, by a convention between Mr. Rufus King and Lord Hawkesbury, in 1802, to pay a gross sum of six hundred thousand pounds, which was accordingly done at what then was war, forty-four and forty-four cents for the pound sterling. Now this payment by the United States in specie of the debts of individual citizens, was made when the government of England did not pay even the interest on its own public debt in any thing but irredeemable paper. What then, our naturally sane, and sensible countrymen, is your denunciation? Is it this—the United States have bargained abroad certain sums to make improvements. That there will be paid no man can possibly doubt. On a single occasion, however, one of the twenty-six states, in the point of a temporary financial embarrassment, and the excitement of political combustion, have suddenly softened the quarter day to pass for twenty-four or forty-eight hours; but then hastened to repair the omission by not merely paying the interest, but by paying it in gold and silver, lest the foreigner should lose any thing by the exchange.

Is it a singular coincidence that, in the very same year, 1797, when England began her paper money system, which lasted for more than twenty years, the government of France, too, came in contact with its public creditors. The debt of France was then about nine hundred and sixty-six (966) millions of francs, the interest about forty-eight (48) millions of dollars; but in order to continue the invasion of Germany and Italy, the army required fifty-six millions, (56), and this could only be had by taking it from the fund holder; and so, as the historian has it, it was "required to take a decisive measure in regard to the debt." This decisive measure consisted in paying off nominally two-thirds of the capital in a fresh and worthless paper, and retaining the one-third—thus reducing the debt to about three hundred and twenty-two (\$222) millions, and taking from the public about six hundred and forty-four (\$644) millions, and thus by a simple device, without the least notice, and for no reason except the wants of the army. The latest French historian, M. Thiers, says, that the paper given for the two-thirds "fell in commerce to sixths of their value, and that to those who held a singular purchase loan, it was an additional bankruptcy." Yet he entirely approves of the measure, and concludes his account of it with this convenient axiom of finance, more consolatory for the past than encouraging for the future, that "measures of this nature inflict, like revolutions, much on the individual, but people submit to them when they have become inevitable;" and so "this enfeebled third" in the French debt represents a sum of which two-thirds were substantially annulled, and the remaining third consolidated and funded.

It would be a waste of time to go over the list of so many other governments that are now or have recently been bankrupt, and I mention these two, certainly in no mood of complaint, but merely to show how cautiously nations should abstain from those weapons of reproach so readily turned upon themselves by the nations they offend, and how, by exposing these afflictions of superiority, taken to heart all this abuse, with as much shamefaced humility as

if they really had been doing something exceedingly wrong, believing that these nations must have practiced at least a little of what they advise so much. They say that the Americans have a typical of national vanity. I wish they had a little more national pride. It would wean them from their childish sensitiveness to small jests about trifling peculiarities of manners, and raise their thoughts to the great interests in which superiority is worth contending for; it would teach them to estimate the true value of their institutions, and dispose them, while never wounding other countries, always to defend their own. Here, for instance, is a great outcry about American credit, and the danger to public faith from popular government, both of which are denounced in a strain of financial virtue quite ferocious, and yet after all it appears that these reproaches are made by the people who do not pay, against the people who do pay; and that those who have been most faithful to their engagements are precisely these abused republicans.

I doubtless, this country is in a state of much internal embarrassment. No man can lament it more than you and I do. I may venture to add, none have striven more to avert and to remedy it. It is equally true that, here as elsewhere, there have not been wanting a few persons who hoped to profit by the public troubles, and who, for the sake of a few dollars sought to make it dishonest. But these have produced no impression on the mass of the nation, which on all these points are perfectly sound. All these party names they may be distinguished. Whatever the future may will, I trust, soon disappear; but in the meantime our great purpose should be to preserve and to vindicate the good faith of the country, as the safest element of its future prosperity. I hope you will be able to come and see me, when we will talk of these things, and of much more agreeable things. Meanwhile believe me, always, with great regard,

N. BIDDLE.

NORTHEASTERN BOUNDARY.

REPORT OF THE BRITISH COMMISSIONERS.

Upon the delivering in of the maps and reports of the new American surveyor, the agent of the United States, who had taken his stand upon visible highlands, and avowed to exultate his cause from the dilemma he had brought it into, by the following passage of his argument—

"If the lands between the Restigouche and Metis were not characterised by peculiar elevation, compared with the lands on either side, it might exist in any other direction, still the argument in favor of their adoption, as the true highlands, would remain unchanged; for it is particularly due north of the river St. Croix that we are to look for the highlands mentioned in the treaty, since they are necessary to form the important angle in question. The word 'highlands' is not used merely to denote a single mountain, or a continued unbroken ridge of mountains, running in one direction," (this, however, was the ground he had taken in 1819, when he said Mr. Johnson's descriptions would be corroborated), "but generally to describe an elevated or mountainous region, of which the surface must necessarily be unequal, such is commonly to be found in all sections of country in which numerous rivers take their rise; and since the very principle of gravity demonstrates that the general elevation of a country is greater at the source of a river than at its mouth, the lands which separate rivers, running in contrary directions, would naturally be considered as the highlands which lay between, or divide them, particularly as relating to a country, the topography of which was so fully ascertained; a more detailed description of such 'highlands' was hardly possible to be given."

It further appears that, notwithstanding that Mr. Burnham, the new United States surveyor, who had co-operated with Dr. Tiarks in 1820, had admitted the fallacy of Mr. Johnson's map, as far as respected that part of the country lying between the Lake Temisquiata and the source of the Metis, yet the American agent, at a meeting of the commissioners, exhibited a map, entitled "a map of the country explored in the years 1817, 1818, 1819 and 1820, by order of the commissioners under the 5th article of the treaty of Ghent, Andrew H. Burnham, U. S. Surveyor under the 5th article of the treaty of Ghent," and upon this map appeared the fictitious highlands of Mr. Johnson, extending west from Temisquiata to the head waters of the Ouelle, with a further spur in addition, about 80 miles in extent, from thence to the Lake of the Metis, and thence, while no report connected with these investigations or explanatory of them, was communicated with the map.

The British agent lost no time in entering a protest against a map so fictitious a character, and proposed that the American surveyors should be ex-

*Afterwards earl of Liverpool.

ained upon oath as to their map being an accurate representation of the natural features of the country; offering at the same time to subject the map of the British surveyors to the same kind of verification, by interrogatories to be prepared by the agent of the United States. To this the American agent rejoined, that the map of the British surveyors had been actually omitted to give the position of the highlands in which the boundary is claimed by the United States, thereby giving to this map an effect entirely partial; and thereupon insisting that this map (the map of the British surveyors) should not be received in evidence before the commissioners, and that the said map furnished by the agent of the United States should be permitted to be filed."

The matter was finally disposed of by a decision of the commissioners, entered upon their journal in the following words:—"The commissioners having duly considered the memorial of his majesty's agent of the 26th of September, and the answer thereto of the agent of the United States of the 27th of September, and likewise the memorial in reply to his majesty's agent of the 29th of September, do order that all the reports and plans alluded to in the said memorials be filed by the secretary, except the two general maps. On the said general maps no order allowing them to be filed is made, as the commissioners differ in opinion; commissioner Barclay being in favor of allowing the general map presented by his majesty's agent to be excluded, and the one presented by the agent of the United States; and commissioner Van Ness being of opinion that both of the said general maps ought to be filed, or neither of them. On the question of going into an examination, at this time, of the surveyors, under oath, the commissioners differ in opinion; commissioner Barclay being in favor of that course, and commissioner Van Ness against it."

It appears then, on a review of this singular proceeding, that in the year 1819, Mr. Johnson, the American surveyor, attempted and succeeded in placing upon the files of the joint commissioners a spurious and fictitious map. That in the succeeding year another American surveyor, Mr. Burnham, was employed, who co-operated with the British astronomer, Dr. Tiarks, in the investigation of that part of the country lying between Lake Temisquata and the source of the Metis. That they agreed in finding that part of the country void of such highlands as Mr. Johnson had reported, namely, a continuous chain of highlands extending to the westward. But that Mr. Burnham added to the western part of his map about 80 miles of continuous highlands, of the existence of which no other proof than that map was adduced by him. That the British agent objected to this map, and presented the map of the British surveyor, representing the country as Mr. Burnham and Dr. Tiarks had conjointly seen it; offering at the same time to have the surveyors on both sides examined under oath as to the accuracy of their respective maps. That the American commissioner, however, declined according to the proposal, and because the map of the British surveyor, which truly represented the state of the country, did not contain the spurious highlands of Mr. Johnson's map, he refused to consent to it being filed unless the map of Mr. Burnham, with an addition of 80 miles of fictitious highlands, was filed at the same time. By this management, the British map, the correctness of which the surveyors were prepared to prove under oath, was excluded in evidence in the case.

By reference to the map A your lordship will observe that no chain or ridge is found extending from the real southern source of the Ouelle to the easternmost sources of the Metjemette; yet it is along a line extending between these two sources that the American surveyor protracted his fictitious hills. As a verification or disproval of this ridge was a matter of vital importance in the controversy about the boundary, we were very careful to examine that part of the country, in order that our report might accurately give the result of our examination, and be otherwise consistently with the truth. We therefore, after a careful examination of all that part of the country between the mouth of the Mityawagwan, where that river joins the river St. John, and the eastern source of the Echemette, and the mouth of Lake Mityawagwan, we declare that the ridge inserted in the American map is entirely fictitious, and that there is no foundation in the natural appearance of the country for such an invention. Had any thing of the kind been true, we must unavoidably have observed it, had we only on our way from the mouth of the Mityawagwan to Lake Etchemette; the course of that fictitious ridge, as represented in the American map, being six or seven miles east of the sources of the Mityawagwan, and about 100 miles west of Lake Etchemette. And it is singular enough that precisely at the point where the pretended ridge crosses the Mityawagwan, and for many miles around, the

country is a low flat swamp, the streams issuing from which have such a sluggish course that there is scarcely a perceptible current, or one sufficiently established to give visible motion to a feather.—Over no part of the country which we traversed, from the St. John to Lake Etchemette, does the elevation exceed fifty feet, nor is there any visible elevation at any point of the course. It only west of Lake Etchemette, that the highlands claimed by the Americans as the highlands of the treaty 1753 are found. These are visible from a distance of several miles, and are a portion of the highlands which we have observed in the northern branch of the river. Of a still more singular character have been the whole of the proceedings relating to the point which, the Americans have thought proper to assert, is the north west angle of Nova Scotia intended by the treaty of 1753.

It has already been stated that in 1817 the British and American commissioners under the 5th article of the treaty of Ghent, directed their surveyors to run an exploratory line due north from the source of the St. Croix, "until they arrived at some one of the streams or waters which are connected with this river St. Lawrence."

These surveyors, colonel James Bonchette, surveyor general of Lower Canada, on the part of the British government, and Mr. Johnson on the part of the American government, proceeded accordingly to survey a due north line from the source of the St. Croix, until they arrived at some one of the streams or waters which are connected with this river St. Lawrence. In 1819, Mr. Odell having been substituted for colonel Bonchette, the exploration of the due north line was farther continued to the 145th mile from the St. Croix, at a point where it struck a stream flowing into Lake Metis, which they called Beaver river. Having reached that stream, these surveyors did not extend their survey to the west, but returned to the south to examine the country about Mars hill. Nor is there any evidence of the Americans having, at any time, surveyed the country west of the north line even in order to trace out and establish that particular line which they claim to be the highlands of the treaty. On the contrary we have their own confession that they never did so, and that they were not authorized by their government to do so. The highest authority, representing those most interested in the American claim. In proof of which we quote the following passages from the annual address of Mr. Kent, the governor of the state of Maine, to the convened legislature of the state, dated January 24, 1836:—"In compliance with the proposal of the American government to that of Great Britain, for the establishment of a new commission of survey and exploration, he says—"It is for you to judge, whether any beneficial effects equal to the inconvenience and injury by the great delay which must be occasioned, are likely to result from a mere commission of exploration and survey only of the whole extent of the line, from the head of the St. Croix to the northwesternmost head of Connecticut river, especially since the examination and survey which would be made during the past season by Major, or the most important part, which had not been sufficiently examined before."

The survey here spoken of as having been made during the then past season, was one entrusted to Mr. John C. Dean, Mr. M. P. Norton and Mr. Jas. Wisn, as commissioners of Maine, to whom Mr. Wm. P. Parrott was attached as surveyor. The report of these gentlemen, of which we shall have hereafter to speak, was made to governor Kent under date of the 31st of 1838.

The governor then proceeds to state that neither the state of Maine nor that of Massachusetts had ever "attempted any examination" of the line claimed by them up to that period.

It is worthy of the notice, that this state, and the commonwealth of Massachusetts, by their land agents, have surveyed and examined the whole line as claimed by Great Britain, from Mars hill to our western boundary, but have NEVER until the present year attempted any examination of the true line of the treaty of 1753.

Again the governor says,

It is a singular fact that after that time (1818) no American survey or authorized agent has ever examined or traced the height of land, or given any opinion as to the character of the country about the north west angle of Nova Scotia."

From the passages we must infer that up to the close of the year 1838 the Americans had no evidence whatever of the existence of any thing like a line of "highlands" or "ridges" in the place where the treaty of 1753, in the place where they had all along asserted it to be. It was probably apprehended that the attempt to examine it would lay bare the fallacy of their pretension.

It is worthy of the notice, that these Maine commissioners is explained in a letter addressed in Sir John Harvey, his majesty's lieutenant governor of New Brunswick, by the governor of Maine, and

dated September 23, 1838. They were, "to move on a due north line toward the height of land where it is to form the divide which we claim as the north west angle of Nova Scotia, and also in like manner tracing and examining the northern line along the highlands which divide the rivers falling into the St. Lawrence from those falling into the Atlantic." It is as the information to be communicated by the report of these commissioners was, by the governor's admission, the first geographical information the legislature of Maine would possess about the nature of the country to which their claim relates, we quote the passage from the annual message, communicating the result at which the commissioners had arrived.

"Their report, which I have the pleasure to transmit to you, will be read with interest and satisfaction. By that it appears that the exploring line was found marked to near the northwest angle; that the base of the country rises constantly and regularly from the monument at the head of the St. Croix to the angle; which is from two thousand to three thousand feet from the level of the sea, and more than five hundred feet higher than the Kedgwick, one of its most elevated points, but by no means near the said angle, and the St. Lawrence waters; and due north line, if continued to the valley below the northwest angle, actually strikes the St. Lawrence water, and then that the country is high and even more numerous about this spot. And there is no difficulty in tracing a line westwardly along distinct and well defined highlands, dividing waters according to the treaty. The extensive and correct map* of the north part of our state, and the southern portion of Canada, and the vertical section as prepared by Mr. Parrott, will be found to be accurate and satisfactory, which accompany the report, add much to its value and interest. Taken together they exhibit the true character of the country, and leave little or nothing to be desired illustrate of it."

We now proceed to give some passages from the report of the commissioners themselves, presuming that the governor, in his annual message, never asserts that they had executed any part of his instructions, "tracing and examining the northern line along the highlands," which in his letter to Sir John Harvey he states to be a part of the treaty, and he confines himself to saying, "and there is no difficulty in tracing a line westwardly along distinct and well defined highlands."

From the commissioners' report itself it appears that they did not attempt to enter upon the discharge of their duty, of which fact we also received authentic information when in the country. What the commissioners do say is:

"The land at the northern part of the exploring line, and in the region where it is to form the divide sufficiently high to divide the rivers emptying themselves into the river St. Lawrence from those which fall into the Atlantic ocean."

In another passage they say, "we also find by an exploration and examination that there is no uncertainty or difficulty in tracing and locating the line from the northwest angle of Nova Scotia westwardly along distinct highlands, which divide the rivers, &c. as described in the treaty of 1753."

This extraordinary manner of speaking of the most important line of the treaty of 1753, and which itself is the salient point of contention, is a proof that they had no facts to bring forward in support of their claim. That there is to be found at the northern part of the exploring line, and in the region round about it, land which may be sufficiently high to divide the waters of the river St. Lawrence, is not surprising, when so vaguely made upon such an occasion.

The highlands at Temisquata are in that region, and only fifty miles from that point, and if they were continuous during a sufficient distance, they would divide the waters of the river St. Lawrence from those flowing south, though not from those flowing into the Atlantic ocean. The reason why the American commissioners did not enter upon the examination of the country westwardly, is explained in the following passage from their report.

"The Metis river limited the explorations to the northward, and when the explorations in that region were interrupted by the weather, and could not be continued for the want of provisions, the exploring was continued south toward the monument. In point of fact, these gentlemen turned back without having made any investigations in the neighborhood of the Metis, the cold weather having set in with great rigor, and their provisions barely sufficing them for the journey back. If they had penetrated to the northward, and the northwestern divide the apparent chain we have before spoken of at p. 41, whose peaks fall under the same magnetic direction, they would have found it continuing its course northerly, about eighteen miles distant,

*We have never seen this map.

In a direction north, 47 west, from whence the dash north line strikes the Beaver river. And as the last mentioned stream rises still farther to the northwest than the point where it is struck by the north line, it is plain that the chain, instead of dividing at this point the streams running into the St. Lawrence from any other waters, runs through the country at least twenty miles north of the points where the sources of the Metis are.

It being evident that the report of these gentlemen has thrown no light whatever upon the nature of the country west of their pretended northwest angle, we come back to the assertion of general Bouche's, that the Metis is from 2,000 to 3,000 feet above the level of the sea, and that the country is high, and even mountainous about that spot."

This assertion he makes upon the responsibility of his commissioners; but the statement is so extremely at variance with the fact, and with the results of the careful observations which we made when in that part of the country, that we have felt ourselves bound to examine critically into the grounds which the commissioners of Maine had for assuming a fictitious elevation, the exaggerated height of which they must have deemed necessary to the essential character of the spot which they have so strenuously claimed to be the northwest angle of the treaty.

Of the altitude of this point we have to report that it is rather under than over four hundred feet above the level of the sea. Our estimates were not so afraid to submit to the most rigid scrutiny, having, independently of our barometrical measurements, made other careful computations deduced from the current of the Metis, down to the point where it empties itself into the St. Lawrence, making a proper allowance for the falls upon the Great Falls of them about 100 feet high, and another about twenty-five feet, and a third about eight feet."

The following passages from the report of these commissioners, appear to furnish the key to the nature of the strange discrepancy betwixt these estimates.

"Admitting the different streams (the Restigouche and its branches) to be of the same height above the level of the sea, the Metis or Beaver point is 531 feet higher, a base line from which, drawn south, and the general elevation of the land, taken thence to the monument at the source of the river St. Croix, and that the general elevation of the highlands will be between two or three thousand feet above the level of the sea. Here is the place where the treaty of 1783 describes the northwest angle of Nova Scotia to be."

We find no materials specified in this report to prove the existence of such a "general inclined plane," as the one here spoken of, save in the following passage:

"According to the principal British surveyor, under the fifth article of the treaty of Ghent, in 1817, in col. Bouche's survey, vertical section and profile of the country from the monument, ninety-nine miles north, Sugar mountain is shown to be the highest land upon or near the line [that distance from the monument, which is undoubtedly the fact. They also exhibit a continual rise, in the base of the whole country, as indicated by the level of the streams and the land over which the line passes, to the waters of the Restigouche. It shows the Medouankee to be higher than the monument, and the Presqu' Isle, the De Chute, the Aroostook, St. John and Grand rivers, all rising successively, one higher than the other above the level of the sea. And the Waggansis at the termination of the ninety-nine miles, is higher than the level of the sea, upon any river south of it. A copy of col. Bouche's survey and profile is, for the purpose of illustration, annexed to our map."

It being necessary in the execution of our duty to report the true elevation above the sea of that point where the official agents of Maine placed their northwest angle of Nova Scotia, it has appeared to us not less necessary to account, if possible, for the wide difference between the 400 feet which we report, and the "from 2,000 to 3,000 feet" reported to their government by the commissioners of Maine. It is with great reluctance, therefore, that we state our conviction

"The distances from the south end of Lake Metis to the south end of the stream at the St. Lawrence is about thirty-five miles in a straight line. There are three lakes, in all about thirteen miles long, leaving twenty-three miles of river. Allowing a fall of ten feet to six miles, the extreme elevation, the height of the spot indicated by the governor of Maine as being 2,000 to 3,000 feet above the level of the sea, would stand thus: 10 feet fall per mile for 23 miles 230 feet. 9 falls here mentioned 270 " 25 "

lake on ascending course for 13 miles 33 1/2 feet.

tion that is has originated in a singular delusion on the part of Col. Bouche's, her majesty's surveyor-general of Lower Canada; we therefore proceed as our duty enjoins us, to put your lordship in possession of the truth, with regard to a mistake which we think has had much to do in creating in the United States erroneous ideas respecting the line claimed in that country as the "highlands" of the treaty of 1783.

We have already stated that col. Bouche's was associated by the joint commission in 1817, with Mr. Johnson the American surveyor, for the purpose of running an exploratory north line, and colonel Bouche, after conducting the exploratory line, reported to the joint elevations to the commission under the following title:

"Section showing the different heights of land between the monuments at the source of the St. Croix, and the first waters of the Restigouche at the extremity of the exploring line."

This section, which bears his official signature of "Jos. Bouche, S. General," exhibits an inclined profile of the country from the monument at the source of the St. Croix, to the Great Waggansis, a stream flowing into the Restigouche, with several of the crosses intersected by the due north line in its course.

We shall accompany this report with a copy of colonel Bouche's section, which is altogether erroneous. All the points on the section being visited by one universal error which pervades it, we shall only specify one of the points, as the treaty of 1783, the due north line strikes the St. John. This point, the height of which we know by repeated barometrical measurements, and by actual land level made from tide water to the Great Falls of the St. John, does not exceed 300 feet above the level of the sea. Col. Bouche's section shows it down at 1,550 feet, making that point about 1,000 feet above the level of the monument, and the monument 550 feet above the level of the sea.

As the section of col. Bouche's proceeds farther to the north, it proportionately ascends; so that the Great Waggansis is made to stand at 2,500 feet above the level of the sea, when probably its true elevation is only about 550. Reverting then to the passage quoted from the report of the Maine commissioners, where they say that the Metis is 531 feet higher than the monument, and its head is 2,500 feet higher than the point at which the line is to be run, making that height to the 2,050 feet allowed to the Waggansis, we have a total of 2,541 feet to represent what they have stated would be between two and three thousand feet.

We cannot doubt that this is the process by which they have arrived at their conclusion, and that their fallacious estimate is not the result of any observations made by themselves. To colonel Bouche's error of 1,700 feet, they have added a conjectural elevation between the Restigouche and Lake Metis, equally erroneous, making the sum total of error equal to 2,541 feet. We do not think it quite impossible for any surveyors having but a slight practical acquaintance with the nature of inequalities prevailing over the surfaces of countries, not to have perceived, whilst passing over that part of the country which is the subject of these estimates, that such estimates would be rejected as altogether erroneous, when its elevation was properly examined. But in proof how small the elevation of the surface at this part is, the previous reports of the American surveyors themselves may be quoted. Mr. Johnson, the American surveyor, in a letter dated 25th Dec. 1818, gives some description of the country, through which the north line was run from the St. John's river to the Waggansis, at the 99th mile. He says:

"After rising the northwardly bank of the St. John, we found the country mostly flat and swampy,

"The original section has a perpendicular scale at each extremity, which gives the elevation of the different points. Beneath our copy of col. Bouche's section, we have placed by way of comparison, an outline of our "section of the country along the due north line," which is on the margin of map A, with a few corresponding elevations at different points, in order to show more clearly the great disproportion between the two sections, and which is at once seen by the following table:

Col. Bouche's section,	The section below.
The monument	550
Presqu' Isle	1,160
Medouankee river	1,000
Presqu' Isle	1,160
Land south of Mars hill	1,470
St. John's river	1,350
River Des Chutes	1,345
Rooseau river	1,470
St. John	1,350
Great Waggansis river	2,665

until about the ninety-first mile, where a moderate ridge divides the watershed the Falls river from those of Grand river. North of Grand river, at about the 93d and 94th miles, is a ridge, which, though probably higher than any land we had passed over on the line, appears not to be of any considerable extent. From this to the 98th mile we passed through a large swamp, which gives rise to the Waggansis of the Grand river."

Such is the character of the country all the way from the St. John river to the north bank of the Quinawankedwig, a tributary of the Restigouche, being, in fact, a succession of swamps with occasional low ridges of limited extent. The apparent height of the country being increased to the eye of inexperienced persons, by the deep bays which the Restigouche and its branches, especially the Quinawankedwig, have worn. After the ascent of the hill on the north bank of this last river, the country descends gently the whole way to the point where the exploratory north line strikes the stream which runs into Lake Metis. Now the point where the exploratory north line leaves the St. John is only 300 feet above the level of the sea; it is evident, therefore, that what has been stated as there is nothing on the whole line from thence to the Metis that can farther raise the general elevation of the country to any great extent; and as to occasional ridges which have been alluded to, there is not one of them, even if it had any continually, that has any connexion with that line of highlands claimed by the United States as the highlands of the treaty of 1783.

NORTH EASTERN BOUNDARY. Very slight notice having as yet appeared in the *Globe* or any of the government journals in relation to the foregoing spacious report of the British commissioners, although the document has been extensively circulated in this country, we have to resort to editorial comments for an offset. The following is from the New York Courier and Enquirer of the 4th instance—confining their introductory paragraph.

The subject is one of such vital public importance—one in which the honor of the nation is so deeply concerned, and one involving so completely all our relations with Great Britain, that we feel it incumbent upon us in the faithful discharge of a high duty, to devote to it more time and space than is usually bestowed upon questions requiring discussion in a daily newspaper.

Article 24 of the treaty of 1783 defines the boundaries of the United States as agreed upon in the treaty of Paris, from which we quote as follows:—

"Article II. And that all disputes which may arise in future on the subject of the boundaries of the said United States may be prevented, it is hereby agreed and declared, that the following are and shall be their boundaries, viz:—from the northwest angle of Nova Scotia, viz: that angle which is formed by a line drawn due north from the source of the St. Croix river, to the Atlantic ocean; thence by a line that runs along the highlands, which divide the waters that empty into the St. Lawrence from those which fall into the Atlantic ocean, to the northwest-most head of the Connecticut river; thence down along the middle of that river to the forty-fifth degree of north latitude; thence by a line to be drawn along the middle of the river St. Croix from its mouth in the bay of Fundy to its source; and from its source, directly north to the aforesaid highlands which divide the river that fall into the Atlantic ocean from those which fall into the river St. Lawrence."

Let the reader here observe that the boundaries of the United States are: made to commence and terminate at the northwest angle of Nova Scotia, viz: that angle which is formed by a line drawn due north from the source of the St. Croix river, to the Atlantic ocean; thence by a line that runs along the highlands which divide those rivers that empty into the St. Lawrence from those which fall into Atlantic ocean."

It follows of course, then, that the first great object to be ascertained, is, the northwestern angle of Nova Scotia. This is, in the ordinary sense of every intelligent person, that to attempt to establish a different position, is *prima facie* evidence of a determination to confuse the whole question, instead of to desire to arrive at the truth; and we may at once judge of the character of the report before us, by the following extract from page 17.

"The real subject for discussion is purely the true direction of the highlands which divide those rivers that empty into the St. Lawrence from those which fall into the Atlantic ocean."

By this it will be perceived, that instead of examining, as it was the duty of these commissioners, into the locality of the northwest angle of Nova Scotia, they have arrogantly determined that the question is to be discussed, viz: "which are the high-

lands described by the treaty?" This is the whole character of their report changed into the discussion of a question not relevant to the point at issue; and by this change of the question before them, they attempt to give a totally different character to their report from that which would be possible if they had honestly approached the subject with a desire to arrive at the truth. Among individuals, the party would be deemed a madman, who should ask his neighbors to settle the boundaries of his farm without first pointing out the place of the place of departure; and they who undertake the task, would be equally censurable, if they made the attempt to discover the true boundaries, without first determining which was the point of departure named in his deed. This is precisely the situation of the authors of this report, and this position we do not hesitate to say, is assumed by them from a full conviction, that if they had obeyed the injunction of the treaty, and first ascertained "the northwest angle of Nova Scotia" as the place of departure, and attempts at opposing their claim to the territory in dispute, would have been worse than useless.

The report, it must be born in mind, is nominally the work of Col. MUDGE of the British army, and Mr. G. W. FEARNSTONHACH, late "United States geologist," one of our most reliable persons, who having been in our employ for many years, deemed it no dishonor to offer his services to get up a report in favor of Great Britain at the expense of the government on those points in his twenty years' subsistence. This position we do not hesitate of special pleading, that we are pleased to learn Col. MUDGE had little to do with it. It is every way worthy of one whose services are alike at the disposal of either government, when it is willing to pay for them.

We contend, and we think it the common-sense view of the subject, that the first question to be dispensed and determined, is, the location of the true northwest angle of Nova Scotia; and in this opinion we are borne out by the treaty of 1774, and the instruction of the great council of the United States, under the treaty of 1784. The treaty of 1774, known as Jay's treaty, especially provides for the discovery of this northwest angle of Nova Scotia; and with that view, directed that commissioners be appointed by the two governments to meet at the mouth of the river St. Croix, mentioned in the treaty of peace. "In order that a due north line might be run from its source to the point designated as the 'northwest angle of Nova Scotia.'" This title of the "northwest angle of Nova Scotia," was then definitely settled by the commissioners under the 5th article of the treaty of Ghent, directed the surveyors of the two governments to "proceed upon an exploring survey upon a line due north from the lake at the source of the river St. Croix, and they should arrive at some one of the streams or waters which are connected with the river St. Lawrence!"

This is a stumbling block in the path of Mr. Commissioners FEARNSTONHACH; but it is wonderful with what facility he clears all such rubbish from his way. The removal of this, was absolutely necessary, and it is done with the dash of a pen—it was "indiscreet in the British commissioner" and a cunning trick "of the agent of the United States!" This mode of reasoning is so grave a state paper as that before us, it is so monstrous that we deem it incumbent upon us to refer the reader in page 42 of the report for the accuracy of our quotation.

Let us now examine why these instructions were given to the joint surveyors in 1817, and upon what data they were based.

It must be borne in mind that Lower Canada, was in possession of the French till 1763, when by the treaty of Paris, that province, together with Nova Scotia and the great bay of Canada (the St. Croix or Acadia, had, however, been in the alternate possession of both England and France from 1621 to 1763, a period of one hundred and forty-two years; and during the whole of this period it was bounded on the north by the St. Lawrence. The first grant of this district of country, was made in 1621 by James I. of England. Its western boundary was thus described to which we ask the particular attention of the reader. Commencing at Cape Sable and coming to the bay of Canada, "to the river Holy Cross, or St. Croix, and to the furthest source or spring upon the western bank of the same; thence by an imaginary direct line, to be drawn or run through the country or over the land, to the north, to the first bay, river or spring, emptying itself into the great bay of Canada (the St. Lawrence) and from thence running to the east along the shores of the said river of Canada." This grant was made to Sir WILLIAM ALEXANDER, who gave to the country the name of Nova Scotia;

and it will be perceived that its western boundary was a straight line running "direct north" to the waters of the St. Lawrence.

Thus the northwest angle of Nova Scotia was fixed as early as 1621 at the point where a due north line from the western branch of the St. Croix would strike the first bay, river or spring emptying itself into the St. Lawrence. And in 1691 the territorial rights of the New Plymouth company, granted in 1606, but which had been forfeited, were restored, and a new charter was issued, including Nova Scotia or Acadia. But argues the author, thus the report: "as this was only a war title and by the treaty of Ryswick in 1797, all this territory was surrendered to France, it did not revert to Massachusetts on its reversion to England in 1763." On this great stress is laid, but so far as it relates to the question before us, it is of no importance whatever. The great object now in view is, to ascertain where the true "northwest angle of Nova Scotia" is, and not what were Massachusetts' titles to extended territory. We have already seen that in 1621 it was fixed at the point where a due north line from the source of the St. Croix intersected the "first bay, river or spring emptying itself into the St. Lawrence" great river of Canada, "and at no period has this location ever been changed." In 1763, when England entered into the quiet possession of Canada, GEORGE III. issued his proclamation on the 7th Oct. defining the southeasterly boundary of Canada, or Quebec as it was then called, and therein declared that it should "run through the Lake Champlain in forty-five degrees of longitude, but so far as the said line shall extend to waters that empty themselves into the said river St. Lawrence from those which fall into the sea" to intersect the northwestern angle of Nova Scotia. Thus conforming in all things to the language used in the original charter of James I. in 1621. But says the British commissioner's report, "the object of the British government touching the partitionment of lands between the provinces of New Brunswick and Lower Canada, are not appropriate matters for discussion in the dispute with the United States!"

Assuredly, we would say, that the object of the parties is, or at least ought to be, to arrive at the true intent and meaning of the treaty of 1763; and every act of either government calculated to elicit the truth, is not only "appropriate matters for discussion," but also "appropriate matters for the most prominent part of the testimony on which the ultimate decision depends." Thus if England in 1763 reaffirmed the northwest angle of Nova Scotia to be where it was fixed by James I. in 1621; if in 1691 the great colony of New Plymouth bought the whole of Nova Scotia, and if in 1763 the great colony of Great Britain decided that she was again entitled to it on its reversion in 1763; if it shall appear that the province of Quebec or Lower Canada has never attempted to extend its jurisdiction over a single acre of the territory in dispute, because the northwest angle of Nova Scotia was well known, and well understood to be her southeasterly boundary—then do all of these acts, although confined to her colonies, have an important bearing upon this question, and entitle largely to the "discussion" of it.

The proclamation of George III. in 1763 was evidently intended to settle forever, the question of boundary between the provinces of Quebec, Massachusetts and Nova Scotia. The constant changes of sovereignty over the territory lying east of the St. Lawrence, has produced confusion in the boundaries of these provinces; and having for the first time come into quiet possession of the province of Quebec, GEORGE III. not only determined to make this definite settlement, but inasmuch as Quebec was then French, and inasmuch as the province was to preserve to it, its French character and government, it was also determined to embrace in it all the French settlements on the east bank of the St. Lawrence. Up to this period, England, whenever in the occupancy of the territory, had considered the boundaries of these provinces; and having for the first time come into quiet possession of the province of Quebec, GEORGE III. not only determined to make this definite settlement, but inasmuch as Quebec was then French, and inasmuch as the province was to preserve to it, its French character and government, it was also determined to embrace in it all the French settlements on the east bank of the St. Lawrence. Up to this period, England, whenever in the occupancy of the territory, had considered the boundaries of these provinces; and having for the first time come into quiet possession of the province of Quebec, GEORGE III. not only determined to make this definite settlement, but inasmuch as Quebec was then French, and inasmuch as the province was to preserve to it, its French character and government, it was also determined to embrace in it all the French settlements on the east bank of the St. Lawrence.

This gave MAINE all the territory lying between the head waters of the Kennebec and the nearest point on the St. Lawrence (Quebec) and the east line of Nova Scotia, extending to the St. Lawrence emptying itself into the sea. The full former of this grant was purchased by the state of Massachusetts from Sir FERDINAND GORGES in 1677, it felt by the British commissioners in their recent report; and they adopt two very unsatisfactory modes of getting

rid of it. In the first place they contend that the title of the crown was "only a war title" abrogated by the subsequent cession to France; and secondly, they desire to falsify this solemn act of the crown, on the pretence that it had no title to the territory in question, and made the grant "radically" preserve the national claim than was intended by the crown to be of force against itself!

Now it does appear to us, that that cause must be bad indeed, which can only be sustained by stating at naught the solemn act of the British crown, and by resort to the irreparable plea that the crown made grants of territory to which it had no title in order to set up a false national claim against France. If it is admitted that such was the policy of the British government in 1664—a policy gravely necessary in 1840—how can we not good right to charge that the policy which is now defended, would, if necessary, be now practiced; and that the claim now set up in regard to the territory in dispute between Great Britain and the United States, is not one founded in either justice or equity, but in that principle recognized by English diplomacy in 1840, which prompted Charles II to convey to his brother, territory not belonging to the crown of England, in order to found on such conveyance, "a national claim, not one intended by the crown to be of force against itself; it felt it to be sovereign in making the grant, and by announcing this disgraceful plea, is sanctioned by the British ministry; and that they are to be held responsible for any arguments advanced in it at war with the laws and good faith of the crown of England."

But it is a well settled principle that neither individuals or nations, can benefit by their own illegal and unjustifiable measures; and that such illegal acts, while of no avail as against third parties, are valid against themselves; and that the grant by Charles II to his brother, although void as against the crown, on the plea that it was an act of fraud intended only to "preserve a national claim" against France, was valid as against England, the moment a third party became the purchaser. But we contend, that it never was so intended, that in good faith, the whig ministry of Great Britain, which in 1840 recognizes the plea now set up by the late "U. S. geologist," is unworthy of controlling the destinies of a great nation.

But in the proclamation of 1763. That document in defining the boundaries of the different provinces, aimed as we have already said, to retain within the boundaries of Quebec the entire French settlements; and therefore, annexed to that province, a large strip of land extending eastward to the St. Lawrence, and the bay of Chaleur, by carrying its northeast boundary to run "along the highlands dividing the rivers which empty themselves into the said river St. Lawrence from those which fall into the sea."

All who are familiar with the original, and even the present settlements of the French population on the St. Lawrence, the Detroit river, the St. Clair, at Green bay, and along the Upper Mississippi, need not be told that they were, and are confined to the banks of the rivers; and consequently, the British authorities well knew, that by simply extending the boundaries of Quebec to the highlands whence the waters flowed into the St. Lawrence, they would beyond all question, include all the French population within said boundaries. They accordingly confirmed the words of the proclamation to language which would simply give to Quebec the tributaries of the St. Lawrence and no more. The cause of this was obvious. The conquered province of Quebec containing only a French population, they were anxious to leave to the government of the French customs and laws; but equally anxious to guard against extending its boundary one foot further than was absolutely necessary for such purpose. Good faith too, required that they should not interfere with the French settlements on the east bank of the St. Lawrence; and every consideration of state policy pointed out the advantages of restricting the boundaries of the conquered province, which was to be governed by laws and customs hostile to the general policy of England, within the narrowest possible limits consistent with the policy of continuing it as a French province. Accordingly, the southwestern boundary of Quebec, was by that proclamation, gravely fixed within a few miles of the east bank of the river St. Lawrence, running "along the highlands dividing the rivers which empty themselves into the said river St. Lawrence from those which fall into the sea" until it reached the "northwest angle of Nova Scotia" which had been previously fixed at the point where a due north line from the source of the St. Croix intersected the first river or SPRING flowing into the St. Lawrence."

With regard to the meaning of this language, there cannot reasonably exist any question. All the rivers not flowing into the St. Lawrence were known to run

to the eastward into the Atlantic; and it never entered into the imagination of the writer of the proclamation, that there could be any distinction between a river flowing into the sea or a bay of the sea. But of this hereafter. The simple fact, that under this definition of title, *Quebec never did and never has* extended her jurisdiction one foot beyond the sources of the rivers and springs emptying into the St. Lawrence, is conclusive as to the universal understanding of the intention of this proclamation. Tien again, who is it that claims the territory in dispute? Is it the province of Quebec or Lower Canada? No, but the province of New Brunswick! Now surely, this fact is conclusive that Lower Canada is, and has been deemed to be bounded since 1763, by the highlands immediately east of the St. Lawrence, and that the sources of streams flowing into that river. Admit this, and it is a fact so notorious that no advocate of the British claim to the disputed territory has ever ventured to dispute it, and the whole question is so obviously a simple one, that no person of ordinary intelligence can for a moment honestly question our right to the boundary as claimed by the state of Maine.

The proclamation of 1763 and the practice under it for nearly a century, having definitively settled the eastern limit of the province of Quebec or Lower Canada; let us now investigate the title to the intermediate territory between Lower Canada and New Brunswick.

We have shown, that as early as 1621, the western boundary of Nova Scotia was determined by a line north line to the first bay, river or spring emptying into the great river of Canada" (the St. Lawrence) and thence easterly towards the bay of Chaleurs on the west angle being that precise point where said north line, in connection with the natural bay, river or spring, falling into the St. Lawrence. We have also shown that in 1763 George III, by proclamation, fixed the south eastern boundary of Quebec so as to intersect said "north eastern angle of Nova Scotia."

In the same year, 1763, upon the appointment of MONTAGUE WILMOT to be governor of Nova Scotia, the boundaries of that province were again particularly and specifically described—the northern boundary being long been in dispute between England and France; and on this occasion the "northwesternmost angle of Nova Scotia" and its western boundary, were again permanently fixed in the very spot where it ever had of right been, and by the use of language which neither then nor now, admits of any other interpretation. The words are: "from the entrance of the bay of Fundy to the mouth of the river St. Croix, by the said river its source, and by a line drawn north from thence to the southern boundary of our colony of Quebec; to the east by said boundary." &c.

And to make assurance doubly sure, precisely the same language is used in the commission of WM. CAMPBELL in 1767, and of FRANCIS LEGGEE in 1771.—And this definition of the boundary of Nova Scotia was part of George III, and his ministers, was subsequently recognized by act of parliament, in 1774.

In 1774, the year after our treaty of peace and boundary, New Brunswick was set off from Nova Scotia—and THOS. CALETON appointed governor. In his commission the boundaries of New Brunswick are described as follows:—being the identical words used in the commission of MONTAGUE WILMOT in 1769, viz: "On the westward by the mouth of the river St. Croix, by the river to its source, and by a line drawn due north from thence to the southern boundary of our colony of Quebec; to the east by said boundary, and thence easterly towards the bay of Chaleurs on the west angle being that precise point where said north line, in connection with the natural bay, river or spring, falling into the St. Lawrence." &c.

Now let us inquire, to whom belonged the immediate territory between Quebec and Nova Scotia, after the proclamation of George III, in 1763? To Quebec? Certainly not; because that province was bounded by the highlands whence flows the waters of the St. Lawrence, and to this day has never attempted to extend its jurisdiction one foot beyond them; although with a view to establish "a national claim" in contravention of one of justice and equity, BOUCHETTE, her majesty's surveyor, has recently published a new map of Lower Canada, in which for the first time the disputed territory is made to belong to Canada instead of New Brunswick; and that too, at the very time that New Brunswick is claiming to exercise jurisdiction over it! If, then, this territory did not in 1763 belong to Quebec, what province did it attach? Not to Nova Scotia certainly; because her western line was the highlands from the river St. Croix; nor yet to New Brunswick, because she was not then in existence. But in the third province of Massachusetts—she having purchased the same from sir FERDINAND GOR-

DON in 1777, who held it under title from the duke of York, to whom it had been granted by his brother, Charles II, in 1664.

No one can question the right of Massachusetts to this territory, as the language of the royal proclamation in 1763; and in 1783 when the boundaries of the United States were to be forever defined, the commissioners on the part of Great Britain insisted upon using the identical language which determined the western boundary of Nova Scotia and the southern, eastern boundary of the province of Quebec, viz: "From the northwestern angle of Nova Scotia, viz: that angle which is formed by a line drawn due north from the source of the St. Croix river to the highlands which divide those rivers which empty into the St. Lawrence from those which fall into the Atlantic ocean."

The very evident tendency and intention of using this language, was to secure to Massachusetts all its territory, the same as to every other of the thirteen late provinces; and consequently, the whole of the portion of it lying west of the line of Nova Scotia, and south and east of the province of Quebec, on which she adjoined. And as the simplest and most certain mode of doing this, and in the words of this treaty it is, "grants" the "all lands and all right" in future on the subject of the boundaries, the commissioners embodied in the second article of the treaty, nearly the identical words used in defining the westerly boundary of Nova Scotia and the south and southeasterly boundary of Quebec.

Now the framing of the language of this treaty the British commissioners appear to be perfectly conscious; and if it were possible, give additional importance to it, by very unwisely attempting to show that it was the result of misapprehension on the part of the late British commissioners, designed to prove that the original grant of Nova Scotia or Acadia in 1621 by JAMES I, to sir WM. ALEXANDER being in latin has been incorrectly rendered, and that instead of "by a line due north from the river St. Croix" it should have been rendered, "westward to the river." But of what consequence is this to the matter in dispute? The error, if there be one, crept into the English proclamations and grants at an early day. It was definitely adopted in the proclamation of 1763, in the appointment of MONTAGUE WILMOT to be governor of Nova Scotia; and in that of WM. CAMPBELL in 1767 and of LEGGEE in 1771; in the act of parliament of 1774; and finally, it was embodied in our treaty of peace in 1783. And again, of what importance is it, according to the principle of the treaty, when the original words were "toward the river" or "due north" when the same governors gravely contend that the original grant was only a "war grant" and in no way hindering upon the parties? The cavilling on this subject however is important; for while it cannot change the words of the treaty, it clearly proves that in the estimation of those who make, and those who adopt the report, the words "due north" are fatal to the claims of Great Britain.

As an evidence of the carelessness and inconsistency with which argument upon argument is joined together in this report, and the whole subject involved in as much mystery as possible; we would instance a long paragraph at page 30 designed to prove that the "due north line" forming the western boundary of Nova Scotia, was intended to reach and terminate at some large bay or river known as a naval station; and consequently, was intended to terminate at the mouth of the Chaudiere nearly opposite Quebec and but little north of west from the source of the St. Croix! The commissioners gravely say:—

"It was not known at that time that either bay or river existed in the part of the St. Lawrence to which the American translation would draw their line. The small unnavigable streams taking their rise in the mountains of the province of Quebec, to the north of the St. John, were unknown at that period and would not have been dignified with the name of river had they been known, seeing that in our times they only serve to float Indian canoes and pine logs which are sent down the streams to be made into small boats by the saw mills, constructed near their mouths."

Here is a grave attempt to make us believe, that the word *line* of Nova Scotia, instead of running "due north" was intended to run nearly west, and reach the mouth of the Chaudiere opposite Quebec, which would thus become the true "northwestern angle of Nova Scotia." And to strengthen this conviction, the learned and well informed commissioners argue, that it is evident from the phraseology of the description of this boundary, that the line was intended to strike some large river or bay on the St. Lawrence.

Let the reader contrast this argument with the language of the boundary spoken of, and then attribute the argument of the commissioners to either

ignorance or impudence as he may think proper. The words of the grant are:

"To the river Holy Cross or St. Croix, and to the farthest source or spring upon the western branch of the said river; thence by a line drawn due north to be drawn or run through the country or on the land to the north, to the first bay, river, or SPRING, emptying itself into the great river of Canada."

Here it will be perceived, that instead of not meaning a small stream only sufficient to float logs, it actually means and requires that it shall stop at the first spring emptying itself into the St. Lawrence; clearly meaning to stop on the first height of land from whence water flows into that river.

But say the report, it never was intended by the treaty of 1783 that the boundary of Massachusetts should cross the St. John's river; and

"In a treaty the express object of which was to define the boundaries of the United States, now for the first time separated from the parent country, it was obviously unnecessary and also to the honor of the king's retained domains, and no part of the course of which lay within the territory intended to be ceded to the newly constituted state."

We have heretofore alluded to the commission appointed under the treaty of 1794, to determine what river was truly intended under the name of the river St. Croix mentioned in the treaty of peace."

In relation to what highlands were intended, or where they were to be found, no question was raised, because so doubtless the British understood that the highlands were sufficiently defined as those from which the water flowed into the St. Lawrence. But there had been a doubt in regard to which was the river St. Croix; and this, we contend, was the only doubt that was raised, and the only question that was raised, until 1819. The British agent under that commission, contended for the western branch of the *Sudiac* as the true St. Croix, and that the line should thence run due north till it arrived at water flowing into the St. Lawrence, which would be at the highlands named in the treaty—and consequently, the "northwest angle of Nova Scotia."

He says that "the province of Nova Scotia at the time of the treaty of 1783, was bounded to the northward by the southern boundary of the province of New Brunswick, which was the line of demarcation in 1763, and included in all the countries located along the north by a line from the bay of Chaleurs along the highlands which divide the rivers which empty themselves in the St. Lawrence from those which fall into the sea;" and in contending for the west branch of the *Sudiac* as the true St. Croix, he expressly admits that the line will necessarily cross the river St. JOHN in reaching the highlands described in the treaty, and which were well known to the British authorities as the southern boundary of Quebec. His main argument is, that the branch of the *Sudiac* as the true St. Croix, was founded on convenience to both nations; as a line from thence would give each nation the mouths of the rivers rising in its territory—and he proceeds to say: "A line due north from the source of the western or main branch of the *Sudiac*, will fully secure this edict to the U. States in every instance, except in that of the river St. JOHN, WHEREIN IT BECOMES IMPOSSIBLE by reason that the source of this river is to the westward of Penobscot and even the Kennebec, so THAT THIS NORTH LINE, MUST OF NECESSITY CROSS THE ST. JOHN. But if a north line is traced from the east branch of the *Sudiac*, IT WILL NOT ONLY CROSS THE ST. JOHN, within fifty miles of Fredericton the metropolis of New Brunswick, but it will cut off the sources of the rivers which fall into the Bay of Chaleurs." &c., &c.

This then, was the whole ground of dispute in 1794, and at that time the whole question of boundary turned upon what was the true St. Croix—all parties conceding because it admitted of no question, that it started where the line was to be drawn, and crossed the river St. John. Well, after an actual survey under commissioners appointed by both governments, the point of departure on the true St. Croix is determined upon and mutually conceded; and the line is then drawn from the mouth of the river in the face of all its grants, proclamations and acts of parliaments—in the face of its well known practice in the province of Quebec, its treaty stipulations, and its grave admissions in 1794—nay, in the very tenth of forty years quit possession, gravely assumes the ground that the due north line from the source of the St. Croix, must not cross the river St. John; and that an isolated mountain called *Mars Hill*, constitutes the highlands which divide the waters emptying themselves into the St. Lawrence from those which empty into the Atlantic ocean!—What renders this claim still more preposterous, is the well established fact, that of all the waters which rise or flow within one hundred miles of this *Mars Hill*, not a solitary drop finds its way into the St.

Lawrence! In short, there is not the shadow of a shade of reason or justice in the position which he takes; but it has been taken simply and solely, because such a termination of this north line would give to England a valuable strip of country, and afford her easy access from Lower Canada to Nova Brunswick and Nova Scotia.

Let us next examine the pretensions and views of Great Britain at the period of the treaty of Ghent in 1814. In a note to our commissioners dated August 18th, 1814, they propose to "discuss such a variation of the line of (northwestern) frontier, as may constitute a direct communication between Quebec and Halifax." To this our commissioners replied, that they were not authorized to cede any part of our territory; and the British commissioners again urged the claim, saying that they were "perpetrated an arrangement on our part which would be made in consequence to a spirit of conciliation, without any prejudice to the interests of the district in question." Our commissioners again pleaded their want of power to cede any portion of our territory even for a "fair equivalent," to which on the 8th of October they made the following important response: "The British government never required that all that portion of the state of Massachusetts which lies between Nova Brunswick and Quebec should be ceded to Great Britain; but only that a portion of unoccupied country which interrupts the communication between Quebec and Halifax, there being much doubt whether it does not already belong to Great Britain."

Now, if the treaty of 1783 gave to Great Britain the territory lying north of British river was disputed from 1783 till 1819—why did the British commissioners in 1814, ask us to discuss the propriety of a "variation" in this north eastern line? Why if it was hers already did she ask us to cede, what now calls her by treaty but which she has designated as "a small portion of the state of Massachusetts, lying between Quebec and Halifax?" In England in the habit of purchasing that which is plainly hers by treaty stipulations! Has she ever been known to ask the cession of any territory which was hers already by a solemn treaty? In short, did not her commissioners, by asking for a variation of the line under the treaty of '83, plainly and distinctly admit, that under that treaty, the line was as defined by us, and not as she has since endeavored to draw it for her own convenience? But what argues the assumption in this case, is her now gravely contending, that all the territory north of *Mars Hill*, is and always has been hers—or in other words, that no part of the state of Massachusetts (now Maine) has been lost to her by the treaty of 1783, except her communication between those two places. In 1814 she offered to buy this "small portion of unsettled country," now she ruthlessly lays her hands upon seven millions of acres of our soil, and says to us—I once asked for a "small portion" of this district for my convenience, I now claim 10,705 square miles of it, as mine by right, and am prepared to make good my title to it, by force of arms.

We will now examine the arguments used by Great Britain against our claim. They are first, that even the treaty of Ghent throws doubt upon our claim, secondly that the Atlantic ocean and the sea mean different things, and that while a *gulf* or a *bay* is part of the sea it is no part of the ocean. There are other vague innuendoes and couplings set forth in the report before us, but they all ultimately turn upon the distinction drawn between ocean and sea.

With regard to the first objection, we have only to quote from the treaty of Ghent itself. In the second of the fifth article, it says, "that the period of the point of the highlands lying due north from the source of the river St. Croix, and designated in the former treaty of peace as the northwestern angle of Nova Scotia, nor the northwesternmost head of the Connecticut, has yet been ascertained, and whereas the two powers which extend from the source of the river St. Croix, directly north, &c. has not been surveyed, it is agreed, &c. and the said commissioners shall have power to ascertain and determine the points above mentioned in conformity with the provisions of said treaty of peace of 1783."

By this extract from the treaty itself, it is at once made apparent, that so far from the treaty of 1814 showing any doubt upon the practicability of finding the present boundary, it simply recites that the northwestern angle of Nova Scotia has not been ascertained, and the westerly line of the same province has not yet been ascertained, a commission shall proceed to run the line of boundary "in conformity with the treaty of 1783," and thus admits that up to 1814, there was no doubt of the "practicability" of running the line in "conformity with the treaty of peace of 1783."

By reference to the former portion of these remarks, defining the boundary of the province of Quebec by proclamation in 1763, it will be perceived that the language there used is "the highlands which divide the rivers which empty themselves into the St. Lawrence from those which fall into the sea," while in the treaty of 1783, the term "Atlantic ocean" is substituted for "the sea." That the two terms were considered synonymous, no reasonable person can for a moment question; and yet the British government has gravely advanced the argument, that "the sea" and "Atlantic ocean," do not mean one and the same thing, and that when the use of the term "sea" would undoubtedly have rendered the whole matter clear and our claim indisputable, the substitution of the term "Atlantic ocean," only cuts us off from what has heretofore been acknowledged to be the "northwestern angle of Nova Scotia," but renders it absolutely impossible ever to run the line according to the treaty of 1783: This is the great—we might say, the only argument on which they place any reliance; and when we find that the British commissioners, who were the waters flowing into the St. Lawrence, they say "in, these cannot be the highlands described in the treaty, because these highlands divide the waters which empty into the St. Lawrence from those which fall into the sea," and into the sea, alias, the bay of Fundy, and the Atlantic ocean. These rivers are a part of the sea, but constitute no part of the Atlantic ocean—the river St. John does not empty into the Atlantic ocean, but into the sea, alias, the bay of Fundy. And these honest statesmen proceed to acknowledge to the "northwestern angle" which divide the rivers which empty into the St. Lawrence from those which fall into the Atlantic ocean," the terms of the treaty cannot be complied with, and a conventional line must be adopted. Their northwest angle of Nova Scotia is found to be a line, and we are prohibited from running to the said highlands. Now, is it not inconceivable—is it not irretrievably—disgraceful to the character of English diplomacy, that such a contemptible and unstable policy should be resorted to, to avoid the fulfilment of what appears to be the most solemn treaty stipulations?—Yet such is the fact; and every one who has written or argued on this subject, is free to admit, that if the sea and Atlantic ocean mean the same thing, there could be no question of the justice of our claim; so difficult is running the line according to the treaty of 1783.

But unfortunately for the character of English diplomacy, those who have advanced this absurd argument, and would on the strength of it rob us of more than ten thousand square miles of territory, have not exercised their usual caution, or exhibited good common sense in relation to the part of the British commissioner, under the treaty of 1794, when arguing in favor of *Scutwade* as the true St. Croix, says: "A line north from that termination upon the map will not intersect any of the rivers which empty themselves into the sea north of the mouth of the St. Croix, except the St. John." Here the St. John which falls into the bay of Fundy, is designated as a river emptying into the sea; and yet this same commissioner, in speaking of the due north line crossing the St. John, describes it as an "Atlantic river."

Let us now examine the treaty of 1783 itself. In the third article of this same treaty, in regulating the fisheries, our right to fish "in the gulf of St. Lawrence and all other places in the sea," is admitted; and in the fifth article it is said, "that the gulf, as a bay, but they constitute no part of the ocean." In the 8th article of the treaty, however, we are told that *gulf* is a part of the ocean: viz: "The navigation of the river Mississippi from its source to the ocean, shall be free and open to all nations." But we will not tire our readers with attempting further to rebut an assumption resorted to for convenience only, and found to be unenforceable by the very treaty in which its obvious meaning is attempted to be distorted.

The very great length to which these remarks have already extended, admonish us that we should not continue this article without making a practical examination to many parts of the report which its importance merits. It appears on the face of it, that the commissioners were directed as soon as the survey was made to repair to London, where this re-

port was doubtless drawn up under the immediate supervision of the British ministers.

We have already stated that it is based on the assumption (a most unwarrantable one), that the first great object in order to arrive at a proper understanding on the subject, is to discover the highlands named in the treaty of 1783 instead of "the northwestern angle of Nova Scotia." And we accordingly find that the great purpose of the survey and the report, is to prove that the highlands of which *Mars Hill* is an isolated part, are in fact a continuous chain of very elevated mountains extending from the bay of *Chaleur* to the north, and crossing the Connecticut, and the identical highlands intended to be described in the treaty of 1783: That there is a disconnected chain of high hills passing in the direction described by this report, we have no doubt, and so far as the question in dispute is concerned, we are perfectly willing to admit that it is the highest chains of mountains in that section of country, and perfectly unbroken from the head of the Connecticut to the bay of Chaleur; if it is necessary to run the line where, under what pretext could this chain of hills be claimed as the highlands described in the treaty of 1783? In the first place they are more than one hundred miles south of the northwestern angle of Nova Scotia; viz: the angle which is the point of the north line in the treaty of 1783. The line until it strikes the first bay, river, or strait emptying into the great river of Canada; and secondly, this line of highlands does not, according to the words of the treaty, "divide those rivers that empty themselves into the sea from those which fall into the Atlantic ocean."

These two important facts will not be denied by any person; and the manner in which heretofore they have attempted to get over them is, by the claim that it is necessary in order to run the line according to the treaty of 1783, because no such highlands as are thus described, can be discovered. Mr. FEATHERSTONHAUGH however, is a less scrupulous agent than Great Britain has ever before been disposed to secure. He has no reputation to lose; and therefore, he goes back with his new masters, unhesitatingly asserts, that the highlands of which *Mars Hill* is a part, are the identical highlands described in the treaty: One who in the face of truth, resorts to a hazardous declaration, does not merit either courtesy or consideration at the hands of the reviewer.

But we have said that the highlands in question, are not one continuous chain, although it would be of no consequence if they were. From the map before us, it is evident that the highlands in question, are merely high spurs through which the rivers and streams run from the south, or what the commissioners would call the American side. Thus the east branch of the river *Restook* rises according to this map fifteen miles from these highlands, and runs through them to the north and finally empties into the St. John in what is claimed as British territory; although in its course it passes by hills 1,600, 915 and 740 feet high! These however are mere peaks ten and twenty miles distant from each other; and a chain of highlands, as is evident from the fact that this water runs through them from the south! Then again, Lake *Sashepaen* lies on the south of this imaginary chain of highlands but empties its waters into the *Restook* on the north, although the highlands of the *Restook* are 750 feet high. So also with the St. Croix of this region, the *Marasagwan* the *Unquolet* and a dozen other streams; they all rise south of these highlands and run through them to the north. But what is still more curious, is the fact that the *Restook* river, and cannot be the highlands of the treaty of 1783 according to the British commissioners who show the *Restook* river as laid down on their map, takes its rise south of these hills, in longitude 69° and latitude 46°; although the line of the north then crosses them again to the south in longitude 69° and latitude 46°; and then runs along their southern base to longitude about 63° 10' when it again passes through them to the north and empties itself into the St. John!

Here then we have a line of high hills claimed as the true highlands of the treaty of 1783, and in fact it is one hundred miles south of the northwestern angle of Nova Scotia; and instead of "dividing the rivers which empty themselves into the St. Lawrence from those which fall into the Atlantic ocean," it is a line of high hills through which the waters which flow from them, approach nearer than one hundred miles to the St. Lawrence. They are not in fact, highlands which divide any rivers or streams, because the same streams cross and recross

them repeatedly from north to south; and in short, they have not a solitary characteristic of the highlands described in the treaty.

We have now proceeded to show that even according to this report, the highlands of the treaty are easily to be found. The commissioners gave a profile of the elevation of the country on the due north line from *Maria Hill* to *Beaver river*, the first water of the St. Croix, which empties itself into the *St. Lawrence*. By this, their own showing, it appears that the base of *Maria Hill* is only 150 feet above the level of the ocean. Where the line crosses the *St. John* the elevation is 500 feet above the water, and at the head of the *St. Lawrence*, the country gradually ascending, the elevation is 400 feet! Here then we have a gradual elevation from tide water to the elevated region where the water falls into the *St. Lawrence*, of *more than 200 feet*; and although in this extensive tract of country there are many high mountains, there is no range of hills following the course of the streams, until you strike that where the *Beaver river* flows northward. And it is worthy of remark, that the same before us made by the commissioners, and *Mitchell's* map, which it is admitted on all hands, was used at the treaty of 1783, it having been published under the direction of the lords of plantations are in all essential particulars alike, except that the highlands laid down on *Becker's* map are for their own purposes created by the British commissioners, and their newly claimed highlands substituted! And yet while *Mitchell's* highlands are erased the course of the streams is unaltered. That is, Mr. FEATHERSTONHAUGH's new map shows a mountain range of highlands where we claim the true highlands to be; but at the same time he is compelled to show that all the water flowing from this range, falls either into the *St. Lawrence* or the *Atlantic* ocean, though he does not admit that the bay is a part of the ocean. Another curious fact, is that every stream in the disputed territory, numerous as they are, with the solitary exception of the head of the *Quothanacologic* river, empties into the *St. John* and thence into the *Atlantic* ocean, while not one of the territories is claimed by us, the waters from which fall into the bay of *Chaleur*.

Having followed the due north line as surveyed by the commissioners in 1819, till it strikes the *Beaver river*, we are compelled to follow the *St. Lawrence* to its mouth, and the course of the boundary ascends till it obtains an elevation of four hundred feet, and which is the true "north west angle of Nova Scotia." We have nothing to do but to follow this elevated ridge of mountains, highlands, or table lands, and our elevated course is continued until you reach "the north westernmost head of Connecticut river." But, say these commissioners, "some of the streams which fall into the *St. Lawrence* from this elevated ridge, rise to the eastward of others which fall into the *St. Lawrence* to the west." Nothing more probable or natural; but this creates no difficulty. The words of the treaty do not call for a straight line; but as it is admitted that there is a dividing ridge which does separate the streams flowing west from those flowing east—we care not how crooked it runs or whether its elevation be four hundred or four thousand feet—all that is necessary, is to follow that ridge and pass round the heads of the streams flowing from it into the *St. Lawrence* and the *Atlantic* ocean. There is, in our opinion, no difficulty whatever, in running the line according to the treaty but the grasping disposition of England; and she should be informed at once, that no con ingency can ever arise which will induce the United States to surrender its just claims to this territory of one half of a mile, and to this day the United States of America resist this attempt to rob us of what is clearly ours by treaty; and never will a foot of it be yielded except to a hostile force which we cannot resist.

Such facts and documents prove any thing, they clearly demonstrate that there is but one ridge of hills or "highlands which divide the waters emptying themselves into the *St. Lawrence* from those which fall into the *Atlantic* ocean;" and but one point where a due north line at the moment placed at the head of the *St. Croix*, can strike the first dry river or spring, the waters of which flow into the *St. Lawrence*. By their own showing, this last point, "the north-west angle of Nova Scotia," is at an elevation of four hundred feet above the sea; and by their own showing too, this same elevation or highland, continues in a south-easterly course, and the waters from its summit, flow both into the *St. Lawrence* and the bay of *Fundy* (*Atlantic* ocean). Now this brings the ease, where is then even the appearance of just compensation, in so many respects to the United States, from which not one drop of water ever finds its way to within one hundred miles of

the *St. Lawrence*—what property is there we ask, in claiming these as the highlands of the treaty of 1783? The very urging of such a plea is insulting to our country; as it is the attempt fraudulently to withhold from us that which is manifestly ours by treaty, dispiriting to the character of English diplomacy, and fraught with danger to the future relations of the two countries.

We regret that our space will not permit us to refer to other parts of this weak, one-sided, and we had almost said, insulting report. We cannot but express our astonishment that the English ministry should so renege their engagements. Here again we have parts which it charges upon the American commissioners and surveyors frauds and deception. But we have no time to go into details; nor is the late "U. S. geologist" worthy of any special notice.—His object has been accomplished by his employment; he has shown that England is such a renegade, be answerable for the consequences.

Under act 14 Geo. iii, 1774, an attempt was made to extend the jurisdiction of the province of *Quebec* over the northern part of Massachusetts and *Nova Scotia*. This, however, was confined to the statute, and in consequence of the remonstrance of the province, the attempt was abandoned. Yet in the report before us, Mr. FEATHERSTONHAUGH repeatedly refers to the act of 1774, and points triumphantly to it in support of his position. Here again we find the same ignorance and ignorance an ignorance which the British ministry have fully endorsed; but fortunately for the United States, the debate in parliament on the treaty of 1783 being submitted to the lords and commons, is conclusive both as to that act, and the whole question of the northeastern boundary.

On the 25th page of the British commissioners' report, we find the following:

"On a review of the preceding pages, it will be seen that we have shown

"4th. That the boundary description contained in the commission of governor *Wilmot* and other governors; in the *Quebec* act of 1774; in the resolutions of congress in the senate journals; in the royal proclamation of 1763; and in the treaty of 1783, ARE ALL FORTHWITH WITH EACH OTHER."

We have already shown how utterly at variance with the truth, is this solemn declaration; we now propose to place the reader in possession of the facts which will clearly establish the truth of this declaration false, but that the full extent of the territory ceded to us, was well understood by England at the time of the treaty of 1783; and that the ministry of that period, admitted at the time, that they had given as every foot of territory which we now claim.

Before the preliminaries of peace in 1783, a map of the country—*Mitchell's*, the same which had been used at the treaty, and which was an official map issued under the direction of the lords of plantations—was published in London for the information of the British ministry and the public. We have heretofore published on two different occasions; and that map it is admitted by all parties, gives us precisely the line of boundary we claim.

On the 17th January, 1783, the British ministers before parliament the preliminaries of peace with the United States; and on the 17th of the following month, February, the whole subject was fully discussed in both the lords and commons. In that discussion reference was had to *Mitchell's* map, which was widely circulated, and which was admitted to be the one used by the commissioners of Peace. The lords and a circle of thanks was moved to the king, which led to an animated discussion, from which we propose now to quote, merely premising that our government, and all interested in this question may be satisfied with the preliminary of peace in 1783, "the *Parliamentary History*" published in London, 1814.

The earl of *CHARLISLE*. "We withdraw our fleets and our armies. We keep no possessions EVER CLAIMED BY US BY TREATY. Their independence is a fact."

Vice-chancellor *Townshend* severely censured the boundaries as described in the preliminary articles, and imagined, that as the Americans had taken such care to secure what they had negotiated for, they would in the end take all Canada into their hands. "I had evidently been too cunning for us in their negotiation. Why could not some man from Canada, a respectable Canadian merchant have been thought of for the business which Mr. Oswald had been sent to do, and take all Canada into their hands? An ignorant boy the country lay, which he had been granting away."

The earl of *SHELBURNE*. "Mr. Oswald was appointed because he was indifferently ignorant; had long been in the country, and was in command; and was well versed in the local government of America."

LORD *LOUGHBOROUGH*. "Under the color of ascertaining a boundary, the coats likewise, are ex-

tended to twice their ancient limits; and with so little attention that part of the land of *Nova Scotia* is within the line of the American coast."

In the common sense day.

LORD *NORTH*. "In this provincial treaty I find articles that are a positive contradiction to that reciprocity set forth in the preamble. I have examined the treaty with the most minute attention, and as far as my little knowledge of geography will permit me to say, I have found, if the expression may be allowed, that the 'reciprocity' is all on one side. The boundaries which have been drawn are not only new in their nature, but they are very generous in their principle. By these boundaries we have given AMERICA in *NOVA SCOTIA* a tract of country to extend to that it comprehends twenty-four Indian nations. Why was not the boundary which was to be found in our statute book on the table, as settled in 1774, thought as proper as that which is now established with regard to Canada? By this the Americans would have been kept at such a distance as might not have tempted them to break that permanency of friendship which I believe every one conceives to be necessary to encourage."

The lord advocate, (*Dundas*). "He recounted, why the *Quebec* line was not adopted, and argued that the boundary prescribed by the article of the present treaty, was that least likely to create future uneasiness."

Governor *Johnson* "was very severe in his strictures on the boundaries of the United States, which he said appeared to him to be not only ignorantly drawn, but to give away lands, forts and fisheries, which the crown had no legal power to cede. He pointed out the ignorance of those who drew up the second article."

Sir *Adam Ferguson* declared himself ready to subscribe to the opinion, that the act of last session gave the crown the power in question, but he nevertheless thought his anxiety had exceeded the act, and had gone farther than he had any legal or constitutional authority to go. What he meant was the cession to the United States of America, of a great part of the province of *Quebec*, and of *Nova Scotia*. He knew of no authority whatever, which would invest with, to make that cession. The *Quebec* act, the only statute in being that fixed the boundaries of Canada, stated that those boundaries should continue to be the limits of Canada, as long as the crown should be in possession. He thought some measure necessary to cure the evil, and to prevent future doubt and uncertainty, which might occasion much mischief.

Mr. *Eden* said a few words in concurrence with Mr. Solicitor General's opinion as to the matter referred to by the speaker. He thought it necessary to consider; he remarked, at the same time, that there was great force in what had fallen from hon. baronet. It was that very point, he said the cession of 1800 square miles of country to the U. States, that had struck him as the most important provision of the treaty, and had impelled him to raise, as soon as the articles of the treaty were read, and mention the circumstance to the house.

Mr. Secretary *Townshend*. He next adverted to the boundaries, the representations of which he defended on arguments of general policy and particular necessity. By the different charters he showed that the different provinces had various degrees of extent towards the north; and as to the line drawn by the statute book for Canada (in 1774) to which the noble lord had alluded, he very fully and effectually would suffice to convince every gentleman that it was not our business to object. The dispute question was the *QUEBEC* ACT, passed in 1774—an act by no means relevant to America; therefore, of referring to that line, or the line described by proclamation, it had been thought better to fix a new boundary, fair, just and liberal, and as the Americans approved.

The act of 1774—passed when Massachusetts was in a partial state of rebellion, and the object of which was to take from her the very country now in dispute—the report alleges, was countenanced and recognized by the treaty of 1783; and that the boundaries fixed by that act and the treaty of '83, "ARE IDENTICAL."

We ask the reader to compare this grave though untrue declaration of this very important report—important notwithstanding its willful misrepresentation, and to compare it with the British ministry—compare this we say with what is published in parliament on this identical article in the treaty!

This debate settles the whole controversy. It leaves nothing to be discussed; and we trust the day is not far distant, when we shall have an administration of sufficient courage to take the matter on record so important and conclusive a debate on this plain and simple question.

CHRONICLE.

JOHN Q. ADAMS, ex-president, went passenger in the Arcadia steamer from Boston for Halifax.

AFRICANS. The 36 Africans of the Amatal are now at Newville, near New Haven, where they enjoy the open air, in perfect health. They have learned to speak our language, some have commenced writing and read the New Testament. Their affections are warm and lively, particularly towards Africa, to which they long to return.

AN AVALANCHE on the 1st inst. precipitated the aluvial deposit between Conti and St. Louis streets, New Orleans, with the part of the old levee. There is now an Arabian of water on the spot.

AMERICAN MANUFACTURES are beginning to move with more improving spirit, particularly in woven goods, of which as well as cotton goods, our factories have new and extensive assortments. [Richard's R.]

ACQUEDUCT BLOWN UP. The aqueduct of the Well-lum canal, which crosses Chippewa creek, was blown up, early on the 1st instant, with a terrible explosion, which two schooners were in it; one of which settled down in the clasm made by the explosion, the other fell over on her beams end. The navigation is of course stopped, until the damages can be repaired. There is every reason to suppose that it was the work of Lee, who recently made his escape.

BANK OF THE U. S. OF PA. The N. York Journal of Commerce says, that at the July term of the circuit court for the city and county of Philadelphia, fourteen judgments were entered against the Bank of the United States, on bills and notes protested for non-payment in specie. The court, on that occasion, ordered that the bank was bound to pay 12 per cent. interest on its dishonored bills, according to its charter, and not 6 per cent. according to the act legalizing suspension. Upon these fourteen judgments, the bank has taken out writs of error, and when in each case security to double the amount, as follows:

On four of the suits amounting to \$92,000, Richard Alsop and Richard Price, as defendants, and on the other eleven others, amounting to \$1,765,000, Richard Alsop, Richard Price and John A. Brown are the bail in error.

BRIDGE BURNED. The rail road bridge over the North river, Va. was burnt on the night of the 7th instant.

CANIBALS IN TEXAS. A late number of the Austin Gazette says—A few days ago a Comanche and a Kiowa, from the country of those Tanekas Indians—his hands and arms, and thick part of his thighs were cut off and carried home as a feast to their women and children. The Tanekas make no secret of their partiality for human flesh, and state that all the native Indians in Texas eat their enemies when they can catch them." (Questionable.)

CHANDLER. The Transcript says—"That the great chandelier, manufactured by Messrs. H. N. Hooper & Co. of this city, by order of the Congress, for the hall of the house of representatives, at Washington, is completed. This beautiful specimen of Yankee skill and ingenuity, is one of the largest chandeliers ever made in this country, and reflects great credit on the manufacturers."

It was to be exhibited during the Bunker Hill celebration.

CHRISTIANITY. "We live in the midst of blessings, and we are utterly insensible of their greatness, and of the sources from whence they flow. We speak of our civilization, our arts, our freedom, our laws, and forget entirely how large a share of all this is due to Christianity. But Christianity out of the pages of man's history, and what would his laws have been—what his civilization? Christianity is mixed up with our very being and our daily life; there is not a family, a society, a crowd, or a whole city, which does not owe a debt to the light of Christian hope on it—on a law which does not owe its truth and gentleness to Christianity—nor to a custom, which cannot be traced in its holy, hallowed parts, to the gospel." [Judge Mr. Allen Park.]

CORTES. At New York maintains the late quotations.

At Baltimore, sales 300 bales upland at 11.

At Savannah, a bale of new upland arrived on the 27th ult., and sold at 10 cents.

At Charleston, S. C. on the 5th inst. 146 bales upland at 7½ cts. per lb.

The exports of cotton from Charleston from October 1, 1839, to August 28, 1840, have been:

Sea Island, Bales, 19,653	
Upland, 251,206	
Against last season:	
Sea Island, Bales, 10,485	
Upland, 199,379	

The stock on hand, August 23, was:

Sea Island, Bales, 350	
Upland, 2,412	
Against last season:	
Sea Island, Bales, 1,454	
Upland, 3,511	

DEATHS. During the last week in New York 309. In Baltimore, 21 under and one year. From 1 to 25, 6 from 2 to 31 and 81 over 21 years, total 105, of which 6 were free colored and 2 were slaves.

In St. Louis, Mo. from August 21 to Aug. 27, 30.

DEPORTATION STATISTICS. In a single ward in the city of New York, the returns of the present census comprises no less than 921 white persons, over 29 years of age, who can neither read nor write.

EMIGRANTS arrived at Quebec this year to 29th ult. 20,392. Last year to same date, 6,634.

EXCHANGES at New York, on London 6½; on France 36; on Philadelphia 3½; on Baltimore 3½; Washington 3½; Richmond, Petersburg and Norfolk 3½; Charleston, South Carolina 2½; Augusta 2½; Mexico 12½; Columbus 3½; Mobile 5½; New Orleans 4½; St. Louis 7; Cincinnati 6; Michigan 9.

The August (5th) Chronicle says that change in Boston, offered by some of the banks of that city 2 per cent.

FLOER. At New York sales have been effected at 612. The ship Roscoe sailed on the 7th for Liverpool with 4,200 bbls.

Export of 1837, from New York,	63,951 bbls.
Do. 1838, do. do.	25,993 do.
Do. 1839, do. do.	177,551 do.
Do. 1840, do. do.	410,350 do.

At Baltimore. Inspections of the week 12,657 bbls. 1,305 half bbls. Several thousand barrels good common brands have been sold for exportation at 85 12½—receiving prices 95; selling prices 85 12½ to 5 27½ for extra.

At Richmond sales at 85 25. At Charleston, S. C. 1,000 barrels Virginia sold at 86 ½.

CARR. JOHN FOWLER, of Lexington, Kentucky, a soldier of the revolution, and for many years a member of congress, died on the 22d ult. at the advanced age of eighty-five. His remains were followed to the tomb on the 24th inst. by the military, firemen and citizens generally.

GEN. HIND. This venerable citizen and old patriot departed this life on the 22d ult. at his residence, in Jefferson county, Mississippi. The immediate cause of his death was the rupture of a blood vessel. The National Courier remarks, "General Hind was with general Jackson at the battle of New Orleans; and during the whole of the last war, rendered his country much valuable service."

THE JEW. Very interesting meetings have been held in several of the cities to take into consideration the Danian persecution. At the meeting in Charleston, South Carolina, the mayor presided and bishop England and several other clergymen addressed them. Similar meetings have been held at Kingston, Jamaica.

THE LION AND LIONESS. sent as a present by the emperor of Morocco, to president Van Buren, were sold at public sale in Philadelphia, to Mr. Robert Davis, for \$375. The freight for bringing those animals was \$650.

H. J. LEXIS, late president of the Schuylkill bank, reached Philadelphia, from Europe on the 5th inst.

GUELDERLAND. N. Y. which had in 1838 a population of 3,903, has now 3,751—diminution 54.

LONGEVITY. One of the deputy marshals employed taking the census in New York, residing in Dutch street whose age is 112 years and 5 months.

HOUSE MOVING. The Boston papers mention that the "head mansion house," located on the corner of Tremont and Boylston streets, in that city, has been removed, with its two towers of chimneys, &c. all standing in another site, distant nearly half a mile. The change of position was accomplished in safety, and without accident.

NORFOLK, Va. The population of the borough of Norfolk, according to the census just taken, is made up as follows:

White males, 3,742; do. females, 3,213; colored free males, 407; do. do. females, 572; male slaves, 1,416; female do., 2,143—total 10,572.
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NEW SCOTLAND, N. Y. had in 1833, 330,000 inhabitants. It has now 3,912—diminution 118.

PHILADELPHIA BANKS. Bicknell's Reporter says—"We learn that a meeting of the bank officers of Philadelphia was held on Friday evening last with reference to measures calculated to facilitate a general resumption of specie payments. An exhibit was made by the bank of the United States. The feeling manifested was friendly and conciliatory. No definite action."

PASSENGERS. The number of passengers who have arrived at New York from foreign countries from the 1st of January last to the 1st inst. is 45,492; being 310 more than arrived during the whole of last year, and 1,000 more than the number that arrived during the whole of 1839.

PARISIAN LOOKS. The paper called "La Mode," gives an amusing account of the different kinds of exquisites, or fops, that now permeate the Boulevards. The first category and up there rest the sons of fortune. It appears that our Yankee exquisites thus side the water, we should judge, have not been let into the secret of the allegory looks which they have adopted, and the origin of which they are ignorant. Now, it is no happens, that our daring young countrymen, Van Amburg and Corcoran, the "sun tanners," have no exalted by their noble countenance and exploit the already distressing and ever-enveloped king of the forests,

realizing as it were the most fanciful and brilliant dreams of mythology, that the lion has in truth become a man. Thus the whole of Paris is so infrenzied with the marvellous exhibitions at Francoeur's, got up by lion tanners, that they have as near as possible in the arrangement of their hair, adopted the phrygian manner of the lion. Thus the one grand point of uniformity in which they all agree. Another appears to be as aping of English tail and sports and as if a profound knowledge of John Bull was thereby indicated, the lion tanners have had to resort to the chapter, at the same time making most liberally and unobtrusively of English yachts, which they have not the most distant idea of, and of blood hounds and blood hounders. [Atlas, Gen.]

POTOMAC AQUEDUCT. The dam of the last pier of the aqueduct has been put up, and the laborers are now busily engaged in excavating the mud. It is probable therefore, that the erection of the pier from the rocky bed of the river will be conducted by the manner first proposed. [Atlas, Gen.]

RICE. The exports of rice at Charleston, S. C. from Oct. 1, 1839, to Aug. 28, 1840, was 86,604. Last year, 97,981.

The stock on hand, Aug. 23, was bbls. 536. 237.

RAIL ROADS. The estimated cost of construction of the contemplated rail road between New York and Albany, by the most direct route of 115 miles is \$2,377,916. Including the damages, depots, engines, &c. the cost would be \$2,440,000.

The Boston Daily Advertiser states that the rail roads from Boston to Albany, with their buildings and engines, &c. will not cost but from \$7,000,000.

STEAMERS. The Acadia left Boston on the 1st inst. with 32 passengers, eighteen of them for England. She refuses freight 3,283 letters and 4,336 Canada newspapers went out in her from Halifax.

STANBORD. The *Pensacola*, capt. McCord, on her passage from Canton Bluff to New Orleans a few days since, struck a snag near the Big Flat, which are off her bottom and she sunk immediately in deep water. She was insured partly in New Orleans and partly at St. Louis and Missouri offices. The *Cornwall*, says the St. Louis Bulletin, on the 24th inst. struck a snag and sank in about 5 feet of water. The engine and furniture will be saved, but the boat is a total loss. Insured for \$10,000. The steamboat Pike, carrying the mail between Cincinnati and Louisville, struck a rock about fifty miles below the lower city on the 2nd inst. and sunk to her guards.

SLAVES. The schooner Courtney, the very sister of the Kathleen, has been seized, condemned and sold at Sierra Leone.

SLIP AWAY. While the ship *Alba*, from Canton, was at St. Helena, the British brig of war *Irish* arrived there with three Portuguese vessels, as prizes, taken on the coast of Africa. The *Irish* had been engaged in the slave trade. They were ordered by the admiral's private court at St. Helena, to be broken up and sold.

STOCKS. 1,000 shares U. S. Bank sold on the 1st inst. at New York, at 64 ½ cts, and 10,000 Indiana five at 72 ½. On the 7th, 625 shares U. S. bank sold at 61 ½ and 10,000 Indiana five at 72 ½.

TABACCO. The activity in sales in Baltimore still continues, and all the Maryland that comes to market quickly find purchasers at 4 ½ for inferior and common, 5 ½ for good and 5 12 for fine. One tobacco is also in demand—sales of 200 bbls, principally at 4 ½, choice quality at 10; inferior 4 ½ 5; inspections of the week 1,125 bbls. Maryland, 89 Ohio.

The horn worm is injuring the crop in Maryland.

TEMPERATURE. A striking fact. According to the late report of the weather bureau in Cincinnati, a number of prisoners in 167 of these one hundred and eight had been intemperate—and seventy-eight had been rain sellers!

TEMPERATURE. 90 centes by the Baltimore and Pittsburgh. On dry goods 100 pounds 81 25; groceries 1 60; coffee do. 90 cents.

WESTERN RIVERS. The Mississippi, for some weeks back, says the Warsaw World, have had heavy thunder showers with torrents of rain, and on Friday last the Mississippi began to swell, and no rapid was to be seen. The water has risen to the level of the sea. This is a most extraordinary rise. The river, however, soon began to fall again, and will, probably, be before long in its previous low state.

WATERMELON EXTRA. Eliza Stone, of Stafford county, Va. has raised a number of watermelons, raised by herself, which weighed seventy-one pounds, and measured round the middle 3 feet 6 inches, and round, in lengthwise position 4 feet 7 inches.

WHEAT. At New York 50,000 bushels Genesee brought \$1 15 for exportation on the 21st ult. On the 7th 50,000 bushels western sold at \$1 05 a \$1 10 for export.

The New York Express gives the following statement of grain exported from that port

Exports of 1837,	17,741	49,159
Do. 1838,	2,430	20,740
Do. 1839,	11,446	31,414
Do. 1840, already 120,483	132,653	

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LATER AND IMPORTANT INTELLIGENCE FROM EUROPE.
After our pages were made up and ready for press, the mail from New York brought information of the arrival of the British Queen steamer, the *Queen*, at night of the 16th—having left Portsmouth at 5 P. M., of the 1st inst.—bringing London papers of that morning.

The aspect of affairs look decidedly more brilliant. An extraordinary expression of opinion was given at night of the 1st inst. from Paris, announcing that Mehemet Ali had positively refused to comply with the quadruple treaty, and was actively preparing to repel force by force. By an order of the viceroys, all the telegrams in the manufacturing are embodied into the national guard, and are exercised twice a day—40 pieces of artillery were embarked at Boulogne, with a large conveyance for Alexandria. An energetic proclamation was issued by the viceroys, well calculated to arouse the fanaticism of the populace, and the tone amongst the Arabs was that the Christians were attempting to subvert the Mohammedan empire.

Mention the Austrian fleet left Smyrna, on the 8th, for Alexandria, to be present at the notification of the treaty to the pasha. Admiral Sturges goes there for the same purpose. Admiral La Bourne has command of the French fleet till Hugo arrives.

Add to this that all letters from Poland announce great movements of Russian troops, not only from Poland, but from all the neighboring provinces, by forced marches to the south. It is rumored that two thirds of the Russian force are already concentrated on the coast of the Black sea, or on their march there. In short, animated preparations are going on in Europe. Africa. An ordinance of the French government authorizes seventy six millions of extraordinary notes of credit in consequence of the convention of London.

The money market in London became agitated of course, but has somewhat quieted again. Underwriters are cautious of insuring without excepting "capture risk."

Harvest was still progressing, with fine weather and abundant crops of every thing except wheat, of which heavy rains during the seeding season had prevented the usual quantity being sown.

A tremendous storm occurred on the 16th of Aug. that done considerable injury on the coast of England and France. King Louis Philippe had embarked with his family at Bou, at 11 o'clock at night, on board the steamer *Vallée*, his intention being to touch at Boulogne, but the weather became very stormy, and the steamer was obliged to make for Calais. In threading the channel, the vessel was driven by the violence of the winds and waves on the rocks of the new jetty, where she grounded in a situation of imminent peril to all on board. As soon as it was possible to effect a debarcation, the king ordered every person to be landed, and was himself the last person who left the ship. Thousands of the inhabitants of Boulogne crowded the shore to receive their sovereign, along which the king, with his family, left the town for Boulogne.

For latest quotations of prices, see the chronicle page.

FOREIGN ARTICLES.

The packet ship *England*, capt. Waite, arrived at New York on the 12th, bringing Liverpool dates to the 8th August, and the *Quebec* arrived on the 15th with London papers to the 11th.

News of the ratification of the offensive treaty of alliance by Prussia, had reached Paris, and occasioned considerable excitement. Funds sunk immediately and numerous failures occurred on the Bourse.

The threatening aspect of war between England and France has in a great degree passed away, and the general opinion in England is, that there will be no war; still, France is in a high state of excitement.

GREAT BRITAIN.

London, Aug. 6th—Stocks. There was also a panic in the stock exchange this morning, the cause of which has not, as yet, been explained. It was expected by many well informed persons that the British funds were on the improvement, but to the great surprise of the public, a kind of panic took place in the consol market soon after the opening. It is said that it was caused by the pigeon gentlemen, who were first in the market, and immediately sold.

Consols at the opening rose to 90½ to 10, but afterwards large amounts of stock were thrown upon the market at 89½ and 90½, creating a panic which brought down the quotation to 89½—at 2 o'clock, however, they rose to 90½ both for money and for account.

All other securities have been more or less fluctuating throughout the day.

From the London Chronicle, August 8.

The consol market has been extremely brisk to-day, and prices have experienced a considerable improvement. After business hours yesterday consols were offered at 89½ for the account, but at the opening of the market this morning the first quotation was nominally 90½ to 1.

This improvement in the funds has been produced by the able and conciliatory speech delivered by Lord Palmerston last night, in answer to Mr. Hume in the house of commons, which has removed much of the uneasiness that has been pressing down prices during the week. Public attention to-day has been much devoted to its contents, and to the attempt of prince Louis Bonaparte to arrest a diversion in his favor, by seducing the troops to his standard at Boulogne.

The confident tone, however, in which the noble secretary for foreign affairs speaks of the preservation of peace, and of the maintenance of the French alliance with this country, has taken off a great portion of the interest with which this foolish enterprise of the latter would otherwise have been viewed. Considerable curiosity is nevertheless felt to know whether it is an isolated effort, or if he had partisans in other quarters to make a simultaneous rising in his favor.

From the London Times, Aug. 10.

The money market continues firm, and the late partial excitement having subsided, a gradual improvement is taking place.

London. There was a considerable business done in the Liverpool cotton market yesterday; the sales consisted of 6,500 which were taken on speculations at very full rates.

The cotton market, the early part of the week ending the 7th instant, was dull. The sales amounted to 90,950 bales. Speculators took 11,500 bags, and exporters 1,060 bags American. The market was pretty well supplied. Common kinds of American had rather an upward tendency, but other kinds were stationary. Prices ranged from 4½ a Td. per lb.

The 10th of August the business was principally confined to the common and middling descriptions of American. About 6,000 bags of all kinds were sold at steady prices.

Crops. The duty on wheat is reduced to 13s. 8d. per quarter and on flour to 8s. 2½d. per barrel. The 10th had but few sales of wheat, and the market in bond for the three days ending Aug. 7. The sales of free wheat that had been made were at a decline of 2 s. 8d. per 70 pounds, and free flour was 1s. per barrel cheaper. United States flour was quoted 36s 8 37s. for sweet and 34 a 36s. for sour.

The weather for the last week has been the most delightful, and has been the means of maturing the crops and brightening the hopes of all classes. The heat for the last three days has been really oppressive, but the crops required a warm sun, after the long, heavy rains and cold weather of July; the prospect now is that they will be most abundant in every part of the kingdom.

In Ireland, the accounts are flattering from Limerick, Ennis, Drogheda, Donegal and Westford.

The right honorable Poulet Thomson, governor general of Canada, is to be immediately reappointed to the peerage. Lord viscount Falkland is appointed to succeed Sir Colin Campbell in the government of Nova Scotia. Sir Colin Campbell is appointed governor of Ceylon.

Parliament was to be prorogued by the queen in person, on the 10th of August.

FRANCE.

Insurrection by Louis Napoleon. Boulogne, 8th Aug. 6. This morning one of those mad attempts at revolution which have characterized the French since the days of the first and memorable July, disturbed the inhabitants of this peaceful town from their slumbers. The facts, as I have collected them, are as follows:

The city of Edinburgh steamer, belonging to the commercial steam navigation company, was hired by prince Louis Napoleon, ostensibly for an excursion of pleasure along the British coast, for fourteen days. In this he embarked with fifty-six followers, eight horses, and two carriages in the *Thames* on Wednesday last; this morning, about two o'clock, they reached the coast of France, off Wimouris, about 3 miles from Boulogne. The surprise of captain and crew may be imagined to see the whole of the passengers come on deck, not in the garb of citizens, but in military, some lancers, some as general officers, some as private soldiers, with an oil skin covering on their hats, with the number 40 stenciled in front, that being the regiment which at Strasbourg had formerly identified itself so seriously in the cause of Louis Napoleon.

Their object was soon made evident. The ship's boat was lowered, and the whole company landed in three trips. Before the prince left the vessel, he ordered the captain to cruise off the coast, but to keep close in to Boulogne, and have a boat ready maned to some of for them should they signalise to that effect. Among those landed I have been able to collect the names of the general Montholon, colonels Vandrey, Parquin and Delaborde.

When all had landed, they marched into the town by the Place Navarin, Rue des Carreaux, Rue Simonneau, into the Grand Rue, shouting—"vive l'empereur," the prince carrying his hat on the point of his sword, and waving it in the air. From the Grand Rue they made their way by the Rue de la Lampe to the Caserne, and roused the small body of troops of the line, I halve only one company, that performed duty here.

Seeing that the soldiers, awakened, and seeing that they were surrounded by general officers, knew not what to make of the scene. They were however, soon made to comprehend that a revolution was on foot, that Louis Philippe was dethroned, that all France was roused in favor of their emperor, Louis Napoleon, and that they must arm to march forthwith in his favor. As general officers, comparing to obey, their captain, who had been awakened by the noise, rushing in among them, and restored their wavering loyalty by shouting "vive le Roi." High words and a scuffle ensued between him and prince Louis, upon the latter drew a pistol and fired; unfortunately the ball shattered the under jaw of a poor soldier who was endeavoring to separate them, and the whole party, finding that the soldiers were lukewarm, that the officers were faithful, that nothing was to be done there, precipitately quitted the caserne, and retired to the port.

By this time the town was roused, the authorities were on foot, the drums were beating to arms, and the national guards pouring out in all directions.—The proclamations, one of which I enclose, with a decree had been lavishly distributed along every street through which they passed, and many given to those who had followed them. These soon declared what the object was, and the necessary directions were given by the sous préfet to attack the disturbers of peace. Within two hours the greater part were either prisoners in the citadel,

shot or dispersed. They made no stand after leaving the caserne. Some made their way with the eagle to the Napoleon column, some with the prince hastened to the sea side, and signalled for a boat from the steamer. Unfortunately for them, too many got into it, and it upset. The prince, with three or four others, swam for the steamer and had a narrow escape of being drowned.

During the scene, however, affairs had changed on board the steamer. M. Pottier, the harbor master, by order of the mayor, had proceeded with a dozen custom house officers in a boat, and taken possession of it; it was fortunate for the prince they did so, for in returning into the harbor they found him almost exhausted, clinging to the buoy, about the eighth of a mile from the shore. He was taken on board, and with him colonel Vaudrey. In escaping from the shore, they had narrowly avoided being shot; several balls passed close to the prince, and several of his followers were wounded and sunk to the no more. The report is, that six lives were found; one poor doctor, who surrendered, was shot by a national guard.

Boulogne-ser-mer, Aug. 6. How a man with fifty men could think of raising an army in this peaceably disposed province, I cannot understand. He must have been misled as to the disposition of the people. At the same time had he landed with 3 hundred men there can be no doubt but Boulogne would be at this moment in his hands. The people here have been for several days in a great state of excitement in consequence of the war talk, and so easily are they to be goaded upon matters relating to hostilities with England, that the first rumor of the debarkation this morning, was that the "English had already landed a force on the coast."

I had a peep at Louis Napoleon. Poor devil, he looked awfully excited. His followers are fine looking fellows. They appear to be dare-devils of all nations—Poles, French, Swiss, and, some say, English. The latter statement I do not believe. The national guards were all in readiness.

Tenier's clock. The steamboat Edinburgh Castle has been seized by the captain of the port, and is now in the harbor. The firing of the national guard on defenceless people in the water is deprecated by the better feeling portion of the public. Louis Bonaparte was welligh drowned. Before he was picked up (for he was not), he attempted to make his escape (upset) several shots were fired at him. A friend of mine saw a musket ball fall close beside him. Had Bonaparte been so shot, it would have been the proper end of so mischievous a blockhead.

A French general who was captured is said to have just died of his wounds. All sorts of rumors are rife. It is said that the troops of the line are favorable to the prince, and that those quartered in the environs will attempt to rescue the captives. The civil authorities have issued proclamations lauding the loyalty of the brave Boulognais.

[This being the second attempt of this youngster upon the throne of France, it is scarcely to be expected that he will get out of the difficulty so easily as he did in the former instance, when he was allowed to come to America as a banishment for the offence.]

The London Times of the 11th says that the late attempt of prince Louis Napoleon in Boulogne, was beginning to excite more interest in Paris than at first seemed probable. The king returned suddenly to the capital from Eu, to assist at the deliberations of the cabinet on the subject, and determine on the course to be pursued in respect to the prince and his comrades.

Full details are given in the London papers of the absurd attempt by Louis Napoleon—which, by the way, may be looked upon as extinguishing forever, what little chance he may have had of ultimately succeeding in his designs upon France. The king is now turned against the Frenchmen, who will never risk their lives for one who has made himself ridiculous. It seems that he had with him but 66 persons. The sentinel who was shot by the prince died the same evening. After the failure of their attempt at the caserne, or barracks, they got into disorder and separated.

Louis Napoleon himself was taken at the clif, having endeavored to shoot the sergeant who arrested him. The ball glanced from him and killed a sentinel.

Count Montholon, and some five or six officers, were taken in the water, while attempting to escape.

The latest Paris advices were of August 8th. The condemnation of prince Louis was universal, both by the press and the public. Many persons, who had been arrested at the capital, as implicated in the

It was supposed that the prince and his companions would be brought to Paris, and tried by the chamber of peers.

The Edinburgh Castle steamer is still in the possession of the French at Boulogne, and her crew in prison. It is expected that the prince will be removed to Paris for trial.

M. Guizot landed at Calais, from London, on the 7th, and proceeded to join the king at Eu.

The Edinburgh Castle steamer is still in the possession of the French at Boulogne, and her crew in prison. It is expected that the prince will be removed to Paris for trial.

Le Temps says the minister of war is organizing 27 battalions of artillery, and that the command of one of the corps d'armée to be assembled on the Rhine, is to be entrusted to marshal Clausel.

Le Temps contains a report that M. Thiers had several conversations with the American chargé d'affaires lately, and that the request of the United States, that the king would mediate between them and the republic of Buenos Ayres, would be acceded to. The first part of this statement was held to refer to a desire on the part of the French government to propitiate the United States in the event of a war between France and this country—an object, not one of solicitude, to the U. S. But, the part of the statement of which would be disputed by king Louis Philippe to even his prime minister.

His majesty has been up to the present moment, on terms of the most familiar intimacy with the king of the Belgians, King Casar, and we find in circumstances in which, probably, this report originated, that gen. Casar was received by king Louis Philippe on Tuesday last.

The Temps, announcing the ratification of the treaty of 15th July by Prussia and Austria, adds:—"It seems that the ratification of Austria has been given without any restriction or explanation, as if the solution of the eastern question arranged at London had nothing in it that could surprise or counteract the policy of France."

(Le Commerce, Aug. 6.

The king of Belgium was about making another visit to England, which was believed to have a political object, connected with the recent events in Europe. The London Globe hints that his majesty will probably act as mediator between France and England—an office for which he seems peculiarly fitted by his near relationship to the sovereigns of those two countries.

IRELAND.

On Tuesday, the 4th August, the king of Holland opened in person the extraordinary session of the states general, and delivered a "royal speech." Of course there was nothing in it.

SPAIN.

The condition of Spain continues still unsettled. The doings of the queen at Barcelona, where, it will be recollected, a decree was signed restricting the municipal rights of the people in the matter of suffrage, have caused much dissimulation. A movement was in contemplation at Madrid on the 25th of July to declare that act and some others null and void—but the design was frustrated.

A private letter from Valencia in the "Corresponsal" of Madrid states that the news of the change of ministry was received in that town with the most enthusiastic rejoicings, but that the strictest order was preserved.

The latest dates from Barcelona, announces that the two queens were to leave that city on the 4th inst. but that it was not known whether they would proceed direct to Madrid, or visit the Navarre and Basque provinces on their route.

RUSSIA.

St. Petersburg, July 23.—An imperial manifesto has just been issued, ordering a general levy of men throughout the two empires, to the amount of 100,000 men; the remaining to commence in November and to end in January.

ARICA.

No new important movements have been made by the French and Abdel-Kader.

The last advices from Tunis, quoted by the Malta papers, are to the 16th ult. At that time the bey was at Sfax with his army, but nothing was known as to his ulterior operations.

THE EAST INDIES.

At the time the lord William Bentinck struck the rocks off Bombay, the captain was drunk, and was killed by falling down the main hatchway soon after.

The Bombay Gazette of June 5, states that 3,000 camels, escorted by 80 infantry and 40 horse, under the command of lieutenant Clarke, of the irregular horse, were returning to Lincree from Kahan, an outpost of Sikh territory, where they had been killed, about 3,000 men. Lieut. Clarke was killed, and most of his detachment cut to pieces.

The Bombay Gazette announces the arrival of five transports off Penang on the 28th April.

CHINA.

Penang, June 8. Nothing is nothing later direct from Canton. Several steamers and transports have arrived here with troops for the attack on Canton. The Rattlesnake has left for Canton with the 18th royal Irish; the Allieville has left with the 37th regiment for Canton. The 49th regiment and the Camerons have also left in the Larar. Several of the men of war from England are expected daily. The Welley, the Druid, the Volage and the Hyacinth are all lying off Canton ready to bombard it as soon as the rest of the fleet arrives.

The Chinese army, by the latest computations, amounts only to 770,000 men, of which 200,000 are cavalry. The greater portion are in garrisons, scattered over the 19 provinces. But few (say 25 soldiers only) are allotted to the smaller towns, and in Peking itself, there are not over 2,000.

China is said to be fully informed of the movements of the English, but affects indifference, and talks about blowing the fleet to atoms. He seems the idea of coming to terms. There are now 1,000 soldiers at Canton, the greatest force ever known there.

The Chinese soldier wears a jacket with the name of the division written on it in front and rear. A canvas bag behind his provisions, and a cotton pouch before for his ammunition. The exposed combustible nature of the latter causes many of his soldiers to be severely wounded by explosions in firing. The cap is longitudinal, with a small red tassal, and those that can afford it purchase gaiters and shoes. The cavalry dress is the same, and their saddles are clumsy, and their stirrups immense and without springs. In addition, robes of silk and furs, and a lion, tiger, &c. embroidered in front, and they all have a ring on their thumb to assist them in drawing the bow. They wear the bow around their neck, and carry a sword. They eat the ground bones and also the gall of tigers, to give them courage, and the regiments are sometimes dressed in dotted cloth to resemble tigers. They have pikes, bows, and each two swords, fighting with both, also a matchlock. The matchlocks are cast, and are wretched things, and often burst.—They also use handbills of raven victor, which they all have a ring on their thumb to assist them in drawing the bow. They wear the bow around their neck, and carry a sword. They eat the ground bones and also the gall of tigers, to give them courage, and the regiments are sometimes dressed in dotted cloth to resemble tigers. They have pikes, bows, and each two swords, fighting with both, also a matchlock. The matchlocks are cast, and are wretched things, and often burst.—They also use handbills of raven victor, which they all have a ring on their thumb to assist them in drawing the bow. They wear the bow around their neck, and carry a sword. They eat the ground bones and also the gall of tigers, to give them courage, and the regiments are sometimes dressed in dotted cloth to resemble tigers. They have pikes, bows, and each two swords, fighting with both, also a matchlock. 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Brazilians to follow him to the senate, and abandon this prostitute chamber. Many of the members then proceeded to the senate; there, with the senators that were present, declared themselves in permanent session, and sent a deputation to the young emperor, requesting him to assume the powers of government, to which he assented, and appointed the following day to take the oath before the legislative bodies, and receive those of allegiance to him. They then adjourned. At night the city was illuminated, and all quiet save that the populace broke through the windows of the house in which Vascocellos resided.

On the following day the emperor proceeded to the legislative bodies, and the necessary ceremonies took place.

The emperor was born in 1825, and is therefore only three years old. A new ministry had been announced. The department of foreign affairs was filled by a gentleman who was not long since Brazilian minister in the United States.

MEXICO.

Yera Cruz papers to the 29th ult. have been received at New Orleans by the brig *Kenawab*. She has \$21,000 in specie. The revolution in the city of Mexico appears to be at an end, so far as the military are concerned. The Central government, however, was again claiming for itself despotic powers.

TEXAS.

The depredations committed by the Mexicans and Comanche Indians at Linville, prior to their late rout by the Texan soldiers, according to a letter from Port Lavaca, published in the *Matagorda Gazette*, was of the most brutal character. They first attacked the town of Victoria, killed several of the inhabitants and burnt the houses. They then proceeded to Linville, 1,000 strong, where they shot and scalped Mr. O'Neal, (of Pensacola), killed major H. C. Watts, took his lady prisoner, and either shot or took prisoner several others. The lady was rescued, with all the plunder from the two towns, at the subsequent action. The war against the savages will hereafter be one of total extermination.

Galveston and Houston papers to the 29th ult. have been received at New Orleans.

The *Galveston Daily Courier* of the 29th August mentions the arrival of a sloop from Camanche, with considerable quantities of the federal Mexican navy, on board. The Texan fleet, however, and a amicable intercourse existed between the officers of the fleet and those of the federal Mexican government.

Galveston is quite healthy. The quarantine laws are rigorously enforced.

CANADA.

It is stated in the *Kingston U. C. Chronicle*, that that town is to be the seat of government hereafter, instead of Toronto.

LATEST NEWS FROM EUROPE.

GREAT BRITAIN.

The *Garlick packet* ship arrived at New York, brings London papers to the 15th ult.

Parliament was prorogued on the 11th by the queen in person. No allusion is made in her speech to the differences with France.

Funds had experienced a considerable depression in consequence of the hostile tone of the French papers.

The cotton trade had improved—prices advanced from 4 to 10 d.

Harvest was progressing and the weather was every thing that could be wished for securing it.

The following is a copy of the speech delivered by the queen upon the proroguing of parliament—

THE QUEEN'S SPEECH.

"My lords and gentlemen,
"The state of public business enables me to close this session of parliament; and in releasing you from your attendance, I have to thank you for the care and attention with which you have discharged your important duties with France."

"I continue to receive from foreign powers assurances of their friendly disposition, and of their anxious desire for the maintenance of peace."

"I congratulate you upon the termination of the civil war in Spain. The objects for which the quadruple engagements of 1834 were contracted having been accomplished, I am in communication with the queen of Spain, with a view to withdraw the naval force which, in pursuance of those engagements, I have hitherto stationed on the northern coast of Spain."

"I am happy to inform you that the differences with the government of Naples, the grounds and causes of which have been laid before you, have been put into a train of adjustment by the friendly mediation of the king of the Romans."

"I rejoice also to acquaint you that the government of Naples has made arrangements for salu-

ating certain just claims of some of my subjects, and for the payment of a sum due to this country under the stipulations of the convention of 1827."

"I am engaged, in concert with the emperor of Austria, the king of Prussia, the emperor of Russia, and the sultan, in measures intended to effect the permanent pacification of the Levant, to maintain the integrity and independence of the Ottoman empire, and thereby to afford additional security for the peace of Europe."

"The violent injuries inflicted upon some of my subjects by the officers of the emperor of China, and the insults offered to agent of my crown, have compelled me to send to the coast of China a naval and military force, for the purpose of demanding reparation and redress."

"I have gladly given my assent to the act for the regulation of municipal corporations in Ireland."

"I trust that the law which you have framed for further carrying into effect the reports of the ecclesiastical commissioners will have the beneficial effect of increasing the efficiency of the established church, and of better providing for the religious instruction of the people."

"I have observed, with much satisfaction, the result of your deliberations on the subject of Canada. It will be my duty to execute the measures which you have adopted in such a manner as, without impeding the executive authority, may satisfy the best wishes of my subjects, and provide for the permanent welfare and security of my North American provinces."

"The legislative bodies of Jamaica have applied themselves to the revision of laws rendered necessary or expedient by the altered state of society. Some of these laws require revision and amendment, but I have every reason to expect cordial assistance from the assembly of Jamaica in the salutary work of improving the condition and elevating the character of the inhabitants of that colony."

"The conduct of the emancipated negroes throughout the West Indies has been remarkable for tranquil obedience to the law, and a peaceable demeanour in the relations of society."

"Gentlemen of the house of commons,
"I thank you for the supplies which you have granted for the service of the year."

"I lament that it should have been necessary to impose additional burthens on my people; but I trust that the measures which you have adopted for the purpose of meeting the exigencies of the public service, are calculated to press with as little severity as possible upon all classes of the community."

"My lords and gentlemen,
"I return to your respective counties, you will resume those duties which you perform so much to the public benefit and advantage. It is my anxious desire to maintain tranquillity at home and peace abroad."

"To these objects, so essential to the interests of this country, and to the general welfare of mankind, my efforts will be sincerely and unflinchingly directed; and, feeling assured of your co-operation and support, I humbly rely upon the superintending care, and continued protection of Divine Providence."

FRANCE.

Paris accounts are to the 13th of August, which wear a much less pacific aspect. It would seem that Thiers is determined at all events to resist the execution of the offensive treaty. Armaments are every where in progress. The "Sicile" and "Sicile" on the coast of a month France will have a fleet of 22 sail of the line and 25 frigates afloat.

The Lloyd Nantais, of the 11th instant states that the administration of the marine received orders on the 10th to lay up seven ships to the age of 100.

A letter from Toulon, dated the 7th instant, in the "Commercia," states that the pacification of Syria appeared to have produced quite a different effect from that expected; for on the 6th instant, when an answer might have been received from London, the day they forwarded a telegraphic dispatch to the maritime prefect at Toulon, which caused an excitement. This dispatch ordered the Sovereign three decker to be equipped for sea with all possible speed, together with the *Ville de Marseille* and the *Scipion*, of 74 guns each, and the frigates *Independence*, *McLoudon*, *Uranie*, *Epiphonie* and *Circé*. The dispatch adds, that two frigates must be ready to sail in the middle of the month. The minister likewise orders all leaves of absence to be suspended, and additional workmen to be employed.

The subsequent meetings of ministers, the alleged failure of the mission of M. E. Perier to Meleat Ali (and which was said to have had for its object to induce him to modify his pretensions in order to enable France to make a stand for him), the continued preparations for war in the French ports, the publication of the royal ordinance, for opening

an extraordinary credit of 36,000,000 of francs for the minister of war—was the hostile character of the news from the east contained in the journals, and "the dry tone," (*le ton sec*) of her majesty's speech, when referring to the new treaty of alliance, all conspired to revive the feeling of alarm which the speech of Lord Palmerston had so recently removed. The funds accordingly, as will be seen from the annexed stock list, declined on the Bourse.

Prince Louis. Galignani's Messenger says: "On Tuesday night, at 20 minutes after 12, a carriage containing Louis Bonaparte, arrived at the Concerrie, escorted by some departmental gendarmes and municipal guards. The prisoner was guarded in the carriage by M. Lardenois, lieutenant colonel of the municipal guards, and several of his men. The prisoner, after his arrival was duly registered, taken to the room which had been prepared for him."

The London Standard of the 11th says, prince Louis Napoleon and his accomplices are to be tried together, not by the house of peers, but by the ordinary tribunals. The circumstance of his having fired on and killed an unarmed man, is expected to afford an excuse for condemning him to death, but the most magnanimous revenge would be to treat him as a lunatic.

The Paris Monitor of the 10th August contains an ordinance invoking a session of the court of peers, on account of the late attempt of Louis Napoleon at Boulogne. It states that the court will proceed without delay to the trial of the individuals who have been or shall be arrested as principals or accomplices of the above attempt.

Paris, August 11. A report was spread this afternoon that government had just received notice of a revolution at Constantinople, against the sultan Abdel Medsched, in favor of his younger brother, or rather of the old Turkish party.

The *Leipsic Universal Gazette* of the 8th inst. announces, under date Constantinople, the 23d ult. that all the stores and shops belonging to the Greeks had been closed by an order of the government. The Greeks had moreover been enjoined either to retire to Greece or become rayas within the space of eight days. This extraordinary measure had created a vast sensation in the Turkish capital. The cause of this sudden decree was unknown, but it was ascribed to king Otto's having refused to ratify the commercial treaty.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT. Christian F. Gobrecht, of Pennsylvania, is to engraver of the mint of the United States at Philadelphia, vice William Kneass, deceased.

Montgomery Blair, of Missouri, to be attorney of the U. States, in and for the district of Missouri.

William Bithamer has been officially recognised by the president as consul of the kingdom of Hanover, for the port of New York.

Joseph C. Potts, (V. B.) has been appointed clerk of the United States district court for the district of New Jersey, (Mabion Dickerson, judge), in place of Robert D. Spencer, (whip), of Burlington, removed. (*New York Daily Ad.*)

SUB TREASURY OPERATIONS. The N. Y. Express says—"The operation of the sub-treasury as at present carried out, is a mere bank affair, after all, varying a little in form, and but very little too. The manner in which the business is done is this; the receiver holds his office in the Bank of America, and a person takes money to pay. The money in the bank draws a check on it, it is certified as good by the officer of the bank, and this is received as the bond."

If a person has an order on the receiver or sub-treasurer, as he is called, he calls with it and demands payment, after signing duplicate receipts, unless he demands specie, he is paid in a check of the Bank of America, for which, the bills of that bank are paid.—Then after all, there is a little more form in paying a bond, than there is in paying a note; in the former case the bills will be received, in the latter, a certified check which is obtained with the bill."

The Bank of America is in fact, the fiscal agent of the government, it receives all money, and pays out all the money. But the government have one great advantage, as they can make their treasury post notes by law millions at a time, and if they are short, they have only to send them to Mr. Newbold, and he takes them, and advances whatever sum may be required. Thus the ease and facility with which the government can raise funds, has never been equalled. When the United States bank was the fiscal agent of the government, that institution could not, by its charter, loan the government over half a

million, unless by a special act of congress, and the transcending of this limit, during the period Mr. Cheever was president of the bank, created a great excitement. Now, the government borrow of Mr. Newbold about three millions of dollars without the least complaint from any quarter—and although the directors of that bank may not know the fact, we have it from an undoubted source and our statement has never been denied.

U. S. SENATE The elections which have recently taken place will soon present this important branch of the national legislature in a new aspect. According to articles in the Richmond Whig, the parties stand there at present as follows:

Wag. Van Buren.	
Maine,	1 1
New Hampshire,	0 2
Massachusetts,	2 0
Rhode Island,	0 2
Connecticut,	1 1
Vermont,	2 0
New York,	1 1
New Jersey,	0 2
Pennsylvania,	2 0
Delaware,	2 0
Maryland,	2 0
Virginia,	0 1
North Carolina,	0 2
South Carolina,	0 2
Georgia,	0 2
Alabama,	0 2
Louisiana,	0 2
Mississippi,	1 1
Ohio,	0 2
Indiana,	0 2
Illinois,	0 2
Kentucky,	2 0
Tennessee,	0 2
Missouri,	0 2
Arkansas,	0 2
Michigan,	1 1
	21 30

Of these the terms of the following expire on the 4th of March, 1841:

Mr. Brown, of North Carolina,
Calhoun, of South Carolina,
Clayton, of Delaware,
Crittenden, of Kentucky,
Davis, of Massachusetts,
Fulton, of Arkansas,
Hubbard, of New Hampshire,
King, of Alabama,
Knight, of Rhode Island,
Lumpkin, of Georgia,
Nicholas, of Louisiana,
Norvell, of Michigan,
Boane, of Virginia,
Robinson, of Illinois,
Ruggles, of Maine,
Walker, of Mississippi,
Walt, of New Jersey,
Anderson, of Tennessee.

13 Van Buren, 5 whigs. These with the vacancy in Virginia, and the vacancy in North Carolina, occasioned by the resignation of Mr. Strange, make 20 vacancies to be supplied.

POST OFFICE REGULATIONS. The postmaster-general it appears by the following official direction, has revoked the order lately issued prohibiting the conveyance of newspapers along the mail routes.

Post office department, contract office, Sept. 9, 1840.
SIR: Since issuing the orders of the 5th, 18th and 20th August, indicating a determination of the department to enforce the legal restriction upon the conveyance of newspapers by contractors and their agents over post routes, out of the mail, information has been received, that the papers usually sent in that way would not, if the restriction were enforced, be carried in the mail so as to contribute to the revenues of the department. And perceiving also that those whose interests are most affected by the enforcement of this prohibition propose to entertain doubts in regard to the construction given to the law, and that a very general public sentiment prevails that this restriction has, by a change in the modes and facilities of conveying newspapers, become inexpedient if not unjust, the postmaster-general, on a review of the question, has come to the conclusion to suspend for the present adopting the measure indicated by the said orders for the enforcement of the restriction, with the view of affording an opportunity, after the public mind has been called to the question, for congress to con-

sider the subject, and to adopt such further legislation to it as they may think the present condition and interests of the country may demand. Very respectfully, your obedient servant,
(Signed) S. R. HONAN,
First assistant postmaster-general.
N. Green, etq. postmaster, Boston.

FISHING. A complaint is made in the Halifax Nova Scotian, that large numbers of American fishing vessels were engaged on that coast taking fish, some of them within half a mile of the shore.—Some of the fishermen had been carried into Halifax, and the vessels detained for encroaching on British ground.

COMMERCE OF THE UNITED STATES. Having on the 29th of May, and in subsequent circulars, exhibited a general view of the extent and nature of the external commerce of Great Britain with the world at large, we insert to-day the first of a series of statements illustrative of the extent and nature of the navigation and external commerce of the United States of North America; the one herewith shows the value in dollars of the products exported under eight general heads, and the total thereof, in comparison with the total value of the imports in each of the thirty-six years 1803-1838, with a more detailed view of the nature of the articles exported in each of the three years 1833, 1837 and 1838, and also of the quantity of flour and grain exported, included under the head of agricultural productions in each of the eighteen years 1821-33, and of gold and silver imported in each of the thirteen years 1826-38.

The great characteristic of the external commerce of Great Britain during the last half century has been its vast extent of export over import; while that of the United States during the same period exhibits the converse, an inordinate excess of import over export; the imports of the last nine years, which included upwards of 100 millions of dollars in gold and silver, exceeding the value of the exports by upwards of \$230,000,000 or £50,000,000 sterling; and yet amidst all this inclination with half of it during the last few years unencumbered with import of any kind, the entire trading community of the United States has been and still continues involved in an unparalleled pecuniary inability and embarrassment; before we enter on an elucidation of this extraordinary anomaly we will exhibit in detail all the facts bearing on the subject, from which our readers may be able to judge for themselves in relation to the question, how shall we draw from the observations we offered in our last week's circular in respect to the principle of consignments to America will be found not undeserving of reference to the inordinate excess of imports into the United States, which the accompanying statement exhibits. We shall confine our further remarks on this occasion, to the recital of those great historical events which will suffice to account for the extraordinary extent (in comparison with every other nation except England) which the external commerce of the United States has attained, and for the several extremes which have occurred during the last thirty-five years.

The French revolution, which soon followed the recognition of the federal government of the United States, by the several powers of Europe, in conjunction with the then prevailing prepossession in favor of the doctrine of non-intercourse, tended not merely to draw numbers, but wealth, intelligence and skill from various parts of Europe, to settle and apply their energies in the United States, while the war declared by England against France in February 1793, soon led to such an obstruction of the external commerce of France, that it was Spain, as to transfer the carrying of the colonial produce of those nations to American ships; this will suffice to account for the vast amount and excess of import into, and of foreign produce re-exported from the United States, from 1794 to 1808, (the details of the first nine years will appear in a subsequent number); up to this period, the seeming extension of the commerce of the United States was more an European than an American operation; the Americans being merely the carriers, and not the ostensible parties involved in the risks and consequences of the enterprise; at the same time the enormous rates of freight which the Americans realized as carriers constituted the means of great inducement of import for consumption; but as the Intervention of the United States in the war between England and her war achievements, consequent on the supply and resource which the nominal neutrality of America afforded to the enemies of England, it left Great Britain no alternative but to counteract by all the means in her power the insidious inter-

vention of such neutrality, and in consequence of the opposition which it became the duty of Great Britain to exercise to the counteraction of the United States resorted to one of the most extraordinary acts of self-denial in national privation which the page of history records, in an entire suspension of all external intercourse between the United States and all other parts of the world; this policy, as it proved, self-reconciling measure of retaliation, "a embargo act," passed into a law on the 22d December, 1807, and continued till April, 1809. This will suffice to account for the sudden diminution of amount which the accompanying statement exhibits subsequent to 1807; the United States custom house year commences on the first October, consequently the amount which the statement herewith exhibits shows the extent of transactions from the 20th September to the 22d December, 1807, and that for the year 1808, from April to the 30th Sept. in that year; the year 1809, that is from January to January, having been one of entire suspension of all legal mercantile operations; what consequences would have resulted to the United States by a longer continuance of that measure, it is now as difficult to determine as it was at the time of its utterance, while it is not altogether undeserving of reflection; no measure could have possibly proved more futile than it did, aimed directly as it was at Great Britain; it not only "scalds not, but it mingles the ring of iron" for the steel of moral and political clear by her obstinence in resuming activity she may find it additionally obstructed, but several of her most advantageous points of intercourse actually in possession of England; and denuding all attempts at reinstating or maintaining a benevolent neutrality between the United States, in 1811, resolved again to suspend all external intercourse, further than to allow of the return of all outlying ships and property that could be obtained preparatory to a convenient opportunity for an open declaration of war against Great Britain. Such opportunity seemed to present itself at the period when Napoleon was vainly indulging in the conquest of Europe, by planning his standard of victory on the battlements of Moscow; it was at that critical and ever memorable period when Great Britain was to without a single day, that the United States, on the 18th of June, 1812, issued her denunciation of war against Great Britain, and which continued till December, 1814; this experiment we consider redounding as little to the interest and honor of the United States as it did to the honor of Great Britain; in our view we deem it a fitter subject on all sides for reflection, than for comment or observation, it sufficiently explains the disparity in the accompanying account in the years 1812-14; this suspension of social intercourse was followed by an extraordinary large importation of sugar and in 1815, compensated for, in part, by a large accumulation of capital that had taken place even during the war for large supplies of flour, rice, &c. covertly introduced for the consumption of the British army then in Spain and Portugal, in 1812-13; the exportation of wheat flour from the United States in those two years, notwithstanding the war, having amounted to 2,700,000 barrels, when its value in England was not less on an average than £3:10:0 per barrel; the diminished amount of imports, in 1812, 1826 and 1830, denote successive periods of inordinately increased rates of import on British products, the effect and consequences of which to England we shall, by the time we have exhibited the whole of the statistical details, fully explain.

On the subject of the exports of the products of the United States during the whole period from 1802 to 1839, the aggregate increase will be seen to result entirely from the single article of cotton wool, the produce exclusively of the slave population of the population; although articles of a staple nature, such as sugar, tobacco, &c. also the average of the last five years being less than the average of the first five years of the period, notwithstanding a marked increase under the head of manufactures; and what is still more remarkable, the increase of the value of the exports of a large portion of territory is considered, the entire annual exports of all the products of the United States, (cotton wool, the produce of slave labor excepted), do not exceed half the value of the products of Ireland, annually exported from thence to Great Britain; and with twelve other European countries, and also with British America and with China, and show that the bulk of the inordinate excess of import into the United States, during the last nine years, has been exclusively at the expense of Great Britain.

* One Vacancy.

† Elected to fill the vacancy occasioned by the resignation of Hugh Lawson White.

An account in dollars of merchandise exported from, and of merchandise imported into the United States of North America in each of the 36 years 1803-1838.

Year.	Products of the soil.	Products of the forest.	Cotton wool.	Tobacco.	All other agricultural products.	Manufactures.	Mineral products.	Fur and skins.	Fishes and marine animals.	Foreign manufactures.	TOTAL.	
											Export.	Import.
1803	3,636,000	4,850,000	7,920,000	6,320,000	19,845,000	1,355,000	.....	13,594,072	55,900,033	81,666,666	.....	.....
1804	3,423,423	4,651,666	7,404,117	6,000,000	16,981,425	1,169,000	.....	36,331,067	77,609,071	85,000,000	.....	.....
1805	2,884,000	3,361,000	6,445,000	6,311,000	15,776,000	2,300,000	.....	53,179,019	95,566,021	120,000,000	.....	.....
1806	2,116,000	2,861,000	8,322,000	5,772,000	13,544,000	2,707,000	.....	61,283,220	121,536,263	125,000,000	.....	.....
1807	2,004,000	2,476,000	9,143,000	5,476,000	19,124,000	2,120,000	.....	59,612,558	108,343,156	126,500,000	.....	.....
1808	832,000	1,329,000	8,221,000	8,734,000	3,697,000	3,140,000	.....	12,997,414	32,420,969	66,900,000	.....	.....
1809	1,710,000	4,584,000	9,515,000	3,774,000	10,945,000	3,143,000	.....	273,000	22,293,231	50,400,000	.....	.....
1810	1,481,000	5,105,000	15,109,000	5,019,000	13,544,000	2,405,000	.....	488,000	66,757,971	85,000,000	.....	.....
1811	1,412,000	5,286,000	9,650,000	2,150,000	23,754,000	2,039,000	.....	663,000	16,022,790	61,316,831	.....	.....
1812	935,000	2,701,000	3,090,000	1,540,000	19,971,000	1,385,000	.....	486,000	8,495,127	35,237,236	.....	.....
1813	204,000	1,107,700	3,224,000	319,000	30,478,000	390,000	.....	89,300	2,647,845	37,655,957	.....	.....
1814	1,850,000	5,701,000	2,634,000	222,000	2,699,000	411,000	.....	104,700	140,160	12,966,000	.....	.....
1815	912,000	3,901,000	17,529,000	8,235,000	13,014,000	1,553,000	.....	791,000	6,853,260	92,507,125	.....	.....
1816	1,321,000	7,203,000	24,106,000	12,899,000	16,429,000	1,755,000	.....	1,049,000	17,138,556	81,920,432	.....	.....
1817	1,671,000	6,441,000	22,626,000	9,230,000	25,364,000	2,002,000	.....	734,000	19,358,069	87,671,569	.....	.....
1818	2,167,000	6,691,000	31,251,000	31,562,000	24,299,000	2,429,000	.....	.....	6,692,441	111,750,000	.....	.....
1819	2,024,000	4,927,000	21,082,000	20,342,000	24,441,000	.....	.....	.....	19,165,639	70,142,521	.....	.....
1820	3,251,000	5,304,000	22,309,000	7,909,000	11,307,000	2,019,000	.....	625,000	18,084,029	60,691,669	.....	.....
1821	1,099,194	3,734,341	30,157,484	5,648,962	9,601,516	2,602,626	.....	707,751	21,302,448	64,974,382	.....	.....
1822	1,284,539	3,715,545	34,088,000	5,622,538	11,914,503	2,483,050	.....	818,467	22,296,269	72,160,281	.....	.....
1823	1,638,224	4,498,911	30,410,500	6,232,672	11,916,534	2,307,587	.....	991,029	27,543,625	74,690,038	.....	.....
1824	1,610,990	4,889,646	21,947,401	4,805,468	12,092,231	2,384,421	.....	1,889,215	25,337,107	73,996,657	.....	.....
1825	1,595,068	4,338,949	36,166,649	6,115,623	11,275,479	1,169,113	.....	1,003,865	23,930,612	59,538,398	.....	.....
1826	1,472,384	3,991,856	35,023,214	5,317,919	10,389,579	1,850,732	.....	535,339	34,839,612	77,508,292	.....	.....
1827	1,573,333	3,243,970	23,259,515	6,775,123	11,125,475	6,386,846	.....	530,446	32,403,136	89,224,397	.....	.....
1828	1,660,980	3,893,611	22,427,229	5,930,969	10,858,735	5,903,401	.....	441,793	21,595,017	72,561,698	.....	.....
1829	1,617,176	3,661,755	26,373,311	4,992,974	12,396,299	5,716,106	.....	530,650	16,658,000	72,534,972	.....	.....
1830	1,725,207	4,192,067	29,274,883	5,886,368	11,724,994	5,910,909	.....	636,477	14,387,179	73,849,569	.....	.....
1831	1,890,472	4,268,477	28,288,492	4,892,394	10,709,543	6,752,681	.....	1,119,992	30,033,526	81,583,103	.....	.....
1832	2,656,538	4,317,794	31,734,682	5,999,769	11,691,732	5,984,507	.....	830,448	34,039,473	87,176,941	.....	.....
1833	3,402,169	4,946,329	39,336,329	6,755,368	12,939,616	6,323,099	.....	933,541	39,922,723	99,140,433	.....	.....
1834	3,071,429	4,457,997	49,448,002	6,596,300	11,337,060	5,669,013	.....	1,13,873	23,312,311	104,336,373	.....	.....
1835	3,174,524	5,297,004	41,961,302	8,350,577	12,383,035	7,104,391	.....	1,113,199	20,504,495	121,603,577	.....	.....
1836	2,666,058	3,661,740	31,284,932	10,058,640	10,282,559	5,912,867	.....	1,250,091	21,716,260	128,643,046	.....	.....
1837	3,174,432	4,212,640	52,340,102	6,795,477	9,246,326	7,935,757	.....	1,139,611	21,854,584	177,119,276	.....	.....
1838	3,175,576	5,202,499	61,536,811	7,392,023	9,145,621	8,483,321	.....	979,979	22,602,795	198,846,616	.....	.....
1839	.....	.....	.....	.....	.....	.....	.....	.....	.....	118,339,104	.....	.....

ANNUAL COMMERCIAL STATEMENT. We have received from Washington the annual statement of the commerce and navigation of the United States for the year ending 30th September 1839. Some of the leading facts we have already published. We now subjoin a summary statement of exports: Summary statement of the value of the exports of the growth, produce and manufacture of the United States, during the year terminating on the 1st day of October, 1839, and ending on the 30th day of September, 1839.

The soil.	
Fishes—	.....
Dried fish, or cod fisheries,	\$709,218
Pickled fish or river fisheries, (herring, shad, salmon, mackerel),	141,220
Whale and other fish oil,	315,848
Spermaceti oil,	55,615
Waxes,	284,790
Spermaceti candles,	178,142
.....	\$1,917,969
The forest.	
Skins and furs,	732,057
Linings,	118,904
Products of wood—	
Slaves, shingles, boards, hewn timber,	2,270,608
Other lumber,	327,687
Manila and spars,	37,122
Oak bark and other dye,	309,896
All manufactures of wood,	659,291
Naval stores, tar, pitch, rosin, and turpentine,	688,800
Asbes, pot and pearl,	360,269
.....	5,764,559
Agriculture.	
Product of animals—	.....
Beef, lard, hides, horead cattle and pulse,	371,646
Butter and cheese,	177,530
Pork, (pickled), bacon, lard, live hogs,	1,777,230
Horses and mules,	291,625
Sheep,	15,690
Vegetable food—	
Wheat,	144,191
Flour,	6,925,170
Indian corn,	141,095
Hay meal,	658,421
Rye, oats, and other small grain and pulse,	72,050
Biscuit, or ship bread,	349,871
Potatoes,	57,536
Apples,	60,875
Rice,	2,460,198
.....	13,588,866
Tobacco,	8,632,948
Cotton,	61,233,962
All other agricultural products—	
Flaxseed,	161,896
Hops,	72,425
Brown sugar,	25,722
.....	263,043
Manufactures.	
Soap and tallow candles,	453,471
Lard, boots and shoes,	173,859
Household furniture,	36,184
Coaches and other carriages,	28,850
Hats,	123,165
Saddlery,	42,748
Wax,	68,961
Spices from grain, beer, ale and porter,	142,065
Saufl and tobacco,	616,212
Lard,	6,003
Linseed oil and spirits of torpentine,	78,787
Cashmere,	25,899
Iron—pig bar, and nails,	134,588
Castings,	61,100
All manufactures of,	748,862
Spirits from molasses,	183,446
Sugar refined,	521,117
Gunpowder,	197,162
Copper and brass,	81,384
Medicinal drugs,	97,418
.....	4,175,911
Cloth, piece of goods—	
Pricoted and colored,	412,661
White,	2,525,301
Naunkens,	1,492
Twist, yarn and thread,	17,465
All manufactures of,	18,114
Flax and hemp—	.....
Cloth and thread,	2,610
Bags and all manufactures of,	2,047
Wearing apparel,	167,937
Combs and buttons,	37,966
Brushes,	4,196

The following statement shows the quantity of flour and grain exported in each of the eighteen years 1821-38, and of bulion imported in each of the thirteen years 1826-38.

Year.	BARREL OF 196 LBS.			BUSHELS OF		Value in dollars of bulion imported.
	Wheat flour.	Rye flour.	Indian meal.	Wheat.	Indian corn.	
1821	710,810	.....	.....	25,312	607,577	.....
1822	827,563	19,971	148,288	4,418	509,698	.....
1823	756,792	23,666	141,501	4,272	749,884	.....
1824	916,792	81,879	152,723	20,373	779,297	.....
1825	819,806	29,345	187,285	17,960	868,844	.....
1826	837,820	14,472	138,620	45,166	565,381	6,880,966
1827	865,491	13,345	131,041	22,192	78,674	7,819,574
1828	860,509	22,214	174,639	8,806	704,902	7,469,741
1829	837,885	31,191	173,775	4,007	897,566	7,408,612
1830	1,225,881	26,298	145,801	45,299	444,107	8,135,964
1831	1,806,428	19,100	207,604	408,910	571,213	7,305,945
1832	861,919	48,254	148,712	47,820	690,717	8,907,120
1833	953,769	86,038	146,678	32,221	457,174	7,070,368
1834	833,352	39,151	149,609	36,948	303,449	17,911,632
1835	779,396	30,854	166,752	47,762	755,781	13,131,447
1836	505,100	26,616	140,917	2,062	124,791	13,400,881
1837	219,19	29,323	159,435	17,303	151,276	10,516,414
1838	448,161	22,864	171,813	6,291	177,221	17,477,116

The annexed statement shows the exports in each of the three years 1833 and 1837-38, in a more amplified form than above.

Exports.		1833.	1837.	1838.
1. Products of the sea.	Whale oil,	\$924,180	\$1,271,545	\$1,556,775
	Dried fish,	712,317	688,506	626,245
	Spermaceti, &c.,	765,342	851,101	997,556
2. Produce of the forest.	Lumber,	2,215,227	2,544,746	2,368,157
	Tar, turpentine, &c.,	823,419	703,384	703,384
	Asbes, pot and pearl,	841,399	731,596	710,342
	Skins and furs,	841,933	633,945	633,945
	Other articles,	628,609	680,644	783,631
3. Products of agriculture.	Flour,	5,613,010	5,869,269	5,869,269
	Grain, &c.,	1,810,938	1,686,920	1,679,639
	Rice,	2,744,418	2,309,279	1,721,819
	Pork, pickled,	2,151,505	1,299,796	1,312,346
	Beef, &c.,	1,405,322	1,066,268	1,029,504
4. Manufactured articles.	Cottons,	2,832,517	2,831,473	2,789,755
	Gold and silver coin,	366,842	1,253,319	472,941
	45 other articles,	2,432,671	3,720,765	4,251,625
5. Unenumerated articles		863,541	1,159,611	979,875
Total of the above,		\$28,370,625	\$26,528,665	\$27,074,991
1. Tobacco,		5,755,968	8,795,647	7,802,209
2. Cotton wool		38,191,105	52,540,103	61,556,811
Foreign produce re-exported,		19,822,755	21,854,962	12,462,795

Bulfinch tables and apparatus,	2,504
Umbrellas and parasols,	11,618
Leather and morocco skins, not sold per pound,	12,952
Printing presses and types,	35,221
Fire engines and apparatus,	2,046
Musical instruments,	7,413
Books and maps,	22,851
Paper and other stationery,	80,049
Paints and varnish,	41,450
Vinegar,	4,743
Earthen and stone ware,	11,645
Manufactures of glass,	45,463
Tin,	19,921
Pawter and lead,	12,637
Marble and stone,	7,661
Gold and silver, and gold leaf,	5,264
Gold and silver coin,	1,908,358
Artificial flowers and jewelry,	2,409
Molasses,	3,439
Trunks,	1,965
Bricks and lime,	16,299
Domestic salt,	64,272

Articles not enumerated—		5,518,520
Manufactured,	542,909	
Other articles,	694,089	1,236,998

[Journal of Commerce.]

MAIL ROBBER ARRESTED AND MONEY RECOVERED. Chas. Boatwick, the robber of the mail near Springfield, Ohio, last winter, was lately arrested at that place, and about \$18,000 of his ill-gotten plunder recovered from him.

THE ARMY.

New York, Sept. 8. Gen. Scott and col. Worth are now in this city, just arrived from the north.

Florida. We have received by the steamer Bantac, capt. Pointant, the following from our attentive correspondent:

Fort Holmes, Sept. 5, 1840.

Sir: The express has just arrived from the west and says that capt. Beall, 2d dragoon, has taken three young warriors prisoners, fifteen miles N. W. of Fort Clinch—very little helps.

Excuse haste, as I write while the horses are chugging.

A ship from the Savannah Georgian, under date of the 12th instant, mentions that on the 30th ult. the express rider between Pilatka and Fort King was shot in the wrist by Indians.

On the 21st, a detachment of ten soldiers on their way from Fort Tatter to Micopoy, was fired on by Indians. Three of its soldiers were killed, the rest escaped.

On the 2d instant, Hillary Parsons, a young man of about eighteen, was shot by a party of Indians, about 7 miles from Black creek, on the Newsnaw-villa road.

THE NAVY.

The U. S. ships Macedonian and Erie were below at New York, from Boston, on Monday afternoon.

The U. S. schooner Flirt, lieut. McLaughlin, has arrived at Philadelphia from Florida, in distress.—She was bound to New York.

Orders—Aug. 3—Purser Thos. Gadaden, Charleston station.

Lieut. H. A. Adams, naval asylum, Philadelphia.

4—Lieut. S. P. Lee, detached from W. I. squadron, and leave three months.

5—Surgeon Wm. F. Patton, detached from Lavanant, and two months leave.

6—Lieut. J. C. Walsh, survey of stores, navy yard, Washington.

Passed midshipman John B. Dale, coast survey under lieut. Blake.

7—Midshipman Henry Rodgers, W. I. squadron.

STATES OF THE UNION.

MAINE.

The election for governor, legislature and members of congress took place on Monday last the 14th instant.

As being useful for the purpose of comparison, we insert the following tables, showing the state of affairs at the elections of 1838 and 1839, in this state.

For governor.	1838.	1839.
Fairfield, (V. Buren)	46,316	41,009
Kent, (whig)	42,897	34,718

V. Buren plurality,	5,321	6,290
Scattering,	486	208

Fairfield's majority, 2,835 6,082

Congress—1839.			
District.	Whigs.	Seal.	
1st Clifford,	5,568	Appleton,	4,560
2d Smith,	5,709	Whitman,	5,623
3d McCrate,	4,606	Russell,	5,300
4th Hubbard,	4,591	Evans,	7,143
5th Parria,	7,655	Long,	4,599
6th Davis,	7,539	Taney,	7,043
7th Lowell,	5,538	Noyes,	4,626
8th Anderson,	5,727	Crosby,	3,919

	45,838	42,712	613
2 whigs and 6		Scattering,	618
V. Buren men elected.	45,325	42,325	

V. B. majority, 2,513

The following are the regularly nominated candidates at the election on Monday last.

Van Buren. *Whig.*

For governor.—J. Fairfield, Edward Kent.

For congress.

Waldo, Ab. Marshall, S. A. Kingsbury,

Kennebec & John Hubbard, George Evans,

Sumner, Nathaniel Clifford, D. Goodenow,

Cumberland, Albert Smith, W. P. Fessenden,

Oxford, N. S. Littlefield, Zed. Long,

Lincoln, James Sewell, E. H. Allen,

Hancock, &c. Josh. B. Lowell, J. C. Norcross,

In the Oxford district the friends of V. D. Parria,

the present Van Buren representative, held a meeting

and placed him in nomination for re-election, and in the Hancock district a Mr. Wheeler, was

nominated at a meeting of Van Burensmen opposed to the regular nomination.

Of the result of the election which took place on the 14th inst. we have returns from the Cumberland congressional district sufficient to ascertain that J. B. Smith, the present Van Buren representative, has been beaten by W. P. Fessenden (whig) by a small majority. The votes in this district at the election in 1838 were, Albert Smith (V. B.) 5,709; Whitman (whig) 5,623; scattering 70. The result now in all the towns in the district except one, Danville, which in 1838, gave Smith a majority of 44, is, 5,608

Smith, 5,522

Scattering, 25

The success of the whigs in Cumberland county gives them four senators, which it is said insures them a majority in the state senate, the result of the more importance as a United States senator is to be elected.

York gives a Van Buren majority of about 800; this and partial returns from Lincoln and Kennebec show a whig gain of some 700 votes on the election of 1838, so far as heard from.

NEW HAMPSHIRE.

The law's delay. We learn from the Dover N. H. Enquirer that the court of common pleas closed its session at Gifford on Monday the 24th ult. after setting three weeks. There were 630 suits on the old docket and 350 new entries. Three cases only were delivered to the jury, and but one verdict returned by them. The court was occupied from Thursday of the first week, until its adjournment, with the case of Scribner vs. Rollins, but the jury being unable to agree, the case was continued for another week. It is stated that the revolutionary services in that single case, have received from the county about three hundred and twenty dollars, and that it has already cost the parties over three thousand dollars. This "going to law" is a beautiful thing!

MASSACHUSETTS.

The grand fair to aid in the construction of the Bunker Hill monument, was opened in Quincy Hall on Tuesday the 8th. Nothing was to be sold the first day but confectionery.

The following are the contributions mentioned in the Boston Daily Advertiser since: "A lady, now a resident of Charlestown, who, to use her own language, heard the warring of the musketry and cannon, and saw the smoke of the congressional on the ever memorable 17th June, '75, has with her own hands, prepared several articles, such as indispensable, socks, &c. and sent them in aid of the great object of the Bunker Hill fair."

The New Bedford Express says: A lady of Martha's Vineyard, eighty years of age, who was the wife of an officer of the revolutionary army, has made with her own hands, twenty large and beautiful pin cushions, which have been received at the office of deposit in New Bedford, for articles for the Bunker Hill fair.

The president of the Bunker Hill monument association has acknowledged the receipt of a donation for the monument fund, of \$800 from the ladies

of Brooklyn, N. Y. with a very handsome letter from their treasurer, Selena G. Hazard; also of a donation of \$150 from Miss Mary Olin, treasurer of the ladies of Fair Haven; also of a donation of \$200 from a gentleman of Boston. The ladies of a number of towns in Worcester county have made contributions for the same object, and paid them over to the treasury of the ladies of Worcester.

The Boston Courier says: "Among the many beautiful articles which have been contributed for the fair, is an interesting figure of an Indian Sagamore, sent as a delegate by the ladies of Philadelphia. It is the generous, high-souled sachem of the Wampanoag, Massachusetts, the true and steadfast friend of the pilgrim fathers—the whose friendly care fostered and protected the infant colony, which has since sent forth her sons by thousands and tens of thousands, to reclaim the wilderness, and make her desert places fruitful. The figure is remarkably well conceived, and cannot fail to be an object of interest to those whose native state derives its name from this renowned chief. He is supposed to be making his friendly feelings known, and offering the pipe of peace to the pilgrims. His dress is made of an Indian dressed deer skin. The embroidery on the skirt and mantle is accurately copied from an Indian tobacco pouch. The beads which ornament them are genuine wampum. The tomahawk and knife are in his belt; the stor, with one arrow at his feet, emblematic of his peaceful intentions; the pouch, filled with tobacco, at his waist. The form and attitude of the Indian dog have been pronounced perfect. The parchment, on which is written the name and character of Massachusetts beautifully drawn—the d-vices all relating to Indian life.

One is a *China plate*—once the property of the ancient governor, Dudley, and known to be more than one hundred and seventy years old. The other is a *snuff box*, formerly owned by the celebrated French minister, Talleyrand, and purchased by a gentleman of Boston, at the sale of the exhibitor's effects. This would be a valuable acquisition to any one who might wish to enjoy a pinch of snuff from the box from which, no doubt, the fingers of Napoleon have often drawn an exhilarating provocation."

Congressional candidate. In the congressional district now represented by John Reed, who declines a re-election. Barker Burnell, of Nantucket, has been nominated as the whig candidate.

Election. The Providence Journal of Friday gives the names of the representatives elected from all the towns in the state, excepting five, from which it appears that 46 whigs and 16 V. B. have been elected. The five towns yet to be heard from will probably return 8 whigs and 7 V. B. Should this be so, the next legislature will be divided as follows:

	Whigs.	V. B.
Senate,	11	11
House of Rep.	23	23

60 28

Whig majority on joint ballot, 37.

CONNECTICUT.

Whig electoral ticket. The whig state convention met at Hartford on Tuesday, and nominated the following ticket for presidential electors:

For Hartford co. Heskiah Spencer, of Southfield.

For New Haven co. James Brewster, of New Haven.

For New London co. Adam Larabee, of Ledyard.

For Fairfield co. Reuben Booth, of Danbury.

For Litchfield co. Peter Pierce, of Cornwall.

For Windham co. Philip Pearl, of Hampton.

For Tolland co. John S. Davis, of Hebron.

For Middlesex co. John Green, of East Haddam.

NEW YORK.

Census of the city of Albany. The population of the city of Albany, as ascertained by the United States assistant marshal, who has recently completed taking the census, is as follows:

White	White Ch'd.	Ch'd.	Total.
males.	females.	males.	females.

1st Ward, 4,531 4,810 197 245 9,783

2nd Ward, 5,192 5,453 56 69 9,600

3rd Ward, 1,962 2,135 85 65 4,147

4th Ward, 3,418 3,666 11 80 7,225

5th Ward, 2,686 2,927 26 40 5,679

15,729 17,021 878 499 33,627

Population in 1830, 15,175. Increase, 8,452.

1st Ward, 7,629 7,978 2,115

2nd Ward, 5,742 6,090 1,056

3rd Ward, 3,814 4,140 296

4th Ward, 6,351 7,225 874

5th Ward, 4,510 5,679 1,169

28,065 33,627 6,562

Population of the cities:

	1835.	1840.	Increase.
Albany,	28,985	33,627	5,642
Troy,	16,859	19,272	2,414
Buffalo,	12,461	18,856	6,395
Rochester,	14,404	20,129	5,725

Rochester, it will be seen, presents far the greater ratio of increase.

A revolutionary hero, named Daniel, otherwise Dr. Jones, a colored man, was "held" in custody at the upper police by getting \$1 per week for the support of a pickaniny, which Adeline White, a white woman, hailing from Vermont, swore unto him. The doctor denied the soft impeachment, but she swore to the doctor, and the magistrate locked him up until he could procure bail or security for the payment of the \$1 per week.

[Times.]

PENNSYLVANIA.

Van Buren electoral ticket.

James Clarke of Indiana,	senatorial
Geo. G. Leiper, of Delaware,	
1. Geo. W. Smith,	12. Frederick Smith,
2. Benj. Milfin,	13. Charles McClure,
Frederick Stover,	14. Jacob M. Gemmill,
3. Wm. H. Smith,	15. Geo. M. Hollenbeck,
4. John P. Sircianus,	16. Leonard Broome,
John Downing,	17. John Hagton, jr.
Henry Myers,	18. Wm. Philson,
5. Daniel Jacoby,	19. John Morrison,
6. Jesse Johnson,	20. Wesley Frost,
7. Jacob Able,	21. Benj. Anderson,
8. Geo. Christian,	22. Wm. Wilkins,
9. Wm. Schoener,	23. Abm. K. Wright,
10. Henry DeHuff,	24. John Findley,
11. Henry Logan,	25. Stephen Barlow,

The election takes place the 30th of October. *Congressional candidates.* The Milton Ledger has placed the name of governor Porter at the head of their paper for renomination for governor, subject to the decision of the 4th of March convention. The Jefferson county "Backwoodsman," subject to the same decision, has placed the name of George M. Keim up for the same office!

Congressional candidates. The following are the candidates for congress as far as heard from:

District.	W. H. Van Buren.
1. J. Wash's Tyson,	Charles Brown,
2. Andrew Miller,	Joseph C. New,
3. Charles Taylor,*	Charles J. Ingersoll,
4. John Edwards,*	John L. Pearson,
5. Jeremiah Brown,	
6. Francis James,*	
7. Peter Newhard,*	
8. Valentine Hummel,	
9. James Gerry,*	
10. John Snyder,	
11. Charles Ogle,*	
12. Albert G. Marchand,*	
13. Enos Hook,*	
14. Joseph Lawrence,	Isaac Levi,*
15. William Wilkins,	
16. William Keim,*	
17. Arnold Plummer,*	

In the present Congress the delegation stands 11 whigs and 17 Van Buren men.

The election takes place on the 2d Tuesday (18th) of October.

DELAWARE.

Delaware is at present the scene of a very active struggle, preparatory to the forthcoming election. The legislature now to be chosen, will have to elect a governor and two United States senators.

Whig gathering at Wheeling. The whig papers assert that at least thirty thousand persons attended the meeting on the 3d inst.

The Pittsburgh Gazette says: Those who have read the most glowing descriptions of the whole affair; none of those with whom we have conversed, pretend to express the delight and gratification which they received from their visit and stay at that spirited and hospitable place. The assemblage was truly immense; the lowest estimate we have heard of the enthusiastic collection of freemen, is 25,000; some go far above that number. A friend has furnished us the following statement of the substantial furnished for the public table: 300 barrels, 28 sheep, 20 calves, 1,500 lbs. beef, 5,000 lbs. bread, 1,012 lbs. cheese, 4,000 pigs.

Besides this, every Harrison house in Wheeling was abundantly supplied, and open throughout the day; above five hundred banners were displayed aloft, and exhibited the appearance of the top of the mast of numerous shipping with their flags flying.

The noble, generous inhabitants of that city have won the hearts of Pennsylvanians, whom they could

*Members of the present Congress.
†Hearguy V. B. mandiane, Morrow M. Nicholas; nominated by some of the partisans of Gov. Foster.

not conquer, and our delegates are all willing to admit, that, although Wheeling is not the "head of navigation," it must be very near the fountain head of hospitality.

A convention of whigs was held at Portsmouth, on the 10th inst. Among the speakers on the occasion was the hon. Henry A. Wise, who addressed the meeting for three hours.

GEORGIA.

Savannah city election. The administration ticket succeeded at the election on the 7th inst. by an average majority of 81 votes.

Van Buren's majority in 1836, over White, in Chatham county, which includes the city, was 175; in 1834, the Jackson majority in the city was 280; in 1835, it was 195; in 1836, it was 196; in 1837, it was 144; in 1838, 139; in 1839, there was no contest; and in the recent, in which more votes were taken than on any previous occasion, 902 votes having been taken, the majority is 81.

ALABAMA.

The Ballorette County states that almost one-fourth part of the population of Jackson county, Alabama, are suffering from a prevailing epidemic, supposed to be malarial fever.

Beard, the whig candidate for the senate of Alabama, in Sumter county, having resolved to contest the election of his Van Buren opponent, (Mr. Jones), the latter has resigned, with the intention of submitting the matter anew to the people.

Col. Thomas Riddle, senator elect from Green county, to the Alabama state legislature, died recently of congestive fever.

LOUISIANA.

Election. The following is the returns from the 3d congressional district, which were not received when we inserted the result of the late election—and are registered now for reference.

THIRD DISTRICT.

Moore (W.)	Winn (Adm.)
St. Landry and Calcasieu,	535
St. Mary,	314
St. Martin,	361
Rapides,	355
Lafayette,	258
Charles Brown,	158
Catahoula,	000
Carroll,	64
Concordia,	212
Madison,	118
Ouchitche,	196
Union,	000
Natchitoches,	299
Cadwell,	35
Caddo,	000
Claborn,	000

Moore's majority, 33.
Jealousy at Plaquemine. Sept. 4th. The New Orleans Bee has the following notice:

"We are in the midst of desolation; the whole level in front of the town is gone; my newspaper's face has taken a trip down the river in company with several other buildings, and I have only had time to save the materials of the printing establishment. I am completely exhausted with fatigue and beg you to excuse my not giving more ample details of this public calamity. I can merely add in a few words that more than eight arpents front by an average depth of about 300 feet has been swept away, and it is my opinion that it will not stop there, for every thing seems to indicate that the ground will continue to slide off for several days to come."

Health. The city of New Orleans remains up to the 5th inst. quite healthy, but accounts from the interior are very unpleasant. There is much sickness on the coast.

On Opelousas. Letters received from New Orleans from Opelousas state that four hundred negroes had planned an insurrection in the parish of Lafayette, which was to have taken place at Vermilionville, on the night of the 23d instant. Most providential circumstances, and the principal ringleaders to the number of twenty, were immediately arrested, nine of whom were sentenced to be hung on the 27th inst. We have since heard that four white abolitionists, who instigated the negroes to revolt, have been arrested and placed in confinement.

[N. O. Bee, Sept. 2.]

The N. Orleans papers state that about 2 o'clock, on the morning of the 1st of September a fire broke out at the lower cotton press, or rather in a building close to the same, which was destroyed, together with a quantity of bagging, rope and other articles. Loss estimated at \$80,000.

ILLINOIS.

Election. The Springfield (Illinois) Journal of the 4th instant, gives complete returns of the vote

in all the counties of Illinois, at the recent August election. From these, it appears that the aggregate vote of the whig ticket is 40,203; and the aggregate Van Buren vote, 41,543—showing an aggregate vote in the state of \$2,046, and a Van Buren majority of 1,640.

KENTUCKY.

Insurrection. The hon. Robert P. Fletcher and Manlius V. Thomson were respectively qualified on Wednesday, the 2d inst. as governor and lieutenant governor of the state of Kentucky.

OHIO.

Cincinnati common schools. The annual report represents the schools as being in a very flourishing condition. Pupils received during the year 5,679. Number of teachers 62.

Cost of education for each pupil \$7.59
Total expenditures \$19,604 35

Census of Cincinnati. The officer employed to take the census of the fourth ward and accompanies his returns with some interesting remarks. Among the other inhabitants of the ward, some instances of longevity are mentioned: one a woman of 95, another a man of 91, and a third aged 101. This last is a native of Ireland, and recollects the landing of Thurot in 1762. Since the last census a man has died in Cincinnati who stood by Wolfe when his glorious victory and death made him immortal in both worlds.

The number of surviving soldiers of the revolution is set down at ten or twelve for that city. They are said to be all temperate, intelligent men—a fact which may account for their protracted age satisfactorily enough without recurring to John Randolph's story that "a person was the same *electis visis*, and did more to render man immortal than any thing else."

The writer in his report goes on to say:

There are a great number of widows, and women desolated by their husbands, in this city. Of these I have found four and five cases in one house. I am glad my employment does not bring me into the society of these persons winter privations and sufferings. The cases of those whose husbands have fallen victims to the mortally which under so many shapes, on the river, and at New Orleans, carries me to his grave, deserve our sympathy far less than that of those who mourn the absence of partners ignorant whether they be dead or living, and whether necessity or choice prevents their return or accounts for their silence. How many, alas, are continually forgetting in their absence from home and families, one of the most sacred duties of life, to provide for the support and training for usefulness of their families. I found in the fourth ward persons who have lived on or adjacent to the spot they now occupy, 25, 30 and 40 years. These, in a new country like ours, are remarkable cases. In another ward I found two brothers respectable mechanics, who were born on the ground which they still occupy with their dwellings.

TENNESSEE.

General Jackson. On Wednesday morning, 18th ult. five hundred of general Jackson's friends rode out from Nashville to the Hermitage, to render him their heartfelt homage of gratitude. The general, apprized the day before of their intended visit, received his guests with a suitable entertainment. It was gratifying to all to find him in his usual good health and spirits, and to learn that on the next day, and returned to the Hermitage on Friday.

Ex-speaker Polk presented by a grand jury. The grand jury at the Sevier county court, in Tan, have presented governor Polk, of that state, as follows:

"The executive of our state, James K. Polk, instead of being found at his post, executing the laws, and devising means for improving the deplorable condition of the country, and restoring it to the prosperity it has lost, he, our wld governor, is found traversing the state, conducting an electioneering campaign for the sake of power, and to keep in train the system which is so oppressive and in power the rulers who ask for power at such a price."

"This we present as a most serious grievance—a dereliction of duty in one who ought to be a high functioning an evil example to others who may be prompted to do the like, and which, in the end, will prove the overthrow of our free institutions. "We therefore call for a change of rulers; and, in the spirit of that freedom which we so much prize, we call upon every citizen to exert his influence to avert the horrors of civil war, that in November each and every one will appear at the polls, and, by means of the ballot box, make the change and revolution effectual."
JAMES SEATON.
"Foreman of the grand jury."

our common country to that elevated position in the family of nations, which she is, we trust, under the Providence of God, destined to occupy. The justification of this anticipation depends, in no inconsiderable degree, upon the manner in which the public domain is disposed of by congress. It may, unfortunately, pursue a policy as shall tend to vest large tracts of public lands in the hands of a few, and prevent that distribution of them among the many, which is most congenial with republican institutions.

The third, fourth and fifth questions, relate to my course in regard to the right of suffrage in the New York state convention. Although your inquiries are made to refer to a few specific points only, I do you the justice to believe that it will be more agreeable, as it certainly must be more useful, to be informed of the ground occupied by me, with the reasons for it, upon every material question that arose in that body upon the vitally important subject of the elective franchise. It was my intention to prepare a statement containing such information for you, and I have for some time been waiting for the requisite intermission in my unavoidable official duties to enable me to do so. I find, however, that my friends at Albany, sensible of the injustice which had been done to me upon the subject, in various and remote quarters of the Union, having the best means of information, have, of their own accord, and without communication with me, prepared a full statement of the matter, and published the same over their own signatures. Upon a careful examination of this document, and having seen the full and explicit exposition of my course in the convention, upon the subject referred to, and I send it to you as such. In its details you will find not only the particular information you seek, but also additional facts in regard to other branches of the general subject, which cannot otherwise than secondarily be alluded to, in order to form a correct estimate of the merits or demerits of my course.

I did not advocate, but, on the contrary, opposed vesting in the governor the absolute right to appoint justices of the peace. My opposition was given the nomination of justices to the board of supervisors in each county, (which is composed of individuals annually elected by the people, one in each town in the county), and to the court of common pleas in each county. When your agency in the nominations, the governor had only to perform the duty of issuing commissions to the persons nominated, but if these two bodies presented different lists, he had the right of selecting from either, but was confined in his choice to the names thus presented. To do justice to my course, it is necessary that you should understand the circumstances under which it was adopted, and the reasons by which I was influenced, as they were assigned at the time. Under the old constitution, almost every officer of the state government was appointed by a council of appointment, composed of the governor and four senators, selected by the house of assembly. Those who entertained the erroneous opinion which regards the possession of patronage, as a source of popularity, and an engine of power in governments like our own, attributed the long ascendancy of the then dominant party in the state, to the influence derived from this council; and were, therefore, slow to believe, that a majority of friends of that party in the convention, would be willing to abandon it entirely. Their apprehensions, in this respect, were, in no inconsiderable degree, confirmed, when I was placed by governor Tompkins (president of the convention) at the head of the committee on the appointing power. Our report, however, put to flight these misgivings, by recommending, as the only mode of effecting the old council of appointment; and, 2d. That the different officers of the government should be selected and appointed in the following manner, viz: The officers of the militia, principally by the militia themselves; the state officers by the legislature; the sheriffs and all judicial officers, and all officers of the peace, by the governor and senate; clerks and district attorneys by the courts; mayors and clerks of cities by the common councils of the respective cities, and justices of the peace by the people of the towns. Most of these recommendations were adopted by the convention; but sheriffs and clerks of counties were directed to be chosen by the people, and justices of the peace in the manner stated above, as having been proposed by me, after unessential modifications. My reasons for these recommendations are fully stated in the copy of Holland's life, which has been transmitted to me by Mr. Alexander, one of the signers of your letter, but are too extended for insertion here. Some of those reasons had their origin, as you will perceive, in the difficulties which were experienced during the war, in consequence of the local magistracies being for a season in the hands of the opposition, and a consequent indisposition, on my part, to separate the executives, whose duty it

was to cause the laws to be enforced, from all agency in their selection.

Another and a prominent reason is expressed in the following extract from the observations, made by me, on the occasion: "We do not, sir," said Mr. Van Buren, "deny the competency of the people to elect a proper chief; this argument has been unfairly and untruly stated. Those who oppose the election of justices, do not do so because they have any distrust of the people. The objection to having them elected did not flow from that consideration, but was with respect to the officer elected. It was because the magistrate would, of necessity, be acquainted with all who opposed and all who supported him. This would more or less bias his mind in favor of those to whom he owed his election. It would be giving the rich and powerful a great advantage over the poor, and even if it did not, it would excite jealousy and suspicion of unfairness on his part, which in its operation, would be nearly as prejudicial to the public peace as if real justice was done. These were the reasons which had led him and others to doubt the propriety of having magistrates elected."

The constitution of New York has subsequently been so amended as to make justices of the peace elective, and although I have been absent from the state during most of the time since the change, I have good reason to believe that the system, thus altered, has worked well. No one, I assure you, rejoices more sincerely than I do at this renewed evidence of the competency of the people for the direct management of the most important of their public affairs. But, as I have not the great advantage of being present, I cannot regret the motives by which I was actuated in supporting the measure originally adopted. To protect the weak against the strong, in one of the chief ends for which civil governments are instituted. We may differ, for never do we are infallible, about the means of accomplishing this salutary object, but shall, I trust, never do so as to the principle.

The publication sent to me by Mr. Alexander is a genuine copy of the first edition of professor Holland's work. I herewith return it, with the remark that it was written without communication with me, but contains, as far it goes, a substantially correct history of my political career. I am, gentlemen, respectfully, your obedient servant.

VAN BUREN.
To Messrs. W. Fiskien, George May, Michael Cline, and others.

CONTEMPLATED VISIT OF COL. R. M. JOHNSON TO MICHIGAN. From the Free Press.

It is with the highest degree of gratification that we lay the following interesting correspondence before our readers this morning. The letters of col. Johnson will be read with the greatest pleasure by the democratic friends of Michigan, who will be glad to visit of the Kentucky patriot, statesman, warrior and philanthropist, with the most general and enthusiastic joy. An early meeting of the democratic state central committee should be held, to adopt appropriate measures connected with the reception of our distinguished guest.

Washington, July 20, 1840.
GENTLEMEN: Herewith we transmit to you the correspondence with colonel Johnson, vice president of the United States, in relation to his intended visit to Michigan. Very respectfully, your fellow citizens,
JOHN NORVELL,
ISAAC E. CRARY.

Hon. Ross Wilmot and others, Detroit.

The original of the following letter was enclosed to Messrs. Norvell and Crary with the request to present the same to the vice president:

To the Hon. Richard M. Johnson, Vice President.

Sir: A number of your fellow citizens in the state of Michigan, desirous to see and greet you near the scene of that gallant exploit of the late war, which rescued this portion of our common country from foreign domination, and in which you bore the moral preponderance, respectfully request you to visit the city of Detroit, on your return from congress, this summer, to Kentucky.

Identified as you are with the history of civil liberty, and holding so high a place in the affections of your countrymen, it is for their gratification and acceptance of this invitation at the present crisis, will be greatly instrumental in preserving and maintaining those first principles of our constitution for which you perilled your life, shed your blood, and have subsequently met the denials of the oppressors of the moneyed power; a power now threatening to bind us anew as colonies to Great Britain. Very respectfully, your fellow citizens,

JOHN McDONELL, W. HALE, and others.

Washington, June 19, 1840.

Sir: We have the honor to transmit to you a letter from a patriotic and respectable portion of our democratic fellow citizens of the state of Michigan, inviting you to visit the city of Detroit, on your return from congress, this summer, to Kentucky.

Concurred in by the committee on the state which they have formed of your close identity with the cause of civil liberty, your ability and patriotism in the public councils, and your heroic devotion to your country in the field of battle, it affords us peculiar satisfaction to have been selected as the organs for the communication of this invitation to you.

In the event of its acceptance, we can assure you, that your reception will correspond with the universal sentiment of gratitude, cherished by the democracy of Michigan for your distinguished military services.

Your exertions to relieve the unfortunate vindictive penalties of barbarous laws, the philanthropy of the principles which have guided and governed you in all the public acts which you have held, and your sympathies with the oppressed of all nations have been equalled only by your gallantry and sufferings in maintaining the honor and independence of your own country.

To your courage and perseverance, to those of the chivalric Croghan, the brave Perry and veteran Shelby, the people of Michigan are peculiarly indebted for the prompt and final expulsion, in the late war, of the foreign and savage invader from their borders, for their permanent relief from oppression and cruelty, for their secure return to the paths of peace and prosperity.

They cannot but anxiously desire to see you in person, to take you by the hand, and to evince the grateful sensibilities with which your name is always associated in their hearts.

Your presence, sir, in the midst of this democracy of that "heavenly peninsula," will animate their exertions for the maintenance of those great principles of liberty and sound government, to which your life, in one unbroken chain, has been devoted, and for the continuance of that safe and constitutional public administration, which alone can ensure the perpetuity of our free institutions.

Permit me then to ask you to make one more sacrifice of personal convenience and interest to the welfare of your country—and to subscribe ourselves, as we sincerely do, your friends and fellow citizens,
JOHN NORVELL,
ISAAC E. CRARY.

Hon. R. M. Johnson, vice president of the U. States.

Washington, July 18, 1840.

Hon. John Norvell and Isaac E. Crary:
GENTLEMEN: Your letter of the 19th ult. was received, enclosing the invitation of your patriotic and intelligent constituents of Detroit, to visit that interesting city. I thank you for the kind manner in which you have communicated the matter; and through you I beg leave to give my reply.

Your expressions of approbation of my public career are the more grateful, because I know your sincerity and the value of your friendship; but to that friendship, and your liberality in awarding praise to the honest efforts of a feeble arm, I must ascribe much of what you have said in relation to me. I know your hands incapable of penning what your hearts do not inspire; and I therefore set the higher value upon this testimonial of your approbation.

The circumstances under which I drew the sword in our late war, were such that I could have dived either of you to do the same. You have never voted for a measure in which you were not conscientiously sincere; and if so situated as to require the peril of your life to sustain it, you would not have counted your lives as your own, but your country's. Such was my situation.

My country had called me to its national councils; and I had obeyed the call. In performing my duty there, I had given a vote which contributed to render the dangers of the field necessary for its support. My countrymen have called me there; and I was happy to call myself one of her citizens. Could I then disobey the call? No! for my constituents must perish in sustaining a measure to which I was necessary. I preferred preference with them to the enjoyments of peace and safety while they were brave and brave of life. In this act I performed no more than what was required; and I claim no merit beyond what belongs to every citizen volunteer, who acts and combats for his country.

My course in the legislature of my country has always been based on principle, and as my principle has never changed, so it has dictated a uniformity of action. Your principle is the same; and

therefore it is, that it approves the measure which I have advocated.

We labored for republican sentiments in the days of our youthful simplicity, and among those who were practical democrats. They knew no superior, no inferior, all citizens were fellow citizens—equal in power, in rights and to rank. On this principle we have not hesitated to act, and our republican brethren have sustained us. I have often congratulated Michigan, a state on which my affections are so strongly fixed, on her good fortune in finding men to whom her first national interests are confirmed, who are ready to sacrifice, for her equality consideration, to forego those principles.

Men of greater power than I possess, and with the best intentions, have erred, and I know I am liable to err.

On the great principles of republican government, the rights of suffrage, the rights of conscience, the rights of equal laws and immunities, there can be no mistake; but in the details of measures best calculated to sustain and carry out those measures, I may have committed many unintentional errors; though I can say, to the sincerity of my heart, that not one error has been voluntary.

But your approbation of my course, tends to confirm my judgment in favor of the measures in general which I have advocated, and to satisfy me, that when I may have been wrong, the errors were pardonable.

That you may long continue to enjoy that confidence of your fellow citizens, which you have so richly merited; and that our beloved country may be favored, with your services in her councils, is my ardent wish, and my confident hope. I have the honor to be, very respectfully, your friend and fellow citizen,
RICHARD M. JOHNSON.

Washington, July 15, 1840.

GENTLEMEN: Through your republican senator and representative, Messrs. Norvell and Crary, I have received your flattering invitation to visit Michigan after the close of the session of congress. Please accept my thanks for the honor you do me in this kind notice.

The combination of circumstances renders your state a subject of special interest to me, and strongly inclines me once more to visit that delightful region. For more than twelve years after the close of the revolutionary war, the British in violation of the treaty of peace, continued to occupy that territory. They saw its importance as a frontier and commanding position, to either nation; and they fortified with the greatest care, the two strongest military posts than within the territorial boundary, Forts Detroit and Mackinac. It was with the greatest reluctance that they eventually relinquished it. To the present day, it retains all the importance, to which are superadded the extensive improvements, and the multiplication of an intelligent population, alike distinguished for patriotism and moral excellence.

Its local position renders the state of Michigan of deep national interest. It is the post ordained by nature to be the safeguard of all our northwestern frontier, both from civilized and savage foes. Scarcely an improvement there can be devised of a national character, and in providing for the general safety and public welfare, it is hardly possible that the general government can do too much for Michigan.

The climate of the country, salubrious and exhilarating, renders it alike favorable to physical and mental enjoyment. The fertility of its soil affords, in their greatest variety and richest luxuriance, all the productions of nature which any parallel latitude on earth can yield. Let its fortifications be made impregnable; let the hands of its people be improved by the advantages which nature offers, in harbors and facilities of internal intercourse; let the moral habits and republican principles of the citizens remain uncontaminated; and Michigan will long exhibit to the world, an example, and the highest state of bliss which man has ever known.

When the government which ruled the provinces bordering on Michigan, had long continued a systematic course of degradation upon our national rights; when our national flag was hoisted, and our independence invaded, when negotiation was exhausted, and the last ray of hope extinguished, it became my duty to vote for war; and having done this, I regarded it no less my duty to exert my personal energies, in conjunction with those of my fellow citizens, to give courage to the troops. It was foreseen that Michigan would be exposed to attack, and a strong force was assembled there for its defense.

Mackinac had fallen by surprise, and to the mortification of every patriotic American, Detroit, through moral inability or treachery, was ignominiously surrendered to the enemy. From that mo-

ment, the whole territory, and with it our whole northwestern border, were exposed to British invasion and savage cruelty. Under such circumstances it was but the voice of patriotism—the voice of justice—the voice of philanthropy, that called me to the field. I sought no distinction—I did not aspire to military fame—I fought not for glory, but for my country.

My only ambition was to do my duty in the service. The field of carnage has no charms for me—I would rather contribute to make life happy, than to destroy it, even in an enemy, when it can be done with safety. But I found my country in a hope ever to die, and where her service called, I could not remain inactive.

I volunteered as a private, without claiming promotion—my fellow citizens who volunteered upon the same principle, honored me with the command of a regiment of a thousand men, all mounted and equipped at their own expense, and all ardent to meet their country's foes, only for the sake of sustaining their country's rights. With such associates, no man could be a coward, no heart could fail to beat with patriotic life. It was under such circumstances that I marched to Detroit in 1812, the second year of the war, and at that point marched with general Harrison and Co. Sibley to pursue the retreating foe.

The enemy had evacuated Detroit, and were falling back upon their resources in Upper Canada, succored by a powerful force of their Indian allies, who were continually increasing in numbers. By forced marches we overtook them; and as in duty bound, we fought and conquered them.

The whole British force so taken, with the exception of their commander and a few mounted officers, who saved themselves by the swiftness of their steeds; and the whole savage force, with the loss of their favorite chief, suffered a dreadful carnage and a total defeat.

But the storm of battle had beaten heavily upon me. Disabled with five wounds; and the existence of a very precarious life, languishing in excruciating pain, I was taken to Detroit and lodged in that city of hospitality and kindness. There the hand of benevolence extended to me; and all that human skill could dictate or friendship offer, was done for me.

Under the kind attentions which I received there, I soon became so convalescent as to be able to converse with my friends. I was taken to the city of Detroit, and the kindness of the people, and the thought ever recurred, without associating with it a grateful recollection of the favors which I then enjoyed, and so increasing solicited for the prosperity and happiness of this city.

The great lesson to which the action of congress is protracted—public duties, and the necessary calls to private business, render it inconvenient for me to command my time; but if circumstances should not present insurmountable obstacles, I shall be at Detroit on the 28th inst.

RICHARD M. JOHNSON.

To John McDowell, esq. and others, Detroit, Mich.

EX-PRESIDENT JACKSON.

To the editor of the *Gallatin Union*.

Heraldage, Aug. 24, 1840.

SIR: Your letter of the 23d instant, reached me to-day. You remark that on many occasions this summer we have heard it charged from the stump, on our talented governor, James K. Polk, received from me, some years since, a certificate to his willingness to defend his person; and that "on a late occasion, a gentleman by the name of Peyton stated that Mr. Wise had said to colonel Polk, when speaker of the house of representatives, 'you are a coward, and you are a traitor; I mean the personal matter of it;'" and that I had endeavored to recuse the speaker from disgrace, by giving him a certificate that his conduct was not improper or pusillanimous and now desire to know from me whether there is any foundation in truth, for such statements.

I answer, that there is not the slightest authority for such statements. Col. Polk never to his life applied to me for a certificate, nor did I ever suppose or believe, that one was required by him from me, or by any one else, to sustain his personal character.

I recollect that when Wise assailed him as speaker of the house of representatives, using probably the expressions you have quoted, I spoke of Mr. Polk's conduct with every citizen with the dignity of respect for the character of the house, in strong terms of disapprobation. And I concurred with others in the opinion that the speaker, in treating such blackguard with contempt, pursued the course which was consistent with the dignity of the house, and a just self-respect. But the idea of my giving col. Polk a certificate, or having applied for, or ob-

tained one, is entirely unwarranted, and could only have been suggested by a mind capable of falsehood and of applying the vulgar language you have quoted to the speaker of the house for the performance of his duties. I am, very respectfully your ob't servant,
ANDREW JACKSON.

The Nashville Banner states the facts to be these: We (the editor of the Banner) stated, in what Mr. Peyton was speaking, he asked if there was any gentleman present from Bedford county who knew anything of the matter, and that a dozen names in the crowd spoke out and said, that Gov. Polk had read such a letter and a judge, speaking at Shelbyville. The statement was made by citizens of Bedford county, and not by us. The issue is between Gov. Polk and his own constituents. They say he read a letter to them in order to prove that gen. Jackson did not disapprove of his conduct in his affairs with Wise. He said, in the course of the union, that it was not a letter he read—that it was only an article in the *Globe* authorized by general Jackson."

GEN. HARRISON'S SPEECH ON ARLINGTON, Delivered at Carthage, Ohio, on the 20th of August, 1840.

Having recently received a letter from a personal friend, who is a member of an abolition society, proposing to me two questions, which required me to answer, but having from necessity, arising from the absolute impossibility of my answering the numerous letters I receive requiring my opinion upon political subjects, declined to answer any from individuals, I willingly embrace the opportunity of answering them, which will, I deem, the editor, without violating the rule I had found myself under the necessity of adopting.

The questions are the following, viz:

1st—Do you believe the people of the United States possess an unrestricted right to discuss any subject, that to them may seem worthy of consideration?

2nd—Do you believe the people of the U. States have the right to petition their legislature for the redress of whatever they may deem a grievance, and for the adoption of such measures as the petitioners may think conducive to the welfare of the nation?

I do not hesitate to answer both of these questions in the affirmative. The constitution of the United States, and that of every other nation, are founded on the people the enjoyment of the rights referred to in both questions, entirely unrestricted but by their own sense of propriety, and the legal rules which protect the rights of others. The freedom of speech and the press is the distinguishing characteristic of a free government. Without it we might call one country a republic, but it would be so only in name. Like that of Rome, under the emperors, it might be a mask to cover the most horrible despotism. The right of the people to write and to speak openly and freely upon all matters of public policy, "is the palladium of all civil and religious liberty."

The authors of our constitution must have known that it would be subject to abuse to be used for improper, and, indeed, sometimes for criminal purposes, yet they declared it without restriction. More than half a century has passed away since it came into operation, and although upon one memorable occasion it was resorted to for the purpose of giving effect to councils tending to paralyze the efforts of the nation, to the midst of a dangerous war, and the enemy to the enemy to persevere in supporting their unjust pretensions, still these declarations of rights in relation to writing, speaking and publishing, have been suffered to remain in all their pristine force. I should be the last person to counsel any unnecessary circumstances, consent to restrict them by legal enactments.

I must, however, take this occasion to repeat what I have before declared, that the discussion of the right of one portion of the states which compose our confederacy, to treat by force, the citizens of other states, which bold note, is, in my opinion, not sanctioned by the spirit of the constitution. It is tolerated by the broad and unrestricted declaration in the constitution, to which I have referred, that it forbids by the general tenor of that instrument, and the fundamental principles of the government which it has established. Our government is certainly one of a very complicated character, difficult in some of its aspects to be well understood. To foreign governments it presents, and was intended to present, a grand and noble the most important attributes of sovereignty; and so far as our relations with them may be concerned, they are to see nothing beyond that which is described in our glorious motto—"*e pluribus unum*."

We are not to be treated by the same rule as it would be understood if applied to other nations which have been formed from once disjoined and

1 HARRISON AND TYLER,
The people's choice.
Protection in industry,
The people's right.
On the reverse—
If government will not protect us, we must protect
ourselves, with the ballot box.
2 A well regulated crew, aye,
The poor man's capital.

Reverse—
The sub-treasury scheme, the poor man's destruc-
tion.
3 The rights purchased on Bunker Hill,
We pledge ourselves to maintain.
Reverse— The people have come.
4 Matty's policy: fifty cents a day,
And French soup!
Our policy: two dollars a day,
And roast beef.
Reverse— March 4th, 1841,
The end of the administration of broken promises.
5 Those who trade on borrowed capital ought to
break. How much has the government borrowed!

Reverse— The sub-treasury.
The first blow at the industry of the north.—*Pickens.*
6 One presidential term!
A protecting tariff!
A sound currency!
A well regulated credit.
Reverse— No standing army!
No direct taxation!
No sub-treasury!
7 JOHN DAVIS

AND
GEORGE HULL
Reverse— The fisherman—the farmer—the mechanic—the
laborer,
All have prospered!
All are aroused!
The Dorchester cavalcade carried a plain banner,
painted by Mr. Somerby, and inscribed on one side
OLD DORCHESTER.
Thus our honored Harrison,
Like the sainted Washington,
Honest hearts has proudly won.

Reverse— HARRISON.
Known as the people's friend,
Blessings his steps attend.
Next came the Cambridge cavalcade, headed
by B. T. Reed, esq. bearing a beautiful banner,
contrasting the claims of the two candidates for the
presidency. The towns of Cambridge contributed
quite a number to the cavalcade, and carried a white
banner, representing the American eagle. They were
followed by eighty from Brighton, who bore a
handsome standard, on the side of which was a
painting of an ox, on the reverse the motto: "Thou
shalt not muzzle the ox that treadeth out the corn."
The Roxbury cavalcade carried a beautiful banner
painted by Gerry. On one side, of white satin,
was represented a shield, on which was a full length
miniature of Harrison on horseback—above the
words OLD NORFOLK! below—HER SONS HONOR
THE BRAVE. On the reverse the following inscrip-
tion, on crimson satin: *FORWARD!—HER GALLANT
WARREN DIED A MARTYR TO LIBERTY ON BUN-
KER HILL.*

Behind the cavalcade came forty barouches and
carriages, in single file, carrying the surviving ju-
riats of the late election, and the invited guests,
officers in the last war, &c. Col. O'Fallon,
of St. Louis, the aid of general Harrison at Fort
Meigs and Tippecanoe, went in the first barouche.
At the head of the Essex carriages was borne a
white flag, representing a liberty tree, motto: "We
appeal to heaven."

Next came the chief marshal of the day, hon.
Franklin Dexter, with his aids, preceding the state
central whig committee. The president of the day,
hon. Daniel Webster, followed, and was suc-
ceeded by the invited guests and a committee of
arrangements. They were followed by a band of
music.

NEW JERSEY.
The whigs of cheated, trampled and disfranchised
New Jersey, were well represented, particularly
old Essex, Newark and Orange. The delegation
from the Tippecanoe club of the latter carried the
beautiful banner presented to them by the ladies of
Newark. On one side was represented a large
monument symbolical of the overgrown power of
the executive. At its foot was chained in captivity
the American eagle—the constitution lies near,
torn, and the fragments scattered about. The arms
of the United States are in the dust, and the stripes
of New Jersey are in the air, stands the goddess
of liberty, pointing in indignation at the sight. The
motto—"Your rights and your sovereignty—your
men to the rescue." On the reverse is inscribed,
"presented to the Orange Tippecanoe club by the

whig ladies of Newark—our homes—our honor—
our liberty."

The whigs of New Jersey were headed by gov-
nor Pennington, and carried in their front a banner
representing the coat of arms of New Jersey, motto.
"The emblem of our sovereignty shall be respected."
On the reverse, "No Jersey—presented by the
ladies to the Elizabeth Tippecanoe club."

MARYLAND.
THE OLD MARYLAND LINE, well represented,
next made its appearance. The delegates were
principally from the city of Baltimore. They were
preceded by the state banner, representing the coat
of arms of the state, motto: "The heart of the union
will drop her last blood for the union." They also
carried quite a number of beautiful banners, among
which we noticed the following. One representing
on one side, Jackson, Van Buren and Benton, in
pursuit of a gilded butterfly, which is leading them
in the pursuit, over a precipice. Motto: "the gold-
en humbug." On the other side is a portrait of
Harrison. Another, with the inscription, "10th
ward. The abolition society, down with the wages
of labor—we say down with the administration." On
the reverse a coat of arms, encircled with a wreath,
in which are interwoven the words Fort
Meigs, Tippecanoe, battle of the "Thames, &c." Another
was a painting of a ship, with the word
"currency." The reverse represents Van Buren
under the pressure of a screw, turned by the hand
of a mechanic. Motto: "No pressure that an hon-
est man need regret." Another banner represented
a view of the monument in the square of Baltimore,
with the inscription, Baltimore Harrison delegation.

NEW YORK.
The New York delegation was quite large, and
made a fine display of attractive standards. They
were preceded by one representing the coat of arms
of the state, with the motto "Excelsior." Another
represented an inverted rooster, labelled "Chap-
man," with the words

"Crow, Chapman, crow,
For our party laid low,
Fly the log-cabin bore,
Of old Tippecanoe."

Another, and very large banner, represented a
view of the siege of Fort Meigs. The standard of
the 15th ward Tippecanoe club was a pretty affair;
presenting on one side a pair of the goddess of
liberty, with the motto—"Our country, one consti-
tution, one destiny." On the reverse, motto—"E
pluribus unum." Another was a large banner, rep-
resenting a laborer, at work in the field gathering
corn, on the reverse, motto—"Harrison and reform."
Below—"The laborer is worthy of his hire."

The next banner contained a painting symbolical
of commerce, agriculture and industry, with the
motto—"Harrison and Tyler," the guardians of the
constitution. Their last banner was a plain white
one; on it represented a cannon to the left, and a
flag, marked "whig gun"—over it the inscription,
"Amos' baby waker."

VIRGINIA.
Next came a small delegation from Virginia, bear-
ing a banner representing the arms of the state, with
the motto—"Union of the whigs for the sake of the
union."

NORTH CAROLINA.
The victorious old north state next appeared with
quite a respectable delegation. The banner they
bore represented the coat of arms of the state.—
Motto—"We are here."

TENNESSEE.
Just behind North Carolina came a small delega-
tion from Tennessee without a banner. The mem-
bers arrived in the city too late to procure any.—
They promised at least 1,500 majority for Harrison
on the "lion's den."

KENTUCKY.
Triumphant Kentucky, next entered the field,
with her delegation of virtuous freemen. They
carried a banner with the arms of the state, with
the motto—"Truth omnipotent—public justice
only."

The young empire state of the west—the Buck-
eye home of the hard farmer, was well represented,
by as spirited a delegation of devoted whigs, as was
to be found in the whole procession. Their stand-
ard contained the arms of the state—a canal boat,
the sun rising in the distance, with the motto—"The
nation will rest in peace, under the shade of her
buckeye."

LOUISIANA.
Although almost the most distant of any state in
the Union, Louisiana, on this occasion, turned out
more than a hundred of as fine looking and enthusi-
astic whigs as could be seen in the procession. Full
well it did show by the interest they manifested
on the occasion how little the cry of abolition, or

enmity to the rights of the south, with which gen-
eral Harrison has been assailed by the bitter malice of
party rancor, had availed to turn away their hearts
from their country's gallant defender, and a gratify-
ing earnest was thus afforded of what the country
may expect from Louisiana in the presidential elec-
tion. They bore a beautiful and gorgeously rich
banner of crimson satin, on which was painted the
coat of arms of the state—a pelican feeding its
young. Over it the word "Louisiana." Under-
neath—"Justice, union and confidence." On the
reverse—"What can stay our onward march! Who
roll back the Mississippi's mighty torrent!"

MISSISSIPPI.
The Mississippians were few but not wanting
in enthusiasm. Their banner represented their state
coat of arms, with the motto—"We come to the
rescue."

GEORGIA.
The delegates from Georgia presented quite a re-
spectable array, both in point of numbers and per-
sonal appearance. They bore a neat banner rep-
resenting the coat of arms of the state, with the
motto—"Georgia comes late, but come she will."

On the reverse—"Our country calls, the people
answer, for Harrison and reform—5,000 majority."
The standard was surmounted by a small cotton
bag, out of white, the other nankeen.

The whigs of Alabama came in quite respectable
numbers, with the laurels of their well earned tri-
umph still green upon their brows. They carried a
neat banner, representing the arms of the state—the
two rivers of Alabama and the goddess of lib-
erty, with the motto—"Alabama is coming to the
rescue."

MICHIGAN.
Next in order came a small delegation from the
Yeast state. They carried a plain white banner
with the inscription—"Michigan all ready."

MAINE.
The state of Maine was well represented, when
it is remembered that her election takes place next
Monday, and that all could not see one who would
have wished to have been here. All who were here
were compelled to leave by last evening's boat
in order to be at home next Monday in season to
vote. The Maine delegation carried a banner rep-
resenting the coat of arms of the state, with the
motto—"She tries." On the reverse, "The rep-
resentative of a log cabin, a single star in the firmament."
motto—"The star in the east."

NEW HAMPSHIRE.
The state of New Hampshire turned out in large
numbers, no less than a hundred strong. At the
head of the delegation went the coat of arms
with the motto—"Lata but sure." The delegation
from Portsmouth were preceded by a plain white
banner inscribed—"Portsmouth delegation to Bun-
ker Hill." Another white flag bore the inscription:
"Honor to whom honor is due—Harrison, Sullivan,
Clark, Cilley, Seemmel, McCleary, Miller—broth-
ers in arms." On another flag was a painting of
a log cabin with Harrison and Tyler on a flag.
The old bonfire to do next March." On the
reverse, a painting symbolical of husbandry, man-
ufactures and commerce.

The Concord delegation carried a banner belong-
ing to their Tippecanoe club, representing an eagle,
motto—"The spirit of 1776."

Another banner from New Hampshire contained
a painting of gen. Harrison on horseback, over it
the words—"The hero of Tippecanoe."

Another banner represented the tree of loco fo-
cus, to the root of which one of the people is in
the act of cutting down the tree. The axe is
laid at its roots. On the reverse is represented the
bell of public opinion in onward motion. Above it,
"The people are coming." Below—"Stop that
bell."

The delegation from Cheshire county, the "Gib-
balt of whiggery," in that state, bore a neat ban-
ner, it represented Harrison surrounded by a wreath
of roses—motto, "For our country and its gelant
defenders."

Peterborough delegation bore an excellent device
on their standard. It represented Uncle Sam look-
ing with amusement at the sum total of the expen-
diatures of his family, \$30,000,000. On the reverse
gen. Harrison is represented at the plough in front
of his log cabin. Over it the inscription, "The far-
mer of North Bred."

Amherst sent quite a respectable delegation.

They carried a plain white standard, on it inscribed,
"Amherst whig delegation."

The Dover delegation carried a standard rep-
resenting a log cabin, inscribed—"Harrison and
reform—Bunker Hill." On the reverse, an eagle
bearing the motto, *E pluribus unum*; inscription,
"The republic in danger—to the rescue! to the re-
scue!"—Dover delegation."

currency, the circulation and the internal exchanges of the country, accidental occurrences, acting on his characteristic love of ease and uneasiness under opposition, led him to depart from all that was expected from him, and enter upon a career which plunged both him and the country in greater and greater difficulties at every step, so that, in this respect, his whole course of administration was but a series of ill fated experiments, and of projects, framed in disregard of prudence and precedence, and ending in rapid succession, the final explosion taking place a few months after his retirement from office.

Geo. Jackson was not elected with any desire or expectation, on the part of his supporters, that he would interfere with the currency of the country. We affirm this as a fact, and it is incontestable to the public of ratification or denial. It is as certain as that the American revolution was not undertaken to destroy the rights of property, or overthrow the obligation of morals.

But, unhappily he became involved in a controversy with the then existing Bank of the United States. He manifested a desire, how originating or by whom inspired is immaterial, to exercise a political influence over that institution, and to cause that institution to exercise, in turn, a political influence over the country. He endeavored to prove this as plainly as they prove any other act of his administration. In this desire he was resisted, thwarted and finally defeated. But what he could not govern he supposed he could destroy; and the vessel showed that she did not errate in her popularity and his power. He turned the screw to the death and achieved his triumph by the end of 1832. The accustomed means of maintaining a sound and uniform currency, for the use of the whole country, having been thus trampled down and destroyed, there was had to these new modes of experimental administration, to which we have already adverted, and which terminated so disastrously, both for the reputation of his administration and for the welfare of his country.

But general Jackson did not deny the constitutional obligation, nor seek to escape from their force. He never professedly abandoned all care over the general currency. His whole conduct shows that he admitted, throughout, the duty of the general government to maintain a supervision over the currency of the country, and to regulate it for the general good and use of the people; and he congratulated both himself and the nation, that by the measures adopted by him, the currency and exchanges of the country were placed on a better footing than they ever had been under any other administration. This confidence in his own experiments, we know, proved most illusory. But the frequency with which he repeated this and similar declarations, established, uncontestedly, his own sense of the duty of the government.

In all the measures of general Jackson touching the currency, the present chief magistrates is known to have concurred. Like him he was opposed to the Bank of the United States; like him he was in favor of the state deposit banks; and like him he insisted that by the aid of such banks, the administration had accomplished all that could be desired, on the great subject of the currency and the exchange.

But the catastrophe of May, 1837, produced a new crisis, by overthrowing the last in a series of experiments, and creating an absolute necessity, either of retreating to that policy of the government which gen. Jackson had repudiated, or of reneouncing altogether the constitutional duty which it had been the object of their policy to perform. The latter branch of the alternative was adopted. Refuge was sought in escape. A party, up to that time, admitted by the government, was suddenly declared, and the fearful resolution announced that government should hereafter provide for its own revenues, and that for the rest, the people must take care of themselves.

Assembled here, to-day, and feeling in common the whole course of general Jackson's administration of these principles and these measures, we offer against them all, from first to last, our deep and solemn disapprobation and reprobation. We condemn the early departure of general Jackson from that line of policy which he expected to pursue, and we deplore the temper which led him to his original quarrel with the bank. We deplore the headstrong spirit which impelled him to pursue that institution to its destruction. We deplore the timidity of some, the sequaciousness of others, and the subserviency of this party, which enabled him to carry its whole, unbroken phalanx to the support of measures, and the accomplishment of purposes, which we know to have been against the wishes, the remonstrances and the consciences of many of the most respectable and intelligent members of the government, measures that had been pursued for forty years; his rash experiments with great interest; and the perseverance with which his pro-

ceeded in them, when men of different temperament must have been satisfied with their uselessness and impotence.

But gen. Jackson's administration, authority and influence, were now historical. They belong to the past, while we have to do, to-day, with the serious evils, and the still more alarming portents of the present. We reneounce, therefore, most earnestly and emphatically, against the policy upon this subject of the present administration. We protest against the principles of its measures. We deny the propriety and justice of its measures. We are constrained to have little respect for its objects, and we desire to arouse the country, so far as we can, to the evils which oppress and the dangers that surround it.

We insist, that the present administration has conspired its own party ends, and the preservation of its own power, to the manifest neglect of the great objects of public interest. We think there is no liberality, no political comprehension, no just policy in its lessing measurement, and to throw out its abandonment of the currency as fatal; and we regard its system of sub-treasures, as but a poor device to avoid a high obligation, or as the first in the new series of ruthless experiments. We believe its projects, to the end of a hard-fought battle, will be insincere; because we do not believe that any person of common information and ordinary understanding, can suppose that the use of paper, as a circulating medium, will be discontinued, even if such discussions were denied to the public. The government shall break down the acknowledged authority of the state governments to establish banks. We believe the clamor against state banks, state bonds, and state credits, to have been raised by the friends of the administration to divert public attention from its own mismanagement, and to throw on others the consequences of its own misconduct. We heard nothing of all this in the early part of general Jackson's administration, nor until his measures had brought the currency of the country into the utmost disorder. We know that in times past, the present chief magistrate has, of all men, had most to do with the system of state banks, the most faith in their usefulness, and no very severe chartered desire to profit by their influence.

We believe that purpose of exercising a money and credit policy, has been commonly departed from the administration. What it could not accomplish by an attempt to bend the Bank of the United States to its purposes, we believe it has sought, and now seeks, to effect by its project of the sub-treasury. The friends of the administration, who are the principles upon which the system of the sub-treasury is founded, the friends of the administration have been led to espouse opinions destructive of the internal commerce of the country, paralyzing to its whole industry, tending to sink its labor, both in the hands of the farmer, to the detriment of the unimpaired, the thimble, the suffering labor of the worst parts of Europe. Led by the same necessity, or pushing the same principles still farther, and with a kind of revolutionary rapidity, we have seen the rights of property not only assailed, but denied, the noblest agrarian notions put forth, the power of transmission from father to son openly denounced, the right of one to participate in the earnings of another, to the rejection of the natural claims of his own children, asserted as a fundamental principle of the new desecration, and all this, by those who are in the pay of the government, receiving large salaries, and whose offices would be nearly sinecure, but for the labor performed in the attempt to give currency to these principles and the system of the sub-treasury.

We believe that the general tone of the measures of the administration, the manner in which it conducts its affairs, its apparent preference for partisans of extreme opinions, and the readiness with which it has been ready to sacrifice the best interests of the country, to the interests of the party, and most violent, are producing serious injuries upon the public morals and general sentiments of the country. We believe that to this cause is to be fairly attributed the most lamentable change, which has taken place in the temper, the sobriety and the wisdom, with which the high public councils have been hitherto conducted. We look with alarm to the existing state of things in this respect; and we would most earnestly, and with all our hearts, as well for the honor of the country as for its interests, beseech all good men to unite with us in an attempt to bring back the deliberative age of the government, to restore to the collected bodies of the people's representatives that self-respect, decorum and dignity, without which the business of legislation can make no regular progress, and is always in danger either of accomplishing nothing, or of reaching its ends by unjustifiable and violent means.

We believe the conduct of the administration respecting the public revenue to be highly reprehensible.

It has expended twenty millions, previously accumulated, besides all the accruing income, since it came into power; and there seems at this moment to be no doubt, but that it will leave to its successors a public debt of nearly five to six millions of dollars. It has shrunk from its proper responsibilities. With the immediate prospect of an empty treasury, it has yet not bad manliness to recommend to congress any adequate provision. It has constantly spoken of the excess of receipts over expenditures, and of certain classes of expenditures, until it has finally manifested itself in an absolute necessity for loans, and in a power conferred on the president, altogether new, and in our judgment hostile to the whole spirit of the constitution, to meet the event of want of resources, by withholding, or, of certain classes of expenditures, made by congress, such as he chooses to think may be best spared. It lives by shifts and contrivances, by shallow artifices and delusive names, by what it calls "facilities," and the "exchange of treasury notes for specie," while in truth it has been fast contracting a public debt, in the midst of its boasting, without daring to lay the plain and naked truth of the case before the people.

We protest against the conduct of the house of representatives in the case of the New Jersey election. The conduct of the house, in this respect, is in the union of the states, on whatever link the blow of injustice or usurpation falls, it is felt, and ought to be felt, through the whole chain. The cause of New Jersey is the cause of every state, and every state is therefore bound to vindicate it.

That the regular commission, or certificate of return, signed by the chief magistrate of the state, according to the provisions of law, entitles those who produce it to be sworn in as members of congress, to vote in the organization of the house, and to hold their seats until their right be disturbed by regular petition and proof, is a proposition of constitutional law, of such universal extent, and universal acknowledgment, that it cannot be strengthened by argument or by analogy. There is nothing clearer and nothing better settled. No legislative body could ever be organized without the adoption of this principle. Yet, in the case of the New Jersey members, it was entirely disregarded. And it is of awful portent that on such a question, a question in its nature so plain, and so clearly defined, that it should lead men thus flagrantly to violate first principles. It is the first step that costs. After this open disregard of elementary rules of law and justice, it should create no surprise that pending the labors of a committee especially appointed to ascertain the rights of the citizens of the state, calling themselves representatives of the people of New Jersey, who had no certificates from the chief magistrates of the state, or according to the laws of the state, were voted into their seats, under silence imposed by the in-judicial conduct of the state, gave their votes for the passage of the sub-treasury law. We call most solemnly upon all who, with us, believe that these proceedings invade the rights of the states and dishonor the cause of popular government and free institutions, to supply an efficient and decisive remedy, by the usurping appropriation of the elective franchise.

We protest against the plan of the administration respecting the training and disciplining of the militia. The president now admits it to be unconstitutional; and it is plainly so, on the face of it, for the training of the militia is by the constitution expressly reserved to the states. If it were not unconstitutional, it would yet be unnecessary, burdensome, entailing enormous expense, and placing dangerous powers in the hands of the executive, and of the prolific family of executive projects, and it is a consolation to find that at least one of its projects has been so scorched by public rebuke and reprobation, that no man raises his hand, or opens his mouth in its favor.

It was during the progress of the late administration, and under the well known auspices of the present chief magistrate, that the declaration was made in the senate, that in regard to public office, the spoils of victory belong to the conquerors; thus boldly proclaiming, as we have seen, the party, that political contests are rightfully struggles for office and enrolment. We protest against doctrines which thus regard offices as created for the sake of incumbents, and stimulate the basest passions to the pursuit of public trust.

We protest against the repeated instances of disregarding judicial decisions, by officers of government, and others enjoying its countenance; thus settling an executive interpretation over the solemn adjudications of courts and juries; and showing marked disrespect for the law, and for constitutional interpretation and execution of the laws.

This misgovernment and mal-administration would have been the more tolerable, if they had not

CHRONICLE.

AMHERST COLLEGE. At a late commencement of Amherst college, there were forty-four graduates.

EX-PRESIDENT ADAMS. The St. John's (N. B.) Herald of the 9th inst. announces the arrival at that city of the hon. John Q. Adams, in the steamer Maid of the Mist. He was to leave for Frederickton next morning.

AMERICAN BOARD OF MISSIONS. The receipts of the American board of missions, during the past year, have amounted to \$241,991; expenditures, \$265,774. Balance against the board, \$24,053.

COCHRANE'S CANNON. The New York American contains a notice, at some length, of an experimental exhibition of Mr. Cochrane's new bomb cannon at Castle Garden. The advantages which it possesses over the common cannon appear to be incalculable. The rapidity of the discharges is so great that three balls may be in the air at the same moment, so that a regular stream of shot or shells can be kept up from this terrible weapon. There are three chambers, through which, after every discharge, the powder is blown out, thus preventing the piece from acquiring a degree of heat capable of igniting powder—a fact demonstrated by Mr. Cochrane, who, after fifty discharges, and when the gun's heat was so great that it could be made, took a keg of powder and poured a charge therefrom into the chamber of the cylinder with the utmost coolness and with perfect safety. The gun requires neither powder nor stopping the vent.

Mr. Cochrane is about to carry his gun to England, where he will no doubt find a quick eye to its advantages, and a ready purse to secure them. The efficiency of the gun is so great that it is computed the same steamer, with two of Cochrane's sixty-four pounders, could cope with and destroy any line of battle ship, armed in the ordinary way.

CHARLESBURG PA. Population, white males in borough, 1,657; white females, 1,602; black males, 106; black females, 163. Total 3,226.

White males in suburbs, 345; white females, 336; black males, 71; black females, 114. Total 864. Total in the borough and suburbs 4,090.

CORNS. English papers of 31 Aug. represent the corn as promising abundance. Harvest has commenced earlier than for the last ten years—the grain extremely well cured and the kernels plump and sound. The fine sunny weather had ripened the corn with extreme rapidity. The crops will be much above an average.

London, Aug. 15th. From all parts of the three kingdoms, the accounts of the state of the weather, and the progress of the harvest are uniformly good.

The Indicateur of Bordeaux says, that the crops in the south of France will about equal those of 1839.

COTTON. London, Aug. 8. Market firm, to-day, 6,000 bales sold, 1,000 on speculation, with a slight advance of price.

Liverpool, 13th August. We have had a general demand for cotton, and the sales for the week ended last evening amount to 43,950 bales, of which, 4,640 were Upland, and 39,310 Orleans; 5,584; 14,200 Alabama and Mobile at 4 1/4; 320 St. Island at 15 1/2; and 140 stained at 6 1/2. per lb. Speculations have taken 15,500 bales during the week, and 3,000 have been sold for exportation. The market has not been so animated to-day, but a fair business has been done, the sales being estimated at about 5,000 bales, of which 1,300 are on speculation. Prices of the ordinary and middling qualities have improved 1/4 per lb. on the last ten days, the advance being most decided in the inferior descriptions, but the better qualities are without change of moment. The accounts of the March export market continues favorable.

The week ending Aug. 22nd, the sales amounted to 17,700 bales, including 1,580 American on speculation, and 800 American for export. 3,580 New Orleans, and 14,120 at 6 1/2; for Mobile at 5 1/2. The market during the week remained steady.

August 31st. Cotton in Liverpool was selling largely at moderate but steady prices; say for Upland, from 5s. to 6s. for Mobile from 5s. to 6s. and for New Orleans 5s. to 7d.

Harve, Aug. 8. Cotton remains stationary, for want of buyers.

At N. York, Sept. 15. The stock has been augmented to 10,000 bales—sales 500 bales at steady prices.

The exports from Charleston, from October 1, 1839, to August 24, 1840, have been—St. Island, 12,662 bales; Upland, 251,206 bales; against last season—St. Island, 10,455 bales, Upland, 199,579 bales. The stock on hand, August 25, was—St. Island, 355 bales; Upland, 2,412 bales; against last season, St. Island, 1,464 bales, Upland, 3,511 bales.

DEATHS. The number reported for the last week in Boston was 55.

In New York 193, of which 69 were under 2 years of age.

At Philadelphia 93, of which 48 were under 2 years of age.

At Baltimore 49 of which 30 were under 2 years, 3 free colored and 19 slaves.

In Washington City, during the month of August, 43, of which 23 were of and under 2 years, and 9 of consumption.

At Charleston S. C. for the week ending 30th ult. 18, for the week ending 9th inst. 17.

ELECTIONS. State elections take place in Maryland on the 20th, in Virginia on the 9th, South Carolina on the 12th, Pennsylvania and Ohio on the 13th October. In Mississippi, Michigan and Arkansas on the 2d, New York on the 2d, 3d and 4th, New Jersey on the 3d and 4th, and Delaware on the 10th November. Pennsylvania is the first state which elects electors of president and vice president, their election occurs on the 30th October. New York is the last to elect, their election occurs on the 23d and 24th November.

EXCHANGE. New York on Boston, per Philadelphia, 31; Baltimore, 17; Washington, 2; Richmond, 31; Charleston, 12; 2; Augusta, 6; 1; 2; Macao, 12; New Orleans, 4; 4; Cincinnati and St. Louis, 6.

Flour. At New York for western, \$5.55 1/2; Ohio red, \$5.44; Georgetown and Howard street, \$5.50.

At Baltimore, receiving price \$5.55 1/2; selling \$5.25. At Alexandria, \$5.00 receiving price.

At Charleston S. C. selling price \$5.25 1/2. At 1/2 Wharves on the 12th floor was selling at \$3.25 1/2.

At Baltimore considerable demand during the week, and holders ask an advance of 1/2 on the last quotation, made from 1/2 choice brand, 85 lb. receiving price 85, for city mills holders ask 85 1/2; Samsin—\$5.12. Inspections of the week, 5,660 bales; of Howard street, 5,447 city male; 100 Samsin—\$5.12, 1,212 bales, and 265 lb. male.

London, Aug. 15. Sweet flour in bond 37s. 4/2s. and duty paid dull at 3s. 6d. 3/4s. 6d. per boll. The duty on sugar, made from 1/2 choice brand, 85 lb. per qt. and on 1/2 lb. 6s. 3/4, per boll.

KYANNING TIMBER. Within the last two or three weeks, the Manchester and Birmingham railway company have commenced kyanizing their wood sleepers in a much more quick and efficient manner than by the old mode of simply depositing the timber in the prepared liquid. The company have had made a large iron cylindrical vessel, weighing about 10 tons, and which is about 30 feet long and six or 7 feet diameter, made from 1/2 choice brand, 85 lb. receiving price 85, for city mills holders ask 85 1/2; Samsin—\$5.12. Inspections of the week, 5,660 bales; of Howard street, 5,447 city male; 100 Samsin—\$5.12, 1,212 bales, and 265 lb. male.

MAINE ELECTION. The information from Maine by last night's mail is, that the whig gain for governor so far, over the election of 1839 is 6,612, and over the election of 1837 is 10,000. The whig gain for governor Kent is elected, the Portland Advertiser says, by about 1,000 majority. A majority of the senate certainly, and probably a majority of the house will be whig. Allen is said to be elected to congress in the Penobscot district.

NASHVILLE. By the recent census, it appears that the city and liberties of Nashville contain 8,133 inhabitants, and that there are eight common houses, 12,000 of which are in 1839, 1840, and 1841. 76 dry good and grocery stores, employing a capital to the amount of \$1,441,400.

OPUM. No less than 30,000 chests of opium are smoked up by the Chinese annually, the passion, which it increases the use of the poison to a species of insanity, destroys body and mind.

WM. M. PRICE. Late United States district attorney for the state of New York, has returned to the practice of law in that city. He contends that the government is in debt to him. Suits to a large amount have been commenced against him.

REX CROPS. The Georgetown (S. C.) American of the 21st instant, says: "A number of the planters of this district commenced harvesting several days ago. From the inquiries we have made, we feel authorized to say the prospect is most satisfactory."

STEAMBOAT. The steamboat Boston came in collision with the sloop North American near Batterick mill about 12 o'clock at night, by which her boiler was displaced, one of her hands killed and a passenger drowned.

STEAMERS. The Britannia reached her moorings in Liverpool 4 in the afternoon of August 14, making the run from Boston in 13 days, and in 9 days and 15 hours from the time she tripped her anchor off Halifax.

The British Lion was off Plymouth on the 14th, making just 14 days on the passage from New York.

SALEM, MASS. The United States census of the city of Salem exhibits a population of 15,051, of whom are white males, 7,012; do. female, 7,746; colored males, 166; do. female, 166.

THE SISTERS OF CHARITY. An agent of this association has purchased a ten acre lot on the Harford road in the suburbs of Baltimore city, for the purpose of erecting thereon, two spacious buildings as hospitals for the Sisters of Charity for male and the other for female patients.

RIE. The Peru (Indiana) Gazette states that the silk business is pursued with success in that vicinity. A Mr. Noyes of Miami county has so far succeeded his first year, that he proposes to continue the business the first year of his experience, that he is about to enlarge

his means and prepare for extensive operations the next season.

Some fine specimens of alkali have been raised by Mr. Coleman, of Frederick, Md. from worms fed on the white mulberry.

SPERM AND WHALE OIL. We learn from the Nantucket Inquirer, that during the month of August, 1840, were imported into the United States 9,930 barrels, or 244,350 gallons of sperm, and 11,325 barrels, or 369,062 gallons of whale oil.

STOCKS. American stocks. The following were the quotations of the 8th August.
Alabama sterling five, 75s/80; Indiana do. 77 1/2; 78; do. 1865-6, 69 1/2; do. 1860, 75 1/2; Kentucky do. 1865, 64 1/2; Louisiana sterling five, 82 1/2; do. 1865, 104 1/2; 82 1/2; Maryland do. 4 and 1/2; 82 1/2; do. sterling five, 84; New York five, 1850, 85 1/2; do. 1860, 88 1/2; do. 1850, 1850, 85 1/2; Pennsylvania five, 1860, 82 1/2; do. 1850, 85 1/2; do. sterling five, 84; Tennessee do. 84; United States bank shares, 121 1/2; do. 121 1/2; do. delaware, 95 1/2; New York city five, 80 1/2; New York life and Trust, five, 81 1/2.

The stocks of the United States bank has revived some what—sales were made in Philadelphia on the 13th instant, at 66 1/2; and at 67 1/2 on the 14th.

Virginia. At auction, on the 8th instant, at Norfolk, twenty shares of stock of the Farmers' Bank of Virginia, sold at 98 1/2, and ten shares of exchange.

London, Aug. 14. The funds were again heavy today in both markets particularly towards the close. Consols, which had been done at 90 1/2 for money, left at 90 1/2 for cash, and 90 1/2 for cash.

TEMPERANCE. The consumption of spirits in Great Britain and Ireland, has risen from 9,500,000 gallons, in 1817, to 15,000,000 in 1837. The poor law commissioners estimate the money annually spent in ardent spirits, at 234,000,000. The quantity consumed in England, is in the ratio of 7 1/2 pints per head; in Ireland, not more than 13 pints per head; and in Scotland, 23 pints per head per annum.

Tobacco. Amsterdam, July 30. Maryland and Virginia tobacco sold readily. Of the former 457 hhds. lately arrived, found instant buyers; but at what price was not said. Cuba and Porto Rico laces were also inquired after; but in all other sorts no business had been done.

At Baltimore. Former quotations fully sustained and the demand active. Inspections of the week 975 hhds. Maryland, 335 Ohio and 40 Kentucky. Inspections of tobacco in Virginia for the year ending August 31st.

	Hhds.	Stock.
Richmond—passed and refused	19,560	unaccounted.
Petersburg do.	12,420	2,206
Lynchburg do.	4,124	2,053
Charlottesville do.	4,964	1,623
Clarksville do.	2,600	small.

Official 58,633
Total 64,509

Other places, conjectured 1,875

The editor of the Lynchburg Virginia offers the following advice to the growers of Virginia tobacco:

The additional duty placed on tobacco by Great Britain makes it the interest of the Virginia planter to grow heavy, rich, thick, leaf tobacco for that market. In order to do this, too low, never exceeding eight leaves, and come down to six, and prime in that way which is best calculated to effect the object, and be sure to let the tobacco stand until it is thoroughly ripe. We would especially guard the planters upon this subject, for nine out of ten cut their tobacco entirely green. Unless we adopt the above system, we shall have our tobacco sold at a low price, and our countrymen in Great Britain but in all Europe. We have a climate and soil unrivalled, and with care c.n raise the finest tobacco in the world.

WHEAT. Supplies are now coming forward by the Erie canal with what are about 16,000 bushels of the former and 10,000 bushels of the latter are already engaged.

At Baltimore, Maryland red 61 1/2; do. Pennsylvania 61 1/2.

At 1/2 Wharves, wheat was selling on the 12th at 40 cts. **London, August 15.** The harvest is proceeding favorably and the grain market continues dull—we quote bonded wheat, 6s. 6d. 6d. 6d. per 10 lb. and 9s. 0d. per 10 lb. for free.

London, August 13. It seems to be considered that our amount of crops will be increased—and that the value of our crops will be increased by the very high price of wheat and flour—which is not expected to fall below the present excessive rates. The duty on foreign wheat declined on Thursday last to 5s. 6d. per quarter and to 4s. per barrel of 48 lbs. with the probability that on Thursday next the duty will further decline to 2s. 8d. per quarter on wheat and 2s. 1d. per barrel on flour of 48 lbs. This will be about equivalent to an opening of the ports.

WEEKLY REGISTER.

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WRECK—REMITTANCE BY MAIL. "A postmaster may en-
close money in a letter to the publisher of a newspaper,
to pay the subscription of a third person, and frank the
letter, if written by himself."—*Amos Kendall.*
Some of our subscribers may not be aware that they
may save the postage on subscription money, by re-
questing the postmaster where they reside to frank their
letters containing money, or being able to frank them
himself before a letter is sealed, that it contains nothing
but what refers to the subscription. [*Am. Farmer.*]

FOREIGN ARTICLE.

Catholic church. HAYTI.
The following letter from the pope to president Boyer:
To our dear son, the illustrious and honorable Boyer,
president of the republic of Hayti. Gregory
XVI. pontiff.
Many and unanimous accounts, as well as the
correspondence of your ministers, have apprised
the chair of Rome, which, by the will of God, we
now occupy, of the zeal which distinguishes your
excellency, and of your sincere desire to cherish
and consolidate the Catholic religion, which has
been rendered by the constitution of Hayti, the
religion of the state.

These sentiments, worthy of a Christian and of
an enlightened prince, have filled us with the more
lively satisfaction, because we hope that they will
advance the glory of God and the eternal salu-
tion of man; that they will constitute a title of honor
to yourself in life, and will obtain for you a great
and glorious recompense hereafter.

In former years, the apostolic chair of Rome
has labored, by correspondence and by missions, to
promote the interests of the faith in the illustrious
republic of Hayti; but, owing to the distance, and
various other circumstances, nothing definitive has
yet been done. We have now determined to send
your excellency, our legate, the venerable
brother John Engel, bishop of Charleston, in the
United States of North America, whose intelli-
gence and piety are well known, that he may treat
with your excellency respecting the affairs of the
Catholic religion throughout the republic; that he
may deliberate with your excellency respecting
the choice of pastors; that he may form a national
clergy, establish ecclesiastical discipline, and pro-
vide for the spiritual wants of the people; that by
your excellency's aid and favor, our said legate
may execute his task successfully. He is invested
with the requisite authority, and we recommend
him to your protection. In the hope that this will
be extended, we cordially bestow on your excel-
lency, and the republic which you govern, the
apostolic benediction.

Given at St. Peter's at Rome, seated with the
seal of the fisherman, the 20th of May, (4.) A. D.
1841, and of our pontificate, the third.

GASPER GASPARINI.

NATIONAL AFFAIRS.

APPOINTMENT BY THE PRESIDENT. Gabriel
Montamat to be deputy postmaster at New Orleans,
in the state of Louisiana, vice William McQueen,
resigned.

FOREIGN LEGATION. M. Paget, brother-in-law
of M. Scriver, passes from Washington, where he
has been secretary of legation, to Madrid, as first
secretary of the embassy. He is replaced [at Wash-
ington] by M. Charty-Lafosse, son of the colonel
of that name.
[*Courier des Etats Unis.*]

THE REVENUE. Suspected Fraud. We learn
from the Boston Times that an extensive import
of French goods had been arrested by order of the
collector of New York, Mr. Hoyt, charged with
perjury for entering and swearing to a false invoice
of merchandise. He was held to bail in the sum of
three thousand dollars.

TRADE AND COMMERCE. American colonies. The
chamber of commerce and manufacturers of Amster-
dam has published a notice to the effect, that, ac-
cording to arrangements made by his majesty the
emperor of Russia, in concert with the Danish go-
vernment, America's cotton must be proved by their
quinta certificates delivered by the Russian consuls
in the ports from which it is consigned, or in the
absence of consuls, by certificates of the local au-
thorities.

COMMERCE OF THE U. STATES. Conformably
to the intimation contained in the circular of the 3d
instant, to-day, insert a statement of the state
of the commerce and exchange of the United States
with Great Britain direct, and indirect through
British America, China, and ten different European na-
tions. We announced in our exposition of the
extent and nature of the aggregate external com-
merce of the United States, that whilst the charac-
teristic of British commerce was an inordinate excess
of export, that of the United States was an inordinate
excess of import, the imports in the last nine years,
(including average of 180,000,000 of dollars in gold
and silver), having exceeded the exports by upwards
of 230,000,000 of dollars, and we concluded our ex-
position by stating that that excess was exclusively
at the expense of England; in corroboration of that
conclusion we now direct the attention of our read-
ers to the account, now with Great Britain alone,
but to that with Russia, Sweden, Spain, Italy and
with China, and with subsequent statements which
will appear, we shall further direct attention to the
account with British India, and with some other
countries, and establish the fact of the excess above
stated, resolving itself into an abstraction of the re-
sources of Great Britain. We are aware of having
placed to the credit of this excess treasury notes,
bills of credit, bank, state, and various other stocks
and representations of amount, many and most of
which may prove of value to the individuals that
hold them; but without intending to cast the slight-
est imputation either on the validity of those repre-
sentations of amount, or integrity of purpose, which
in their involvement with the legitimate com-
merce and exchange, we shall show to demon-
stration that whatever be their amount, whether
\$50,000,000 or only \$20,000,000 or \$20,000,000
sterling, they are as such a spoilation of the re-
sources of England, as though a marauding force
had landed on our shores and levied contributions
to the same extent. We do not in the slightest de-
gree impugn either the intelligence or character of
the individuals either in England or the United
States identified with these acts of continued spoli-
ation; the fault is not with them; but we must forbear
to express what we feel in respect to those whose
duty it has been to have prevented the painful em-
barrassments they have occasioned, and privations
they are perpetually calculated to inflict on the
productive industry of the British community; the
existing corn law may be open to complaint in the

part of the British manufacturer, and we admit the
hardship of his being precluded by fiscal severity,
from receiving flour or wheat in exchange for his
products, where no other means of payment exist,
and numerous cases may doubtless be adduced
where the restraint may be made to appear un-
necessarily absurd as the prevention is fatal to the in-
terest of the individuals more immediately involved in
the question; but the corn law, to whatever objec-
tion it may be liable as pressing severely on the
interest of individuals in particular cases does not
weigh a feather in the scale in comparison with the
beneficial effects resulting from the involvement of
loans and investments in foreign securities with legi-
timate commercial exchange; all the socializing
tendencies and reciprocal benefits which the latter
is so well calculated to confer on the world at large
are withered and paralyzed (we had almost said
blasted) by the insidious and delusive tendency and
baneful effects of the other. If such be the case,
it will be naturally asked, where and what is the
remedy? How are you to restrain capital? Has
not every man a right to do what he likes with his
own? We shall briefly answer these queries by di-
recting attention to the cause of so extensive an
interposition of extraneous bill and money opera-
tions with the legitimate exchange. If, at the out-
burst of the war, a corn law had been based on
rational principles and compatible with the altered
circumstances which the sudden suspension of
£25,000,000 per annum of war commercial equi-
valents necessarily occasioned, much of the embar-
rassment that has taken place might and would
have been prevented, but much would still have
remained for endurance under so iniquitous, absurd,
and inapplicable a measure as a low fixed price of
gold. There are now many circumstances mingling
therein injurious effects on the productive interest
and energies of Great Britain, but the gold currency is
the root and base of the whole, and must be aban-
doned, despite the compact that has been entered
into by no trifling portion of our embassied am-
bassadors; we make this assertion on no other
influence which that compact phalanx at present
exercises, and of all the strong prepossessions and
prejudices, instructed as well as ignorant and vul-
gar, in favor of an adherence to a gold currency,
and also of the vacant and stupid insensibility of the
existing public men of all parties on the subject.—
But notwithstanding all this, one or two things is
certain, either an entire abandonment of a gold cur-
rency and the substitution of a means, for facilitat-
ing exchange proportionate to and compatible with
the resources and energies of the empire, or embar-
rassment and privation must continue to prevail
with increasing severity. It is not our province to
prescribe or to propose what steps shall be taken to
remedy so grievous an evil as this, but we deem
and privation endured by the manufacturing and
trading portion of the community for the last twelve
months; but when, as we have said on a previous
occasion, we have produced all the facts we have now
collected in evidence, and in the construction of the
cause of the success and the barriers to its removal
prevailed, and still continue to prevail, we shall be
prepared to point out as demonstratively the way such
derangements may be prevented, and a career of pro-
gressive advancement in all the means of social enjoy-
ment instituted, instead of the existing one of in-
creasingly increasing embarrassment. For the
present, we must confine ourselves to placing the
bane and antidote plainly in view; our banking and
commercial friends are equally involved in the ques-
tion, and it is in the interest of the mercantile pro-
duce the requisite excitement to avert a large por-
tion of their own possessions becoming in turn a
prey to the desolating tendency of the existing or-
der of things. We shall confine our further remarks
on this occasion to directing attention to the character
of the accompanying details. Whilst the charac-
teristic of the commerce of the United States, in the
aggregate, is an inordinate excess of import over
export, with British America, Holland, (which in-

*The bills put into circulation externally by the British government for subsidies and obtaining supplies for the fleet and extensive various other purposes during the three last years of the war, averaged £25,000,000 per annum, and constituted commercial equivalents, or means of payment for exports to that extent.

cludes Belgium,) Gibraltar and Trieste, the exports will be seen greater to exceed the imports; those to British America and Holland will have equalized themselves principally with Great Britain, and are so far a set-off to the excess on the other side we have before adverted to; the excess of export to Gibraltar and Trieste may in part also have equalized itself with Great Britain, but more particularly so, perhaps, with Spain and Italy; these equalizations and involvements it is that constitutes the question of "balancing trade," so much occasionally talked about, yet so little understood, but which it will be one of our objects hereafter to make intelligible. The progressive intercourse between the United States and France merits the serious attention of our manufacturing and commercial friends, and it ought to be a more imperative manner to command the deliberate consideration of our statesmen. Nor is the intercourse with British America, though much less an amount, not less deserving of attention; it would be interesting to know the proportion of the amount here re-ported to the exports over the lakes and frontier district, from that paying by sea, but the American published accounts do not show

that, except what passes from the State of Vermont, which in the year 1832 averaged about \$350,000 dollars, annually exported without any import; in 1831 the export from Vermont was \$25,127 dollars, and in 1827, 1,250,441 dollars. When we employ a display of the extent of shipping employed between the United States and the several ports of the world, it will be seen that 600,000 tons annually enter and clear from the ports in the United States to ports in British North America, which far exceeds the amount of shipping employed between the United States and England directly. We believe a mountain of gypsum at the head of the bay of Fucly, (similar to that of Mont Martre, near Paris), is conveyed in large quantities to the Delaware and state of Pennsylvania for manure; and that it is this that employs a large portion of the tonnage above mentioned. As one evidence of the absurdity and baneful tendency of our gold standard, we direct attention to the note at the head of the accompanying statistical display; but it is not now the standard merely, but the standard of exchange, and is dispensed with a large portion of the exchange or circulating medium.

Among the goods imported into the U. States during the commercial year ending 30th September last, were the following:

	Quantity.	Value at
Tea	9,810,065 lbs.	\$2,424,584
Coffee	106,686,992	9,744,105
Raw silk	1,800,667	809,465
Specie	4,280,916	4,280,916
Undressed furs		1,358,029
Wool over 8 cents per lb.	526,654	171,918
Specie	5,628,270	5,628,270
India	1,168,761	1,171,644
Silk from other places than India and China		21,850,669
Do. from India and China		1,789,159
Sewing silk from India and China		610,650
Do. from other places		819,864
Manufactures of silk and worsted		2,319,884
Worsted stuff goods		7,028,898
Linen, bleached and unbleached		6,731,278
Cloths and cassimeres		7,078,906
Other manufactures of wool		9,567,161
Manufactures of cotton		14,692,397
Thread and cotton lace		1,213,672
Hats and bonnets, Leghorn, straw, &c.		841,968
Do. fur, wool or leather		18,012
Manufactures of iron		12,081,600
Manufactures of leather		1,805,767
Earthen and stoneware		2,189,887
Spirits from grain	1,175,919 galls.	536,095
Do. from other materials	2,627,124	1,698,331
Wines	2,873,627	2,411,607
Molasses	28,694,672	4,364,234
Beer, ale and porter	245,463	238,950
Vinegar	92,041	16,842
Sugar	19,257,025	9,924,628
Cotton	2,235,724	287,456
Salt	5,063,828	887,092
Coal	6,081,424	418,761
Potatoes	62,602	22,668
Wheat	32,684	32,270
Oats	5,098	2,318
Segars	93,247,000	1,026,740

An account (in dollars) of the value of imports into, and of exports from the United States of North America, from and to each of 44 different parts of the world, in each of the eighteen years 1821-1838.

* The American dollar contains 46 grains of standard or 37 1/2 grains of pure silver, in weight 1,000 dollars equal to 688 oz. troy, the par of exchange between the United States and England was formerly four dollars 44 centimes per £ sterling but by an alteration in the coinage of the United States in 1834 the English gold £ and silver shilling were raised to 105 dollars and nine sevenths per cent. in the disadvantage of England, that is in relation to the absurd and ruinous tendency of our low fixed price of gold.

Years.	GREAT BRITAIN.		BRITISH AMERICA.		RUSSIA.		SWEDEN.		CHINA.	
	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.	Imports.	Exports.
1821	25,057,067	20,777,456	490,704	2,014,529	1,852,199	628,594	759,756	217,181	1,111,991	1,290,360
1822	34,706,287	24,498,347	526,817	1,898,873	373,078	929,081	1,31,788	260,621	552,535	935,988
1823	47,835,141	31,866,938	463,274	1,827,204	2,258,777	648,734	131,242	298,228	611,422	1,636,061
1824	48,831,372	31,721,622	705,931	1,782,967	3,003,663	1,281,981	998,918	324,758	5,616,502	3,011,371
1825	56,718,246	32,292,376	610,788	2,556,022	2,067,110	267,401	1,355,896	334,542	5,753,535	11,576,510
1826	66,131,869	31,991,873	650,215	2,388,732	6,117,199	174,648	1,128,236	214,618	4,422,166	5,666,641
1827	80,287,123	36,107,900	445,118	2,830,748	4,086,077	382,244	1,015,507	409,041	5,617,185	9,668,415
1828	82,811,200	33,260,665	447,668	1,674,671	7,788,362	450,495	1,070,788	471,754	5,538,188	14,822,862
1829	25,279,459	24,291,693	377,842	2,764,909	3,319,958	386,226	1,020,919	249,634	1,680,841	1,354,862
1830	34,819,214	26,329,352	600,303	3,736,373	1,621,899	416,374	1,041,131	371,302	3,979,141	742,192
1831	44,098,717	32,989,319	864,998	4,061,823	1,608,282	622,682	1,097,391	366,415	5,344,907	1,280,533
1832	56,191,799	30,541,695	229,326	3,141,383	2,381,852	703,805	1,169,697	314,849	5,411,767	1,433,759
1833	47,242,807	31,212,097	1,793,308	4,471,078	7,722,540	330,694	1,079,327	405,799	7,892,327	1,010,493
1834	61,272,520	30,877,511	1,485,168	1,047,688	2,305,215	365,447	1,263,178	516,238	5,987,187	1,868,586
1835	78,645,969	37,775,211	1,427,071	1,427,071	2,731,354	511,015	1,015,281	541,717	5,616,196	1,194,264
1836	14,896,943	10,857,577	2,359,266	3,288,596	1,611,116	362,732	1,399,901	420,404	5,963,357	689,301
1837	14,869,675	32,179,610	1,555,370	2,723,491	1,899,286	1,048,258	854,771	277,431	4,764,336	1,616,602

IMPORTS INTO THE UNITED STATES.

Years.	France.	Holland.	Germany.	Denmark.	Spain.	Gibraltar.	Italy.	Turkey.	Africa.
1821	4,989,840	1,888,935	990,164	16,136	549,580	1,224,263	973,463	229,792	395,636
1822	6,089,633	362,995	1,578,737	21,232	886,191	490,378	1,062,035	274,375	364,677
1823	8,666,730	734,390	1,981,036	34,028	982,026	477,969	1,369,440	189,137	702,761
1824	7,191,569	1,210,267	1,527,630	50,621	217,691	693,494	1,029,439	208,967	47,238
1825	10,964,182	1,353,869	2,739,536	46,827	577,003	734,540	1,451,022	103,389	441,790
1826	8,579,520	1,106,406	2,816,615	50,286	665,117	677,904	1,294,748	134,152	421,932
1827	8,027,232	968,917	1,638,550	40,222	614,125	828,953	1,018,126	163,541	753,129
1828	9,990,584	1,398,077	2,644,392	117,946	632,166	666,578	1,507,417	237,739	498,543
1829	6,888,076	1,037,495	1,274,378	32,911	901,029	247,171	1,409,588	191,896	299,237
1830	7,722,129	985,408	1,873,278	5,384	1,001,538	80,078	1,494,994	32,095	41,792
1831	14,663,748	998,837	1,498,301	57,512	1,375,094	150,517	1,848,301	161,062	321,598
1832	12,175,736	1,360,665	2,865,096	63,342	1,418,181	279,858	1,776,412	362,027	928,626
1833	13,481,676	1,806,494	2,277,728	26,173	1,143,908	182,509	1,195,921	314,611	786,041
1834	17,141,178	1,308,635	2,358,856	62,542	1,753,234	454,691	1,726,652	350,614	422,294
1835	22,016,376	1,837,532	3,814,915	121,000	1,295,672	328,766	1,486,139	492,566	514,964
1836	36,618,417	1,828,231	1,994,820	49,971	1,894,469	245,572	2,612,332	1,029,065	973,371
1837	22,083,514	1,896,795	6,421,231	102,819	1,139,965	207,123	2,235,145	1,628,465	681,177
1838	17,871,797	1,480,897	2,847,335	27,118	1,102,536	23,621	1,289,601	372,377	206,333

EXPORTS FROM THE UNITED STATES.

Years.	France.	Holland.	Germany.	Denmark.	Spain.	Gibraltar.	Italy.	Turkey.	Africa.
1821	5,528,539	3,694,205	1,324,514	526,100	539,741	1,469,744	1,099,667	340,361	437,880
1822	6,065,360	3,602,112	1,563,915	192,796	1,210,656	1,530,795	1,430,181	478,720	411,821
1823	6,701,292	3,052,161	1,169,439	291,964	898,936	1,486,139	1,764,955	516,815	564,666
1824	6,697,673	2,215,341	1,863,274	333,366	516,710	1,968,841	664,314	524,645	498,406
1825	10,874,162	3,793,079	2,121,033	551,663	1,134,361	1,602,714	615,838	652,402	399,564
1826	11,148,784	3,978,056	2,116,697	345,078	194,550	1,742,921	630,321	287,820	313,363
1827	12,854,568	2,231,811	3,013,153	402,641	591,404	1,993,396	610,521	276,753	602,059
1828	11,073,736	2,229,112	3,193,261	387,068	398,936	1,486,139	502,258	292,951	517,610
1829	11,479,393	3,383,187	2,277,160	66,763	917,137	1,461,262	901,012	689,488	188,320
1830	10,993,596	3,040,078	2,717,881	105,340	745,938	888,898	740,366	594,126	413,344
1831	9,164,920	1,920,162	2,582,179	353,214	341,331	819,878	639,529	331,361	336,602
1832	12,619,723	1,032,292	1,885,217	331,728	335,153	619,967	67,063	1,136,664	716,600
1833	12,772,221	935,992	1,829,249	291,964	398,936	1,486,139	502,258	292,951	517,610
1834	13,509,371	1,082,316	1,659,674	118,104	415,250	790,000	539,983	1,473,357	388,379
1835	19,947,241	2,311,228	1,524,276	323,306	655,961	818,567	516,839	1,202,412	296,937
1836	20,939,100	3,154,573	1,363,842	345,953	929,737	860,375	899,951	1,965,103	634,084
1837	19,690,578	3,355,525	1,751,948	281,681	361,282	564,901	648,171	1,611,591	1,131,429
1838	16,748,516	2,954,200	1,794,618	128,251	469,374	762,106	907,228	768,962	257,909

Imported liquor. The quantity of ardent spirits and wines imported into the United States from foreign countries in each of the last six commercial years, ending 30th September, is as follows:

Years.	Spirits.	Wines.
1839	3,902,718	6,673,710
1838	3,692,776	4,349,121
1837	2,672,228	6,350,444
1836	8,524,288	7,398,878
1835	3,384,429	6,025,510
1834	2,311,354	3,989,068

It appears from this statement, which we have derived from official documents, that the importation of spirits last year was larger than in either of the five preceding years, and of wines, rather above the average. But within the period mentioned, there has been a great diminution in the quantity of spirits manufactured in this country.

BANKS IN THE UNITED STATES. Condensed statement of the condition at different intervals of all the banks in the United States, extracted from a report of the secretary of the treasury, dated Feb. 27, 1839.

DATE.	Total assets of banks.	Loans and discounts.	Circulation.	Capital.
Jan. 1831	89	-	\$28,100,000	\$32,601,601
Do. 1815	200	-	\$2,600,000	\$2,329,600
Do. 1816	216	-	68,000,000	89,822,422
Do. 1820	300	-	44,863,844	137,110,611
Do. 1824	300	50,214	61,823,888	145,182,263
Do. 1830	336,224	119,499	84,839,577	200,005,344
Do. 1835	585,035	163,581	129,019,485	251,250,337
Do. 1836	567,157	506,080	140,001,055	251,875,292
Do. 1837	631,525	115,702	179,185,800	290,772,691
Do. 1838	660,185	681,087	116,189,810	217,655,070

POTAWATOMIE INDIANS. The South Bend, Indiana, Free Press, states that the Potawatomi Indians were to leave that place on the 17th inst., under the charge of Mr. A. Coquilard, for their new homes west of the Mississippi. The number that had consented to go was something over 500.

THE ARMY. Sickness and desertion. The St. Louis New Era states that there are many soldiers on the sick list at Jefferson barracks, and desertions are said to be very frequent.

Florida. On the 7th inst. the house of Mr. James Dorsey, about two miles from Chattahoochee, was plundered and burnt by Indians.

On the 4th inst. Capt. Beal of the U. S. dragoons captured four Indian warriors.

Banker's Circular.

Anniversary of Macdonough's victory was separately celebrated by both parties on the 11th, in the vicinity of Lake Champlain. The Van Buren men assembled at Plattsburgh, in the number, it is said, of 2,000, and were addressed by Messrs. Wright, Dix, Flagg, and by the ex-administer to Spain, C. P. Van Ness.

The whigs assembled at Keeseville in the number of 8,000—and were addressed by senator N. P. Tallmadge, Hiram Ketchum, esq. of N. York, Mr. Culver and Mr. Siade, of Vermont. A correspondent of the Commercial speaks of Mr. Ketchum's address, both at the great gathering and in the evening at the court house, as most effective.

More than ten thousand people were present at the dedication of the Warren county log cabin, at Glen's Falls, last week.

Whig meeting at Brooklyn. There was a large and enthusiastic gathering of the friends of Harrison, Tyler and reform, at Brooklyn yesterday, upon the occasion of opening of the log cabin, which the whigs of Kings county have erected in that city. There was a procession of the Tippecanoe clubs of New Jersey, Brooklyn and New York, which extended at least two miles. There could not have been less than 10,000 persons present. The ladies of Kings county made a presentation of a flag, through Judge Comstock. This inscription was Harrison and Tyler. Gen. Johnson called upon the meeting to respond to the appeal that had been made to them by the ladies. The call was received with reiterated cheers. The meeting was addressed by Mr. King, of New Jersey, by the hon. Mr. Tallmadge, and by Mr. Raymond, of New York.

Administration state convention at Syracuse. The convention assembled on the 2d inst. and was organized by appointing JAMES WILLES, president. Henry F. Jones, Governor Kemble, Amasa Parker, Daniel Stevenson, Bennett Bicknell, Hiram Gray, Jared Willson, Joseph Sibble, vice presidents. A. H. Mickle, Seth Hastings, O. Hungerford, Henry G. Cotton, John T. Hudson, secretaries.

The convention proceeded to ballot for a candidate for governor. The following was the result:
For William C. Bouck, 107
John A. Dix, 14
Silas Wright, jr. 2
Benj. F. Butler, 1
Blank, 1

Mr. Townsend, of Rensselaer, then offered the following resolution:
Resolved, That William C. Bouck be unanimously nominated as the democratic candidate for governor.

Mr. Townsend remarked, on offering the resolution, that he had voted for another distinguished citizen, (gen. Dix), but he was not less the friend of Mr. Bouck; and now that he had been presented in a manner that showed that he was the choice of the democratic party of the state, he should give him a cordial support.

Mr. Mann rose to second the motion. In doing so, he felt all the responsibility of the act. The great and essential interests of the state were involved in the question—deeply involved in it. Is it not known and Mr. M. that those interests have been committed to inexperienced if not incompetent hands? Those interests are vital, and deeply concern every individual—they appertain to the financial condition and credit of the state. How do they stand? Where before this administration, have the credit and public faith of this state been dishonored? We have passed through many severe conflicts and heavy trials: I see many venerable faces and gray heads before me, and I ask them to say when was it better than now? Have the public engagements were denied at our treasury? It is time to pay attention to these things. The great principles of popular liberty which form the basis of our beautiful and harmonious system of government, are in danger. Are there to be no trials of strength, to which we have never before been subjected in this republic; and it imposes on me, a humble individual, from a humble county, to call on the democracy of this state to make every concession of personal feeling or individual prejudices, to preserve the ascendancy of correct principles. Let them go with one heart and one voice into the contest, and we will overthrow and defeat those who are warring against those principles. There is something more to be done than select the candidates for office. Unless we now come in the rescue of the principles which we hold most dear, I firmly believe that the present generation, at least, will never be able to secure the peaceable enjoyment of the rights of the principles we have. Although I have my opinions and predictions as to men, I will not yield to any man on this floor in the fervor and zeal with which I will give the candidate just selected my cordial support.

Mr. Beardsley said that the course of the gentleman had preceded him, in yielding their personal preferences, and avowing a cordial support of a candidate not their first choice, was worthy of themselves, and of the true intelligence and patriotism of the state; and he thanked them for it; such examples were expected and repaid; but they were not the less appropriate and praiseworthy on this occasion. The crisis demanded not only concession, but a cordial, active and harmonious effort, and he was happy to see the manifestations of such a state of feeling and determination in every county. The cause had principles at stake, and the candidates before the people, demanded the best exertions of every republican. The presidential contest had not been surpassed in importance to the well being, the true interests, the liberties of the people, since 1800. The cause had already incumbent was it on New York on this occasion to show her attachment to the candidates that so clearly embodied the great principles for which she has so long and earnestly, until within late years, successfully contended. He believed that Mr. Van Buren would be elected without New York; but with it, such a result was certain. It was due not less to him, than the cause with which he is identified, that our own state should resume her place among the democracies of the union. In every county, Mr. M. said, the cause had principles of feeling or any harmony and activity of effort, that shall conduce to such a result. He did not doubt that the gentleman nominated by the convention, would receive the strong, united and cordial support of the democracy of the state. He knew, from many years intimate acquaintance with him, how truly he was deserving of it. He would not say that he was the best or the worst man for the station in the state, but he would say that he was every way worthy, and that he best to be brought out; and that he felt confident that with united and vigorous energies, complete success would attend our efforts.

The resolution was then unanimously adopted, amidst the warm applause of the concourse of spectators that crowded every part of the church.

On motion of Mr. MASON, it was unanimously resolved, that DANIEL S. DICKINSON be nominated as the democratic candidate for lieutenant governor.

On motion of Mr. CRAMER, it was resolved, that a committee of one from each senate district be appointed by the chair, to report to the convention an address and resolutions.

The chair announced the committee as follows:

1st. Mr. ROOSEVELT,	5th. Mr. BOWEN,
2nd. Mr. J. J. JEDOCK,	6th. Mr. McKIN,
3rd. Mr. TOWNSEND,	7th. Mr. HATHAWAY,
4th. Mr. CRAMER,	8th. Mr. RICH.

The committee appointed to select candidates for state electors, reported the names of Samuel Young, of Saratoga, and John Campbell, of Erie; and on motion of Mr. CAMPBELL, the report was accepted.

The several congressional districts having nominated their candidates for electors respectively, the following ticket, including the state electors, was unanimously nominated by the convention:

Samuel Young, of Saratoga, } state electors.
George P. Barker, of Erie, }
2d district, Platt Willets, of Q. ens.

3d " John F. Garrison, of Kings.
4th " Christian Briggs,
Peter Bontlett,
George Arcularius, } of N. York.
John H. Cook, }

6th " Caleb Tompkins, of Westchester,
7th " John W. DUTCHES,

8th " Robert Burnett, of Orange.
9th " Thomas T. Jansen, of Ulster.

10th " Edward P. Livingston, of Columbia.
11th " James Powers, of Greene.

12th " Charles W. Wilson, of Albany.
13th " William A. S. North, of Schenectady.

14th " John Gale, of Washington.
15th " St. John B. L. Skinner, of Clinton.

16th " Ebenezer R. Aggett, of Franklin.
17th " John W. Wilson, of Albany.

18th " Dan. Chapman, of Herkimer.
19th " Ith Thompson, of Oneida.

20th " John Turfill, of Oswego.
21st " Anselm Doane, of Jefferson.

22nd " John H. Peterson, of Oswego.
23rd " John Conklin, of Broome.

24th " Samuel A. Smith, of Chenango.
25th " Gilbert Edgcomb, of Cortland.

26th " John L. of Tompkins.
27th " James McQuinn, of Cayuga.
28th " Henry R. Richter, of Madison.

29th " George R. Brinkerhoff, of Cayuga.
30th " Thomas Armstrong, of Wayne.

26th district Nathan Reed, of Ontario.
27th " William Krenas, of St.uben.
28th " Powell Carpenter, of Monroe.
29th " Benedict Brooks, of G. neese,
30th " Moses Van Campen, of Albany.
31st " Benjamin Walworth, of Chautauque.
32d " John Smith, of Erie.
33d " Eli Wood, of "

Mr. Sherwood, of Cayuga, offered the following resolution:

Resolved, That our democratic citizens of the city of New York, in being subjected to the odious requisition exacted at the last session of our legislature, deserve to receive the sympathies of this convention, and that we unanimously recommend to the democracy of the state to use their best exertions to effect its repeal.

Mr. Roosevelt called up by an allusion to the act of tyranny aimed at a democratic city by an arbitrary and proscribing majority in the legislature, addressed the convention with his usual force and felicity of manner; when the resolution was carried unanimously.

Mr. M. being called on, addressed the convention in an able and convincing speech.

Richard D. Davis, esq. of Poughkeepsie, being present, was, on motion, invited to address the convention; and he spoke upwards of three hours (including the evening sitting) with equal power and eloquence.

Mr. Townsend, from the committee, reported and read the following resolutions, which were unanimously adopted by the convention:

Resolved, That we recognize in the pending contest, a revival of the party divisions which were involved in the political struggle of 1800; that the same adversaries of the democracy are again in the field, laboring with renewed energy and zeal to subvert the true principles of the government; and that the powers of government are called on by the most imperative obligations of duty, to put forth their strength in defence of the rights secured to us by the constitution, and to uphold the maxims of popular liberty.

Resolved, That under a government like ours, founded upon the rights of the people, that the people have the intelligence to understand their rights, and the moral power to maintain them, all appeals should be addressed to their reason and judgment; and that all attempts to evade discussion and to obtain political advantages by a concealment of opinions and the influence of public agents, is a violation of one of the first principles of our government.

Resolved, That the refusal of the Harrisburg convention to make any declaration of the party it recommended, in connection with the nomination of their candidate for the highest office in the republic and the people, whose suffrages they seek; the avowed policy of the committee that "the general make no further declaration of its principles for the public eye, and that its policy is a secret position," the acquiescence of genl. Harrison in these anti-republican measures, and his refusal to answer the enquiries of his countrymen as to his opinions on great questions of policy and principle; are an insult to the intelligence of the people, which should be resented with indignation and scorn.

Resolved, That in putting forward general Harrison as a candidate for the highest executive office in the union, exclusively upon the ground of his military services, the party, which but a few years ago were so clamorous against the nomination of military men to civil offices, has committed the danger of the example to popular liberty, have either manifested a total inconsistency of conduct, or have tacitly admitted that there is not enough of the military chieftain in their candidate to render him obnoxious to the objections of an honest genl. In this respect, that we concur in the propriety of this admission on their part; and as the whole course of his civil life has been directed to the support of federal men and federal measures, we see nothing in his public character, arising aside from his military attainments, to commend him to people in respect to his opinions, which can commend him to the confidence or the support of his countrymen.

Resolved, That the manner in which the pending contest is carried on by our opponents—their exhibitions of log cabins, cider barrels, and con skins, the concealment of the objects of their views, and their refusal to bring their principles and measures to the standard of reason—manifest an utter contempt for the intelligence of the people, a belief that great political results are to be accomplished by appeals to low passions, and that the free press and the rights of the people are to be trampled under the despotic government of the old world, may be made mere tools in the hands of cunning and deceitful managers.

Resolved, That we will labor with untiring industry and perseverance for the election of MARTIN VAN BUREN to the office of chief magistrate of the union; that his faithful devotion to democratic principles, which distinguished the administrations of JEFFERSON and JACKSON, have earned him the confidence of every true friend of democracy; that his ardent sympathy for the rights of this state, of the measures of the state and general governments during the war of 1812 to bring that contest to an honorable termination, manifests the true spirit of a patriot; that the whole course of his political career has been marked by a thorough familiarity with the various interests of the country and a firm adherence to the true principles of our government; that the full and frank declaration of his opinions on all questions of political principle and policy, which he has never hesitated to utter, has gained him the confidence of his countrymen, and that he at least was something more than a mere spectator of the battles of his country.

Resolved, That we will most cordially support COL. RICHARD M. JOHNSON as a candidate for vice president to the vice presidency of the U. States. That we recognize in him the tried and faithful statesman, the true hearted patriot, the gallant old soldier, who fought the battles of his country in the hour of darkness and despondency, who bears upon his brow the scars of those wars, which are the best certificates of bravery in the field, and who has at least was something more than a mere spectator of the battles of his country.

Resolved, That we regard the independent treasury plan as the only safe, practicable and honest mode of managing the public revenues, and as the restoration of the financial system of the country to the original design of the framers of the constitution; that the separation of the fiscal transactions of the government from the operations of banking institutions, is not only indispensable to the public interests, but is equally necessary to secure the general and private classes from those ruinous expansions and contractions of the circulating medium of the country which are inseparable from a union of the affairs of the government with those of banks; that the revival of business, the improvement of the country since the independent treasury bill became a law, already prove that stability in the money affairs of the government is calculated to exert a salutary and efficient influence upon the business transactions of individuals, and that no obstacle to the restoration of our commercial prosperity is to be apprehended so long as the channels of industry are free from the abuses and frauds of a bank of the United States.

Resolved, That the interests of the state have been grossly mismanaged by the present state administration; that its measures and movements are all directed to the preservation of its power, and for this purpose the suggestions of public duty are utterly disregarded; that a like policy in the neighboring state of Pennsylvania under the administration of governor RUTHER, has imposed on the people of that state, an annual tax of a million and a half of dollars; that the reputation and credit of New York, at home and abroad, have been degraded and injured by the schemes of its present rulers, and by the wretched expedients to which they have been compelled to resort, and by a disgraceful alliance with Wall street speculators and stock brokers; and that the interests of the honest yeomanry, and the other industrious classes of the state, have been wantonly sacrificed to the avarice and political benefit of a weak and unscrupulous administration.

Resolved, That in Wm. C. Bonck we recognize a long tried and faithful public servant—a republican from his youth—an associate of Washington, Van Buren and their democratic compatriots during the last war—identified with our great works of internal improvement, by services the most elevated, and by an integrity and fidelity that have won for him the approval of all honest men—but who, because he preferred an adherence to principle to political subservience, was driven from the discharge of duties so well and wisely performed for the public welfare. In presenting this distinguished citizen as the democratic candidate for governor, we do so with a full reliance upon his merits, and with the perfect confidence that the justice and intelligence of the people will confirm our election.

Resolved, That in presenting the name of Daniel R. Dickinson to our fellow citizens, as a candidate for office, we do so with the confidence of the people, and with the assurance that we offer them a name high in the confidence of the democracy, and one which when united with that of our candidate

for governor, will call forth the best exertions of all true democrats, and enable them to hurl from power the corrupt dynasty into whose hands the empire state has fallen.

Resolved, That in view of the magnitude of the interests involved in the great political contest in which we are engaged, no honest effort shall be spared to secure the triumph of our principles, and that throughout this great conflict the motto upon our banner shall be, the empire state must be redeemed.

On motion, It was ordered that the committee on resolutions be authorized to draft and publish an address to the electors of the state.

On motion, Henry H. Van Dyck was appointed a member of the state central committee, in place of Edward Livingston, deceased.

Mr. Beardsley addressed the convention in the able review of the character of parties and the resolutions at issue before the people; being a cogent and conclusive argument in favor of the independent treasury.

On motion of Mr. Hammond, of Oswego, Resolved, That this convention tender its cordial thanks to Richard D. Davis, esq. for the able, eloquent and patriotic address delivered by him this day.

On motion, the chair appointed the following general committees to notify the candidates for governor, and the electors of the state, of the nomination, viz: Mr. Foster, Mr. Beardsley, and Mr. Maillon.

The convention then adjourned sine die.

JAMES WILLES, president,
Henry F. Jones, Bennett Bicknell,
Governor Kenble, Hiram C. Ketchum,
Amasa Parker, Jared Wilson,
Daniel Stevenson, Joseph Sibley,
Vice presidents.

A. H. Mickle, Henry G. Cotton,
Seth Hastings, John T. Hudson,
O. Hungerford, Secretaries.

What young men's state convention. Syracuse, Sept. 16, 1840. The glories of this day must remain unwritten. Its grandeur surpasses the power of description. I am oppressed and subdued in the attempt to describe to the people, who are here in its majesty. The day has been one of bewildering enthusiasm. The far east came with its hosts last evening—the mighty west ushered in its legions this morning. All day, from 9 A. M. till 3 P. M. the Madison, Oswego, Jefferson, Lewis, Oswego, Cortland and Cayuga, have been pouring in their battalions, their regiments, their brigades, and their divisions. The display of banners is more imposing than any thing I have ever seen. The procession was a great and glorious one. It is more inspiring than the Baltimore or Boston. One day, more than 2,000 of her sons. Ontario came with 1,000. Monroe sent 6,000. Genesee, the empire county, with a noble delegation, renews her pledge for 4,000 majority. Erie came with a strong delegation, in honor of the canal, who have made vocal the whole line of the canal.

I will not now undertake to describe any thing, having merely torn myself away from the grove where the immense multitude are listening to the impassioned eloquence of Ogden Hoffman, to say that the convention far exceeds all our expectations. It is perfectly overwhelming in numbers and without parallel in enthusiasm. If a doubt existed of our success, this convention would wholly remove it. The people who are here represent a sentiment at home which will carry us through triumphantly. The number present is variously estimated from forty to sixty thousand. I understand that the neutral paper bears represents the number at sixty-five thousand. That this is far the largest convention ever held on the occasion has produced, there can be no doubt.

The multitude in the grove was called to order by colonel S. S. Benedict of the young men's state committee, who introduced S. De Witt Bloodgood, esq. chairman of the committee of arrangements, by whom the late Francis Granger was introduced as president of the day. The salutation was received with acclamation. The other officers were then appointed, after which Mr. Granger made an eloquent address, and concluded by introducing Ogden Hoffman, whom I felt speaking with thrilling effect, and who said this brave sketch before the cars left.

Half past 3 P. M. A heavy shower has interrupted, for half an hour, the proceedings in the grove. It has cleared away and the speakers will resume and close the day gloriously. (Lobbying Erie Jour.) The convention at Syracuse, on the 16th inst. highly as our expectations were raised, far exceeded them. The "empire state" was there represented by some sixty thousand of her young men. Never before has New York witnessed such an assemblage. The only, if inferior at all, to the Bunker Hill gathering. Bright rose the sun on the morning of

Wednesday, a clear blue sky with a gentle breeze gave promise of a beautiful day, and from early dawn until late in the afternoon, one constant succession of arrivals arrived to swell the numbers already assembled. In every direction, far as the eye could reach, from the north and the south, the east and the west, endless processions of wagons, long lines of cattle and teams, of rail road cars, were seen hurrying on to join the mighty assemblage. It is almost impossible to attempt to give an adequate description of the sight. Forming in front of the noble mansion, the Syracuse house, a moving sea of humanity, without number, numerous bands of music, log cabins on iron wheels, wagons, drawn by four, six, eight, ten and even eighteen horses, long processions of horsemen and wagons filled with ladies with significant banners, all helped to form a scene, the like of which has never before been witnessed in the state of New York.

About 1 o'clock, the procession began to form in regular order.

First came the Tippecanoe club of the young men of Syracuse, with a banner, with a large and beautiful silk banner with the arms of the state. Then came the state central committee, the committee of arrangements, the speakers who were to address the convention and other distinguished guests. After the speakers, the delegates, arranged, as far as practicable, according to their congressional districts. The right of the column was assigned to the "old eight."

We cannot attempt to give a regular description of the order of the vast multitude, but have selected some few of the most striking of the banners and other emblems of the different delegations.

Genesee, the empire county, was there with a delegation of thousands. Her banner bore the proud inscription, "Old Genesee good for 4,000 whig majority."

Erie came next, with a very large delegation, and a log cabin wagon, drawn by 6 horses. Their banner bore this inscription, "Old Erie good for 3,000," another, "300,000 votes against 200,000 bayonets."

Madison followed with a splendid banner of blue velvet, with the names of Hamilton and Tyler woven in silk. About 30 wagons, most of them with four horses, and a large deputation of ladies, followed by 18 boys in calico frocks, was filled with revolutionary soldiers. On the other, "Second sober thoughts of Lenox." Their banners had inscribed on it—"Madison boys resolved to conquer."

The Lenox delegation had a bark canoe, with the inscription on one side, "Oppression calls out to Old Tippecanoe," on the other, "Second sober thoughts of Lenox." Their banners had inscribed on it—"Madison boys resolved to conquer."

The Canandaigua Tippecanoe Club, with a band of music, bore a splendid silk banner with a log cabin painted in the centre—the pole surmounted with a gilt cross. Their banner bore the inscription, "Union is strength—New York is redeemed—15,000 whig majority"—with the painting of a cannon, with the significant name of "Amos' body water."

New York, with a fine band and creditable delegation, bore of her head the state banner. Then came the Fort Meigs gag and other standards; one bearing the inscription, "Indiana and Kentucky—Was not that thunder."

Monroe was well represented. Her banner bore the inscription, "Amos' good for 1,000." On the other side, "We do our own voting." On the other was Amos Kendall rocking his babes, and singing—

"Hush my babes, be still and slumber,
My babes can sleep for whigmen's humor."

The Rochester Tappan club carried a handsome banner, representing a cider press with Martin Van Buren under it; an eagle at the break, and saying, as be seen Martin exhibit signs of distress, Van, you have no pressure that any honest man ought to resist. Martin is crying, "Amos John, Benton, help me for there is pressure." On another banner was Van Buren in the act of being knocked down by a Jersey blue—Van Buren is saying, "Let us argue." The Jerseyman answers, "I'll send you arguments." Another represented a pair of scales with Van Buren in one, kicking the beam, although weighed down by treasury notes, and Harrison in the other. Inscription—"Weighed in the balance and found wanting." Another bore the inscription—"Harrison & Tyler, we hail from the log cabin, are bound for the white house, and cannot be stopped."

Oswego turned out nobly. Her banner represented Fort Meigs, with an Indian sitting under a tree, the American flag in the back ground, and a soldier standing by. Another bore the inscription, "He has fought our battles—let him have our

frages." Another was inscribed, "Dawgwe tied in '38, '39—united in '40:" on the reverse, a hand, with the motto, "Beware the huge paw." Another: "Matty has stopped our public works!" will stop his."

Oculars came more than a thousand strong, with a splendid silk banner, with the temple of liberty and the American eagle, as Harrison's eagle and keeper. Gorham had for motto—"She has, she will conquer. One fire more, boys, and the day is ours. A prudent, economical, perseverance in internal improvement."

Another banner represented the white house with a sentinel on its walls. In the distance is seen an old farmer in a wagon coming from a log cabin. The sentinel cries, "Who's there?" Answer, "Old Tip." Reply, "Ait's well."

Cayuga, too, came over a thousand strong, with a magnificent silk banner, with a fine painting of an armed Indian, with the motto, "The Cayugas are coming!" on the reverse gen. Harrison on horseback in full uniform.

Oswego had some 4,000 delegates. Ulster brought a beautiful banner, with the motto, "The Norcross sweep will reach behind the doors of the imperial palace!" on the reverse. "The western man with republican principles, against the northern man with no principles." Another, "Harrison and Tyler. No national Tariffs, with mechanics' and laborers' wages." Another, "New York's favorites tonight eclipsed on the 4th of March next."

On the reverse, "Shoulder to the shoulder, the farmers come!" The banner of the Tippecanoe club was inscribed, "The anti-slavery" appeared in '37 with Marcy, we oppose it in '40 without Marcy." This delegation brought with them "The great bill," which was continually rolled. Another banner bore the inscription, "True democracy respects the broadness of New Jersey."

Schoharie was strong in number and enthusiasm. On her banner was written, "Old Schoharie lends a hand again for the constitution."

Oswego was there in mass. The Pompey volunteers bore on their banner, "Gen. Van Buren, always striving to command the people's cash." The magician must retire." They brought with them a log cabin wagon, made of white wood, (and containing 20 persons), with the inscription, "Van Buren hickory." Another wagon, drawn by six horses, was filled with white. On it, in white, "Millard had a log cabin, drawn by five pairs of gray horses, carrying a band, with the motto, "See, the tide comes in." Fifty men on horseback, with banner, inscribed, "Matty, this won't do," followed behind.

Schenectady was preceded by a band drawn by 4 horses. Then came two wagons joined together, and drawn by ten grays, followed by 4 horse teams without number. One banner bore the sub-treasury bill, as Van Buren's apology for a gold currency, the last lump.

Chautauque bore on her banner, "Draw on old Chautauque for two thousand three hundred majority and we will honor the draft."

Schenectady were in numbers.

Tompkins telegraphic with the democracy.

Tioga, "Whose democracy does not spurn the broad seal of New Jersey."

Jefferson, Washington, Saratoga, Rensselaer, Albany all, were there.

Willingly we give more than this brief and most imperfect sketch of the brilliant array of banners, and other insignia, that were present, but unable to see more than one-half of the procession. It was impossible to get any more details. After marching about two miles over a beautiful, gently sloping hill just outside of Syracuse, the meeting was organized in an extensive grove, and Francis Granger appointed president, with a number of vice presidents and secretaries.

After a brief but spirited and eloquent speech from the president, in which the wrongs of New Jersey were dwelt upon in a becoming and indignant strain. Mr. Ogden Hoffman was introduced to the meeting. A violent thunder storm having come up, they were obliged to leave the ground without hearing him; but not so with the vast multitude that assembled. In spite of the pelting rain and hail, there they stood, and when the speaker proposed to adjourn, the cry was, go on, go on. He was followed by Mr. Tallmadge, and gen. Wilcox, of New Hampshire, both of whom spoke with umbrellas over their heads, and the meeting was finally adjourned until the next morning. In the evening, a vast crowd collected in front of the Syracuse house, and from early candle light until late in the evening, were addressed by Messrs. Dawson, of Michigan; Coyer, of New Jersey; Wilcox, of New Hampshire; col. Stone, of New York; and Mr. Hoffman, of New York, and a number of others. The next morning again the speaking was resumed, and from nine in

the morning until two in the afternoon, a constant succession of speakers addressed, and enchaind the vast multitude. It is impossible to describe the spirit and enthusiasm that pervaded the hearts of every one.

(New York American.)

Croton water works. At the invitation of the commissioners who have the charge of this magnificent work, the municipal authorities and a number of gentlemen of New York recently made an excursion to examine some portions of it. We find the following brief notice of the works, the Journal of Commerce, one of the editors of which accompanied the party:

The dam across the Croton is placed where the river enters between the hills, after having passed for several miles through a more level country. The hill on the south side is solid rock, and on the north, the excellent strata for constructing the dam. The dam itself, as might be conjectured from its position, is not of great length, but is one of the most ingenious and substantial masonry any where to be found. The highest point of the structure is rather more than fifty feet above the natural bed of the Croton. The water will be thrown back by this elevation more than three miles forming a beautiful lake of four hundred acres; the whole margin of which will be enclosed so that the water will be no where less than three feet deep. The water is drawn into the aqueduct by means of a tunnel cut into the rock which constitutes the hill on the south side. The lower side of the dam is faced with a well selected stone, and is most mortar, falling backwards as it ascends, by a rapid slide. The various preparations in the masonry of the dam for controlling the water under all possible contingencies, it would require a long and scientific article to describe, and as our readers would have a very inadequate idea of the work.

There has been very little rain on the line of the Croton for two months past, yet no one who looks at the present magnitude of the stream, would doubt its capacity to supply our city for ages to come, though it should continue to grow to the most rapid ratio of any previous year. At distance of one mile, a circular hollow lower is erected over the aqueduct, for the purpose of ventilation. These being composed of white marble, produce a very pretty effect. Every three miles is an apparatus for the raising of the water in the canal, and repairs should be necessary. Just above Sing Sing the water penetrates by tunnels through several hills, and passes the ravines between these by alternate embankments. At this point a party of the gentlemen making the tour of the aqueduct half a mile long, which had been lighted for the purpose by candles upon the wall at distances of thirty or forty feet. The effect was peculiar and beautiful. The passage afforded ample breath for three men to walk abreast.

The most imposing structure of the whole work is the great bridge at Sing Sing. It is composed chiefly of one grand arch of eighty-eight feet span, thrown over a deep ravine, so that, from the apex of the arch to the bottom of the ravine, must be a hundred feet. This vast arch was so firmly laid in its abutments, and so accurately built in its superstructure, that since the uprights were removed from beneath the arch, it has settled but one inch. One inch in an arch of eighty-eight feet, with an elevation of one hundred. So little settling in such a work, we are not surprised to find that the whole quantity of land which the water commissioners have been compelled to buy on the forty miles of the works, amounts to nine hundred acres; and the average price has been nearly five hundred dollars. The prices have unquestionably been enormous, being fixed by the appraisement of nobles who in many instances bad lands of their own to be appraised in the same way. The land still remains, a large part of it, for the use of the former owners, and well suited for their use as before the aqueduct was run through.

In addition to this, the owners have sold rocks which were only in their way, for large sums in cash, and sold banks for hundreds of dollars, which were not worth so many cents before, and yet we are sorry to say that these same people who have made their fortunes out of this great public work, are so exceedingly unreasonable, that they seem well acquainted in hostility to extort every cent more which they can, under any possible pretext.

The exercise of the pardoning power by governor Seward. Under this caption the Albany Evening Journal publishes six columns of interesting facts in relation to the exercise of the pardoning power. It says that it has been induced to make this examination of the subject from the studied efforts of the Albany Argus and other prints to produce an impression that the pardoning power has been abused by the governor. The following statement is de-

rived from public records and other authentic sources, and will serve to show that so far from the accusation of the Argus having any foundation in truth, the very impression, and delicate trust has been executed with singular caution and with the strictest impartiality and justice.

The following table shows the number of pardons of all descriptions of offences granted in each year for the years:

1820	1824	1831	115
1821	311	1832	107
1822	209	1833	160
1823	100	1834	149
1824	160	1835	131
1825	178	1836	93
1826	285	1837	100
1827	190	1838	155
1828	231	1839	64
1829	88	1840	72
1830	188		

By this table it appears that the average number of pardons granted annually under the administration of De Witt Clinton was 250, under that of Joseph C. Yates, 140, under those of Martin Van Buren and Eves T. Throop 112 under that of William L. Marcy, 153, and under that of William H. Seward, 68.

The whole number of persons pardoned from the state prisons by governor Seward in 1839, was 33, and in 1840 has been 49. The residue was convicted of petty offences punishable with imprisonment, but which could not be pardoned. The average number of pardons for state prison offences granted by governor Marcy annually was 101. The whole number of applications for pardons considered and denied by gov. Seward during his administration was 128.

Although a view of the grounds on which applications for pardons have been denied as necessary in cases of successful application, in order to understand fully the principles upon which the pardoning power has been administered, it will be seen at once that it would be impossible to present even a cursory view of cases of the former class. The idea of the circumstances under which they have been presented may be formed from the case of Benjamin Rathbun, where the petition of several thousand of our most respected citizens was denied. It is proper however to observe that the most extensive case the testimony given on the trial was procured and carefully examined, together with all other information submitted in relation to the prisoner, and that in every case a decision in writing was transmitted to the applicants assigning the reasons for their denial. In presenting an abstract of the cases in which pardons have been granted it will be perceived that to bring it within any reasonable limits we must give the most brief account of each, derived from voluminous papers, a perusal of which would be necessary to a full understanding of the subject. In submitting this statement we will not allege that no pardon has been improperly issued by the executive. He acts in almost every case upon information derived from others, and necessary from partial sources. But, we confidently assert that no one will rise from the perusal of the record without being well satisfied that justice and mercy have been impartially exercised and sound public policy firmly maintained.

After examining the subject at great length, the Journal thus concludes: "We affirm that governor Seward stands upon high and elevated ground. The pardoning power in his hands, has been administered with a strict and pure regard to public justice and the public safety. That he has tempered justice with mercy, where it could be done consistently with the public policy and in obedience to the law and constitution, is true. But in no case has this high and delicate power been abused and perverted. Every case has been patiently and thoroughly investigated. The highest alike with the highest officers of the law, and the most friendly, have been furnished by the governor with the reason for his decision.

Table showing the average annual number of pardons of some of the crimes of the highest grade, punishable by imprisonment in the state prison, granted from and including the year 1820 by Governors Clinton, Yates, Throop, Marcy and Seward:

Grand larceny.	Ch'ns. Yets.	Th'p.	Mar.	Sew.
Pasung count/rent money.	213	162	197	13
Having count/rent m ^o	816	806	11	001
Count/rent m ^o	00	none	none	1
Count/rent m ^o	23	10	8	16 1/4
Forgery.	5	4	3	1
Burglary.	8	11	12	15
Murder.	5	7	11	13
Manslaughter.	5	11	12	15
Sing Sing statistics.	For the month ending the 6th inst. Number of whose term of sentence ex-			

application the heirs and other legatees of Milne made strenuous opposition.

The decision of the court was against the claim of the duke.

New Orleans. The St. Charles exchange was injured to the amount of \$25,000 by a fire on the 11th inst. It was preserved from total destruction by the most active exertions. It is said to be next to the capital at Washington, the largest and most magnificent edifice in the United States. On the night of the 14th twenty dwelling houses and kitchens were burnt in the third municipality. It originated in Camp, and extended to Bagatelle street, nearly all the houses on which, to Union, were destroyed. The loss is estimated at \$600,000. Three of the slaves who were then concerned in an attempt to cause an insurrection in Louisiana, were executed on the 28th ult.

KENTUCKY.

The hon. James Harlan has been appointed secretary of state for the commonwealth of Kentucky. Governor Letcher has thus called to his aid, the abilities of one who deservedly enjoys, in a high degree, the confidence of his countrymen, and who will, doubtless, in his new position, exalt his reputation still more, by the manner in which he will discharge the high trust reposed in him.

OHIO.

Lebanon gathering. A meeting of the whigs of Warren county, took place at Lebanon, on the 11th inst., at which Gen. Harrison was present and addressed the people, of whom there were about 15,000 congregated—it being only a neighborhood meeting.

Convention at Chillicothe. A convention of the friends of Harrison and Adams also took place at Chillicothe, in the Scioto valley, on the 17th and 18th instants. The whigs of that neighborhood intended to contest the palm, on this occasion, with the Mad River trappers, at Dayton, in the Miami valley, at their meeting the other day.

General Harrison again meets the people. Gen. Harrison met and addressed a large number of the people at Sydney, Shelby county, on Saturday last. He was on his way to Urbana, and was accompanied by Col. Christie, of New Orleans, Col. Chambers, of Kentucky, and Col. Anderson, of Cincinnati. The general was escorted from Piqua to

Syndex by a committee of the pioneers of the country. As he approached the town, "he was met by a very large procession of people, in dances, carriages, and on horseback, and was conducted to the mansion of Mr. Joseph Cummins. At 1 o'clock the general appeared on the stand, and addressed the people for about an hour. His appearance was greeted by a long and enthusiastic shout from the people. Colonels Christie and Chambers also addressed the multitude.

A great portion of the multitude then joined the train in its progress, which was again stopped at

Urbana, where acres of people had assembled to welcome it—the lowest estimate of numbers being 20,000, as the Urbans Citizens of the 9th assure us. At least 5,000 of the fair daughters of Ohio were present.

Every avenue and street was full—the fields were full; and all was joy and eager curiosity. General Harrison addressed the immense concourse, and our informant says his voice was the only one heard by those on the outside of the mass. Estimates were made of the number present, varying from 15,000 to 25,000. Ex-governor Mairs, of Kentucky, it is said, was among the number present. Here again the procession received an addition of thousands, and when it reached

Dayton, the whole body there assembled in convention covered ten acres by actual measurement! And at no time were there more than two-thirds of the people on the ground. Every house with a flag was a hotel without price—the sittings of every door being out, and every latch unlatched!

The return of the party (after the two days at Dayton) was characterized by similar exhibitions and the popular feeling was more than ever. The general addressed an assembly of 8,000 at Lebanon, 22 miles from Dayton, and as he proceeded the roads were lined with people in teams and on horseback, banners and flags, marking the whole distance. It is said that no time was the cavalcade less than a mile in length.

The Miami valley convention. The battle is fought—the victory won! As goes Ohio, now, so goes the union! And as went the Miami valley on the 10th instant, so will go the state on the 30th October. OVER A HUNDRED THOUSAND VOTERS IN COUNCIL! Let that word pass round! Carry it, ye patriotic fathers, and ye glorious mothers, to the hearts and hearts of your families! Shout it, ye noble and high-souled youths, from the recesses of every valley, and the heights of every mountain in the land! Bear it, ye breezes of the west-

ern world, to every ear in this broad universe! So shall the drooping spirits of liberty's children revive; so shall the consciences of selfish and ambitious rulers shrink within themselves, and quail with terror; so shall a sense of hope and promise and assurance, fall as a gentle and refreshing dew upon all virtuous hearts.

ONE HUNDRED THOUSAND! It were useless to attempt any thing like a detailed description of this grand exhibition of true patriotism. We saw it—all felt it all—and shall bear it on our graves, live we yet half a century, the impression it made upon our hearts. But we cannot describe it. No eye that witnessed it, can convey to the mind of another, even a faint semblance of the things it there beheld. The bright and glorious day—the beautiful and hospitable city—the green flag and heaven-blessed valley—the thousand flags, fluttering in every breeze and waving from every window—the iron-banded banners and banners, with their appropriate devices and patriotic inscriptions—and, more than all, the hundred thousand human hearts beating in that dense and seething mass of people—are things which those alone can properly feel and appreciate, who beheld this grandest spectacle of time. At the request of general Harrison was welcomed to Dayton, on behalf of the citizens of the town and vicinity, by Judge Crane, in a felicitous and feeling manner. The judge's reference to the calamities which had been recently visited upon the country, and the general's allusion to the assembled multitude with a feeling of deep indignation at the slanders, and a low but universal murmur against their baseness; but when he made a rapid survey of the many and great services which the old hero had rendered his country, in civil and military life, and the general's allusion to the people, who held which general Harrison has upon the respect and affection of the people, is ardent, deep-rooted and not of a day.

General Harrison commenced his response, and his speech to the people, by a feeling allusion to the glorious reception which had been given him. "But," said he, "fellow citizens, I have not the vanity for one moment to suppose, that any service which I may have rendered my country, or any personal respect or affection for me, has thus drawn you by thousands and thousands from your homes. I know that it is a much deeper and keener feeling—a much more important consideration—that has brought you here. It is the cause—the great and good cause, the cause of our country, which has drawn you thus together, from your homes, to take council of each other, and to reason together touching the common good."

General Harrison then alluded to the silly charge so often made against him by his political opponents, that "he was in the line of concealing his opinions, and could not be induced to express them." He remarked, as every body knows very truly, that so far from there being any truth in this charge, he had been a plain and free spoken man from his first entrance into public life, and that no canvass in which he was a candidate for presidency, written and published his political sentiments, time and again, in almost every possible form. It was true, he said, he had declined giving any actual "pledges" as to his conduct in certain events, should be elected to the high and responsible office of chief magistrate of the United States. His active life had been a long one; and he believed that a man better guarantee for the correct conduct of a chief magistrate, could be found in his known character and course of life, than in the promises or pledges he might give during the heat of an active canvass, and the pendency of a doubtful contest. He had never denied or doubted the right of the people to be informed of the leading political opinions of candidates for high office; but, on the contrary, was clearly and entirely of opinion that their sentiments should be freely expressed and well understood. He had always so expressed his.

General Harrison spoke for about an hour, in his most interesting manner, vindicating himself from the aspersions of his enemies, and establishing what he said, as he went along, by evidence which senator Allen and his like would be very far from attempting to controvert. If confronted by the authorities of the state, he would have been ready to speak, he declared himself to be a warm friend to "good credit system;" "for," said he, "without credit what had now been the condition of this beautiful Miami valley, green and smiling in the richness of its harvest, and the abundance of its crops, and thousands of independent population around us at this moment." "Establish to-morrow," he continued, "that hard money system, so much lauded of late, as opposed to a good system of credits, and then, from this time, every man now rich will be poorer, and every man now poor will be richer."

General Harrison, we are told by those who were on the eminence at the east, was heard distinctly throughout his speech, at the distance of four hundred yards, and was scarcely ever interrupted by loud and long plaudits, and touched, by his frankness and simplicity, a chord in thousands of bosoms, that will thrill for life with the recollection of the day and the occasion.

Col. Christie and **Col. Chambers.** The former of New Orleans, the latter of the well known and gallant volunteer aids of general Harrison in the battle of the Thames, spoke after the general, in the order in which we have named them. Col. Christie was a private at Fort Meigs, and testified to the bravery, firmness and coolness, ably exhibited by his old commander during the celebrated siege of that post, in a manner which must have put to shame those of those who have been induced by their prodigal political leaders to raise the cry against general Harrison of "cowardice" and "incompetency;" had they been within ear.

Col. Chambers's speech was full of important matter, and enlivened by frequent sallies of real humor. He gave a narrative of the battle of the Thames, which he should be induced to write out for publication, and to read to the people, for whom recent circumstances had given him a feeling allied to contempt, yet as one of whom, on account of his past services, he would wish to speak nothing harsh, he took hold of the great "petticoat hero," and, after a few words of commendation, searching fire of his sarcasm and rebuke, turning him first this way and then that, basting him now here and now there, as the blisters were seen to rise upon his epidermis, very much as a log-cabin house-woman manages a roving goose, till every one present was feeling a feeling of pity for the Ajax of locoracy in Ohio.

The number of persons present was, during the whole of the morning, variously estimated at from seventy-five to ninety thousand. Conjecture, however, and allusion to the reports of the speakers' stand. Here, while the crowd was compact, as we have elsewhere described it, and during the speech of Gen. Harrison, the ground upon which it stood was measured by three different civil engineers, and after allowing for the square yard before them, the following results were arrived at: the first made it 77,600, the second 75,000, and the third 80,000. During the time of making three measurements, the number of square yards of surface covered was continually changing, by the coming without an entrance of new parties. This fact alone satisfactorily for the slight difference in the results attained, and shows that that difference strengthens instead of weakening the probable correctness of the calculations. No one present would have pretended that there were less than twenty thousand persons within the limits of the encampment in the city, sauntering about the environs, scattered around the booths where refreshments were vended, and lying in large groups upon the plain, discussing affairs of the day, and waiting for the return of the speakers. It will swell the number congregated at the Miami valley convention, including the citizens of Dayton, (whose population is between five and six thousand), which we do, to about one hundred thousand. This is what in round numbers we estimate. In the heading of our article; and this is what, by those who have been much more in the habit of estimating crowds than we, it was estimated at. For our own parts, we could make no estimate; we should not have known how to go about it. The only satisfactory information, for any opinion which we would like to hazard upon the subject. Happily, actual survey and calculation relieve us of the necessity of any thing of this kind; and therefore, the convention of 100,000 will send its voice for the standing stilling of the whole of the state, striking with terror in their very palace halls the usurpers of the powers and under-treaders of the prosperity of the American people.

Something more about the grand convention of one hundred thousand. The Atlantic states, and more so a little about the high and beating heart of the Mississippi valley, as we Buckeyes, Corn-crackers and Hoosiers, do about Nova Zembla, wonder how it is that in times like these we can get up the grand gathering which our noble and full, and also attend to the transaction of our every day business, and take care of our families. A very brief statement of the truth, will put their wonderment to rest, better than any thing else. In a word, then, Mr. Van Buren and his wiser associates, and all those who are not such as we, we have very little to do business with. We can, therefore, be away from home, a portion of the time, as well as at home. And with respect to our families, when we leave upon a rally, we take them with us! Our wives and daughters, we are proud to say, have the blood of their revolutionary mothers

and grandmothers cursing through their veins.—There is no man among us whose heart is more filled and animated than theirs, by the spirit of seventy-six. Look at the three hundred and fifty at Nashville, who invited Henry Clay, the nation's pride to be with them, and their husbands and brothers on the 15th of August! Look at the four hundred at St. Louis, the nine hundred at the Tippecanoe battle ground, the five thousand at Dayton!

What now, but the spirit of seventy-six, does all this manifest? Ay, and while it is so full of it! Does it not say, that the wicked charity, and mad ambition, and selfish schemings, of the leading members of this administration of the general government, have made themselves felt in the very sacred sanctum of domestic life! Does it not speak of the cheerless hearth, where willing hands sit without employment? Does it not speak of the half-recompensed toil of the worn laborer, who finds, now and then, a week's hard work, upon the scant proceeds of which he must sustain himself and his family for a month? Does it not speak of empty larders in the town, while the granaries of the country are overflowing? Does it not speak of want here and abundance there, without any medium of exchange to equalize the disparity? Does it not speak of a general disorganization of conventional operations—of embarrassment, stagnation, idleness, and despondency—whose "malign influences" have penetrated the inner temples of man's home, and aroused, to indignant speech and unmanly action, her who is its peace, its gentleness, its love, its all but divinity?

The truth is,—and it should be told—the women are the very life and soul of these movements of the people. Look at their liberal preparations at Nashville. Look at their benevolent exertions at Dayton. Look at their ardent and actively every where. And last, though far from the least important, look at their presence, in hundreds and by thousands, wherever there is any good to be done, to animate and encourage, and urge on their fathers, husbands and brothers.

Whence those six hundred and forty-four flags, whose stars and stripes wave in the morning breeze, from nearly every house top, as we enter this beautiful little city of Dayton? From the hand of woman. Whence the decorations of these porticoes and balconies, that gleam in the rising sun, as we ride through the broad and crowded streets? From the hand of woman. Whence this handsome and proudly cherished banner, under which the Ohio legion returned from the battle of New Orleans? From the hand of woman. Whence the marks the bread quarters of the Cincinnati delegation of one thousand to Dayton? From the hand of woman. Whence you richly wrought and surpassingly beautiful standard, about which cluster the Tippecanoe boys, and whose production has cost many weeks of incessant labor? From the hand of woman. And to come down to less poetical but more substantial things, whence all the wholesome viands prepared in the six hundred and forty-four flag houses around us, for our refreshment, and all the pallets spread for our repose? From the hand of woman. WOMAN, then, *has done* her part. She now gives us her blessing, and with a God's speed, raged and thus urged on, that we shall not, after the *birds* *do* us. Let us so labor, then, this evening of October next, have to go home and tell her we have been beaten, and that she had her children must still suffer.

ILLINOIS.

The *Mormons*. A keel-bolt arrived in this city on Sunday last, with about two hundred persons. We understand they belong to a party of thirty-nine, who left the vicinity of Preston, England, about two months since; although the company separated at Pittsburgh, they are all destined for the head quarters of the *Mormons*, at Nauvoo, adjoining Commerce, Illinois. The interest in all kinds of farmers and mechanics; and we are told that another party is on the way from England, destined to the same point.

This sect is rapidly on the increase. Their churches in England have between 2,000 and 3,000 members, mostly in Lancashire; they have also regularly organized societies in Liverpool, Edinburgh, Birmingham, Manchester, &c. About 100 Methodist preachers in England have embraced this faith. In the country, there are about 2,800 at Nauvoo, Illinois, and about 2,800 in Leicestershire, in Iowa, on the opposite side of the Mississippi. They have churches in Quincy, Springfield, Jacksonville, and various other parts of Illinois. There is a church of about 100 members at Dayton, Ohio, and they intend to establish one in this city shortly—eight persons were baptized by them, in the river, in front of this, last Sunday and Monday. With the exception of Missouri, Georgia, Alabama and Louisiana, they have regularly organized churches in every state of the

union; those at Philadelphia and New York comprise each about 200 members. They publish a monthly journal in Manchester, England, and another at Nauvoo, Illinois. The inhuman persecutions they suffered in Missouri, in the winter and spring of 1839, were a disgrace to the state and to the benevolent spirit of the age. "To their own Master they stand or fall."

(Cincinnati Chronicle, of Aug. 26.)

We are indebted to the Sangamo Journal for the following statement:

We give below the popular vote of this state, and although it differs widely from the estimated register, we believe it to be a fair exhibition of the strength of parties in Illinois. We have taken the vote of the governor in 1838 in ten counties which we think cannot be objected to by our opponents, as no contest was made in them on party grounds. The aggregate vote of the state amounts to 52,048, without allowing any thing for the increase of the votes in the ten counties since 1838, and the entire vote of Marshall. We are satisfied that not less than 87,000 votes were polled in the state; making a gain of 27,000 on the vote of 1838.

1st congressional district.		2nd district.	
Counties.	Her. V. B.	Counties.	Her. V. B.
Alexander	232	310 Adams	1,447 1,516
Bond	467	488 Bureau	407 235
Clinton	869	386 Cook	1,032 1,321
*Galatin	585	703 Calhoun	261 27
*Hamilton	113	239 307 Kane	313 289
*Jackson	176	210 De Kalb	370 200
*Johnson	87	185 Greene	701 1,104
Madison	1,500	1,214 Hancock	1,042 669
Monroe	338	560 *Henry	85 30
Macomb	663	763 Jo Daviess	1,005 929
*Pope	514	87 Kane	618 640
*Perry	142	190 Knox	643 587
Randolph	661	732 La Salle	1,104 1,624
St. Clair	923	1,659 Livingston	50 50
Union	36	623 Morgan	1,482 1,361
Washington	274	376 Macon	257 304
Williamson	99	453 Mercer	311 161
		McLean	665 575
7,153	9,326	McDonough	497 466
		McHenry	243 245
2nd district.		3rd district.	
Counties.	Her. V. B.	Counties.	Her. V. B.
*Crawford	227	167 Pike	1,016 1,092
Clark	418	409 Peoria	724 717
Clay	241	312 Putnam	245 154
Coles	967	747 Rock Island	392 277
Champaign	161	383 Rock Mountain	1,356 1,260
Edgar	727	763 Schnelyer	650 634
Edwards	230	160 Stephenson	350 234
Effingham	65	215 Tazewell	1,035 640
*Franklin	94	692 Varren	698 540
Fayette	438	712 Wabasha	637 285
Illinois	133	175 Will	668 1,325
Jefferson	282	455 Boone	211 210
Jasper	90	165 Brown	299 432
Lawrence	595	553 Carroll	163 70
Montgomery	277	489 Christian	111 208
*Marion	112	272 De Witt	230 270
Vermillion	992	708 Du Page	361 379
Wabash	444	285 Jersey	351 356
White	749	699 Lake	230 297
Wayne	200	319 Lee	256 212
Shelby	331	682 Logan	241 351
		Marshall	naj. 11
7,752	9,047	Menard	397 378
		Scott	853 622
		Stark	159 163
		Whiteside	513 222
			25,298 23,470
		Harrison.	Van Buren.
1st district,	7,153	9,326	
2d "	7,752	9,047	
3d "	25,298	23,470	
	40,203	41,843	
		40,203	

Van Buren's majority, 1,640

Election. The administration papers give a statement of the result of the late election which differs materially from the one we inserted from a whig journal.

The Chicago Morning Democrat gives the result, by districts, as follows:

Mr. Casey's district, Van Buren maj. 1,965

Mr. Reynolds's do. do. 5,097

Total Van Buren majority 7,077

Mr. Stuart's district, whig majority 239

Van Buren majority in the state 6,838

*In those counties marked with a star, we give the vote of 1838, between Catlin and Edwards.

LIST OF MEMBERS TO THE LEGISLATURE.

Senators.—Old members.

Clinton—W. Gaston.
Coles, &c.—Byrd Monroe.*
Edgar—N. W. Nunnally.
Gallatin—W. J. Gatewood.
Greene, &c.—F. Witt.
Hamilton—Noah Johnson.
Hancock, &c.—S. H. Little.
Joe Davies, &c.—G. L. Harrison.*
La Salle, &c.—Wm. Staden.
Morgan—Wm. L. Sargent.*
Madison—George Churchhill.
Montgomery—Wm. Hunter.
Pike—W. Roy.*
Peoria, &c.—Wm. Hamlin.*
Pope—W. J. Gibbs.
Sangamon—A. G. Herndon.
Schuyler—W. A. Richardson.
Union—J. S. Hacker.
Vermillion—Wm. Fielden.*
Washington, &c.—J. D. Wood.

New members.

Adams—James H. Ralston.
Cook, &c.—John Pearson.
Fayette, Clay, &c.—Aiken Evans.
Franklin, Edwards, &c.—Parish.
Fulton—D. Markley.
Greene and Jersey—John Allen.
Lawrence, &c.—J. M. Houston.
Morgan & Scott—T. M. Kilpatrick.*
Morgan & Scott—J. M. Kilpatrick.*
Marion, De Witt, &c.—J. Moore.
Macoupin—John Harris.
Randolph—Jacob Fennan.
Sangamon, &c.—E. D. Baker.*
St. Clair, Madison, &c.—Jas. A. James.
St. Clair—Adam Warren.
Shelby—Peter Warren.
Tazewell—Richard N. Cullum.*
Warren, &c.—Wyatt B. Stapp.*
Wayne, Edwards, &c.—R. B. Slocumb.
White—Wm. H. Davidson.*

Representatives.

Adams—A. G. Humphrey, Wm. Laughlin.
Alexander—Wilson Abel.
Champaigne—M. Bussy.
Crawford—J. W. C. William Wilson.
Coles—Thomas Threlkeld,* James T. Cunningham.*
Cook—Richard Murphy, Albert G. Leary, Ebenezer Peck.
Clark—W. B. Archer.*
Clay—Peter Green.
Clinton—John Scott.
Case—A. S. West.*
Bond—Richard Bentley.
Brown—Harvey Luster.
Edwards—Allen Emerson.*
Edgar—Leander Munzert,* J. M. Kelley.
Fayette, &c.—Wm. L. D. Ewing, W. J. Hankins.
Fulton—Lewis W. Ross, Oliver Shepley.
Gallatin—J. A. McClelland, D. Wood, D. J. Blackburn.
Greene and Jersey—D. W. Woodson,* R. N. English, A. W. Cavity.
Green, Jersey and Calhoun—J. McDonald.
Hancock—John F. Charles.*
Hamilton—Alton Carpenter.
Ingham—Isaac Courtwright.
Jefferson—Stephen G. Hicks.
Jackson—John Logan.
Johnson—Joseph Oliver.
Jo Daviess &c. Hiram W. Thornton,* Thomas W. Drummond.*
Knox, Warren, &c.—John Denny.*
Lawrence—Jas. McLean,* Saml. Dunlap.*
La Salle—A. R. Dodge.
Logan and Christian—Martin White.
Knox and De Witt—Robert Barnett.
Menard—J. Bennett.*
Marion—James Marshall.
McLean—A. Grifley,* Isaac Funk.*
Madison—Cyrus Edwards,* Joseph Gillespie.*
Morgan—John J. Hardin,* James Parkinson,* Jeremiah Cox,* Daniel Troy.*
McDonough—W. W. Bailey.*
Monroe—F. H. Bissett.
Montgomery—W. Ethell.
Macoupin—F. A. Ogle.*
Putnam, &c.—Wm. H. Henderson.*
Pike—Alpheus Wheeler, Solomon Parsons.
Peoria—W. J. Phelps.*
Perry—Richard G. Murphy.*
Pope and George P. Webb.*
Randolph—James McClurken, John P. McGinnis.
St. Clair—Daniel T. Moore, Lyman Trumbull, Daniel Baldwin.
Scott—J. W. Ormsbee.

Sherry—O. Prentiss.
Schuyler—W. A. Mitchell.*
Sauganum—Ab. Lincoln,* J. W. Bradford,* Jas. N. Brown,* John Darwell,* Josiah Francis.*
Tasewell—Piera Menard,* A. Hull.*
Union—John Dougherty.
Vermilion—J. J. Brown,* B. Canaday,* Isaac Forman.*
Washington—John Crain.
Wabash—J. H. Beall.*
Warren, Ind.—John Denny.*
White—Edwin Webb,* Alex. Philips.
*Those with this mark * are whigs—the others are Van Buren.

MISSOURI.
The trial of W. P. Dana for man-slaughter, was to take place before the city court at St. Louis on Monday the 14th inst.

MICHIGAN.
Candidates for whigs. Joseph M. Howard is nomination by the whigs, and Alpheus Felch by the friends of Van Buren.

MISCELLANEOUS ARTICLES.
INVENTIONS AND IMPROVEMENTS. A correspondent of the Philadelphia Inquirer, writing from Liverpool under date of 7th August, says—

"The principal things which struck me in England, in the way of improvement since my last visit, were the new and the galvanic telegraph, the bubble light, (truly a new one), and the glass and silk manufacture for curtains and drapery, of the first."

The rail roads. They may be said, I think to approach perfection as nearly as possible. They are built for ages, remarkable for their massiveness and magnificence architecturally, and for the taste, comfort and solidity of the cars and locomotives. I travelled on all that are yet opened. The Liverpool and Birmingham, the Birmingham and London, the London and Southampton, and as far as finished, the Great Western, which is much superior in every point of view to any yet constructed. I travelled at the rate of 40 miles an hour upon it, breakfasting in Reading, Berks, at half past eight, and walking the streets of London before ten. It was not without interest to me, that on a branch road from Birmingham to Cherttenham, just opened, I was whirled along by a locomotive made by Norris in Philadelphia.

The galvanic telegraph is in use on the London and Blackwall railway;—it has on it as much as is done with a rope—and when full, a galvanic wire is touched, and successfully rapid as two ticks on a watch, is the signal and the motion of the cars. The distance is four miles, and were it 4,000, I am assured the signal would be as instantaneous and faithful. They are laying one down to Windsor for state purposes; and it is expected they will be in use all over England.—Do we not live in an age of acromancy, and are not the men of science the only pure and lawful astrology of human nature?

The bubble light is a beautiful thing in its way. It produces an atmosphere of light, concealing the means by which it is done. Passing by the boardwalks I exclaimed—"how brightly the moon shines! You can read the clock by it."—"Oh!"—replied my friend, as cool as moonshine—"that's the bubble light!"—I begged an explanation, and apparently astonished at my innocence, he gave it. Lime and gas are brought into some peculiar contact, and the effect as it struck me, was that of intensely bright moon light. The houses of London are now lit in this manner, and it is to be introduced into the theatres. It is very beautiful—and do not think me "moonstruck," when I tell you, that the chilliness and repose of moonshine, reminded me sensibly while regarding it, that Juliet's apostrophe,—"Come thou day in night, so soft and smooth as moonlight," for the imaginative race, if matter of fact people upset every thing in this manner.

The new manufacture for curtains and other draperies, is a very gorgeous affair. The rich damask pattern is woven in glass and silk, producing a dazzling effect—being either silver or gold in richness of display.

A capital invention is used for the foundation of houses, an invention too, the more valuable on account of its simplicity. The clay that is dug out of the foundations is mixed with a preparation of lime from the very ground of the building, and thus hardened or "calcined" into a strong substance, makes the best and certainly the cheapest material for foundations yet discovered. It is now universally used in England.

NATIONAL INSTITUTE FOR THE PROMOTION OF SCIENCE. An institution with this title has been recently organized at Washington, embracing in its plan of wide range, and promising much utility.

The departments of the institution at present include the following divisions:—1. chemistry; 2. geology and mineralogy; 3. geography, astronomy and natural philosophy; 4. natural history; 5. the application of science to the useful arts; 6. American history and antiquities; 7. agriculture; 8. literature and the fine arts.

The officers of the institution are—

Directors: Hon. J. B. Poinsett, secretary of war, and Hon. J. K. Paulding, secretary of the Navy; Councilors: Hon. J. Q. Adams, colonel J. J. Abernethy, J. G. Totten, A. McWilliams, M. D. and A. O. Dayton. Treasurer, William J. Stone. Cor. secretary, F. Markoe, Jr. Rec. secretary, P. Thompson.

There are eighty-five resident members, three honorary and ninety-one corresponding members. All governors of states and diplomatic, consular and commercial agents of the United States, who are not otherwise connected with the institution, may be considered, *ex officio*, as corresponding members, and contributions and communications are requested from them.

The Army and Navy Chronicle notices the establishment of the association and says:

"There seems to be a peculiar appropriateness in officers of the army and navy (although this institution is not confined to them) tending to such a cause, the aid which their stations enable them to do. Called, in the discharge of duty, to almost every section of the habitable globe, they have opportunities to see numerous specimens in natural history; to make observations upon the climate, soil, resources and productions of countries visited; upon the habits, manners, language and pursuits of the population; upon the celestial and terrestrial phenomena that almost daily and nightly occur; and in a thousand ways to promote the gratification of their fellow citizens at home. That they will not permit those opportunities to pass unimproved, may be assumed by all who are familiar with their intelligence, patriotism and spirit."

SOLDIERS OF THE REVOLUTION AT BUNKER HILL. Among the most unimpressive incidents in the convulsion of the 10th instant, at Bunker Hill, was the number and unanimity of feeling of the surviving revolutionary soldiers.

We find on that head this communication in the Boston Atlas:

"*Soldiers of the revolution.* Major Haughton—If you think the following item is worth insertion, you may rely on its accuracy as coming from an eye witness."

In ready obedience to the notification of the whig committee of arrangements about sixty of the venerable survivors of the war of independence under Washington, and of the war for its defence, under Harrison, assembled in the representatives' hall of the state house, punctually at 9 o'clock.

When the marshal of the grand procession announced that the veterans were to receive the services of the old soldiers to the Bunker Hill battle field, the following order of amusements was proposed and adopted by them.

Those soldiers who had been personally engaged in the battle of the 17th June, 1778, were invited to move forward; when twelve advanced and occupied the first three carriages or barouches.

The order was then given to other old soldiers over ninety years of age, when from fifteen to twenty stepped forward and occupied carriages, six in each.

The same order was passed to those over eighty-five years, when twelve advanced, and occupied other carriages, six in each.

The last order was that those under eighty-five years should occupy other carriages; when the remainder, to the number of fifty and over, and including one or two Octogenarians, were at their posts, with the promptitude of whig units men, and requiring but little assistance.

The impression which this almost relic of the officers made on the multitudes which witnessed and cheered the procession in its movement, can much better be embellished by your pen, than by any thing which can be said by

ONE OF THE NUMBER.

On Friday, these precious "relics of the old army" were seated on the grand platform at Faneuil Hall, and in the presence of thousands were addressed by Mr. Webster, in one of his happiest efforts, and with manifest effect both upon them and the audience at large. He styled them "fathers," and he rejoiced that they had survived to witness that day of the revolution yet burnt bright in the bosom of those whose fathers had shed their blood to accomplish it. He rejoiced, too, that so many surviving whigs of the revolution, those who had done battle for the country and their principles,

in its darkest hour, were assembled on this occasion to bear witness to the identity between the whig principles of 1776 and 1840, and be assured therefrom, the same triumph to those principles now, that then they achieved.

Among many things to be remembered at this celebration, as we have before said, this address to the fathers, and their assent to its statements and doctrines, were not among those that will make the least enduring impression.

DR. FRANKLIN'S LETTER OF INTRODUCTION. *Paris, April 20, 1777.*

Sir: The bearer going to the U. States, presses me to give him a letter of recommendation, although I know nothing of him, even not his name. This may seem extraordinary, but I assure you that it is not uncommon here. Sometimes, indeed, one person unknown, brings another equally so to recommend him; and sometimes they recommend one another. As for this gentleman, I must refer you to himself for his character and morals, with which he is certainly better acquainted than I possibly can be. He is a Frenchman, anxious to know our civilities, which every stranger of whom we know no harm, has a right to; and I request you will do him all the good offices, and show him all the favor that an farther acquaintance you shall find him deserves. I have the honor to be, &c.

We commend this letter to special attention, for in our day, when the press is so ready to introduce and recommendations, are not more modest than in the time of Dr. Franklin; while those whom they beset, ever, for the most part, far less frank and honest in their introduction.

THE AMISTAD AFRICANS. At the circuit court held at Hartford on the 17th inst. (the case of the Amistad Africans having been continued from the last term of the court, to enable the counsel to agree on a statement of the facts preparatory to the appeal to the supreme court), a motion was made by R. S. Baldwin, *ex*, to dismiss the appeal from the district court, on the ground that it appeared from the record in the district court that the Africans in the libels of Ruiz and Monter that the Africans were their property, were found not to be true; and that no appeal having been taken by them from the decree of that court, the question of removal was consequently settled; that the United States had no interest to authorize an appeal in their name, and that it appeared from the published correspondence between the Spanish minister and the secretary of state, that the Africans were not demanded by the minister as slaves, but as Africans, "for trial and punishment in Cuba."

Judge Thompson, however, considered the appeal as taken from his *pro forma* decree at the last term of the court, though not entered on the record, and that consequently the motion could not be granted; the court, in consequence, gave judgment, with no prejudice to the Africans could be pronounced by the return to entertain the motion here, as it could be made in the supreme court.

It was stated by Mr. Baldwin that in the case of Holmes, a majority of the judges of the supreme court had expressed the opinion that in the absence of a treaty stipulation, no power exists in the executive or any department of the government to surrender fugitive criminals to a foreign government for trial. *[Jour. of Com.]*

WHISKEY. The following article was published in the Western Temperance Journal, found marked at Cincinnati. We have no means of testing the correctness of its statements, but it is so good a thing to think it likely to be correct, and yet we don't know where the money comes from to pay for all the whiskey set down as coming to Arkansas. We are a wonderful people for drinking, to be sure, we Indians and Arkansians, and we hope the Indians drink the most of it, as it will save grapes. We recommend it to the attention of our citizens generally, red and white, (as seems Arkansas has to father all who drink whiskey, from the Mississippi to the Rocky Mountains), as an item of expense which might be dispensed with during the hard times, which are grinding us all to the dust. Only think—\$1,520,000 for whiskey in 1839, and nearly double that in 1840. *[Arkansas Gaz.]*

Facts for the consideration of the southern states. It has been a matter of surprise to many for some time past, to see the immense amount of domestic liquors annually manufactured and shipped from the northern states; and equally as great an interest and curiosity to ascertain where it is consumed. On a full investigation of the matter, it is found that there is annually manufactured and shipped

from the states of Illinois, Indiana, Ohio and the western portion of Pennsylvania, about thirteen million seven hundred and twenty-five thousand gallons of domestic spirits of various kinds, at an average cost to the consumer of forty cents per gallon, amounting to five million four hundred and eighty thousand dollars; and of this part at Cincinnati alone, has furnished ten million nine hundred and fifty-five thousand gallons, this being the principal point for rectifying and shipping. Three million eight hundred thousand gallons of this amount is annually shipped to the state of Arkansas, amounting to one million five hundred and twenty thousand, and hundreds of persons are constantly employed in what is familiarly called in that country running the mail, or smuggling it into the Indian country, in violation of the laws of the United States, and contrary to the wishes of the chiefs of the several tribes. Two million three hundred and twenty-six thousand gallons to Mississippi, amounting to nine hundred and twenty thousand four hundred dollars. Tennessee one million three hundred and sixty-five thousand, amounting to five hundred and thirty-six thousand dollars. Louisiana five million five hundred and eighty thousand, amounting to two million three hundred and twelve thousand dollars; the balance of four hundred and fifty-four thousand gallons, destination not ascertained. There is, therefore, a direct loss to four or five of the southern states of about one hundred and fifty dollars annually, for intoxicating liquors, furnished them by the same number of the northern states. You have the remedy in your own hands; Tennessee has set a noble example.

E. The above estimate was made from shipments for the year 1839, since more than one-fourth has been shipped to Tennessee, and considerably less to Mississippi. But Arkansas nearly doubled. [Western Transcurrence Journal.]

POLITICS OF THE DAY.

A WORLD'S WONDER. The state of things described in the following impressive paragraph, which we copy from the Philadelphia Sentinel, is as true as it is wonderful, and as gratifying as it is true. No other age or country has ever produced, or can now produce, the like of it.

"It must certainly be regarded as a most gratifying sign, that with all the excitement which now pervades the country from one end to the other, on the presidential question, there is little to offend or alarm the lovers of good order, and to threaten the security of republicanism. Millions of people are in un-restrained motion, and even fervent. Frequent conventions of zealous partisans, attended by ten, twenty or forty thousand, and listening for hours, and sometimes days, to the most impassioned, earnest and eloquent orators, are held in all parts of the land, and nearly with as much order and quietness as a Sabbath gathering for religious purposes. No other country in the world could do it. The most stable nations of Europe would reel like a drunken man—would be convulsed with revolution and drenched with blood, in such an experiment upon the populace. Think of such conventions in Paris or London, with all their noise of preparation, with all their pageantry, and all their freedom and eloquence of speech, and you think of a revolution. To the enemies of republicanism, the political agitations of this country may appear precursory of its end. To us, it is the most assuring token of permanence and power, that a great people assembling as is the wont of ours, like waves or storm clouds, are yet so far the intelligent, and retire from the most excited gatherings in peace and good temper."

LETTER OF MR. VAN BUREN ON WAGES.

Philadelphia, Aug. 20, 1840.

To the hon. M. VAN BUREN, president of the United States:

DEAR SIR: The undersigned, a portion of your fellow citizens, request your answers to the following queries—

Are you in favor of a protective tariff? Did you vote for, or support a property qualification for voters in the convention of New York? Are you in favor of reducing the standard of wages?

Whether you are in favor of the secretary of war's plan for organizing the militia?

These questions are not made for the purpose of unfriendly criticism, but only from a sincere wish to have your own views on these subjects. Your fellow citizens,

ISAAC LIPPINCOTT,

WM. R. POTTS,

G. HAINES,

N. B. EVANS,

A. S. FERRAN,

JOSEPH FIANER.

Direct to Isaac Lippincott, No. 210 Callowhill street.

Gentlemen: I have received your letter addressed to me several questions upon public subjects, and assuring me that they are not put for the purpose of unfriendly criticism, but from a sincere desire to have my own views on the subjects referred to. In reply to your first and last questions, I send you a copy of a letter recently addressed to several citizens of Elizabeth City county, Va. in which you will find the information you desire.

In answer to your second question I send you a statement of my entire course in the New York convention of 1840, and of the election of the franchise. It was prepared by my friends at Albany, having access to the best means of information, of their own accord, without previous communication with me, and published there under their own signatures.—Upon a careful examination of this document, I find it contains a true and fair exposition of my course in the convention upon the subject referred to, and I send it to you as such.

Your remaining question is whether I "am in favor of reducing the standard of wages."

Not comprehending precisely what question you desire to be solved by the term "the standard of wages," it will be necessary, in order to meet your wishes fully, that I should give my general views on this branch of your enquiry.

The labor of an industrious man is in my judgment, a necessary reward, when his wages, together with the assistance of those members of his family, from whom assistance may reasonably be required, will enable him to provide comfortably for himself and them, to educate his children, and pay off sufficient for the casualties of life and the wants of widow and orphans.

To accomplish these objects it is necessary that the pay of the laborer should bear a just proportion to the prices of the necessaries and comforts of life; and all attempts to depress them below this equitable standard; are in my opinion at war with the dictates of humanity, as well as sound and rational policy. Left to itself, and free from the blighting influence of partial legislation, monopolies, congregated wealth, and interested combinations, the compensation of labor will always preserve this salutary relation. It is only when the natural order of society is disturbed by one or other of these causes, that the wages of labor become inadequate.

The people of the United States may be truly designated a nation of laborers.—A vast proportion of them live by the sweat of their brow, and the fruits of their industry. It is only when the system with a proper regard to this condition, that the system of government under which they live are originally devised. It should, therefore, in my opinion, be always so administered as to insure to them, as far as possible, a just and adequate reward for their exertions, as well as a full enjoyment of the fruits of their industry.

In the distribution of wealth resulting from the union of labor and capital, it is too often the case that an undue proportion falls to the share of the latter. The discontinuance of partial legislation, which I have always advocated, would be an important step towards correcting this inequality.

It has been ever my design to keep these objects constantly in view. So far from being in favor of reducing the wages of labor, or attempting to render the services required disproportionate to the rewards received, it cannot be unknown to you that what is called the ten hour system, originally devised by the mechanics and laborers themselves, has by my directions been adopted, and uniformly carried out at all the public establishments, and that this mitigation of labor has been accompanied by no corresponding reduction of wages.

I also cannot fail to be distinctly intimated in the month of March last, to the officers of such of these establishments, as might contemplate a reduction of wages, that in my opinion the present pecuniary condition of state of things, which is believed result from circumstances that cannot be permanent in their operation, does not present a just and proper basis for a reduction of wages.

I am far from wishing to contribute in the slightest degree to the embarrassment and depression of the manufacturing class. It is, on the contrary, my most earnest and constant desire that their industry should everywhere and at all times be amply rewarded, and that the blessings of plenty should be liberally diffused among those who contribute most to their production. I am, gentlemen, very respectfully, your obedient servant, M. VAN BUREN. Messrs. Isaac Lippincott, Wm. R. Potts, G. Haines, N. B. Evans, A. S. Ferran, Jos. Fianer.

ADDRESS TO THE PEOPLE OF GEORGIA.

Fredericksburg, (Va.) Aug. 20, 1840.

On my way to the Indian Springs to meet such of my fellow citizens as might comply with the invi-

tation to be present at a dinner to be given to our senators and three of our representatives in congress on the second of September, I am detained here by a painful disorder, incompatible with the prosecution of my journey. In any such judgment, the detention is of no importance except to myself, as I cannot presume that my presence or absence will in the slightest degree affect the opinions and actions of any of the persons who may compose that assemblage. I regret it, nevertheless, as I am deprived of an opportunity to meet valued friends, and am unable to do that which others for whom I entertain a strong affection, are endeavoring to do. I have, however, weight to their recommendations, have thought would be useful in the present agitated state of our country.

I have never nothing to shake my confidence in the power of truth; nothing to make me doubt the utility of all attempts to delude the people by ingenious equivocations, artful exaggerations, blustering pretensions, or open falsehoods. When the spirit of inquiry is awakened, the people are not to be turned from the pursuit of facts by processions and parades, or traveling companies of self-styled sinners, false friends and revivers. A careful investigation of those facts and calm reflection upon them at home, give to the humblest citizen the power to decide wisely in whose hands the chief magistracy of the nation can be safely intrusted for the preservation of external peace, and the perpetration of salutary reforms, and the maintenance of the harmonious relations with which are inseparably connected the harmony of the union, and property, national and individual. These will be used, aid, being used, the result will be right. If it were necessary or proper, I could bear my humble testimony to the fidelity of those who have declared the principles of the present incumbent have been acted upon. Necessary it is not, since the chief ground of objection to him is, that he has performed his engagements, and "followed in the footsteps of his predecessor." Proper it will not be considered, as I have been intimately associated with his administration, and identified in feeling and judgment with the great measures of its fiscal and foreign policy, and would be looked upon as a volunteer and interested witness. Instead, therefore, of speaking what I know and believe to be just or Mr. Van Buren and Gen. Harrison, will maintain the right of every member of the community, to refer to things of common notoriety, which will aid my fellow citizens in Georgia in discovering to which of these persons they may safely confide the executive power, as it may influence or control the great questions—

Of a protective tariff.
Of internal improvements;
Of appropriation and expenditure;
Of the mode of keeping and disbursing this public debt.

Of slavery, as it exists from the northern confines of Maryland to the Sabine and Red rivers.

(Questions of foreign policy are omitted, for, strange to say, they are not topics in the presidential canvass, and at that subject the advocates of universal reform are not to make no change.)

On these questions the opinions of Mr. Van Buren and Gen. Harrison have been in various forms and at different periods asked for. What their answers were, at what time and in what manner given, are well known facts. My fellow citizens can readily decide, when they act in view, which of these gentlemen agrees with them on these important and vital subjects. By comparing the explicit, frank, prompt, public and uniform communications of Mr. Van Buren, given with like readiness to friend or foe, with the reluctant, equivocal, and not unfrequently contradictory answers of Gen. Harrison, sometimes by reference to former declarations, sometimes by letters from friends and friendly committees, again by speeches at arranged meetings, and then by private letters for use but not publication—they can, without difficulty, determine which of them deserves their confidence. Should any doubt remain after this comparison, there are two other facts not unworthy to be remembered in forming a correct judgment. Mr. Van Buren has imputed to him by his advocates every ware, the same opinions and the same principles; the opinions and principles imputed to Gen. Harrison. Should any doubt remain after this comparison, there are two other facts not unworthy to be remembered in forming a correct judgment. Mr. Van Buren has imputed to him by his advocates every ware, the same opinions and the same principles; the opinions and principles imputed to Gen. Harrison.

Should the belief be entertained that the declarations of the parties themselves, or those of friends anxious to promote their success, are not safe guides, the motives to concealment, equivocation or deception being so powerful, try the parties by the experience of the past.

In various stations each has here before the public for more than thirty years. Compare their pro-

conscious with their acts, and thus the results of each compulsion. If still not satisfied, there are other broad facts that cannot fail to bring conviction to the honestly inquiring mind. A better judgment of the probable conduct of an administration in this country will be supported if they succeed, than by scrutinizing into the particular opinions and political course of the person who is proposed for that station. Mr. Van Buren is the candidate of that party in ALL the States, who, under the lead of gen. Jackson, arrested the progress of the country, and effected a general improvement—who wrested the public money from the hands of irresponsible and doubtful corporations, and broke their power—who seek to reduce duties and taxes to the wants of the government—and who have no other wants admit of diminishing the public expenditure, and ready, at all hazards and at all times, to see that the constitutional guaranty of southern property is fairly and faithfully maintained. It is equally acceptable to that party in the south, who are equally ready to see that the rights of the freed even, neither by combinations or intrigues,

General Harrison in the candidate of all the parties in the United States who can be brought to act against the present administration by the common instinct of hatred. He was forced upon the southern portion of these parties by the combination of antislavery and abolitionism. Not one southern vote was given to him, and it was only through the aid of the free-soilers that he was elected.

Among his supporters are ranked the high tariff and internal improvement men, under the banner of Mr. Clay; the high-toned politicians of the New-England states—who construe the constitution like the common law, who believe in supporting, even by force, the rights of property; who are the majority of the times who believe there is no slavery or prosperity without the agency of a national bank to manage the fiscal concerns of the government, and furnish a currency for the people—who opposed the late war, and established, according to opinions expressed in the British parliament, a sort of underground railroad, during the war, for the purpose—who acknowledge as their leader and standard-bearer, Mr. Webster of Boston; the abolitionists, of all colors, under Slade of Vermont, Seward and Bradbur, governor and list, governor of New York, under whose auspices a deliberate attempt has been made, by state legislation, to evade that provision of the constitution which forbids the States to give protection of slavery rights; the conservatives, under the guidance of Mr. Rives, who have abandoned their former friends because the keys of the vaults where the public treasure is deposited are kept in the pockets of officers of government, and not by capitalists and manufacturers; the public creditors of the country because the treasure can no longer, under the control of all sorts of state bank directors, be made the basis of loans to stimulate every species of corporation folly or private speculation: a fragment of the nullifiers, under Mr. Preston and gen. Waddy Thompson, who have been the mainstay of the secessionists, and the nullifiers of South Carolina, as they rose into their ancient tracks in the ranks of democracy.

The supporters of the general in Georgia, I need not designate. They are known—what they have been, what they are, and what they wish to be. Some of them have had, and have lost, popular confidence; some yet enjoy it; and they unite in their endeavors—the one to recover, the other to retain; popular favor. To effect their common object, they are closely allied to politicians whose principles they have solemnly rejected; whose conduct they have repeatedly denounced; whose objects they have always professed to abhor. If, however, it will be their lot to become a *casus belli*, it will not be very difficult to decide, from this array of his friends, what reliance can be placed on gen. Harrison, by Georgians.

The only chief agitators to whom the southern states can safely trust themselves, is one who will use the influence of his place wisely to lead congressional legislation on the subjects that must arise for discussion within the coming presidential term—the apportionment of representation, the system of revenue, the admission of new states into the union, and the control of the territories. He must be able to control all attempts at legislation on that subject which is exclusively southern. On this there can be no parity, for it admits of no compromise. Those who agitate it, do avow, whatever be their pretences or their motives. Those who associate, combine, and act with those agitators, must look to have the finger of suspicion pointed at them. No southern man, who has a real disparaging opinion of the negro, who is not a seceding state, and the accompanying evidence, from the democratic members of congress from those states, can have any excuse for neglecting his duty when he acts on this question.

The immoderate violence presented of the movements within the United States of the disturbers of southern repose, may be usefully added a reference to what is going on abroad. The government of Great Britain, which has hitherto permitted the slave trade to be the cause of ruin to many a life, has, within a few years, converted all its West India possessions into places of refuge for them, and has formally declared that no claim for them will be availing, although they reach their possessions by fraud or force. The same government has been seen employing itself as the volunteer or selected agent of the pope in presenting an apostolic letter on slavery to some of the Spanish American states—a letter which it is not at all improbable was presented under influences proceeding from the British plenipotentiary.

Under its sanction with Spain respecting the slave trade, it has commissioners in Havana scrutinizing into the commercial pursuits of all nations, and marking all vessels, not British bound to the coast of Africa, as suspected of the slave trade, when they are seen sailing from the coast of Africa. It has vessels from *Sierra Leone* to any parts of the slave coast from whence the slave factories are supplied with them. It has black regiments in its army by the enlistment of recaptured Africans.—Some of the statesmen and pamphleteers of England have been so much alarmed at the proceedings, that they have dissuaded the productive value of their West India islands, in devising schemes to give a *present* preference in their markets to the productions of *free* labor, (like that in British India) and gradually to exclude from them the products of the labor of slaves. The advocates of the slave trade and the agitators of the question of slavery, and the means to be employed, abundant evidences are afforded in the proceedings of the "world's convention," which met in London on the 12th, and continued until the 23rd of last June. Two resolutions were unanimously adopted, and too unequivocal to require comment. Those resolutions renounced the removal of slaves from the old to the new settlements as an unrighteous traffic, of which eighty thousand are annually victims; as exciting detestation. Surprise and abhorrence are acknowledged, that it should be protected and cherished by this government.

That it involves hardness of heart in the traders, and cruelty to the negroes, is asserted; and that effectual means should be immediately taken to remove this stain from the character of this nation.—We would not say that the slave-trade is not a crime, and insolence? The brutal O'Connell was quite at home in such a convention; and his insults to the representative of a foreign government near his own, were quite in harmony with the occasion.—The transportation of our property from Virginia to Louisiana, the internal slave trade, mark you, is not a crime, and insolence?—The sale of our slaves in the United States forthwith to remove the stain from this nation. What are the means? We can guess. First, prohibition by congress of transportation to another; next, a prohibition of the sale of slaves by one man to another in the same state; and then we shall be ripe for either the late Mr. Rufus King's or general Harrison's plan of gradual emancipation; or the purchase of the slaves by the United States of the public lands, or by the use of the surplus revenue—taxes and duties being properly increased to make that surplus large enough to effectuate the

The shadows of the troubles in store for us at home and abroad, are darkening and stealing upon us.—What note of preparation is heard? What measures of precaution are required? The gravest thought and most anxious deliberation are demanded, to meet the dangers which will sooner or later come. What others may persuade themselves should be, we better adapt to bring them upon us at an early day, and when we shall be utterly destitute of preparation, than placing the power of the general government in the hands of the heterogeneous coalition that now seek to obtain it in the person of one without the requisite qualifications for the chief magistracy of a great republic, and who scarcely merits the name of a member of the cabinet. In a public assembly engaged if elected, not to thwart congress by the use of the veto power.

The veto power! a portion of the authority given to the executive by the wise framers of our government, which the incumbent of the presidential chair can neither surrender nor trammel himself in the exercise of, without personal dishonor, and treachery to the constitution. The veto power! the safeguard of the people against improvident legislation, or congressional encroachment on the rights of the states and of the co-ordinate branches of the

government. The veto power, the ark of safety for the southern states; used for them, it is impossible, while the equality of a senatorial representation remains, and the present relative proportion of the slave states is preserved, for the phrensy of fanatism and the recklessness of associated party profligacy to disturb our repose, or assail our fire-sides, under the sanction of congressional enactments.

Mr. Van Buren is pledged to use it for that purpose—general Harrison is not.

JOHN FORSYTH.

THE N. JERSEY CONTESTED ELECTION

MAJORITY'S REPORT.

House of representatives, July 16, 1840.
Mr. Campbell, of South Carolina, from the committee of elections made the following report: The committee of elections, to whom was referred the case of the contested election from the state of New Jersey, report:

That at the opening of the house of representatives of the present congress, Joseph F. Randolph, John B. Ayrcrig, John P. B. Maxwell, William Halstead, Charles C. Stratton and Thomas Jones Yorke, presented themselves with the usual credentials from the executive authority of New Jersey, and claimed to be the lawful representatives of the people of that state.

To the right of Joseph F. Randolph there was no opposition, and he was admitted to a seat. But, simultaneously with the appearance of Messrs. Ayerrig, Maxwell, Halstead, Siraton and Yorke, five other gentlemen, to wit: Peter D. Vroom, Philamon Dickerson, Joseph Kille, William R. Cooper and Daniel B. Ryall, presented themselves, and offered evidence to show that they had received the greatest number of votes from the whole state, and were entitled to the returns.

The house of representatives refused to admit either party of these ten claimants in its organization, and on the 13th of January, adopted the following resolutions:

On motion of Mr. Campbell, of South Carolina, Resolved, That all papers, or other testimony in possession of, or within the control of this house, in relation to the late election in New Jersey for representatives in the 26th congress of the United States be referred to the committee of elections, with instructions to inquire and report who are entitled to occupy, as members of this house, the five contested seats from that state; and that the committee have power to send for persons and papers.

Resolved, That a copy of this resolution be served on John B. Ayerrigg, John P. B. Maxwell, William Halsted, Charles C. Stratton, Thomas Jones Yorks, Peter D. Vroom, Philemon Dickerson, William R. Cooper, Daniel B. Ryall and Joseph Kille, all citizens of New Jersey, claiming to be representatives from that state.

On the next day, the 14th January, the committee assembled; and for its proceedings from that time to the 3rd of March, reference is made to the printed journal, in report No. 596 of the present session.

By that report, it appears that the credentials held by J. B. Ayerick, J. P. B. Maxwell, William Halsted, Charles C. Stratton and Thos Jones Yorke, were based on an imperfect canvass, not embracing the whole number of votes received in the state, but that the votes of two townships, to wit: Millville and South Amboy, had not been included in such canvass.

By the adoption of that report, the house made substantially a correction of the returns, and awarded the seats to Peter D. Vroom, Philemon Dickerson, Daniel B. Ryall, Joseph Kille and William R. Cooper, with a proviso that nothing contained in the resolution should be so construed as to prevent the investigation into the election from being continued in the manner heretofore authorised by the committee on the application of the claimants.

Thus, it is evident, that notwithstanding the admission of the five claimants last named to seats, the proceedings of the committee, and of the parties, in regard to the ultimate merits of the election, were not nearly so irregular as they appeared. The parties reappeared before the committee, with a mass of testimony, the result of a canvass extending over the whole state. This testimony, taken under the agreement of the parties, and the law, rendered nearly every objection to the canvass impolled for error or to the other, alleged to be unlawful, and of votes alleged to have been improperly refused at the polls. Besides these cases, there were also involved the question of legality of the poll held at South Amboy and the allegation of frauds committed by the officers of the election at South Amboy.

In the hope that the grounds of the controversy might be more strictly defined and narrowed, and that the testimony scattered through so many separate depositions, bearing on the same points, might be so arranged and collected as to facilitate the labors of the committee, while it should insure the ends of justice, the testimony in the possession of the committee was, on the 16th day of April, by the mutual arrangement of the parties, delivered into their hands, and the committee continued the investigation of other cases pending before them.

Although, from this arrangement, much greater delay ensued than the committee anticipated, the subsequent investigation proved that, without the assistance of the parties, the difficulties of the investigation would have been insurmountable. The testimony in relation to the same vote being often found to have taken not only from many different witnesses, but at various and distant times and places, to which no clerk would else have been furnished.

Nevertheless, impatient of delay, the committee passed resolutions calling on the parties on the 13th and 20th May, and, finally, on the 26th June.

The committee having previously, under the power granted by the house, ordered the papers to be printed, the first investigation was commenced on the 26th of June, with a volume of evidence of nearly 700 printed pages.

From that day until this, the journal of the committee, heretofore reported, will evince the magnitude of the task to which they have been devoted.

The most novel and tedious course has been adopted. The case of every individual vote has been treated as a distinct controversy. The testimony relating to it having been first read, arguments upon the facts or law, or both, were heard from parties, frequently followed by elaborate discussion in the committee. The testimony was then put upon a formal resolution, devised with reference to the *prima facie* legality of the proceeding at the polls and the burden of proof; which resolution, as applied to each case, with the yeas and nays thereupon, was found in the journal. As applied to alleged unlawful votes, previous to the affirmative proposition: 1st, that the vote in question was not a lawful vote; and 2d, that it be deducted from the votes of one or the other of the parties. The first proposition involved the inquiry whether the vote was a legal vote at the polls; and, for the determination of this point, the committee usually required a *parol* proof, as the best evidence which the nature of the case would admit of, the laws of New Jersey not requiring the poll list to be preserved as a record of the actual voters. Mere hearsay declarations of the alleged voters, as to the fact of his having voted, have been uniformly rejected.

The fact of the voting being ascertained, the alleged disqualification, as a question of law and fact, was considered. With reference to their qualification, the impeached voters may be divided into three classes, to wit: aliens, non-residents, or the county, non-residents, minors, men of color, persons *non compos mentis*, and persons not possessed of the requisite property qualification.

In examining the various alleged grounds of disqualification, the principal differences of opinion in the committee arose from the constantly varying facts of each case, (which operated variously upon the minds of different members), and upon the sufficiency of the evidence to establish the result.

The most serious of these differences of opinion arose in the consideration of the first named class of impeached voters to wit: aliens. A minority of the committee were of opinion that it was sufficient for the party objecting to the vote to prove that the voter was *alien born*; and that the burden of proof was thereby thrown upon the party whom the vote had been returned at the poll, to prove that the voter had been naturalized. And it was urged with great earnestness, that, to adopt any other rule of evidence would be to depart from the plainest principles of law and justice. The committee, on the party objecting to a vote the proof of a negative; and a negative, too, which nothing short of searching of every corner of record having common law jurisdiction, a clerk, and seal, in the union, could possibly establish.

That most minutely criticising the argument, it is deemed proper to inquire to what practical consequences the rule would lead, if it be fully admitted; for the proposition is to be taken, not as a mere abstract announcement of the order of proof, but as practically applicable to the decision of cases of contested elections before the committee.

The committee, as the organ of the house, have a positive affirmative proposition to adjudge and declare, before a sitting member can be displaced, or a single vote received for him at the polls can be ejected from the ballot box. Before a member is

admitted to a seat in the house, something like the judgment of a court of competent jurisdiction has been pronounced upon the right of each voter whose vote has been received; and in order to overturn this judgment, it must be ascertained affirmatively that the judgment was erroneous. *Prima facie*, it is to be taken that none but the votes of qualified voters have been received by officers whose sworn duty it was to reject all others. This principle will be found to have been solemnly and unanimously declared by the committee as a basis of future action, soon after entering upon the investigation of this case. (See report No. 506, page 46).

It is not sufficient that there should exist a doubt as to whether the vote is lawful or not; but conviction of its illegality should be reached, to the exclusion of all reasonable doubt, before the committee are authorized to deduct it from the party for whom it was received at the polls.

Will the mere naked fact that a voter was alien born, in the absence of all other proof, produce such conviction in any candid mind? It is not already answered, or, rather, is not even a presumption from that fact alone precluded, by the judgment at the polls? All foreigners born are not disqualified from voting, but only a certain class. Are we to presume that the voter, whose vote has been received by the officers of the election, was of the disqualified or the qualified class? The question is answered by the unanimous resolution of the committee already referred to as well as by the reason and analogy of the case.

The committee may believe that the house of representatives would accept a member from his seat upon the mere proof that every one of his constituents was alien born. It is not apprehended that, after an election has been regularly held, the house would even consider an investigation necessary upon a petition which alleged no other fact.

This history and statistics of the country preclude the principle insisted on by the minority of the committee as a rule of evidence applicable to cases of contested election. Our institutions acknowledge no difference between the native born and naturalized citizen in the enjoyment of the elective franchise. While the spirit of our laws continues to receive, with such enlarged and gracious beneficence, the stranger and exile from every clime; while the laws liberally and equally spread arms, attending the term of their short and social novitiate, to advance them from all alien bonds; and to administer the sacred rights of their political regeneration; surely, the fact of foreign birth alone cannot suffice to annul a right which has been afforded by a tribunal having the simplest power and means to test it, and exercising that power under the requirements of law and the solemn sanction of its oath.

But it may be asked, does not this presumption originally arising from the fact of foreign birth acquire additional strength and confirmation from the decision at the polls, where neither the voter nor the party claiming the benefit of his vote before the committee, adduces any evidence of his naturalization? If the voter refuses to testify to his own disqualification, (as he legally may), how can the party impeaching his vote proceed further in the proof of his allegation? Shall he be put to the proof of a negative? Is not the voter a party to the proceeding? And is not his neglect to rebut the proof of his birth by the evidence of his naturalization, conclusive against him?

Undoubtedly, if the voter be, to all intents and purposes, a party to this proceeding, claiming to exercise a right here, such would be the coercion; and unless he should make out his right affirmatively, he would be in a state of subjection. It was at the election, and so it would be here, if the committee were holding a poll. But such is not the vocation of the committee or the house. If it were, the mere references of the petition, the mere creation of a controversy, would annul all that has been done at the election. Then, indeed, things would be taken up and treated de novo; voters who would have maintained their right, and exercised it at the polls, would be required to come forward and submit themselves to another challenge, and a new affirmation of their franchise.

As to matters relating to the intent and purposes, a party to the proceeding before the house or its committee, how is it that he is admitted to testify as a witness? Why are not all his declarations or admissions, whereover and whenever made, in relation to the subject-matter of the controversy, the best evidence when proved by a competent witness? The distinction between the controversy at the polls and that before the committee, is manifest. At the polls the voter is a party. When the polls are closed, and an election is made, the right of the party elected is complete. He is entitled

to the returns; and when he is admitted to his seat, there is no known principle by which his can be ejected, except upon the affirmative proof of a defect in his title. Whoever seeks to oust him, must accomplish it by proving a case. The difficulties in his path are no possible reason why the committee should meet him half way. The rule of reason requires that he should fully make out his case, even though it involve the proof of a negative; and such is also the rule of parliament in analogous cases. (See 3d Douglas, 218).

In Rogers' law and equity election committee, page 116, it is said: "So in cases of petitions against candidates on the ground of want of sufficient qualification: although a negative is to be proved, it is the usage of parliament that the party attacking the qualification is bound to disprove it." It may be added that this rule has been applied by the committee, without controversy, to every other species of alleged disqualification. To the cases of aliens alone, was a different rule contended. Adhering to the rule, the committee have uniformly required something more than the mere affirmative proof of foreign birth, the disqualification not being foreign birth, but the actual state of alienage at the time of voting.

The great number of cases in which the disqualification has been fully made out, and the votes deducted from the one party or the other, sufficiently answer the objection which has been supposed to arise from the alleged impossibility of proving the negative. In none of these instances were the parties put to the necessity of searching every corner of record having common law jurisdiction, and a clerk, and seal in the union. In some cases the voters themselves have declared, under oath, that they were never naturalized; in others, while asserting their naturalization, they have stated circumstances inconsistent with it. In short, the committee are surrounded with a mass of evidence, and an infinite variety of circumstances, which will be found in the evidence, joined with the fact of foreign birth, have completely proven the disqualification in a great number of cases.

On the other hand, the hardship of requiring the sitting member to rebut the proof of foreign birth, to produce before the committee evidence of the naturalization of hundreds of thousands of persons over whom he has no control, and who, by withholding that proof, may vacate his election, must readily be admitted. The proper reason to demand such proof, is that the voter is a party to the election; he comes forward claiming to exercise a right, and there he should prove his qualification. Where the case assumes the form of a contested election between other parties, the disqualification must be made out by the party seeking to overthrow the right of the sitting member thus acquired at the polls.

But it is not upon the sitting members alone, in this case, that the rule contended for would have been applied. Had it been adopted and applied, it must have been applied, in particular instances, to the virtual disqualification of members, which will be long enough among us to have seen several generations spring into existence, and who had well and faithfully served the state in war and in peace.

Many of these principles being equally applicable to the other grounds of disqualification, it will not be necessary to do more than briefly notice the remaining classes.

2. Non residents.

The law of New Jersey (act June, 1820, sec. 4, 1 Laws, 1820, 741), requires that the voter should have "resided in the county where he claims a vote, for at least one year immediately preceding the election;" and (ib. sec. 7), that he shall not "be permitted to vote" "only in the township where he usually resides." No term of residence in the township is prescribed, and all that has been required by the committee is, that the voter should have an actual bona fide residence in the township where his vote was received.

Upon these questions of residence, both in country and in city, the committee have endeavored to apply the well settled principles of law; and the differences of opinion have rarely, if ever, extended beyond the question of the effect of the various facts as proving or disproving the coincidences of fact and intention.

As to minors, nothing need be said, further than to cite the law. (Act June, 1820, sec. 4).

Of men of color, there were two voters, whose votes were deducted; (act June, 1820, sec. 4); one on each side.

Persons *non compos mentis* are not expressly disqualified by the laws of the state; but the committee entertained the allegation in a single instance, from the general reason and nature of the case.—Questions of sanity, however, being of the most delicate and difficult which arise in the courts, the committee could not consent to disqualify a voter

on this ground, except upon the most distinct and indubitable proof, and such being adduced, his vote was not disturbed.

The remaining ground of disqualification seems to demand more particular notice.

The fundamental law, or quasi constitution, of the state of New Jersey, passed in provincial congress of New Jersey, July 2d, 1776, (1 laws N. J. p. 4), requires, amongst other things, (sec. 4), that the voter shall be "worth £50 proclamation money, clear estate, within the colony."

By the 4th section of the act of June, 1820, (1 laws N. J. 741), the same property qualification is expressly re-enacted.

By the 5th and 6th sections of the same law, it is enacted as follows:

"Sec. 5. That every person who shall in other respects be entitled to a vote, and who shall have paid a tax for the use of the county or the state, a whose name shall be enrolled on any duplicate list of the last state or county tax, shall be adjudged by the officers conducting the election to be worth £50 money above and better than the value of the property."

"Sec. 6. That no person shall hereafter be deemed by the officers conducting the election to be a qualified voter, in request of estate, who has not at her paid a tax, or whose name is not enrolled on the duplicate as above directed, in the cases of persons who may have arrived at the age of twenty-one years since," &c.

Without attempting, in this place, to criticize minutely the respective provisions of these laws, it may be sufficient to state, that they seem at least to require the right of suffrage, in cases, to some *bona fide* taxable citizens, in other respects duly qualified. When, therefore, it has appeared that previous to, and at the time of voting, the voter has received support from the town as a pauper, and has not paid a tax, the council have not considered him a "qualified voter in respect of estate." So also, where a person of that class was brought to the polls, and a tax there paid for him by another, on condition that he should vote a certain ticket, the committee did not consider the former a *bona fide* taxpayer, and his vote was deducted.

With these general remarks as to the several classes of disqualified voters, and the course of the committee in the ascertainment of the disqualification, it may be sufficient to pass to the subject of the propriety of the vote.

Being satisfactory ascertained that an unlawful vote was counted at that election, the next inquiry which arose was, as to the party for whom it was cast at the polls.

The elections in New Jersey are by ballot; and it was readily perceived that this inquiry was not without serious difficulties.

Although, in numerous instances, the voter, being examined as a witness, voluntarily disclosed the character of his vote, yet, in many cases, he either did not appear, or, appearing, chose to avail himself of his legal right to refuse an answer on that point. In such cases, the proof of general reputation as to the political character of the voter, and as to the party to which he belonged at the time of the election, has been considered sufficiently demonstrative of the complexion of his vote. Where no such proof was adduced on either side, proof of the declarations of the voter has been received; the data and all the circumstances of such declarations being considered as connecting themselves with the question of credibility and sufficiency. In every instance where the proof, under all the circumstances, was not sufficient to produce conviction, the vote has been left unapprehended.

The same principles have governed the committee as regard to the votes decided to have been improperly rejected at the polls. Whatever doubt might have existed as to the propriety of adding these votes to the respective polls, the addition in this case was, as is recited in the preamble to the resolution adopted by the committee on the 11th instant, with the concurrence of parties on both sides in attendance, as to the propriety of so doing. Of these votes, sixteen were added to the vote for P. D. Vroom and his associates, and six to the vote for the opposite party.

It only remains to notice the objections made to the validity of the election at South Amboy, and the allegation of fraudulent practices by the officers of the election at Saddle river.

The objections to the election at those two townships will be considered in the order in which they are named.

For himself and associates, "Mr. Halsted objects to the election held in the township of South Amboy, in the county of Middlesex, because the election was held by judges who were not chosen according to law;

"And because John B. Appelget, who had been duly chosen inspector of said election, according to

law, to supply the place of Clarkson Brown, who was disqualified, was not permitted to act as inspector at said election in said township;

"And because James M. Warne acted as inspector of said election in said township, without having been duly elected inspector according to law;

"And because there was no certificate of the election of the said James M. Warne, inspector, signed by three reputable freeholders, transmitted to the clerk of the common pleas of the county of Middlesex within the time prescribed by law;

"And because the judge of the election in said township of South Amboy knowingly received illegal votes;

"And because the said judges of said election did not conduct the said election in said township according to law."

After having heard and considered the testimony in support of the above allegations, the committee unanimously resolved "that there did not appear any sufficient reason for setting aside the election in South Amboy."

In New Jersey, the election is conducted in each township by a judge, and the assessor and collector of the township, who are *ex officio* inspectors of elections; and the law prescribes, that "if the judge, assessor and collector, or either of them, shall not be present at the time and place of holding the election, or shall be disqualified to hold the same, then, at the hour of ten o'clock, the people present entitled to vote shall proceed to choose a person or persons to serve in the place of him or them so absent or disqualified." (See Revised Laws of New Jersey, page 274.)

It appears by the testimony upon this subject, that one of the inspectors of the election at South Amboy became disqualified to act, by reason of being a candidate for the state legislature; and that, in consequence of this disqualification, the assessor and collector, three persons, were chosen by ballot, nomination, to wit: John B. Appelget, James M. Warne, and J. V. Gordon.

If the testimony of Timothy Wood and Phineas Munday, the tellers appointed to count the votes; of Augustus Hilkey, the judge of the election, who announced the result; and of several other witnesses who had the best opportunity of knowing what actually took place, is to be believed, there cannot be a doubt that the election of James M. Warne as inspector was substantially in conformity with law.

If, on the contrary, the testimony of Charles Fish, of Thomas Appelget, of John Seward, of Jacob Herbert, and of John B. Appelget, stood uncontradicted, the conclusion would be irresistible that gross irregularity had prevailed in the election of inspector.

To contrast this testimony, however, with that of those previously referred to, among whom were all the officers of the election, whose official duty it was to know what had actually taken place, it is impossible to do without imputing deliberate perjury to one of the deponents, or the other, to come to any other conclusion than that the last named witnesses spoke from mistaken impressions, not unlikely to occur in the tumult and confusion of an excited popular election, conducted *inter vivos* *non per* by ballot, but by the friends of the respective parties dividing in different directions, as indicated by the various points of the compass.

If the positive testimony upon this subject left any doubt, circumstantial evidence, derived from the discrepancy between the parties, might be resorted to in corroboration of the conclusion to which the committee have come.

In the election for congress, held immediately after the election for inspector, the highest number of votes received by any gentleman of Mr. Appelget's party was 45; while the lowest number received for any candidate of the party of which Mr. Warne was a member was 295. The last named witnesses represent Appelget to have been elected inspector by a majority of about three to one. If, therefore, the parties were not mistaken, the circumstance here ascertained, that, at a period of great party excitement, the candidate of a party, bearing the relative proportion of less than one to six to the other, has been elected, over the combined strength of his opponents, by a majority of about three to one.

The committee, however, feel no necessity for reporting to circumstantial evidence in support of their opinion "that the contestants have failed to establish their first allegation," to wit: "That the election at South Amboy, in the county of Middlesex, was held by officers not chosen according to law."

The second allegation necessarily falls with the first.

The third allegation, to wit: "that there was no certificate of the election of James M. Warne, in-

sp-ctor, signed by three reputable freeholders, transmitted to the clerk of the common pleas of the county of Middlesex within the time prescribed by law," although proved, is believed by the committee to be entirely inadequate to affect the validity of an election legally held. Surely, it cannot be that one of the deponents was entitled to a right which, more than any other, distinguishes the citizen of a representative government from the subject of a despot—is to be trampled in the dust, because, insooth, there was no certificate of the election of James M. Warne, inspector, signed by three reputable freeholders transmitted to the clerk of common pleas of the county of Middlesex within three days thereafter! Whatever pretext such an imputation may have afforded to the clerk of the county of Middlesex for the perpetration of a daring outrage upon the rights of his fellow citizens, in suppressing the votes polled at South Amboy, in the return transmitted by him to the governor, it cannot affect the legality of the election. It was not necessary that a certificate of the election of the inspector should have been transmitted to the clerk of common pleas, either before or during the election; and the omission to do so afterwards, cannot have a retrospective effect to defeat the will of the people, expressed in conformity with law. The disqualification of an officer, to affect the legality of an election, must evidently be consistent with the election.

The fourth and fifth allegations are, in substance, that the judges of the election knowingly received illegal votes, and did not conduct the election according to law.

Illegal votes were proved before the committee to have been received for both parties at South Amboy, of which the poll has been purged by the committee; but, so far as intention was concerned, it appears, by the evidence, that the election was fairly, honestly and legally conducted; and the proof is insufficient to establish the fact that a single illegal vote was knowingly received.

Mr. Halsted and associates also claim to set aside the poll held at the township of Saddle river, in the county of Bergen, because eight votes, at least, given for them by persons legally entitled to vote, were fraudulently abstracted from the ballot box; and at least as many for their opponents substituted in their place; because, in making out the list of votes in said township, at least eight votes less than were actually given for them were counted for their favor, and as many more for their opponents were counted for them than they actually received; and because the list of votes of said township shows upon its face evidence of mistake or fraud.

In support of these allegations, the depositions of 31 voters are produced, in which it is sworn that he voted the whig ticket; and by the depositions of the clerk, of the election, it appears that one who, who was not sworn in person, voted the same ticket—making in all 32 votes.

It is contended that the clerk of the election at Saddle river returned but 24 votes for them, leaving 8 votes to be accounted for; and that 127 votes in all were returned, when it appears that there should have been but 126.

On the part of Messrs. Vroom and associates, it is contended that the election at Saddle river was fairly and legally conducted; that the ballot box was so secured that it was impossible for it to have been violated without discovery, or for tickets to be put into, or taken out of it, without the knowledge of the clerk of the election.

They endeavor to account for eight votes less being enumerated for Messrs. Ayer and associates than it is alleged they have received, by showing that a double whig ticket, folded together, was rejected from the count by the officers; as the law requires, that the name of one of the deponents, who swears that he voted the whig ticket by the testimony of the clerk of the election, does not appear on the poll list. They also show, by positive proof, that another of these deponents voted the Democratic ticket, and that the other deponents were endeavoring to show that five others of them voted the whig ticket, leaving the discrepancy between the number of votes received by both parties, and the whole number of votes as returned, unaccounted for, except by supposing that the clerk of the election may have omitted to have recorded the names of one of the voters on the poll list, or that two votes may have been thrown in by one person, in such a way as to conceal the act.

Although the testimony above referred to is by no means conclusive as to every vote attempted to be secured for, or against, Messrs. Vroom and associates, from the evidence, that the election was fairly and legally conducted, and that no fraud was perpetrated on the ballot box, that they have determined to take the return of the officers of the elec-

tion as the best evidence produced, and to sustain the legality of the Saddle river poll.

It is believed that all the important points which have been under the committee, by either of the parties to this protracted controversy, have now been noticed, either in this report or in report No. 506, previously submitted by the committee, and adopted by the house.

By the adoption of that report, the house determined on the following, as the number of votes actually received from the whole state, by the claimants, respectively, to wit:

For Philemon Dickerson:
 Votes counted by the governor and privy council 27,951
 Votes of Millville and South Amboy 602
 Total for Philemon Dickerson 28,453

For Peter D. Vroom:
 Votes counted by the governor and privy council 27,990
 Votes of Millville and South Amboy 602
 Total for Peter D. Vroom 28,492

For Daniel B. Ryall:
 Votes counted by his governor and privy council 27,989
 Votes of Millville and South Amboy 602
 Total for Daniel B. Ryall 28,441

For William R. Cooper:
 Votes counted by the governor and privy council 27,954
 Votes of Millville and South Amboy 601
 Total for William R. Cooper 28,455

For Joseph Kille:
 Votes counted by the governor and privy council 27,924
 Votes of Millville and South Amboy 602
 Total for Joseph Kille 28,426

For John B. Ayerig:
 Votes counted by the governor and privy council 28,160
 Votes of Millville and South Amboy 144
 Total for John B. Ayerig 28,394

For John P. B. Maxwell:
 Votes counted by the governor and privy council 28,239
 Votes of Millville and South Amboy 144
 Total for J. P. B. Maxwell 28,383

For William Halsted:
 Votes counted by the governor and privy council 28,192
 Votes of Millville and South Amboy 146
 Total for William Halsted 28,337

For Charles C. Stratton:
 Votes counted by the governor and privy council 28,292
 Votes of Millville and South Amboy 144
 Total for Charles C. Stratton 28,396

For Thomas Jones Yorke:
 Votes counted by the governor and privy council 28,177
 Votes of Millville and South Amboy 144
 Total for Thomas Jones Yorke 28,321

A scrutiny into an election, with a view to a purgation of the polls, when the vote is by secret ballot, is attended with such great difficulties, and liable to so many evils, that nothing but the importance of preventing our elections from being corrupted by a fraud, such an investigation must, under the best of circumstances, be more or less imperfect. The committee have made the present one as thorough as practicable, with a view of purging to their care all alleged frauds and illegalities, and with a view of placing in their seats those who had received the greatest number of legal votes polled in conformity with law. The result in the present case must be gratifying to the people of New Jersey, for it is calculated to remove the imputation of fraud, charged to have been perpetrated in the conduct of the election, and to obtain from all parties a cheerful acquiescence in the will of the majority legally expressed. Indeed, it is worthy of general

congratulation, and must tend to increase the confidence of all in the purity of the ballot box and in the political virtue of the people, that, in an excited election, extending over the entire state, followed by a contest in which the amplest opportunity was afforded for the obtaining of evidence, not a single fraud, or even irregularity, is proved to have been knowingly committed by a single officer of the election; and that, in the most thorough scrutiny that has probably ever taken place, either in this or any other country, less than two hundred and sixty votes out of near sixty thousand have been proved illegal; and that many of them were thought at the time of their reception, both by the voters and officers of the election, under a mistaken construction of the law, to have been lawful votes.

The committee do not think it necessary to comment upon the extraordinary transactions which occurred in New Jersey shortly after the closing of the polls, and from which, it is believed, all the difficulties of this case originated, further than to say that in suppressing the votes of Millville and South Amboy, the clerks of Middlesex and Cumberland were guilty of a gross violation of the elective franchise, calculated virtually to deprive the people of one of their dearest rights, and to keep from this house a knowledge of those facts by which alone it can judge of the election of its members. The duties of those clerks, as returning officers, were strictly ministerial; and when, instead of making faithful records of the people's will, as expressed at the polls, and transmitting those records to the governor, or person administering the laws of the state, they undertook to decide upon the legality of the polls, and to act in accordance with those decisions, they exercised an unauthorized power, which, for more than three months, silenced the voices of five out of the six members to which New Jersey was entitled in the house of representatives, and for which their conduct, whether proceeding from ignorance or design, must meet with the qualified disapprobation of the honest and intelligent of every party.

An appendix to the report presents the several classes of votes impeached, and votes claimed, distinguishing the party by whom alleged, and the results, with references to the evidence in each case, and to the journal. The recapitulation and statement here inserted present the general results, in laconic form, to wit:

RECAPITULATION.

Deducted from the votes of P. D. Vroom and his associates.
 1. *Aliens.*
 Total alleged by J. B. Ayerig and his associates, and claimed to be deducted from P. D. Vroom and his associates 158
 Total proven and deducted 74
 Total proven and unappropriated 84
 Total not proven 69
 Total alleged by P. D. Vroom, and his associates, and claimed to be deducted from J. B. Ayerig, and his associates 54
 Total proven and deducted 36
 Total proven and unappropriated 18
 Total not proven 1
 2. *Non-residents.*
 Total alleged by J. B. Ayerig and his associates, and claimed to be deducted from P. D. Vroom and his associates 85
 Total proven and deducted 35
 Total proven and unappropriated 1
 Total not proven 49
 Total alleged by P. D. Vroom, and his associates, and claimed to be deducted from J. B. Ayerig and his associates 140
 Total proven and deducted 62
 Total proven and unappropriated 78
 Total not proven 74
 3. *Minors.*
 Total alleged by J. B. Ayerig and his associates, and claimed to be deducted from P. D. Vroom and his associates 21
 Total proven and deducted 9
 Total proven and unappropriated 1
 Total not proven 11
 Total alleged by P. D. Vroom, and his associates, and claimed to be deducted from J. B. Ayerig and his associates 26

Total proven and deducted 10
 Total proven and unappropriated 31
 Total not proven 15
 4. *Not qualified in estate.*
 Total alleged by J. B. Ayerig and his associates, and claimed to be deducted from P. D. Vroom and his associates 22
 Total proven and deducted 6
 Total not proven 16
 Total alleged by P. D. Vroom and his associates, and claimed to be deducted from J. B. Ayerig and his associates 28
 Total proven and deducted 17
 Total not proven 6

5. *Not free white men.*
 Total alleged by J. B. Ayerig and his associates, and claimed to be deducted from P. D. Vroom and his associates 1
 Total proven and deducted 1
 Total alleged by P. D. Vroom and his associates, and claimed to be deducted from J. B. Ayerig and his associates 1
 Total proven and deducted 1
 Total not proven 1

6. *Non compos mentis.*
 Total alleged by P. D. Vroom and his associates, and claimed to be deducted from J. B. Ayerig and his associates 1
 Total not proven 1

7. *Improperly rejected at the polls.*
 Total votes alleged improperly rejected at the polls, claimed by J. B. Ayerig, and his associates 14
 Total proven and added 6
 Total not proven 8
 Total votes alleged improperly rejected at the polls, claimed by P. D. Vroom and his associates 28
 Total proven and added 16
 Total not proven 12

8. *Polled but not counted by the officers of election.*
 Total votes alleged by P. D. Vroom and his associates, and proven and added 2
 Total added to J. B. Ayerig and his associates 6
 Total added to P. D. Vroom and his associates 18
 Total deducted from J. B. Ayerig and his associates, 126
 Total deducted from P. D. Vroom, and his associates 125
 Tabular statement of results showing the votes polled for each candidate, the votes added for each candidate, and the votes deducted from each candidate.

Names.	Votes polled.	Added.	Equal to.	Deducted.	Result found by the committee.
Philemon Dickerson,	28,453	18	28,471	126	28,344
Peter D. Vroom,	28,492	193	28,685	125	28,560
Daniel B. Ryall,	28,441	19	28,460	125	28,335
William R. Cooper,	28,455	18	28,473	125	28,348
Joseph Kille,	28,426	18	28,444	125	28,319
John B. Ayerig,	28,394	6	28,400	126	28,274
J. P. B. Maxwell,	28,383	75	28,398	125	28,265
William Halsted,	28,337	75	28,412	126	28,286
Charles C. Stratton,	28,396	6	28,402	126	28,276
T. Jones Yorke,	28,321	6	28,327	126	28,201

For Philemon Dickerson, three votes * Not included for J. B. Ayerig, one vote.

Thus it appears that the result of this investigation has been to increase the majority of the five claimants who received the greatest number of votes from the whole state; and the committee recommend the adoption of the following resolution: Resolved, That Peter D. Vroom, Philemon Dickerson, William R. Cooper, Daniel B. Ryall, and Joseph Kille, are entitled to occupy, as members of the house of representatives, the five contested seats from the state of New Jersey.

* To Wm. Halsted, individually; To J. B. Ayerig, individually; To J. P. B. Maxwell, 125. To P. D. Vroom, individually; To D. B. Ryall, individually; To J. B. Ayerig, and a vote at Dover for D. B. Ryall.
 * From J. P. B. Maxwell, 125.
 * From P. D. Vroom, 125. Vote of A. Slaughterer.
 * Vide Asher Aikman's vote.
 * Vide A. Slaughterer's vote. No. 109.

NILES' NATIONAL REGISTER.

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50 REMITTANCE BY MAIL. "A postmaster may enclose money in a letter to the publisher of a newspaper, to pay the subscription of a third person, and frank the letter, if written by himself."—*Amos Kendall.*

Some of our subscribers may not be aware that they may have the postage on subscription money, by re-questing the postmaster where they reside to frank their letters containing such money, he being able to satisfy himself before a letter is sealed, that it contains nothing but what refers to the subscription. [*Am. Farmer.*]

ARMY AND NAVY OF EUROPE. The following is the strength of the armies of Europe actually kept up with the number of vessels of war:

	Men.	Vessels of war.
England	114,000	650
Russia	666,000	319
France	330,000	300
Austria	237,000	4
Prussia	167,000	18
Holland	73,000	6
Spain	10,000	0
Belgium	50,000	6
Sweden	40,000	7
Denmark	35,000	2
Neples	30,000	3
Sardinia	80,000	8
Norway	28,000	0
Greece	10,000	8
States of the pope,	9,000	9
Portugal, not known.		
Hanover,	16,000	1
Bavaria,	40,000	0
Saxony,	12,000	0
Wurtemberg,	15,000	0

TRADE BETWEEN GREAT BRITAIN AND FRANCE. In a return published by order of the house of commons, among the details of the importations into England from France, we find the following:

Apples, 20,651 pounds sterling.
Cereals, 27,069 " "
834,165 in number.
Artificial flowers, 20,988 pounds sterling.
Olives, 1,067,889 pairs.
Human hair, 3,063 pounds sterling.
John Bull sends back for such things steam engines, coal, iron, steel, hardware, &c.

FOREIGN ARTICLES.
The Great Western left Bristol the 19th and arrived at New York on the 28th September, making the voyage in 18 days and two hours. The first three days were exceedingly rough and she lost her bowsprit.

Among the passengers are Mr. Jaudon, agent to the United States bank; captain C. M. Kenzie, R. N.; lieutenant W. Eustis, U. States army; and Dr. William Baring. She brought about the usual cargo.

The face of affairs is rather more gloomy, and the difficulties of settling the storm that appears to be engendering in the east, is certainly increasing.

VOL. IX.—No. 5.

The news from Egypt is of the deepest interest.—It discovers the determination of Mehemet Ali to resist all attempts to encroach on what he considers his rights. The European journals are almost universally engrossed with the topic. The fall in funds indicates apprehensions for the peace of Europe.

GREAT BRITAIN.

Trade. The general state of trade appears not to have improved since our previous dates.

Stocks. Several severe panics have agitated prices, and all kinds have fallen considerably; consolids on the 8th were at 88s8d; on the 10th 87; on the 12th 87s8d.

Liverpool, September 11, 1840. The public papers will show you the increased excitement and uneasiness in regard to the eastern question since the departure of the Britannia steamer 4th inst. and the serious fall in both the French and British funds, particularly the former, and which is in part attributed to the disturbances in Paris. This state of things acts unfavorably on the money market, and on the 8th inst. checks business was not so brisk as usual. The British funds have rallied a little the last day or two.

London, Friday night, Sept. 11th, 1840. My last despatch to you announced an increased ill feeling of the French people towards England for having been a party to the late quadruple treaty. During the present week, this feeling has evidently increased, and several canoes have occurred to heighten it to such a degree as seems to threaten the approach of war.

The news from England and France does not appear to be of great interest.

Mr. Stevenson, the American minister, transacted business at the foreign office, and the office of the chancellor of the exchequer on the 3d inst.; and on the 8th inst. Mr. and Mrs. Stevenson left their residence in Upper Grosvenor street, for the Isle of Wight, and purpose making a tour of visits in Devonshire, Wales and the north of England. They will be absent for five or six weeks.

Mr. Connel, who had been for some time addressing his meetings in Ireland concerning the rights of 40,000 persons, on the repeal of the union, has retired to his farm in Kerry for a few weeks.

The crops all over Great Britain still promises to be abundant, with the single exception of the hop crop; the failure of which is attributed in a great measure to the absence of those electric showers, during the present year, which prove so highly destructive to the smother fly and other obnoxious blights.

Flour market, Liverpool, Sept. 11. The duty on wheat has advanced to 6½ p per qr. and on flour to 4½ p per bbl; on the 13th inst. it is expected to advance another stage, and to continue rapidly rising until it reaches 20½ p per qr. and 12½ p per bbl. The accounts of the progress of the harvest continue very favorable, and the opinion now seems very general that the supply will exceed an average. Wheat is dull at 9½ p per 70 lbs. but there has been rather more doing in flour the last few days at 34½ p per bbl. duty paid.

Official corn averages, September 12.

Weekly average.			
s.	d.	s.	d.
Wheat 68 11	Oats 30 6	Beans 47 3	
Barley 34 8	Rye 38 6	Peas 44 5	
Aggregate average of the six weeks.			
Wheat 71 10	Oats 30 5	Beans 46 1	
Barley 33 8	Rye 38 4	Peas 45 0	

Duty on foreign corn.

Wheat 6 8 Oats 12 6 Beans 1 0
Barley 12 4 Rye 12 6 Peas 2
The average, though very far from being secured in the average of the kingdom, may be reasonably estimated fully equal to the produce of the average of years—but so extreme is the deficiency and exhaustion of every description of old grain, that the corn markets do not decline materially, or indeed, in any degree whatsoever, excepting for the damp and inferior new samples of wheat. There is however a nominal decline of about 3s. 6d. per quarter, in the weekly averages gazetted last night, and this on the average of the six weeks, brought down the general average to 71s. 10d.—and this being 2d. under the rate of the preceding week has caused a rise in the duty on foreign wheat to 5s. 6d. per quarter, or 4s. higher than the duty at the time of the departure of the Britannia steam ship.

The duty has at the same time risen to 4s. per barrel of flour of 196 lbs. All the stocks of foreign wheat and flour were taken out of bond at the duty of 2s. 8d. and though the American flour expected at the ports, will, for one week from yesterday, arrive under a duty of 4s. per barrel, it will be observed that the averages are only 2d. below the rates, which may cause the duty again to recede to 2s. 8d. Thursday next. The probability of this change is greater through the firmness of the London corn market both on Wednesday and this afternoon—and therefore the true probability is that the duty on foreign flour may again be lower, but at least that the rate will not vary soon be higher than 4s. per barrel—which is only a small duty to be paid in any event.

From the Bristol Mercury, Sept. 12.

The political horizon presents, in every direction, a gloomy and threatening appearance. Wise men say, "Why should there be war?" and temperate men re-echo the question; but, unfortunately, the alternative of doing or not doing, does not rest wholly with the wise and temperate. The French journalists blow hot and cold half a dozen times in the same week, one day being up at war and fever heat, and the next reduced to the temperature of peace and quietude. Their easy vapouring about the "honor and dignity of France" is quite sickening and ridiculous—as if the "honor and dignity" of other nations had not to be consulted as well as those of France—and their gaudes would be unworthy of serious attention, if they were not backed by the fact that the warlike preparations of the government continue unabated. A contract has been concluded for 20,000 horses, at 850 francs a piece, and it is thought that such an enormous, and, in case of peace, perfectly useless outlay would have been incurred, if the government had not thought that there was at least a probability of hostilities. It certainly appears a vast sum to be expended as a mere "demonstration." It may be, that the French government does not know its own mind, and is waiting to be governed by circumstance. If determined, it does not own itself in the wrong, or make the slightest concession to secure it, without arousing to a pitch of ungovernable fury and ire of the headstrong and giddy population of Paris, and it is even thought that the very sudden disturbances amongst the Parisian warlike, which would have embarrassed any other government in its warlike preparations, on the ground of having plenty to do at home, may even be so an inducement to the cabinet of Louis Philippe to plunge into foreign hostilities in order to prevent the capital from smothering, by directing the warlike propensities of the Parisians into another channel. Our own government, too, though with less of show and parade, is evidently making preparations for the worst. In the mean time Mehemet Ali continues obstinate, and the sad spectacle is presented of the question of peace or war amongst the civilized nations of Europe resting upon the interests or caprice of a tyrannical Egyptian pasha.

In Africa, Abd el Kader appears likely again to provide the French with a sufficiency of work in that quarter, and indications are even presented of the emperor of Morocco taking part in the affair against the invaders.

Ill-fated Spain is still a prey to internal dissension, and outbreaks and disturbances are every day occurring. According to the last accounts, Madrid was in a state of open rebellion against the queen's government, and a strong party demanded a change of regency. In Portugal, too, there has been a partial revolt of the army.

The storm is also gathering on the coast of China, and, in a very little time, we may expect to hear decisive intelligence from that quarter; and the Russians are about to open the campaign in great force against the Circassians. In short, the world at present presents a melancholy spectacle to the friends of peace, and its disturbed state is a bitter commentary upon the boasted civilization of the 19th century.

Low suit against the queen. The king of Hanover, it is now generally determined, to proceed with his suit against the queen, for the recovery of certain crown jewels which he claims. Sir Charles Wetherill is going—one account says he has gone—to Hanover, with the depositions of the princess

Augusta, so that we may expect an early commencement of the litigation. The following statement upon the subject is from the London correspondent of the *Salisbury Mercury*: "There are strange doings in the shape of constitution-making going forward at Hanover. King Ernest is having with all his own way with his senators. He is still harping at a few of the jewels in the British diadem, which he is claiming as his right, and insists upon them without equivocal or insinuation towards his majesty. I stated last week that the depotions of the princess Augusta in respect to them were taken from her sick couch; they consist of conversations that he had heard from her royal father and other members of the family, relative to the property in dispute, and it would appear that Sir Charles Wetherill has been invited to Hanover, on a visit, and to take them with him. In this is the lawyer on whose opinion the king of Hanover relies to follow up proceedings in support of his claim. The queen is advised to treat the matter with indifference until the question assumes a tangible form, when the decision which he of Cumberland is bound to give will be dispelled." The grim monarch has chosen a time for his action the best fitted for giving annoyance to the queen, if it were possible to annoy her majesty by any such petty specimens of envy. How admirably this proceeding illustrates the temper of the man! (Dublin Evening Post.)

FRANCE.

Several insurrectionary movements among the Parisian operatives had taken place in the French capital at various times, during the first ten days of September.

The latest accounts from Paris brings news of the comparative re-establishment of tranquillity. Besides the national guards, about 80,000 troops had been brought to Paris from the environs. Many English families were leaving the capital in consequence of an absurd and untrue report having been circulated, that the English residents were employed in distributing money among the riotous workmen, for the purpose of embarrassing the government.

The *Capitole* of Wednesday says, that although the operatives have returned to their employment, the evil remains as great as ever; that an edict cannot be produced without a cause, and as the cause of this evil has not been removed, similar results are still to be apprehended.

The *Journal des Debats* asserts that a convention has been agreed upon between the French and English governments, that in case of war between the two countries, steamboats of either nation convey passengers or mails are to be considered and respected as neutral.

Louis Bonaparte, the father of the young prince Napoleon, and formerly king of Holland, (the husband of Hortense), has written the following letter to the editor of the *Paris Journal du Commerce*:

"Florence, Aug. 24th.

"Sir—I pray you to receive the following declaration: I know that publicity is a strange, and perhaps singular, method to have recourse to; but when a father who is old, afflicted by disease, ex-patriated by law, has no other means of assisting an unfortunate son, every one who can appreciate a father's feelings must approve it. I am convinced that my son, the only one left to me, has been the victim of an infamous intrigue, and that he was seduced by false friends, vile flatterers, and perhaps by insidious advice, and therefore to remain silent would be to betray integrity in duty, and to expose myself to bitter regrets.

"I declare, then, that my son has fallen the third time into a frightful snare, since it is impossible that any man of common sense should have deliberately thrown himself into such a precipice. If he be guilty, the truly guilty are those who seduced and led him astray. I particularly declare, with a religious horror, that the insult offered to my son by confining him in the dungeon of an infamous assassin, is a monstrous cruelty, anti-French, and an outrage as vile as it is infamous.

"As a father profoundly afflicted, as a good Frenchman chastened by thirty years' exile, as a brother and, I dare to say it, the pupil of him whose statues are about being re-established, I recommend my deluded son to all those who have the feelings of a Frenchman and a parent.

LOUIS DE ST. LEU."

RUSSIA.

From Khiva, through Delhi, we have only now received the intelligence of the retrograde movement of the Russians, who it is known here, through St. Petersburg, nearly six months ago. It will be recollected that the intelligence received from Khiva, through Delhi, of the approach of the Russians, about three months ago, caused some alarm, from the supposition that there was a second

and successful expedition. All doubts are now at an end. The Russians have returned.

Berlin, Aug. 10. Letters from St. Petersburg bring the important news that orders have been sent from the Russian admiralty to Cronstadt, immediately to send 18 men of war to the Mediterranean. When these 18 sail shall have joined the squadron under the command of admiral Stoppoff, he will have a fleet of 48 sail, 22 English, 4 Austrian, 4 Turkish, and 18 Russian. Besides those some English ships of the line will shortly be ordered to reinforce the fleet in the Levant.

SPAIN.

Ill-fated Spain is still a prey to internal dissension, and outbreaks and disturbances are of every day occurrence. According to the last accounts, Madrid was in a state of open rebellion against the government, and a strong party demanded a change of regency.

PORTUGAL.

The Royal Tar steamer arrived at Falmouth on Saturday with the Peninsular mails. The dates are from the 14th, Malta the 17th, Gibraltar the 27th, Lisbon the 1st of August, and Oporto the 1st and Vigo the 2d inst.

The accounts from Portugal possess more than the usual degree of interest. The differences between the moderate and septembrist parties, the latter being the supporters of the existing constitution, will, to all appearance, terminate in an open rupture, the result of which it is difficult to foresee. It has been for some time evident that an understanding has subsisted between the two pansular parties, which they have agreed to recognize as the popular institutions which had been established during the civil contests; and it is equally clear that all their movements to accomplish that object have been looked upon with great jealousy by the ex-posed parties, both in Portugal and Spain. Matters will not, however, be speedily brought to a crisis, as the 6th regiment of the Portuguese infantry stationed at Abrantes were in open revolt when the Royal Tar left the Tagus, and it was with the utmost difficulty that the ministers could induce other troops to proceed against them from Lisbon. It is, therefore, quite uncertain how the matter may end, and it is rather ominous that this day's mail brings intelligence of an insurrectionary movement in the Spanish capital precisely on the same grounds. In short, we find that the odious dilemma made by the insurrectionary parties is the dismissal of the moderate ministers; but it is easy to perceive that the contest which has been carried on for years in the peninsula, nominally for the succession to the throne, is essentially a war of principles, and that the collision which brought forth the triumph of one or the other of the parties, has now commenced in good earnest. The private letters from Lisbon state that the ministers can place but little confidence in the fidelity of the army, and that it is perfectly understood that the liberal or septembrist party have for a considerable time maintained an active correspondence with the Spanish liberals.

The commercial treaty with the United States had been finally agreed upon, and signed, on the basis that no differential impost shall be levied on American ships or goods in the Portuguese ports, which will give them at once a decided advantage over British subjects.

GREECE AND EGYPT.

Constantinople, Aug. 13. Every thing indicates that important events are expected. An army of 30,000 men will shortly be assembled on the Asiatic coast of the Bosphorus.

Letters from Constantinople received in Alexandria state that the expedition against Syria would consist of 15,000 Turks, 3,000 Austrians, 5,000 English!

The following is the short letter sent to the porte *Haji Basha*, steamer by Mehmet Ali—"Wallah, Allah, Allah!" (an oath, by God, which will not yield a spao of the land I possess, and if war is made against me, I will turn the empire upside down, and be buried in its ruins. Mehmet Ali.)

Aug. 19. The Turkish fleet consisting of 1 line of battle ship, 1 frigate, 2 sloops, &c. under command of capt. Walker, R. N. will probably leave tomorrow. There are 4 English vessels, deeply laden, reported at the Dardanelles, among them the *Tidet*, from Cardiff.

The London Times of Thursday, 10th instant, (half past 3 o'clock), published the following in a second edition: "Extraordinary express from Paris—commencement of coercive measures against Me."

Commodore Napier, in command of a portion of the British fleet, arrived at Beyrout in Syria, from which place he issued the following proclamatory letter:

Copy of a letter to N. Moore, esq. her majesty's consul at Beyrout.

Sir: I beg you will communicate to the consuls of the different powers, and to the British merchants at Beyrout, that Great Britain, Russia, Austria and Prussia have decided that Syria is to be restored to the porte. I have demanded that the Turkish troops be put under my protection, and that the arms be restored to the inhabitants of Lebanon. I trust the governor will not provoke hostilities; if he does, the responsibility of unprovoked shedding blood must be on his own head. I have the honor to be yours, &c. CHARLES NAPIER, commodore.

His determination resisted, he has since seized and made reprisals on several Turkish vessels belonging to the pacha, as a war cutter, a steam frigate, and a brig loaded with ammunition and muskets. This decisive act has greatly incensed the pacha, and great excitement prevails as to the course which France will pursue in the matter.

Commodore Napier remained at Beyrout, with four or five ships of war, moored broadside on to the town, which he could destroy—the people had nearly all fled to the neighboring mountains. The pacha seems resolutely determined to resist the demands of the four powers, and although a specified time had been given in order for him to delay his reply, yet he has positively stated his intention to resist, and tells the consuls they need not wait any delay, as his determination is irrevocably fixed. He is making great preparations for war, by the outfitting of Beirut as well as by the erection of forts along the line of coast.

Advised, dated Malta, September 1, announces that the British steamer *Alceto*, which left Beyrout on the 24th, and Alexandria on the 27th, arrived in Malta on the 31st.

On her departure from Beyrout, commodore Napier not having succeeded in obtaining the evacuation of that city by the Egyptians, had anchored farther out with his four ships.

The convoy of Turkish troops had not arrived. Syria continued tranquil.

Admiral Stoppoff, who before Alexandria with three ships of the line, one frigate, and two British steamers, with two Austrian frigates and a corvette.

Mehemet Ali persisted in his refusal. Alexandria enjoyed the most perfect tranquillity. Rifat bey was still there.

Alexandria, Aug. 16. The arrival of Rifat bey and Mr. Alison, in the *Biar Thir* steamer from Constantinople, on the 11th instant, with the ultimatum of the four powers, produced a great sensation here. Next day the 12th) the Ottoman majesty's consul, Mr. J. W. Loring, called together the British merchants, residents, &c. and communicated to them the contents of a circular letter he had received from the consul general, colonel Hodges, governor-general, of the guarded terms, an intimation of the present critical state of things, and pretty strongly hinting the necessity of preparing for the worst by limiting their credits and arraigning their affairs.

Dover, Sept. 9. A messenger arrived this afternoon from Constantinople with despatches from the foreign office, and with the ratification by the Ottoman porte of the treaty by the four powers for the settlement of the eastern question. It was stated by some of the passengers by the government packet from Calcutta, that orders had been issued by the French government for placing the Gulf of Sidra and Dunkirk in a state of defence. It is probable that the works of these towns are ordered to undergo some repairs; and this may have given rise to the statements; but as indication of the determination of the French government to assume a hostile attitude, it is obvious that the report is not worth notice.

AFRICA.

A new colony. A French paper gives an account of two Frenchmen, Messrs. Delongue and Campion, who went, two years ago, to the south coast of Africa, to enter into commercial relations with the Caffres. Mr. Delongue, says the latter, penetrated into the centre of Caffria, and has made himself the chief of a new colony, chiefly of Dutch, to whom he has given the tri-color, and for whom he has made treaties with king Ponda.

ALGERIA.

Abd-el-Kader appears likely again to provide the French with a sufficiency of work to that quarter, and indications are even presented of the emperor of Morocco taking part in the affray against the invader.

CHINA AND INDIA.

London, September 10. By an extraordinary express, intelligence has been received from China and Egypt, (in anticipation of the overland mail, which left Bombay on the 23d of July,) by

THE OREGON. It is time that the question of jurisdiction over the Oregon territory, now mooted by the English and this government, were examined and the facts clearly ascertained, and settled, whether we are entitled to that country, as is generally believed, or whether the English can claim it according to the law of nations. The longer that the adjustment of this question is delayed, the more difficult it will be to come to an amicable settlement. The Hudson Bay company already act as if the whole of the country west of the Rocky Mountains belonged to Great Britain, to the great detriment of American citizens, who are engaged in similar undertakings, and are suffering with difficulties thus thrown in their way. (*Mer. Jour.*)

The St. Louis Gazette says that the value of the furs and peltries obtained by the American Fur company, the last year, consisting of beaver, buffalo, otter, deer skins, &c. is about \$250,000. Their operations have been much circumscribed recently, on the west, by the Hudson Bay company, who possesses the great advantage of introducing the goods required for carrying on the trade, free of duty. In the Rocky Mountain expedition undertaken two or three years since, by the American Fur company, they sustained a loss of \$60,000, being unable to compete with the Hudson Bay company, for the reason above stated. The branch of the latter company, in the Columbia, had the present season about one hundred packs of beaver, worth at least \$40,000 two-thirds of which has been taken on the territory claimed by the United States. With this competition, the American company has found it necessary to confine their trade to the Missouri river and its tributaries, leaving the uncontrolled possession of the Rocky Mountains and the Oregon territory to the English company.

We learn from the Gazette that the Hudson Bay company now extend their trade this side of the mountains, even to within fifteen days travel of the city of St. Louis—and many of the best hunters, who were formerly in the service of the Americans, have found it necessary to apply for employment to the British company. The editor of the Gazette says that he should not be surprised to find within a year or two, that Great Britain lays claim to some three or four of the western counties of Missouri, as they now claim a portion of the State of Maine.

Fur Trade. Statement of skins sold by the Hudson Bay Fur company, for last year, commencing with December, 1834.

	1834.	1835.	1836.	1837.
Beaver in skins	38,395	74,908	40,063	83,927
Marlin	64,000	61,000	40,749	116,118
Wolverine	22,303	15,487	8,932	15,934
Fur, silver & cross	1,063	910	471	4,147
W. the other skins	8,701	1,998	2,861	1,800
Muskat	699,192	1,111,616	160,306	738,493
Deer	7,457	4,127	1,715	6,763
Ermine	491			
Catber	2,086	2,479	1,287	6,118
Lynx	14,355	9,990	2,762	31,887
Mink	25,100	17,509	12,318	27,150
Wolf	5,401	3,722	307	7,031
Badger	1,009	698	201	754
Swan	7,918	4,703	12	6,600
Raccoon	713	522	99	565

LAKE HARBORS. The Cleveland Herald says that nearly all the harbors on the lake are going to destruction. A large portion of one of the piers at Black River was swept away last spring, for the want of trifling repairs the season previous. The storms of the present winter, however, are doing what will probably "finish the work." At Fairport and Huron the public works are in a bad condition, and need repairs to preserve them from destruction. We are informed that the harbor property at Huron is to be sold, and the works abandoned. The works at Vermilion, but partially completed, have been stopped, and all hopes of a harbor under the present administration given up. "On all of our lake harbors," adds the Herald, "large sums have been expended, and more appropriations are necessary. Look at our own harbor. A considerable portion of the eastern pier has been reconstructed with stone in the most durable manner. But the works have stood for years in ruin, and now are being sold to a private individual, who is contracting to rebuild the harbor to be sold by order of the government, and the work suspended indefinitely. By order of the department of topographical engineers, the public property belonging to the United States, the works at several of the harbors on Lake Erie and Lake Michigan, such as scows, boats, dredge boats, pile drivers, tools of various kinds, &c. &c. have been, or are to be sold at public auction, preparatory to abandoning the unfinished work. At Michigan city, the only harbor of Indians on Lake Michigan, a point second in importance to Chicago on that lake, a portion of the tools and necessary

fixtures of the harbor were struck off to the highest bidder by order of government! The government property of all descriptions pertaining to the harbor at Michigan city cost \$25,000 or \$40,000, and the important work is abandoned before any thing like a permanent harbor has been constructed."

RHODE ISLAND BANK. Statement of the situation of the banks in Rhode Island, on Friday, Sept. 18, 1840, as the same appears from the returns made to the bank commissioners:

Assets.	Liabilities.
Capital stock,	\$9,978,815 00
Bills in circulation,	1,523,800 70
Balances due other banks,	450,280 21
Net profits on hand,	428,106 18
Dividends unpaid,	34,291 77
Deposits on interest,	440,296 96
Deposits not on interest,	844,064 69
Total amount of liabilities,	\$13,710,158 47

Resources.	Liabilities.
Loans and discounts,	11,788,540 93
Specie in bank,	305,167 78
Bills of other banks,	329,232 38
Balances due from other banks,	801,213 16
Stock in own bank,	101,273 92
Stock, real estate, and other property,	334,540 29
Total amount of resources,	\$13,710,158 47
Of the bills and notes discounted, there is due out of the state, the sum of,	4,027,931 45
And payable in the state,	2,760,409 48
Of the circulation, there is held by the banks,	256,738 80
And in the hands of the public,	1,276,044 96
By comparing the above abstract with the returns made to the commissioners, August 24, 1840, it appears that since that date, the circulation has been increased.	116,121 78
The specie has been reduced.	35,526 18
The deposits, including dividends unpaid, have been increased.	22,263 48
And the loans and discounts have been increased.	43,880 25

ARMY—Orders. Quartermaster's department. Captain Ketchum relieves captain Heitzelman at Kalamazoo; capt. H. proceeds to Fort Fanning.

Medical staff.—Surgeon B. F. Harney, ordered to Cedar Key, Fla.; asst. sur. L. Sprague, from Hancock barracks to Fort Brooke. Surgeon E. Maccomb, to join the 8th infantry, and accompany it to Florida; asst. sur. W. Maffei, to Fort Leavenworth. Assistant surgeons W. T. Leonard, and J. S. Griffin, each to accompany a detachment of the 3d infantry to Florida. Richard F. Simpson, of Va. appointed asst. surgeon August 1. Leave for three months from August 26, to asst. surgeon E. Worrell.

Topographical engineers.—Major J. D. Graham and lieuts. T. J. Lee and George Thom, ordered on the survey of due north line of the northeastern boundary. Lieut. J. H. Simpson, on sick leave at Buffalo, New York.

1st dragoons.—Lt. col. Mason, with the troops under his command, ordered to take post at Fort Gibson. The new work at Fort Wayne will be suspended until further orders.

2d dragoons.—Lieut. C. May, in command of capt. Howe's troop, arrived at Fort Jackson, July 20, en route for Garey's Ferry, capt. E. D. Bullock, with his troop, arrived at Fort Jackson, July 22, en route for Fort Fanning, on the Sawannee.

1st artillery.—One company to be detached from Hancock barracks to garrison Fort Sullivan, Eastport, and another company to garrison Fort Preble, Portland, Maine.

Artillery.—A field officer and two companies will take post at Madison barracks, Sackett's Harbor, in time to relieve the two companies of the 8th infantry, now there, by the 25th Sept.

Infantry.—Major G. Dearborn, commanding the 1st lieut. G. W. F. Wood, adjutant; head quarters, Fort Pleasant, M. F.

Stations of the several companies: A. Fort Starbuck, (12 miles from Tallahassee); lieut. W. E. Prince, commanding company and post.

B. Fort Jackson, capt. S. Burbank, commanding company and post; lieut. F. Cox, subaltern.

C. Fort McCrabb, Sawannee Old Town, commanding company and post; lieut. J. H. King, commanding post and company.

D. Fort Fanning, capt. S. Eastman, commanding company and post; lieut. G. Barry, subaltern.

E. Lieut. B. H. Arthur, commanding company, Fort Parker, Cook's hammock, (33 miles from Fort McCrabb).

F. Capt. J. R. B. Gardener, commanding company and post; Fort Pleasant, (55 miles east from Tallahassee).

G. Lt. G. W. Wallace, commanding company, Fort Pleasant.

H. F. E. Maccomb, Sawannee shore; lieut. S. E. Muse, commanding post and company; lieut. A. Wagh, subaltern.

I. Fort Barker, Cook's hammock, (33 miles from Fort McCrabb); lieut. E. Paice, commanding company and post.

K. Fort Pointsett, Cedar Key, opposite the mouth of the Sawannee; lieut. F. H. Masten, commanding company and post.

1st lieut. Geo. H. Pegram, promoted to the rank of captain, New W. Day, ordered.

2d lieut. Ferdinand Cox, to be 1st lieut. vice Pegram, promoted.

3d lieut. B. P. Tilden, jr. 2d infantry, appointed 2d lieut. vice Cox, promoted.

Leave until Oct. 1, to captains A. S. Miller and H. Lamotte.

3d infantry.—This regiment is under orders to proceed to join the army in Florida. Lieutenant A. G. Blaine, 2d lieut. New Orleans, July 4, with 26 recruits for Fort Jessup, which were assigned on the 22d to company D.

4th infantry.—Detachments of one company each to garrison Fort Jessup, Townson and Smith, now occupying the same.

6th infantry.—Lieut. J. B. S. Todd, 6th infantry, left Newport, Ky. August 8, with 75 recruits for Fort Crawford.

6th infantry.—The regiment remains for the present at Cedar Key, and the neighborhood awaiting the arrival of gen. Armistead, daily expected at the last advices.

8th infantry.—This regiment, which recently arrived at Jefferson barracks, from the Winnebago country, will proceed to join the army in Florida. The two companies at Madison barracks will leave that post by the 23d September. Lieutenant J. M. Scott, 1st infantry, arrived at Jefferson barracks, August 9, from Newport, Ky., with 74 recruits for the 8th infantry. (*Idem* and *New Chron.*)

Florida. A letter received from 2d lieut. B. H. Arthur, commanding company E, first infantry, the date of August 12, states that about nine o'clock on the night of that day, the Indians, about 400 in number, arrived at the camp of Capt. Barker, and reported an encampment of Indians on the road to Fort Mitchell, about seven miles from the former post.

The lieutenant ordered a detachment of his company, and assisted by the express, proceeded immediately one mile of the camp, where he halted and formed his men in one rank, placing a recruit and an old soldier alternately, and divided them into three parties, with directions to advance on different points, and encircle the camp. They then advanced cautiously through the palmetto bushes and swamp, till sergeant Falconer, who led one of the parties, saw an Indian stir, and fired, which was immediately followed by the discharge of about twelve muskets.

Three Indians started to their feet, of whom two fell, when the lieutenant, fearing his men might shoot each other, ordered a charge, and was obeyed with alacrity. The remaining Indian engaged private Barker, and threw him to the ground, but being attacked by sergeant Falconer, quickly rose and ran; and though seen to fall several times, could not be found that night. The two Indians who had fallen were killed before they could regain their feet.

When the alarm was given, the Indians were put to flight, and the detachment returned to the fort at 3 o'clock on Sunday morning. On the next day, in consequence of another alarm, a portion of the company returned to the battle ground, when they found and buried the two Indians, who were killed by the fire, and, with them, their beef, tallow, and entree cakes, sufficient for ten men for ten days.

They also brought away three rifles, with the pouches, powder horns, knives, and powder, together with their moccasins, blankets and other articles. The Indians who engaged Bromley and Falconer was found dead two days after by some men of company F, who were attracted to the spot by the buzzards. None of the soldiers were killed, but two moccasins were rendered unfit for service, by being bent in the struggle.

[*Cicks.*]

NAVY—Orders. Aug. 10.—Passed mid. W. Gwatney, detached from the *Miscellanea*, and leave one month.

11.—Mid. S. C. Barry, naval school, Phila. Mid. L. B. Robinson, receiving ship, Norfolk.

Lieut. E. B. Bostwell, leave 3 months, having returned from the *Indis*, sick.

14.—Mid. W. H. Smith, receiving ship Norfolk.

15.—Mid. J. S. Ridgely, naval school, Phila.
Lieut. A. Sinclair, detached from West Indies
squadron, and leave three months.

20.—Lieut. Wm. J. H. Robertson, leave three
months, having returned from the West Indies,
squadron.

26.—Chaplain T. R. Lumbert, leave six months,
with permission to leave the United States.

[Army and Navy Chronicle.

The U. S. ships Macellonian and Erie, last from
Newport, were below at New York.

The U. S. ship Ohio. The prophecies of this
vessel have challenged the unanimous admiration of
all those who appreciate the merits of swiftness
combined with strength and beauty of model. A
captain in the English naval service lately observed
that in his estimation, "the Ohio is the finest
sloop of a line of battle ship."

[N. Y. Express.
The U. S. ship of the line Ohio paid a visit to the
port of Palermo in Sicily, in June last, and was
visited by a number of the inhabitants. An elegant
entertainment was given here to a large
party of ladies and gentlemen of Palermo.

POLITICS OF THE DAY.

MR. WRIGHT AND MR. WEBSTER.
It having been asserted by the party papers in
the city of New York that a challenge was given
by Mr. Wright to Mr. Webster to meet him at
Pateogue and discuss the state of politics, which
Mr. Webster declined, the following correspondence
has since been published in the New York Ameri-
can:

(Copy).

No. 1.

Pateogue, Wednesday morning, Sept. 23, 1840.
GENTLEMEN: As the two political meetings at
this place have been held together, and
as that is over, to which I was invited, I have
thought it proper to make this communication to
you, to prevent misunderstandings hereafter.

I should not, of course, think of obtruding myself
upon a meeting, to which I am not invited; and I
am aware that it is not usual, on such occasions, to in-
volve political opponents. But I rather seek than
shun direct discussion with political adversaries, as
being more likely to bring out truth.

A senator of the United States, and a distinguish-
ed friend of the administration is expected to ad-
dress the meeting to be held to-day; and lest I
might be asked to discuss with him, should
I leave the place this morning, I pray you to say
to Gen. Jones, Mr. Floyd, or any other of the gen-
tlemen to whom I have the honor to be known,
that if the proper committee shall see fit to invite
me to stay, and reply to Mr. Wright, I will cheer-
fully do so. In that case I have only to desire,
that an opportunity for addressing the meeting may
be afforded me before night, as the state of my
health does not bear exposure to the evening air.

I am, gentlemen, your obliged friend and obedi-
ent servant,
DANIEL WEBSTER.

Abraham T. Rose and H. H. Huntling, esqs.

P. S. Perhaps I ought to say that this letter is
written in consequence of having learned that a
rumor has been circulated this morning, that Mr.
Wright, or his friends, had invited me to discuss
with him before the people, the great questions
which now agitate the country, and that I had de-
clined such invitation.

No. 2.

Pateogue, Sept. 23, 1840.

GENTLEMEN: The undersigned, friends of the
administration, have received a copy of a communi-
cation this morning, signed Daniel Webster, ad-
dressed to A. T. Rose and H. H. Huntling, and by
them enclosed to us, in which Mr. Webster says:
"A senator of the United States and a distinguished
friend of the administration, is expected to address
the meeting to be held to-day, and lest I might ap-
pear to avoid discussion with him, should I leave
the place this morning, I pray you to say to Gen-
eral Jones, Mr. Floyd, or any other of the gen-
tlemen to whom I have the honor to be known, that
if the proper committee shall see fit to invite me to
stay and reply to Mr. Wright, I shall cheerfully do
so."

We sincerely regret that this proposal had not been
made at an earlier hour, before your political friends
had withdrawn from the place, as it would have
given us great pleasure, under such circumstances,
to have acceded to your request; but it would be ob-
viously inequitable in us to write Mr. Webster to address
your meeting, after he had dismissed his own, with-
out giving us an opportunity of being heard by his
friends.

This must be so apparent to Mr. Webster, that
we are not surprised at his having been induced by
the unfounded rumor above, to make the proposi-

tion. At all events, we must assign that as a reason
for declining it on this occasion. At the same
time we should be happy to arrange with you, be-
fore he leaves town, a meeting at an early day at
this place, at which a direct discussion of political
topics may be had in the presence of all parties. Very
respectfully, yours,

FRED'K W. LORD.

J. P. OSBORN.

A. T. Rose, and H. H. Huntling.

No. 3.

Pateogue, Wednesday, A. M.
GENTLEMEN: We have handed your letter to Mr.
Webster who has read it, and written to us a note,
a copy of which we hand to you.

We shall be very happy to meet you, to-day, as
soon as you are disengaged from the business of
your meeting, and to arrange with you for the largest
practicable meeting of the citizens of Long Island,
of all parties, in conformity with either of the pro-
positions as to time and place, mentioned in Mr.
Webster's note. Yours very respectfully,

A. T. ROSE.

H. H. HUNTLING.

To Messrs. Fred'k W. Lord and J. P. Osborn.

No. 4.

Pateogue, Suffolk county, Long Island,
Wednesday 11 o'clock, Sept. 23, 1840.

GENTLEMEN: I have read the letter addressed to
you, by F. W. Lord, and J. P. Osborn, esqs. I ob-
serve that the gentlemen, declining to invite me to
attend the meeting to-day, which was certainly a
matter entirely in their own discretion, propose,
nevertheless, that an arrangement should be made
for a meeting at this place at an early day, at which,
direct discussion of political topics may be had in
the presence of all parties.

Such a discussion would be quite agreeable to me,
and I am well disposed to accept of it.

It cannot fail to be generally known, that I am
engaged to address the people of the western part
of the island at Jamaica to-morrow at 2 o'clock, and
that consequently, it is impossible for me to remain
at Pateogue beyond this day; but you will please
say to Messrs. Lord and Osborn, that I shall be
happy to see Mr. Wright at Jamaica to-morrow, and
that you are authorized to say, that proper provision
will there be made for receiving them, and their
political friends in the kindest manner.

If this is not acceptable, please add that it will
give me pleasure to meet Mr. Wright at a meeting
to which persons of all parties shall be invited, at
any place in the western part of this county or any
place in King's or Queen's county on Friday, Satur-
day or Monday next, as may best suit his con-
venience—Monday being the latest day which my
engagements will allow me to spend, for the present
in this state. I am, gentlemen, your friend and
ob't servant,

DANIEL WEBSTER.

A. T. Rose, esq. and Gen. H. H. Huntling.

No. 5.

Pateogue, September 23d, 1840.

GENTLEMEN: We have submitted your second
note of this morning, with its enclosures, to the
person of Mr. Wright, and have received from him
a note, a copy of which we enclose to you, and from
which you will discover that his previous engage-
ments will not enable us to be assured of his pres-
ence. Still we trust that you will unite with us in
not despairing of ultimate success in an effort to
have a meeting, at which the leading topics of the
day may be discussed by both sides, and in which
that we have an anxious desire for such an event,
because we regard it not as an occasion for individ-
ual triumph, but as a means of effecting a much
more important object: that of disseminating truth
and concerting intention among the whole people;
and we therefore conceive it to be as well an act of
justice to the speakers, as an equally important con-
sideration, that men of all parties should be present,
and as large a number of them as would be practi-
cable under any circumstances. We hope to hear
from you again at your earliest convenience, and
we trust that the proposition may be renewed in a
shape that shall render its acceptance practicable.
Very respectfully, yours,

F. W. LORD.

A. T. ROSE, and H. H. HUNTLING, esqs.

No. 6.

Pateogue, Sept. 22, 1840, Wednesday, 1 P. M.

GENTLEMEN: I have read the copy of the note
of Mr. Webster, handed to me by you under date of
11 o'clock this morning, and must express my deep
regret that my presence in old democratic Suffolk,
in pursuance of an invitation from a republican
committee of the county, should have given so much
anxiety to some of our political opponents.

I now find it to be my duty to repeat to you, that
the rumor upon which you say Mr. Webster found-
ed his note of this morning, viz: that I had challeng-
ed him to a public discussion, and that he had de-
clined it, is wholly without foundation; and I regret
deeply, that I have not been permitted to make a rumor
have permitted himself to believe such a rumor
without certain personal notice to himself. My regret
is increased by the circumstance that I was
within a few doors of Mr. Webster, from about six
o'clock last evening to eight o'clock this morning,
or after, before I heard of the rumor, and thus free
from yourself; or of the duty which he seems to
suppose it devolved upon him.

I am here to attend a meeting of my political
friends under their request, and I should have felt
as unauthorized to inform Mr. Webster, a known and
eminent political opponent, to attend that meeting
for the purpose of addressing it, as I should to have
attempted to force myself into a meeting of my
opponents for the purpose of proclaiming my opi-
nions and views to them, when assembled as political
partisans.

The meetings I have attended and have engaged
to attend, are the voluntary assemblages of my political
friends, not my meetings, and I attend them as
an invited and invited guest, and not as a speaker, and
not as the director of their proceedings. The meet-
ing, therefore, or its committee of arrangements,
not myself, must dictate the rules of proceeding, as
well as the speakers to be called to the stand.—
Hence, my declaration to you of this morning, that
your reply to the committee of arrangements, told me
you have received from Mr. Webster was wholly unim-
portant to myself personally, and that you, as mem-
bers of a committee of arrangements for the Suffolk
county republican meeting, must adopt the con-
ditions which you suppose most in conformity with
your duties.

I confess I was somewhat surprised at the request
when you made it known to me, and the hour in
which it reached you, but I attribute it to the unfoun-
ded rumor upon which you say Mr. Webster
based it, and to his great error in permitting him-
self to believe that I would either give countenance
to, or permit such a rumor, when I must know that
it was unfounded.

Mr. Webster now invites me to attend a meeting
of his political friends at Jamaica, to-morrow, and
says, "I cannot fail to be generally known that I
am to address the people of the western part of the
island of Jamaica, to-morrow, at 2 o'clock." I had
supposed that the fact that I had been for several
days engaged in attending a meeting of the friends
of King's county, at Brooklyn, at 6 o'clock P. M.
to-morrow, must have been as generally known
upon the island, as that of his engagement at Ja-
maica, of which I first heard yesterday, on my way
to this place. In any event, that engagement has
expired since Saturday last, and will be a sufficient
reason, I trust, for my declining to meet Mr. Web-
ster to-morrow, at Jamaica.

I regret to be compelled to add, that my engage-
ments do not give me a single day which I can
command within any known period prior to the
election, as my course is west from New York on
Friday. I cannot, therefore, so far as the applica-
tion is to me personally, comply with any time
named in Mr. Webster's note. With great respect,
I am your ob't servant, SILAS WRIGHT, jr.
F. W. Lord and J. P. Osborn esqs.

No. 7.

Pateogue, Wednesday evening, Sept. 23, 1840.

DEAR SIR: Inclosed we have the honor of trans-
mitting to you a copy of a note, in which we have
in relation to a public discussion of the exciting po-
litical topics of the day with Mr. Senator Wright,
by which you will perceive, after perusing his such
diplomatic letter, that he totally declines any such
meeting as has been proposed, within the period
mentioned by you.

It may be proper for us to state, that we repeat-
edly waited upon Messrs. Lord and Osborn this af-
ternoon, and pressed them for an answer as soon as
practicable, and their continuance would allow; and
that at 4 o'clock we were informed by Judge Osborn
that an answer was prepared. We however, did
not receive it till past 7 o'clock this evening, when
the gentlemen rode up to the door, and handed us
the same, as they were leaving the place.

You will perceive, that in the note from Messrs.
Lord and Osborn to you, a suggestion is made, or a
desire expressed, that the correspondence, in relation
to this matter, may be renewed. We however, con-
sider, from the whole of Mr. Wright's answer
that our agency in the matter is at an end, with-
out further instruction from you.

We have only to add, that we are happy that the
rumor, however unfounded Mr. Wright supposes it
to have been, reached your ears before you left to-

day, from the bold and decisive stand you immediately took in relation to it, and from the obvious and palpable defeat, the enemy has sustained.

Permit us, dear sir, once more to tender to you, in behalf of our whig friends of old Suffolk, our warmest gratitude for this visit, and to renew to you the assurances of our highest respect. We have the honor to be your most obedient servants,

A. T. ROSE.

P. S. W. would send you the conclusion of this matter does not seem to require an express, we shall dispatch this by mail to-morrow morning.

No. 8.

Januaria, September 25, 1840.

GENTLEMEN: I have received your letter of Wednesday evening, and do not see that, so far as I am concerned, it is necessary for you to take any further step. Probably it will not be again rumored that I have declined a public discussion, with Mr. Wright, before men of all parties.

The meeting of the 23d was, no doubt, fixed for that day, after it was known that your meeting was to be held on the 23d, at the same place; and it is not unusual to imagine, that the effect of the second meeting was expected to efface, more or less, any impression which might be made by the first.

Mr. Wright is a gentleman of ability, and much address. It was supposed, no doubt, that he could throw some popular fly to the people of Suffolk with as much accuracy as young Joe Carman throws a brick back to a friend; and that he would rise to it, at once. If I have been able to admonish the people, with any effect, to beware of disguises, and not to take appearances for realities, nor names for things, the object of my visit has been accomplished, and good will come from it, I trust one day or another. I am, gentlemen, your friend and ob'd serv't.

DANIEL WEBSTER.

A. T. Ross and gen. H. H. Hunting.

POLITICAL CONVENTIONS.

GENERAL HARRISON'S SPEECH AT THE DAYTON CONVENTION.

Held 10th September, 1840.

I rise fellow citizens, to bid adieu to you, as you are agitated as the sea, when the wild wind blows upon it, and it was full five minutes before the tumult of joy, at seeing and hearing the next president of the United States, could be calmed—I rise fellow citizens, to express to you, from the bottom of a grateful heart, my warmest thanks for the kind and flattering manner in which I have been received by the representatives of the valley of the Miami. I rise to say to you, that however magnificent my reception has been on this occasion, I am not so vain as to presume that it was intended for me, that this glorious triumphal entry was designed for one individual. No, I know too well that person's imperfections to believe that this vast assemblage has come up here to do him honor. It is the glorious cause of democratic rights that brought them here. [Immense cheering.] It is the proud anniversary of one of the brightest victories that glows on the pages of our country's history, which hath summoned this multitude together. [Tremendous cheering.]

Fellow citizens, it was about this time of the day, 27 years ago, this very hour, this very minute, that you speaker, as citizens of the north western army, was plunged into an agony of feeling when the cannonading from our gallant fleet announced an action with the enemy. His hopes, his fears, were destined to be soon quieted, for the tidings of victory were brought to him from the bosom of the wind. With the eagle of triumph perching upon our banners on the lake, I moved on to complete the overthrow of the foreign foe. The anniversary of that day can never be forgotten, for every American has cause to rejoice at the triumph of our arms on that momentous occasion; but the brave and gallant hero of that victory is gone, gone to that house whither we are all hurrying, and to his memory let us do that reverence due to the deeds of illustrious patriots. From heaven, does his soul look down upon us, and gladden at the virtues which still animate his generous countrymen in recurring to his noble and glorious career while on earth. [Great applause for several seconds.]

I am fully aware, my fellow citizens, that you expect from me some opinion upon the various questions which now agitate our country, from centre to circumference, with such fierce contention. Calumny, ever seeking to hiss at the good in this world, hath proclaimed that I am averse from declaring my opinions on matters so interesting to you, but nothing can be more false. [Cheers.]

Have I not declared over and over, that the president of this union does not constitute any part or

portion of the legislative body. [Cries from every quarter, you have, you have.] Have I not said over and over, that the executive should not by any act of his forestall the action of the national legislature. [You have, you have.]

Have I not, time out of mind, proclaimed my opposition to a citizen's going forward among the people and soliciting votes for the presidency?—Have I not, many a time and often, said, that in my opinion, no man ought to aspire to the presidency of these United States, unless he is designated as a candidate for that high office by the unthought wishes of the people? [Cheering.] If the candidate for so high an office be designated by the will of a portion or a majority of the people, they will have recourse to the determination of sustaining such a man, from a review of his past actions and life, and they will not exact pledges from him of what he will do and what he will not do, for their selection of him is proof enough that he will carry out the doctrine of his party. This plan of choosing a candidate for the presidency is a much surer bar against corruption than the system of requiring promises. If the pledging plan is pursued, the elect will be, to offer the presidential chair to the man who will make the most promises. [Laughter.] He who would pledge most, he who would promise most, would be the man to be voted for, and I have no hesitation in declaring, that he who would pledge most, would have course to be thus tied up by promises and pledges, would not stop to break them when once in office. [Cheering.] Are my views on this topic correct or are they not? [With one voice the multitude inditedly answered, yes.]

If, fellow citizens, we examine the history of all republics, we shall find as they receded from the purity of representative government, the condition of obtaining office was the making of promises. He who was the cheapest in promises, would be the candidate, and the higher the bids, the more marked and certain the corruption. Look at the progress of this thing in our own Republic. Every pledge required of your Washington or your Adams! Adams was the candidate of the federalists, and as a statesman was bound to carry out the principles of his party. Was his successor, Thomas Jefferson, the high priest of constitutional democracy called on for pledges? No. His whole life was a pledge to his country. And if we go back to the old system of selecting men for the presidency, whose past career will be a guarantee of their conduct when elected to the chief magistracy of the republic? No. It will be a guarantee, as they say, and surely in the path of prosperity. But the years the corrupting system of requiring pledges hath been adopted. The presidency hath been put up to the highest bidder in promises, and we see the result. It remains for you, my fellow citizens, to arrest this course of things. [Cries of we will, we will.]

While then, fellow citizens, I have never hesitated to declare my opinions on proper occasions upon the great questions before the nation, I cannot consent to make mere promises the condition of obtaining the office which you kindly wish to bestow upon me. My opinions I am free to express, but you already have them, sustained and supported by the acts of a long and arduous life. That life is a pledge of my future course, if I am elevated by your suffrages to the highest office in your gift. [Immense cheering for several seconds.]

I have been charged against me, fellow citizens, that I am a federalist. While I acknowledge that the original federal party of this country was actuated in its course by improper motives, I deny that I ever belonged to that class of politicians. [Tremendous cheering.]—How could I belong to that party? I was educated in the school of republicanism, and though too young to take an active part in the politics of the country, when at the erection of the constitution, the nation was divided into two great parties, my honored father had inducted me into the principles of constitutional democracy, and my teachers were the Henrys and the Masons of that period. He who declared that the seeds of monarchy were sown in the soil of the constitution, was a federalist; and that though for several years they lay dormant, they at last sprouted and shot forth into strong and thriving plants, bearing blossoms and producing ripe fruit. This government is now a practical monarchy! [Loud and long cheering]

indicating that the people felt the full force of his declaration.] Power is power, it matters not by what name it is called. The head of the government exercising monarchical power, may be named king, emperor, president or emperor. [Great laughter.] (He is a monarch. But this is not all. The president of these United States exercises a power superior to that vested in the hands of nearly all the European kings. It is a power far greater than that ever exercised by any of the monarchs of Europe.)

It is an ultra federal power, it is despotism!—[Cheering.] And I may here advert to an objection that has been made against me. It has been said, that if I ever should arrive at the dignified station occupied by my opponent, I would be glad to retain the power enjoyed by the present president of the U. States. *Never, never.* [Tremendous cheering.] Though aware from pledges of every sort, I here openly and before the world declare that I will use all the power and influence vested in the office of president of the union to abridge the power and influence of the national executive! [It is impossible to describe the sensation produced by this declaration.] Is this federalism? [Cries of no, no, for ever afterwards.] In the federal constitution, the glorious charter of our liberties, there is a defect, and that defect is, the term of service of the president, not limited. This omission is the source of all the evil under which the country is laboring. The privileged class of the president of the United States had been limited to one term, the incumbent would devote all his time to the public interest, and there would be no cause to misrule the country. I shall not undervalue on the conduct of the present administration, lest you should be deceived, to say that I am aiming for the presidency, to use it for selfish purposes. I should be an interested witness, if I entered into the subject. But I pledge myself before heaven and earth, if elected president of these United States, to lay down, at the end of the term faithfully that high trust at the feet of the people! [Here the multitude was so excited as to delay discussion.]

I go further, I here declare before this vast assembly of the Miami tribe (great laughter) that I am elevated, up human being shall ever know upon whom I would prefer to see the people's mantle fall; but I shall surrender this glorious badge of their authority into their own hands to bestow it as they think proper. [Immense cheering.] (No federalist, no!)—Again in relation to the charge of being a federalist, I can refer to the doings previous to, and during, the late war. The federal party took ground against that war, and as a party, there never existed a single State, to lay down the line of the strife was soured, they rallied under the banner of their country. But patriotic as they were, I do know that I was not one of them! [Cheering.] I was denounced in unmeasured terms as one of the authors of that war, and I held up by the federal papers of the day as the marked object of the party. I could here name the man who came to me, and a more worthy man never lived, to say that he was mistaken in his views of my policy, as governor of Indiana, when I was charged by the federalists as unreasonably involving the country in an Indian war. He told me that I acted rightly in that matter, and that the war was brought on by me as a matter of necessity. [Cries of name him, name him.] It was Gaston of North Carolina. [Three cheers.]

Is this a proof that I was a federalist? [No, no, no.] Have now got rid, my fellow citizens, of this baseless charge—No, I have not. There are a few more allegations to be made against me, as a federalist, before I can be at rest. But I am an old soldier and a farmer, and as my sole object is to speak what I think, you will excuse me if I do it in my own way. [Shouts of applause, and cries of—the old soldier and farmer for us.]

I have said that there were other allegations to notice. To prove that I was a federalist, they assert that I supported the alien and sedition laws, and in doing so, violated the principles and express words of our constitution. I did support those laws, ever participate in this measure. When those laws passed, I was a soldier in the army of the United States! [Applause.]

Again, they censure me for my course in congress, when I served you in that body as a representative of the northwest territory. And here I will advert to the fact that I represented, at the time, a territory comprising over the states of Indiana, Ohio, Illinois and Michigan. I was the sole representative of that immense extent of country. [Great cheering.]—And you are going to be again! Tremendous cheering.] As I understood federalism to be in its origin, so I understand it to be now. It was and is the accumulation of power in the executive to be used and exercised for its own benefit.

THE GLORIOUS TENTH!!

The west in motion—'We have met the enemy and they are ours.'

On Tuesday the 3d, the people began to arrive in town from different sections of the state, and the intelligence they brought satisfied us that the convention of the tenth would be a proud and glorious era for the democracy of the west. The glorious observer was by the young but capable Mr. Kane, of Philadelphia, and major James B. Snowden, of Veanago, addressed the multitude amid the shouts and plaudits of thousands. A shower interrupted the meeting for a short time, but in about half an hour it subsided, and the meeting was revived by the young but capable Mr. Kane, of Lancaster, who was followed in a spirited and thrilling effort from M. P. Young, esq. of Erie, when the meeting again broke up, and the multitude sought such shelter and repose as our town could afford.

Thursday morning, the glorious tenth, was ushered in by the thunder of artillery upon the flotilla, answered by the roar of our battery upon the land. Bustle and commotion were every where visible. Making an excursion to Eagle village, a mile distant, at day light, we saw from five to five thousand men, with the banners of our country proudly floating above them, their wagons filling every lot, street and lane in our vast encampment, as they had arrived during the night and were now waiting for their brethren and companions from Crawford and Veanago, who had encamped along the turnpike between Waterford and Eagle village, and expecting also the mingled procession of from eight to ten thousand encamped in Guard, and between that place and Eagle village.

By eight o'clock our borough literally presented one moving mass of human beings. The streets on all hands were so thronged, that the procession from Eagle village had but barely room to pass through the borough. The arrival of the steamboat Constitution, on Sunday, was a great relief, as the delegates as to be much impeded in her highway and belated in her hour of arrival, created a scene of bustle at the dock. The Buffalo brigade, at the head of whom was brigadier General Randall and staff, made a most splendid and imposing appearance. On the arrival at the public square, a general signal was given for the whole assemblage of the borough to fall in the rear and follow to the encampment. At the moment this great crowd were passing out Sixth street to the encampment, the procession from the south, three miles long, began to enter the town on State street. The impassable throng filling the public square and the whole length of Sixth street to the encampment, compelled this procession to diverge to French street, follow French street nearly to the lake, to cross from French over State to Peach street, up Peach to Sixth street and then fall in behind the moving throng passing to the place of encampment. The procession had hardly passed out of town, when the innumerable hosts of Chautauque, Chautauque, Chautauque, Chautauque, New York, and the eastern portion of Erie counties, two miles long, came in mighty phalanx on their track. Next came in the democracy of the Buckeye state, accompanied by the western portion of this county, the hosts of Fayette, Beaver, Butler, Mercer and several other counties of the good old

Keystones, headed by the Fayette county band, driving at a rapid pace in procession more than five miles long. These, together with the myriads who arrived in smaller processions of fifties and hundreds, comprised one of the greatest and most enthusiastic assemblages of democratic freemen ever beheld in the western country.

When the convention met, Peter S. V. Hamot, of Erie, was chosen temporary chairman, and on the organization, the hon. Wm. Beatty, of Butler, was called to preside, who delivered an impressive address, after which he introduced governor Porter and the hon. James Buchanan to the convention, who were enthusiastically received. The convention was then addressed by Mr. Buchanan, col. H. K. Smith, of Buffalo, William F. Pecker, of Lycoming, Dr. Brouk, of Buffalo, who spoke in German, and J. W. Forney, of Lancaster. The resolutions were adopted by gen. J. K. Moorehead, of Pittsburgh, and the address by Mr. J. Moorehead, of Erie.

The convention adjourned at six o'clock in the evening, and at night, the people were addressed from the market house by col. Burnside, of Centre, Mr. Forney, of Lancaster, S. W. Randall, of Erie, and the Hon. Charles Sumner, of Massachusetts. Observer gives a glowing account of the enthusiastic spirit which prevailed throughout, and of the force and ability manifested in the various speeches delivered on the occasion. The same paper likewise adds that the democratic convention will number the bank whig gathering held on the same day by at least two or three thousand.

Resolutions were unanimously adopted in favor of Van Buren, Johnson, Buchanan and of the renomination of governor Porter, by the fourth of March convention.

WHIG CELEBRATION AT ERIE.

From the Buffalo Commercial Advertiser of Sep. 12.

MEANS. EDITORS: If I am to give even a short description of the glorious transactions of this great occasion, I must begin at the beginning. And here, it will be proper enough to observe, that both parties had made preparations for the celebration, each separately—and no exertions were spared, on either side, to render the day as attractive as possible—that the most elaborate preparations were made by both for the accommodation of all who might come—and that nothing which the citizens of Erie could do, was wanting, to give eclat to the celebration or interest to the political relations that were to come into being. It was thought that so much interest to our citizens, not only as politicians, but as men—as freemen.

Wednesday forenoon brought a large delegation of good whigs and true, from Butler county. With music and banners, and the voice of song, they came; and although it required a journey of over a hundred miles, by land, they were "ready, aye, ready," to receive their fellow citizens from old Allegheny, who arrived an hour later, by the steamboat De Witt Clinton. This latter delegation numbered over a hundred, with their well chosen title, "The blacksmiths of old Allegheny," tells truly what manner of men they were.

Make way for old Chautauque, for it is coming. The loco focus all "turn pale," as an endless train of wagons are filling on, on, filled with the tillers and graziers of western New York.

"How long is the procession!" asked a long-visaged loc, one of the marshals of the cavalcade.

"Indeed, sir, I cannot tell," was the reply; "the other end is still forming some where in the state of New York."

Which ever way you turn, the whigs are coming in sight. Their banners sweep the skies, the dust is driven in clouds before them. Bands of music from New York, Pennsylvania and Ohio, are pealing forth, and the throng, and the throng, and the throng, company of military from Connecticut, marching in, and the people are coming, in masses—in perfect crowds.

Night is coming on, and eyes are turned towards the lake. Several steamboats are lighting up the distance, and the throng, and the throng, and the throng, waters, that seems to swell beneath their keels, as it proud of bearing freemen upon its bosom. The Erie, with the military of Buffalo—the city guards, Lafayette guards, &c. the General Scott, also from Buffalo with a throng, and the Rochester men from above, with its three decks black with passengers—the Chicago and several others. During the night and morning came in the Michigan, Wayne, Constitution, Chesapeake and several others, availing with their thousands the countless numbers already filling the borough of Erie or en route.

Thursday morning brought a large delegation in wagons, from Ohio. It were an endless task to describe the various devices borne by the citizens of Ashabula, Lake, Geauga, Cuyahoga, Trumbull, Lucas, Wood, Huron and Sandusky. "Oh Asha-

bula" had her well known banner, "Three thousand majority in old Ashabula," another bore the significant question, "Is the people capable of self government?" "Tell Chapman to grow!" "With Tip and Tyler, we'll burst Van's biler;" "Old Tip's the boy to swing the dial;" and a thousand others homely but significant, with every variety of device and inscription, and the political events of the times have furnished. There was one that told well here, in this state—in the very presence of Mr. Buchanan, the GREAT REDUCER. It was—"No reduction of wages."

Another gave a strong indication of the state of feeling in Western Keystones—the state which relies so strongly upon her manufactures, and which is beginning to learn something of the true American policy. It was—"A protective tariff."

Queer cavalcades did these buckeye boys construct to convey themselves to the celebration withal. Strange arrays, drawn by four, six, eight and ten horses; shaded with boughs, and carrying from fifteen to thirty of the hard handed giant, to whom sixpence a day, and a shilling a bushel for wheat, does not present the most attractive prospect in the world, and which, in the eyes of the politician, was enough itself to put in a cold perspiration the sportsmen, who are laboring to wrest off the fat of the land in the benevolent fear, forsooth, that the people of the United States any way fat and kick, and although the political events of the times have furnished labor, in the land where a smiling Providence has cast their lots.

Eight o'clock. The town is full, and yet more are coming, the public square overflows. The whigs are forming in procession. The Empire, the Buckeye, the Western Keystones—all nobly represented, with men—aye, and woman too, are hastening to the stand below the town. First of all the military. Buffalo, than whom no city can furnish finer military companies, was on hand. The city guards, the German, and the well known flying artillery led the van. Then poured on a multitude in platoons averaging eighteen each, and numbering firing of eleven thousand, while streets, sidewalks and roads were crowded with men and women, on horseback, in wagons and on foot, which at the most reasonable computation, could not amount to a number less than that of the procession. Twenty thousand people stood around the stand and said "aye" when Francis Granger, of New York, was called to preside over the assemblage.

Francis Granger addressed the assembly in a speech of an hour in length. To say that it was good, is but to repeat what no one can doubt, who knows the character of that distinguished individual, or has heard the trumpet-tongued that has spoken his fame. He took a rapid view of the great topics of the era, and then, in the American people, illustrating his remarks with a multitude of the most keen and pointed allusions, and demonstrating his assertion by appeals to facts so well known and uncontradicted, that even lococry could not stand abashed before him. After he had closed, the call was for gen. Wilson, of the Granite state, and gen. Wilson presented himself—"a tall six-footer from the mountains of New England," as he described himself, "who is all whig from the crown of his head to the sole of his foot."

Gen. Wilson's remarks occupied nearly two hours, and well did he sustain his reputation of a strong man doubly armed in the justice of his cause. Thoroughly did he hit the corrupt policy of the Van Buren party, and the keenness with which he exposed the policy of the Van Buren party, and the corruption management, was worthy of himself and the cause in which he is so nobly engaged. Gen. Wilson was followed by the hon. Harman Denny, and Messrs. Merwin of Crawford county, Briggs of Cleveland, and others. The whigs have done gloriously. The tenth of September at Erie, will be remembered with the twenty-second of February at Columbus, the eleventh of June at Fort Meigs, with Indianapolis, Springfield, or with any other outbreak of the glorious spirit of old sovereignty.

There is to be a grand celebration. What with getting the governor of the state here a week beforehand, and with falsely stating that their celebration would be honored with the presence of the vice president of the United States, they were able to drum up some three or four thousand, men, wq-

men and boys. They had the great reducer, as their orator, and gov. Porter's red nose, as a perpetual sign of good living, and a fine, fat, blooming from the stand. Dinner a dollar a head; an ox roasted whole, Uncle Sam's eighteen pounder from the revenue cutter for their salutes, and (I should guess) Uncle Sam's powder to incense the noses of the faithful with the pleasant smell of burnt brimstone, in honor of general Van Buren. A mind, I don't state that for a fact, for now-a-days, a fellow must prove what he says, especially if he's a whig. I paid a visit to the affair while the hon. Mr. Buchanan was addressing his fellow citizens. When I arrived, he was about to conclude his speech. The people that they loved Mr. Van Buren. He didn't prove it, it is true, and it would have been hard to oblige him to do so, as half of his audience were whigs, led there by curiosity. He told them that the sub-treasury bill had not been published as one of the whig papers. Some of the unmanly whigs were saucy enough to tell him that he was not telling the truth, whereupon he—good man—took it back and excused himself by saying that he had not seen it. From this he passed to the gold spoon business, and that having been abroad in the world, he occasionally saw gold plates at the tables of the great, but had never seen any in this country. In relation to the English coach business, the senate told the assembled ten hundred and fifty-seven, that Mr. Buchanan never had an English coach in his life. That he was used to be drawn around the metropolis in a conveyance of Yankee manufacture, with only a pair of marvellously poor horses, and that there were a hundred carriages then in the borough of Erie more splendid in their make and more costly in their outfit. What a plain man our president is! But all things will have an end, so had the speech of the senator—and how ended it, think you? With an assurance that Mr. Van Buren loved the people! Mr. Van Buren loved the people, that the hon. J. M. Buchanan says so. And the people love Mr. Van Buren, for senator Buchanan says so—and so, with this comfortable loving assurance, we will leave this incoherently loving couple in each other's society.

And now, after the manner of Democrats, we spend a moment in making a comparison between the two celebrations. I have no hesitation in stating it as the result of my sober judgment, that the locales were out-numbered, five to one. Their procession was one of wagons and little else, and I have been informed that, in passing through the town, their carriages turned round the squares, formed upon the rear again, so that many of them were counted three or four times; so great was their desire to make a display of the little serial which they had. The race was not a new one, as, no doubt, many had done the same thing at elections many times before. You may set the whigs down at twenty thousand, and it there is any variance from the truth in this estimate, it will be on the safe side. I remain yours.

THE N. JERSEY CONTESTED ELECTION.

MINORITY'S REPORT.

House of representatives, July 18, 1840.

The undersigned, constituting a minority of the committee of elections, to which was referred the New Jersey case, not concurring in the result to which the majority of the committee has come, and believing that it sufficiently appears, from the evidence, that Messrs. Charles W. Stratton, John P. B. Maxwell and William Halstead were duly elected members of the 23th congress, to the exclusion of Messrs. Joseph Kille, Daniel B. Ryall and Pittsford Dickerson, by a majority of the lawful votes of the people of that state, and least than the substantial rights of the whig electors, to enable this honorable body to form a just estimate of the proceedings of the committee, and of the merits of the case. The undersigned feel great difficulty and embarrassment in presenting to you, where, in a reasonable manner, such a development of the case, and of the action of the committee on the questions arising, as the importance of the subject would seem to require. On opening the evidence we perceived that the topics of controversy were exceedingly numerous and complicated, and, in consequence, the investigation, it was necessary, sometimes, to recur to provisions of the laws of the United States, sometimes to those of New Jersey, and at other times to the principles of the common law, and of general jurisprudence. With less than four hundred and thirty cases of controverted votes, and with this great diversity of legal principle and statutory provision, applicable to the case, it was to be expected that there would be an occasional difference of opinion in the committee as to the facts, but the difference in the deliberations of the committee, the undersigned would have remained silent, but the proceedings

throughout have been of so singular a character and distinguished by such an unusual display of pliancy and best settled principles of law and evidence, and have been so capricious, inconsistent, partial, irregular and unjust, that they feel impelled, by a high sense of obligation to the cause of justice and truth, to undertake, by a brief introduction of the evidence, to show that the conclusions and judgments of the majority of the committee are wholly unworthy of the sanction of this house, and of the confidence of the country. If the testimony adduced be examined in connection with the journal printed by the committee, where the opinions and opinions of the members on all the various questions arising from the case, it will appear that the majority, in numerous instances, overruled objections taken by Messrs. Ayer and his associates to the legality of votes, on the ground that as the evidence was inadequate, when, in fact, such evidence was adequate and sufficient to convince any reasonable mind; that the majority insisted upon a much higher measure of proof to support an objection on one side than was required to sustain a similar objection on the other; and Messrs. Ayer and his associates often failed with satisfactory evidence, when Messrs. Vroom and others prevailed with that which was comparatively light and trivial; that the majority applied principles of statutory construction in general law in such a manner as to defeat the efforts of one side to establish the illegality of votes, and then refused, on some frivolous ground of distinction, to apply the same principles to cases arising on the other side, when the merits were obviously alike, and they adopted, and as applied, one of the parties pertinaciously adhered to, certain general rules which were eminently adapted to defeat all inquiry into the merits, and to make the whole investigation little better than a mockery and a farce, thus rendering the important provision of the constitution that each house shall be the judge not merely of the returns and qualifications, but also of the election of its members, vain and nugatory.

The undersigned, before they advert to the cases by which they can, as they believe, evince the justice of these remarks, would invite the attention of the house to the laws of New Jersey on the qualifications necessary to the exercise of the elective franchise. The people of that state have not a constitution, but a system of government ordained by a colonial legislature, which has the force and effect of a constitution, and is intended in some of its provisions to be inviolate, as the members of the general assembly are obliged to swear to support the constitution that they will not vote to change such provisions, of which that relating to the elective franchise is not one.

By the constitution or ordinance a considerable priority qualification was originally made indispensable to the exercise of the franchise, which was subsequently modified by legislative enactment.

The undersigned have felt considerable doubt and difficulty in arriving at the true intent and meaning of the laws of New Jersey on this subject on account of their uncertainty, yet, taking into consideration the very general construction given in that state to the doubtful clauses, and favoring so far as may be the policy of extending this invaluable right—a policy which has manifestly received the sanction of the good people of New Jersey, they say that the franchise should be given to the law-makers of that state that the franchise should be exercised by all white male citizens of the United States who have attained twenty-one years of age, who reside in the township where they offer to vote, and have resided at least one year next before the election, or tax, or been assessed in conformity to the laws of the state. It is required that the person voting should be a free white male citizen of the United States, and this made it necessary for the committee to examine a great number of cases to determine what evidence of alienage or naturalization is admissible, competent and sufficient, and whether the proceedings taken in certain cases with a view to naturalization were valid, and conferred the right of suffrage. It is required also that the voters should be one and twenty years of age, and this involved questions of fact whether certain persons whose votes were challenged as illegal were or were not of that age at the October election in 1838. It is required that the voters should reside in the township in which they voted at the election, and in the county during the year preceding, and this rendered it our duty to advert to the law of domicile, and to determine what did and what did not amount to a change of residence under almost every variety of circumstance, and finally it was required that the voters either should have paid a tax or been assessed; and this often involved the committee in doubt and perplexity touching the

term of a very incorrect law in ascertaining when the tax must have been paid, how the party should have been assessed, and whether pauperism in New Jersey operates to exclude a person from the elective franchise, and, if so, when and under what circumstances. Besides these, a great variety of incidental questions arose, some of which were referable to the contrary principles of law and evidence, and others to the peculiar institutions of New Jersey, but the undersigned have not time to advert to these in any other than this general form.

We submit this statement touching the extent, variety, and complexity of the questions connected with this controversy, that the house may appreciate the obligation which the committee were under to ascertain the true principles applicable to each head of inquiry, and to apply such principles, when ascertained, with scrupulous fidelity to all cases as they arose, irrespective of parties, and with a view to administer even-handed and exact justice to all concerned. It is with much regret that the undersigned find themselves constrained to say, which they do without in any respect reflecting on their associates constituting the majority of the committee, that such an administration of even-handed justice is not to be found in the record; on the contrary, they perceive in it nothing but a confused medley of adjudication, little better than a chaos of principles, with all the jargon of legal science, and a staid unity united to defeat the requisitions of legal rights and obvious truths. To go into all the particulars by which the propriety of these suggestions can be sustained is wholly impossible; but the undersigned will endeavor to illustrate their views by a series of simple cases, and will thus show that in any thing else may be found in these anomalous and strange proceedings than a sound, impartial and faithful administration of justice.

To enable the house to appreciate the action of the committee on the cases to which we are about to refer, we would remark that it was conceded by all the members that the reception of a vote by the election officers raised a presumption in favor of the legality of such vote. Early in our deliberations, we adopted a resolution declarative of this principle, the justice and propriety of which must be apparent to all. But, very soon after we commenced scrutinizing the votes, we perceived that there was a radical difference of opinion in the committee touching the use which should be made of this presumption.

The undersigned are persuaded that the only effect which can be given to the reception of a vote at the polls is to throw the burden of proof on the party objecting to the vote; but the majority seemed disposed to carry the principle much further, and to convert the presumption into "a swift witness" in favor of the opposite party. If a credible witness was adduced who proved the fact of illegality by his positive oath, the majority would confront such evidence with the presumption, and would give it all the efficacy appertaining to testimony under oath, and, thus balancing the oath of the living witness against the presumption, they would come to the conclusion that nothing was proved. Nay, more, the majority, strange as it may seem, held that the presumption was so strong that it imposed on the party excepting to a vote the burden of proving a negative. When Messrs. Ayer and his associates objected to a vote on the ground of alienage, they were relying on the law; but the majority seemed to rely on the oath, and to insist that the voter, as an alien born, but that he had not been naturalized—a task which, in many cases, is wholly impracticable.

The undersigned cannot omit noticing one curious circumstance, and that is, that this presumption loaded with evidence, and with the weight of the votes of these parties was endeavoring to establish the illegality of votes. If it appeared at all when the other party was making the same effort, the undersigned must say they were scarcely conscious of its presence. The majority, however, thought "weight and wane" in this singular manner, we acknowledge ourselves unable to determine, and we must refer the solution of the phenomena to more philosophical minds. But the undersigned will recur to these topics hereafter. They now proceed to the illustrations; and first, they invite the attention of the house to the cases of John McConachy and Charles T. Pool, the first objected to by Messrs. Ayer and his associates, and the last by their competitors, and both on the ground of alienage.

John McConachy was a sworn, salaried, Irishman, who voted at the election in the township of Amwell, at the congressional election held at the house of Nathan Beebe, in the village of Lambertville, in said township, in the year 1838; thinks it was in the month of October; does not recollect the day of the month. I voted the democratic ticket; it was called by Van Buren ticket; I received a whig ticket of Edward Hunt; I did not like it; I re-

the majority of the committee sustained the objection of Messrs. Vroom and others in the teeth of their decision in Moore's case, and held the vote of Marks to be an unlawful vote.

The case of Samuel A. Price, who voted the administration ticket at Frankford, in the county of Sussex, at the same election, and whose vote was objected to by Messrs. Ayer and others, on the ground of non-age, will be found to conflict also with the decision in Moore's case. (See stated evidence, pages 189, 199, 200, 1, 2, 4 and 5.) It is in fact a much stronger case, for Price refused to appear when summoned and state his age; but the committee refused to deduct his vote from the poll of Messrs. Vroom and others. It thus appears that a statement of a voter as to his age is good and sufficient for one of the parties, but is not so in favor of the other. We shall leave the majority to assign the reason, if any exist, for such a distinction.

The undersigned would observe that very numerous cases were submitted to the committee of objections to votes on the ground of non-residence.—The laws of New Jersey require that the voter should have resided in the county one year previous to, and in the township where he votes at the time of election. No fixed period of time is required in the township is necessary—it is sufficient if the voter be actually domiciled then at the election, but the residence in the county must have been one year next preceding the election, and the question of non-residence submitted to the committee for their decision. It is equally to the latter species of residence. The principles applicable to the subject are well settled; the most important of which we cite from Judge Story's able and learned treatise on the conflict of laws, from pages 44 to 47. They are as follows: "The place of birth of a person is considered as his domicile, if it is at the time of his birth the domicile of his parents."

"Prima facie where a person lives is taken to be his domicile, until other facts establish the contrary."—"The place where a married man's family resides is generally to be deemed his domicile, and if a married man has his family fixed in one place and he does his business in another, the former is considered his place of his domicile."—"If a married man has two places of residence at different times of the year, he will be considered domiciled at the place where he selects or describes to be his home, or which appears to be the centre of his affairs, or where he votes or exercises the rights and duties of a citizen."—"The mere intention to acquire a new domicile, without the fact of removal, avails nothing; nor does the fact of removal, without the intention, both necessary."—"A domicile once acquired remains until a new one is acquired," which is so "when a person actually removes to another place with an intention of remaining there for any indefinite period of time."

These are the principles which the undersigned insists that the majority have not applied them properly to the cases submitted, and their decisions are irreconcilable and contradictory, and thus they propose to illustrate as follows:

Thomas A. Drake voted in the township of Warren, in the county of Somerset, at the congressional election in 1838; he voted the administration ticket; Messrs. Ayer and others objected to his vote on the ground that he had not resided in the county one entire year next preceding the election. Jeremiah Drake, the father of Thomas A. swears that his son went to Rahway on the 5th day of October, 1838; he went there to work and live; his wife was with him at the time; he married at Rahway, in the county of Essex; he made his home there at that time, and has continued to live there ever since; he was married afterwards, when Thomas went away from his wife on the 5th of October, 1838, he went then (in Rahway) to live, and has remained there ever since, and has never had a home in Warren township since, and I know of it. Nothing was shown in opposition to this evidence, which is a most positive and clear change of residence from Somerset to Essex county, anterior to the election in 1838, which took place on the 9th and 10th days of October of that year. The objection of Messrs. Ayer and others was overruled.

Marshall Conant voted in the same township at the same election. His vote was objected to for non-residence. John D. Putnam was the only witness called, who proved that Marshall Conant lived at N. Drake's place, where he had moved from Drake's between the first and middle of September, 1838; took away a large chest and small trunk, and said he was going to reside at Green Village, in the county of Morris, to teach a school and tend there, (employments that would seem to be rather incongruous). The witness did not say he was married, except by what he said; did not see him go to Morris county, and did not know of his returning to reside at Drake's till after the election. It appears by the evidence that Conant was in the neighborhood at the time the testimony was taken, and no

attempt made to obtain his knowledge of the facts. On this evidence, infinitely more feeble and lame than that adduced in the case of S. A. Drake, the committee rejected the vote of Conant. We ask the house to contract the two cases.

In the first place, Drake went to his wife and family. Conant did not. Drake became a permanent resident of the place to which he went. Conant did not; he appears to have returned immediately after the election, thus evincing that he did not intend to change his residence. And in Drake's case, his father swears positively that his son did change his residence, and did go to Rahway to reside on the 5th of October; but no such testimony is given in Conant's case; and yet the committee came to directly opposite results in the two cases—that the first was a lawful and the last an unlawful vote. It is scarcely necessary, after this statement, to inform the house that Marshall Conant voted the whig ticket—a fact to which we are obliged to refer much more than in giving an exposition of the proceedings of the committee.

Robert Greenleaf voted at South Amboy, in the county of Middlesex, at the same election. He voted the administration ticket. Messrs. Ayer and others objected to his vote on the ground of non-residence. John B. Applegate proves that Greenleaf offered to vote at the election in 1838, and he challenged his vote, on the ground that he had not lived long enough in the county. He told the judges that he had moved his family from the county of Middlesex only a few days before the first day of April, 1838, which he admitted to be true. John Seward proves that his family lived in Patterson, as he heard him say; did not know that he moved there directly from Patterson; he might have been in N. York; knows that his family came to South Amboy in the steamboat, and helped him remove his goods from the boat; he moved into Conologue's house, who lived the next door to the witness. Thomas Applegate proves that Greenleaf came to see his family in the county of Middlesex to the spring of 1838, from the county of Bergen, as he thought. He worked at South Amboy the fall before, but at what time the witness does not recollect. Previous to the spring of 1838, R. Greenleaf left South Amboy every two or three weeks, as a witness expected to see his family; has heard him say previous in the spring of 1838 that his family lived in the county of Bergen. This, in the judgment of the undersigned, is, on indisputable principles, a perfectly clear case of non-residence. South Amboy, and yet the committee rejected the objection, and held the vote to be a lawful vote.

John Teats voted in the township of Hardwick, in the county of Warren, at the same election. He voted the opposition ticket. Messrs. Vroom and others objected to his vote on the ground that he did not reside in the township at the election, though it was admitted that he had resided in the county the year preceding. John L. Armstrong proves that his wife and family resided at Columbia, in the township of Hardwick, in the county, in the fall of 1838, at the time of the congressional election of that year. Witness could not tell how long he had worked for him previous to the election; thinks it was more than one week; but not over two; he remained with the witness after the election till cold weather; he hired him, and calculated to keep him longer, but did not; did not hire him for any length of time, but expected to keep him a year. The committee held properly that the residence of Teats was with his family at Columbia, and that he could not vote at the election. The committee also held that his family had resided in one place while they were laboring in another; and yet in one case the committee held that the elector could vote in the place where he was at work, and in the other case that he could not.

William Helm voted at Newton, in the county of Sussex, at the same election; he voted the administration ticket. His vote was objected to by Messrs. Ayer and others, on the ground of non-residence. John S. Bradrick proves that he knew Helm; never knew him till August or September before the election; did not know how long he had lived in the county; he said he came from the east of the North river, in the state of New York, when he came; did not know when he came from that state; a laboring man, whose principal business was to make stone fences, and was living in the neighborhood of Lattimore, in the county of Dutchess, in the state of New York; he said he knew where his son, John G. Gustin, proved that he first saw Helm in the spring of 1833 at Lafayette, hired him to work for him in September following; he then told witness he came from Columbia county, in the state of New York; he told us so when

he came to Lafayette in the spring; he had two bundles with him, and a bag, and appeared as if he had been travelling when witness first saw him. He said that Helm did not tell him how long he had been in the county; he was laying stone fence about the neighborhood; and the witness understood that he had gone back to the state of New York. Upon this state of facts, the committee overruled the objections of Messrs. Ayer and others, and held the vote to have been a lawful vote.

Charles P. Marks voted the opposition ticket at Elizabethtown, in the county of Essex, at the same election. His vote was objected to by Messrs. Vroom and his associates, on the ground of non-residence. The objectors' testimony is that Mr. Halsey introduced, who swears that he knows Marks; he follows the business of a travelling merchant or pedlar; he is from Connecticut; a single man; prior to the spring of 1838, he left the office of Kellogg and Halsey at Elizabethtown, and purchased a wagon of the deponent; went to Patterson, got a load there, and peddled for some one in Patterson, and he never returned here to make it his residence. In opposition to this, M. W. Halsey proves that Marks was in the township of Elizabethtown, in which firm he employed as a merchant; his business from 1833 to 1838, was peddling goods for Kellogg & Halsey, with a one horse wagon, through the county; his washing, making and mending clothes, was done at Elizabethtown from 1833 to February, 1839; after that time he moved to his home in the county of the firm. But the witness swears positively that Marks had his washing, mending and making clothes, done at Elizabethtown, and made his home at the house of the deponent up to 1839, and to the spring of 1838, as he thinks. Notwithstanding this evidence, the majority of the committee held that Marks was not a resident of Elizabethtown at the election of 1838, and deducted his vote from the poll of Messrs. Ayer and others.

We confidently submit that the evidence in favor of the legality of the vote of Marks is much stronger than that adduced to sustain the vote of Helm; indeed, there are some very insignificant circumstances against the vote of the latter: his employment, that of making rice wall, renders it improbable that he should have been in the state of New York, when his home was in the state of New York, and his appearance, when first seen by Mr. Gustin, being that of a person who had been travelling, is a sufficient intimation of the truth. He had said then and since that he had been in the state of New York; but no such facts existed in the case of Marks, and yet the committee held the one, sustained by feeble, and at best doubtful, proof, to be a lawful vote, and the other, in opposition to positive evidence, to be an unlawful vote.

Charles Swallow offered the whig ticket in the township of Delaware, in the county of Hunterdon, at the same election. His vote was rejected by the election officers on the ground of non-residence. Messrs. Ayer and others now claim that his vote was lawful, and that he was a resident, and should be added to their poll. It appears from the evidence of Swallow that he was a native of that township, was a single man, his father lived there; he had been employed on canals and roads in various parts of the country for a number of years; but he says "I always considered my father's house my home. I always considered the jobs I was doing as temporary jobs. I had a horse a part of the time at my father's when I was absent. I have never been away except when engaged on public works. I always considered my father's house, for when I was out of employment I always returned home." The witness goes into detail as to his various engagements from 1833 to the fall of 1837, showing that as soon as he got through one engagement he would return to his father's, staying weeks and months at a time, and that he had never before returned in the fall of 1837, about two weeks after the election. He has remained at Delaware, residing at his father's, ever since. It should be borne in mind that Delaware was a native residence or domicile, and that it was the settled rule that a domicile once gained either by birth or otherwise, is never lost till another is acquired. It is difficult to conceive how Swallow could have acquired a domicile all along the canals and rail roads which he constructed, but the committee held the vote to be an unlawful vote. We ask the house to contract this case with the following.

William Baker voted the administration ticket in the township and county of Burlington, at the same election. Messrs. Ayer and others objected to his vote on the ground of non-residence, as appearing from the testimony of William R. Adams, who was a travelling journeyman shoemaker, going with his kit from place to place, getting work as he could. The first we know of him, he resided at Baltimore; from thence he went to Philadelphia,

and appeared at Burlington in May, 1836; remained till the winter following; went to New York, and in a few weeks returned to Burlington; remained till August, 1837, and then went to Philadelphia and remained till February, 1838, then returned again to Burlington and remained until after the election, and left, finally, the winter after. The witness says: "I saw him during the time he was in Philadelphia. I visited the house where he boarded in Philadelphia at least twice. I saw him at work in Philadelphia in the shop. I know, positively, that he was residing in Philadelphia at that time. He was once in Burlington, on a visit, during that time; this was about Christmas, 1837. I saw him at that time. I do not know that he left any thing in Burlington when he left in August, 1837." It appears that when Baker offered to vote he said that when he went to Philadelphia he intended to return to Burlington, but this was a mere promise to get in his vote. His employment and manner of life prove, convincingly, that his residence could only be where he happened to be at work. But the majority of the committee thought otherwise, and decided his vote was a lawful vote—or, in other words, Charles Swallow lost his birth-right—his residence in the place of his nativity, by going abroad in superintending public works; but Wm. Baker could lose nothing, though having all his visits to New York, and being a very unsteady life. Perhaps the majority of the committee can explain why they made such a distinction between the two cases.

But not only have the majority been inconsistent in their deductions from the facts, but they have been so in the application of the rules of evidence to the cases before them; or in other words, evidence which they held to be good and sufficient when offered by one of the parties, for a specified purpose, they held to be incompetent and irrelevant when offered by the other, for the same purpose. This the undersigned will illustrate as follows:

Isa Baldwin voted the administration ticket at Coldwilt, in the county of Essex, at the same election, Messrs. Ayer and others objected to his vote on the ground of non-residence. Peter Kerstall, a witness in behalf of Messrs. Ayer and others, proves that Baldwin told him that "he had not been in the place long enough by a month to make him a legal voter; that he had been a bare month, and that he got in his vote by making them believe it was a whig ticket, otherwise he would not have succeeded." William G. Crane, a witness adduced also by the same party, proves that Baldwin told him that "he was not qualified to vote; he lacked a month, or near that, or make him a legal voter;" so that Messrs. Ayer and others proved by two witnesses an express declaration by the voter that he had not resided the required time in the county; but the committee overruled the objection, on the ground that the evidence was mere hearsay, and they held that some other proof should be given of the non-residence of Baldwin than his declaration; and therefore, the evidence produced his vote from the poll of Messrs. Vroom and others. But this rule only lasted till the committee reached the case of

Jerome B. Pratt, who voted the whig ticket at the township of West Milford, in the county of Passaic, at the same election. His vote was objected to by Messrs. Vroom and others on the ground of non-residence. The deposition of Samuel S. Gregory was produced, which proved that Pratt told him he did not reside in the county the year previous to the election; had resided in New Jersey more than one whole year altogether, but had resided out of the state within the last year preceding the election; he inquired of the witness if the law on elections was such that he informed him that a voter was required to reside within the county one whole year previous to the election to entitle him to vote; Pratt then said, if that was the case, he supposed that he was not a legal voter, as he had resided out of the state within the last year, and he had known the law he would not have voted. Such, in substance, was the evidence; it was nothing but the declaration of the voter as to his right. The committee held this evidence to be competent, and deducted the controverted vote from the poll of Messrs. Ayer and others. A similar decision was made by the committee in the case of John McMarion, (vide printed report of evidence, folio 126), by which Messrs. Vroom and others proved the illegality of a vote; so that it would seem that the admission of voters in good in favor of one of the parties to establish non-residence, but not good for the same purpose in favor of the other. Many other cases of an inconsistency in the application of the rules of evidence might be referred to, but the purpose of the undersigned will be sufficiently answered by citing the above as examples.

We desire next to invite the attention of the house to cases in which the parties respectively ob-

jected to votes on the ground of pauperism, or for the reason that the voters whose right was questioned had neither paid a tax nor been assessed in conformity to the laws of the state. Here, if we mistake not, we shall find the same irregularity and inconsistency which pervades other branches of the investigation.

According to the constitution or colonial ordinance before referred to, the possession of £50 clear estate was necessary to the exercise of the elective franchise, but this has been modified by subsequent enactments, as follows: (Revised laws, 741.)

"Sec. 5. Every person who shall in other respects be entitled to a vote, and who shall have paid a tax for the use of the county or the state, and whose name shall be enrolled on any duplicate list of the last state or county tax, shall be adjudged by the officers conducting the election to be worth £50 money above said clear estate."

"Sec. 6. That no person shall hereafter be deemed by the officers conducting the election to be a qualified voter who has not either paid a tax, or whose name is not enrolled on the duplicate afore-said, except in case of persons returning from one township wherein they have paid a tax to another township, in the same county, or of persons who have been inadvertently overlooked by the assessor, in which cases such persons shall be considered as voters, and being in other respects qualified, shall be admitted; and in the case of persons who have been inadvertently overlooked by the assessor as afore-said, their names shall be immediately entered on the tax list."

The undersigned have felt much embarrassment in giving a construction to these sections, and they cannot but feel much surprised that the good people of New Jersey should have suffered the irremediable right of suffrage to be involved in all the perplexity and doubt of obscure and contradictory phraseology. But on full consideration they are disposed to give the sections a construction conforming to what they understood the practice of the state, and to hold that if a person has either paid a tax, or has had his name enrolled on any duplicate list of the last state or county tax, he is entitled to the elective franchise as he is, also, in the excepted cases specified in the last section.

It is usual in New Jersey for a person whose name has been enrolled, and who desires to exercise the elective franchise, to appear at the polls, and to demand an enrollment of his name, which is always done under the idea that it has been "inadvertently overlooked" by the assessor; and thus, by the payment of a tax, the full and perfect franchise is put within the reach of any citizen of New Jersey. But it would obviously be improper to enroll a pauper. It cannot be supposed that the name of such person was "inadvertently overlooked;" and it would be absurd to call on a man to pay taxes who cannot do so, and if he could, to whom the money would be forthwith returned for his support. Hence we deem it settled that paupers cannot vote in N. Jersey. This brief exposition of the laws of that state will enable us to contrast some of the cases under this head, and the house can judge whether the committee were any more successful in administering "equal and exact justice" to the parties in this, than they were in the other branches of this inquiry.

Isaac Jobes voted the administration ticket in the township of Chesterfield, in the county of Burlington, at the election of 1838; his vote was objected to on the ground of pauperism. William Tiel was a witness in behalf of the committee, who proved that Jobes had not paid a tax for some years back, as he believed, but was reputed and considered in the township to be a pauper; thinks he had been in the county house before the election of 1835; on reflection, is confident that he had been; but he sent him there himself as overseer of the poor; took him there on the 10th day of May, 1835, and saw him there afterwards; has every reason to believe that Jobes was a pauper at the election of 1838; he could not say that he had been at the county house before the election of 1835; his name was not on the regular part of the duplicate, and there being no cross mark against his name, it could seem that his tax had not been paid. Isaac Jobes himself was examined and swore that he did not pay his tax in 1838; does not know who paid it. John Titchens gave him the receipt, and he expects he paid it; took the receipt home and does not know what became of it; has been in the county house where there in 1838, but had his regular discharge the last Tuesday in April, went in there the forepart of the previous winter, also last winter; went in after new year's and left the forepart of March last, (1840); has been in the county house several times, but is able to support himself in the summer months. This is a very clear case of

pauperism, one in which the party takes the tenant of the poor house to the polls and pays his tax in consideration of getting his vote. Jobes was obviously not qualified, but the majority of the committee overruled the objection and held his vote to have been a lawful vote.

James Hoffman voted the whig ticket in the township of Frankford, in the county of Sussex, at the election of 1838. Messrs. Vroom and others objected to his vote on the ground of pauperism. Matthew J. Williams proved that he said he never paid a tax. He is a very poor man. His family were at the poor house in June, 1838. He was not the tenant of the poor house. His family was not at a week. Testimony is given by Guy Price and Samuel Price to the same effect, and there is no doubt as to the poverty of Hoffman; that his family had received some relief from the public, and, though he himself had not, the committee held the vote to be unlawful, and deducted it from the poll of Messrs. Ayer and others. We do not wish to be understood to complain of this decision, though it is manifestly a questionable case of pauperism; but if it be right, that of Isaac Jobes was grossly erroneous—a man who is undoubtedly poor, and the tenant of a poor house during the winter both before and after the election, gives an administration vote, and the majority of the committee say it is a good vote; and another person, who never saw the inside of such a building, and who merely had his family there for the brief period of one week, gives an opposition vote, and the same majority pronounce it unlawful. It is not to be supposed that a weak case becomes a strong one if the vote be cast one way, and the strong case becomes the reverse if he cast the other.

Nathan F. Randolph voted the administration ticket in the township of Woodbridge, in the county of Middlesex, at the election of 1838. Messrs. Ayer and others objected to his vote on the ground of pauperism; they prove by Elijah Hewitt that he was acquainted with Randolph; that he came to the poor house under the last order of the overseer of the poor of the township of Woodbridge, four years ago last fall; that he came in October, 1835, and remained three months; he has no property whatever, and is supported by his friends; has been in the county house under the last order of the overseer since the election in October, 1838, and once before. No other testimony was adduced; the committee overruled the objection, and held the vote to be a lawful vote.

Enos Dickerson voted an opposition ticket to the township of Jefferson, in the county of Morris, at the same election. Messrs. Vroom and others objected to his vote on the same ground, they examined Dickerson himself, who swore that he had not paid any tax in Morris county for the year 1837 and 1838, and does not know that he paid any tax for four or five years, except 1839; but that he was duly assessed for 1839. Joseph Dickerson swears that E. D. has been in the county house a resident in the township of Jefferson for the last ten years or more, but that the township committee have relieved the costable from the payment of his taxes for a number of years past. This was the whole proof, and the committee sustained the objection, and deducted the vote from the poll of Messrs. Ayer and others.

We beg the house to contrast these cases, and observe, how widely different has been the treatment which the parties have respectively received at the hands of the committee. In both cases the voters were poor men, doubtless quite poor, in Randolph's case it did not appear that he was assessed in 1838; and if he was, we have good reason to believe that he was not. In Jobes's case, by his political friends to get his vote, in Dickerson's case, he was regularly assessed, though the tax was afterwards remitted by the township authorities. In the former case the voter was really the tenant of a poor house. In the latter he had not. And Randolph was supported wholly by his friends, and Dickerson, for ought that appears, supported himself. We confidently submit that the indications of pauperism were much stronger in Randolph's case than in that of Dickerson, and yet the vote of the first was held to be a lawful, and that of the last and unlawful vote. We maintain that the disposition which the committee made of these cases clearly indicates the character of many other cases of a similar character coming under the head of pauperism might be referred to, but it is believed to be unnecessary.

The undersigned would observe that early in the investigation he alluded to the character of the proof which should be received and deemed sufficient to enable them to appropriate such of the votes as they might determine to have been unlawful. In New Jersey the right of ballot obtains in most of the votes of the union. It is unlawful

would deprecate the establishment of any rule, the effect of which would be to deprive in the least that portion of our fellow citizens of foreign birth who are entitled to exercise the elective franchise. It is no hardship to them to require the production of their papers, which can, in nine cases out of ten, be readily done; or if, in the rarest and exceptional instances, they cannot at least appear and make oath to the fact of naturalization. Any other rule than this opens the door for the perpetration of innumerable frauds, and at the same time throws in the way of investigation so many obstacles, that the existence and extent of such frauds become undetectable. It gives to a corrupt body of election officers the power of conferring all the rights of citizenship on whomsoever they please; on aliens just landed, on ignorant of our language as they are of our institutions, and fit only to become the prey of evil men. This we have every reason to believe was extensively done in New Jersey at the election of 1838; and the majority have adopted and so applied rules of investigation and evidence as to establish and sustain the whole.

We conceive that such a precedent is a most flagrant violation of the constitution and laws of the United States. By the constitution the power is conferred on congress to establish a uniform rule of naturalization, and that body has exercised that power by enacting laws for that purpose; but if a board of election officers can admit aliens to vote, and then a committee of elections will say we will presume them to be naturalized until the contrary is proved—we will presume it, though they themselves refuse to show they are not aliens; or whether they have been naturalized or not—we will presume it, though they exhibit as evidence of their citizenship only declarations of an intent to become naturalized without pretending that the act had been consummated; if a committee is to do all this, and, moreover, and the house is to sanction it, then we submit we have no uniform rule of naturalization, but the high humanities of an American citizen can be exercised and enjoyed by any stranger at the good-will and pleasure of any board of local partitions who are more inclined to go on gaining the paltry advantages of an election triumph than to execute, in good faith, the duties imposed by the constitution and laws of their country. But the foregoing is not the only provision of the constitution which the committee have violated; for we shall be the judge of the elections, retine and qualifications of its own members." The house has already passed judgment as to the returns and qualifications of the New Jersey members; whether correct or not, is not for us to say. Having thus firmly established the fact of election, how then is to be settled? According to the opinion of the majority, by applying to the case a series of presumptions which must render all hope of reaching the merits vain and nugatory; or, in other words, it is proposed that the house shall blind its eyes to the facts, and that the members have done to make their judgment against law, justice and right, the judgment of the house, and conclusive on the parties. The manifold evils which must result from such a course—on the one hand, holding out a strong temptation to perpetrate frauds in election, on account of the impunity with which it may be done, and, on the other, by deterring parties aggrieved from every effort to detect them by reason of the difficulties thrown around the subject—are too obvious to need comment.

The undersigned think that great injustice was done by the committee in rejecting, on one side, for technical defects, evidence in other respects competent, while, on the other, they received and acted upon evidence taken *ex parte*, without notice or an opportunity of cross-examination.

Evidence taken by Messrs. Aycrigh and others in the county of Somerset, when the other party attended and cross-examined the witnesses, was rejected because there was not eight days' notice, and the attorneys disagreed in the time of the trial, on the term of a *verbal* argument by which a shorter notice was to be received.

But the evidence taken on that part of Messrs. Vroom and others in the county of Mercer at a place several from the one mentioned in the notice, in the absence of the other party and without any opportunity for cross examination, was received as competent, contrary to the agreement of the parties as well as the ordinary and well-known rules of law. We might state other facts of the same character, but time will not permit. We trust the subject will not escape the notice of the house in the final disposition of the case on its merits.

The undersigned are of opinion that the committee have not attempted to do justice to the proofs adduced by Messrs. Aycrigh and others of numerous frauds and irregularities at sundry polls at the election of 1838, particularly at South Amboy, in the county of Middlesex; at Millville, in the county of

Cumberland; at Newton, in the county of Sussex; and Saddle River, in the county of Bergen.

It is, in the judgment of the undersigned, of great consequence to the purity of the elective franchise and the perpetuity of our free institutions, that such a subject should be thoroughly investigated, and that the committee have suffered nearly their whole time to be engrossed by the canvass of individual votes—deleting to this all-important subject only a few brief hours.

The house can hardly fail to learn with surprise that they left several of the most important questions under this head wholly untouched. The undersigned cannot object to the facts with particularity, but would observe that there is much in the evidence to indicate that there was a concerted scheme to carry the election of 1838 in favor of the administration ticket by the introduction of illegal votes. On no other hypothesis can we account for the fact, that it should have been discovered all at once in distant and remote parts of the state (and uniformly in townships where the election officers were already to be considered as corrupt), that so many unassimilated foreigners had a right to vote. In South Amboy nineteen such aliens were admitted, in Millville twenty-seven, in Newton fifteen, and many others in various parts of the state, who voted the administration ticket, and the election officers supported the administration.

Not the shadow of an argument was adduced before the committee to justify such conduct, and we cannot believe that the election officers acted under a misapprehension of the law; these motives were readily to be refuted. They seem to have been blessed with a remarkable prescience of what would be the action of a committee of elections on votes once got into the ballot box, no matter how illegally, and to have governed themselves accordingly. In the administration ticket, that in the township of South Amboy a whig inspector was duly elected by the majority of the people present, at the time prescribed by law, but was not permitted to act. The moderator of the town meeting, after such choice, took upon himself to proclaim a new election, and the administration ticket, a sufficient number of his political friends were assembled to secure the election of the administration candidate. This, of itself, would seem to us to be sufficient to render the election, so far as this township is concerned, invalid.

It appears, from proof which we deem quite satisfactory, that thirty-two votes were deposited in the ballot box at Saddle River for the opposition candidate. The voters themselves swear to it in position, and, yet, from an addition, when the votes came to be counted, the number was reduced to be only twenty-four. We do not intend to cast an imputation upon the inspectors of the election; they are, doubtless, respectable men; but the house can hardly fail to be impressed with the fact that the administration ticket was the result of the inspectors, but none of all as to the clerk, and, as he had charge of the ballot box, he can doubtless explain the rule of reduction, which seems to have operated so mysteriously in Saddle River township. It appears from the evidence that, in the township of Newton, in Sussex county, besides the admission of alien votes, the names of no less than one hundred and twenty-nine persons, some with merely a nominal tax, were added to the duplicate at the time of the election, to enable such persons to exercise the elective franchise. What proposition this number bears to the whole vote of the township the undersigned do not certainly know, (as the county returns sent up among the other evidence has been mislaid and not printed), but we understand it is sufficient to make the whole state of the election. None can be added, according to the laws of the state, except such as were "inadvertently overlooked" by the assessor in making out the list.

Now, it is incredible that such an officer, whose duty it is to ascertain the names of the taxable inhabitants, should accidentally overlook one sixth of the people of the township. This fact throws great discredit on the poll at Newton, and is, in our judgment, quite sufficient to make it the duty of the opposite party to give some explanation of so extraordinary a transaction.

But the undersigned cannot enter any further into the details appertaining to this branch of the subject, if they hope the house will give it a thorough scrutiny.

It is proper that we should here notice a very singular occurrence which took place during the progress of this business. A few days before the close of the labors of the committee, three of the undersigned went with this extracted information, and despatching of effecting any good, or of preventing any injustice by continuing to act with the committee, and admonished by the refusal of

the majority on a former occasion to allow them even one day to make a counter report, abandoned the committee room to prepare this statement, and to attend to some urgent calls upon their time. Most of the contrasted cases had been prepared as above given, with a view of exhibiting to the house the gross irregularities and gross injustice which marked the proceedings of the committee, when the three members of the minority, above alluded to, were surprised to learn that the majority, after having examined all the votes, and ascertained that the administration tickets, upon the principles adopted by the majority, could only be enabled to retain their seats, but that the majority given in their favor at the polls would to some extent be increased, had gone back and reconsidered and reversed the decisions of the committee on a few of the flagrant cases of irregularity, inconsistency and injustice.

To do this they suspended the rules (being those of the house itself) which the committee had, at the outset of the investigation, adopted to govern their proceedings, and, having done this, they, to the record, they undertook to blot out some of the dark stains with which it is disfigured.

But the hope is vain and futile. To what purpose is it that the majority reverse as they did the strange decision which they originally made in the case of John McConahy, Charles T. Pool, and Charles P. Marks, after they had discovered that the disposition of those cases was wholly immaterial; No; repentance and reformation came too late, the spiral disclosed by the cases of McConahy, Pool, and Marks, had already been traced to the beginning to the end. They had been permitted to stand as precedents, and to carry along with them a large train of cases of the same general character. They had operated with other votes to awaken our minds sensations which it would be difficult to describe, and had induced three of us to abandon the committee room.

If the majority suppose that they can thus escape the responsibility of having made those decisions, they will find themselves mistaken.

But they will not carry the matter far enough; they should have reversed the decisions in a large number of other cases not less flagrant, by which the result as to some of these parties at least would be entirely changed.

Had the house decided, during the present session, on the pilotage question from New York, that a committee has no right to reverse, reconsider or annul a decision or resolution which they have once made or adopted; and though the undersigned did not concur in that view of congressional law, yet we should not have been so far from binding the majority of this committee; so that, on every ground, and particularly for all purposes of responsibility, we regard the original decisions of the committee in the reversed cases as still subsisting and binding. But, having done this, they do not deem it important, as a host of other cases remain, which impudently demand revision by a tribunal of plenary powers—by the house itself. We have already stated that three of the undersigned were constrained to abandon the committee room; the other member of the minority remained steadily at his post, little more than a spectator of the doings of the majority, with no power to do good or prevent evil, till he was brought to the hour of ten o'clock on the evening of the 11th instant, when, finding that the majority had resolved to have a midnight session, and that his physical capacities for endurance were completely exhausted, he was obliged to leave the case to its fate. What took place after that, he does not know, and he does not intend to make it proper to state it; but we have only to suppose a case in which a standing committee of the house continues its deliberations in desecration of the sacred Sublim, with a bare quorum present, and with the doors of the hall closed, and the vigil with listless impatience, and thus forcing an oppressed and much injured party to abandon the vindication of his rights, and we shall probably form some conception of the manner in which grave and important business can be transacted, that are in a high degree interesting to the people of an entire state.

The undersigned would not do justice to a highly meritorious public officer if they failed to notice the enormous imputation attempted to be cast upon the character and conduct of the executive of New Jersey, through the testimony of Daniel H. Ellis, which has been spread before the house and roundly with a view to create the impression that he had prostituted his station and office to partisan purposes, and had pursued a course of error and disingenuous course to favor one of the parties to this controversy. But the allegation of Ellis has been shown, by the oaths of three credible wit-

CHRONICLE.

ANTHRACITE IRON. We have been favored with the following extract of a letter written to our master, dated Crane River, N. J., Sept. 11, 1840.

"There is a very important fact, connected with the manufacture of iron, with anthracite coal. The coal used for a ton of iron does not cost \$12.50, from the pits to finished bars, and the waste per ton from the pigs to bars, is only 1 cwt. in puddling and 1½ cwt. in baling, whereas with bituminous coal the loss is 3 cwt. in puddling and 4½ cwt. in baling. As a specimen, I send you, on the Morris canal in New Jersey, they state from actual experiment, that the saving in the yield of iron, *per ton of the coal used*, their works being over 100 miles from the anthracite mines, by canal, is \$1.00. They also say, that they can make bar iron with anthracite coal full 30 per cent. cheaper, than with bituminous coal." [Phila. Com. Last.]

A first-class trial to this mode of making iron, of *multiple iron*, manufactured from the ore with anthracite coal. It is pronounced by an impartial and competent judge to be equal in all respects to any in the market. We are favored with the following extract from a letter, dated Bloomton Iron Works, on the Lehigh canal above Allentown.

"I deferred answering your letter until I could try your pig iron thoroughly, with anthracite coal for the fuel, through all the processes necessary to convert it into *multiple iron*. This has been done, and I have seen some of the same process, and a specimen of baling. The result more than equalled my expectations, and when the iron was finished, it rolled into chain iron equal in strength and finish to any multiple iron made for sale. It was made in small ladles, hoppers and small rods, from which we made some small equal in quality to those usually made from Russian iron."

A sample can be seen at the office of the Lehigh Coal and Navigation Company, No. 72 South Second street. [Phila. Nat. Gaz.]

BANKS. The banks of Baltimore. We learn that the banks of Baltimore have a circulation of \$1,800,000, and about \$1,000,000 in specie in their vaults. Philadelphia is indebted to Baltimore about \$700,000, and Baltimore owes other eastern cities about \$300,000. Money is considered scarce, and the banks are termed nearly all the good paper that is offered. It is believed that they will resume specie payments immediately after the banks of Philadelphia resume.

Bank of the U. S. of Pa. The Philadelphia North American says: "Mr. Jackson has arrived in this city. He brought out 100,000 sovereigns in gold for the U. S. bank. The following banks have agreed to resume specie payments, viz—Pennsylvania, Philadelphia, North American, Northern Liberties, and Moyneen."

THE DUNKER BELL MOVEMENT FAIR has realized it is said, twenty-five thousand dollars.

THE GRAND Union of the Danube and the Rhine. The canal project frequently contemplated by Napoleon, of uniting the Rhine and the Danube by a canal, is nearly accomplished. The works will bring it this year to Bamberg; to Nuremberg, and a mile length will be finished in 1842. A portion of the line will be opened next year.

COFFEE TRADE. We learn from Lyford's Commercial Journal that they were imported into Baltimore direct from foreign ports, 35,612 bags of coffee, during the months of June, July and August, say upwards of fifteen million pounds, value \$1,210,000. And yet the stock on hand last week was only 6,400 bags.

COTTON. Liverpool, September 11. The cotton market has been very quiet and languid, increased by some failures at Manchester, but holders very generally have remained firm, so that there is no decided decline in prices; though it would not be possible to sell largely without submitting to a considerable discount, which however has not been done except in a very limited way; still the market is a slanting lower. The sales for the week ended this day amount to only 14,800 bales, of which 3,500 are Upland and 11,300 are Orleans at 4½¢—4,500 Alabama and Mobile at 4½¢; and 60 Sen Island at 13½¢ per lb. The speculative demand is still steady or quite scarce, and the stock in this port is now estimated at 502,000 bales, of which about 410,000 is American cotton.

The cotton crop. The New Orleans Bee of the 12th instant, says, that taking the accounts from the various cotton growing states into consideration, "and allowing for the natural bias in favor of reporting the crop short in the outset of the season, we are led to the conclusion that although the yield will not be quite so large as that of the previous year, it will nevertheless not fall far short thereof, and will in all probability amount to fully 1,500,000 bales, or 1,500,000. This would certainly be a difference of 150,000 on prices, and might ultimately exercise some influence on prices, should the consumption continue on as large a scale as has been the case for the last nine months." [Phila. Nat. Gaz.]

New description of cotton. A new species of cotton has been discovered by Mr. L. C. Hornsby, of Covington, La. He says the bush grows from 8 to 10 feet high, branching out in proportion, and producing from 2,500 to 3,000 pounds to the acre. This cotton is of

long staple and very fine texture. Mr. Hornsby thinks it as fine as ordinary mix. He says one seed was found to grow twice in a bush of ten, imported from China; he planted it, and saved the seed which was in production, planted them, and now offers a few for sale. If this cotton proves as good as represented, we can then speak upon a new era in the cultivation of the great staple.

Cotton trade of Antwerp. During the six months past of the present year, there have been imported into Antwerp 57,678 bales of cotton, which is a larger quantity than has been imported in the same space of time, at any former period, with the exception of 1839. The article of cotton, at Antwerp, during the first half year of 1840, has increased 10,000 bales, which is a proof of the great extension of the cotton manufactures in Belgium. Of the 36,015 bales imported this year, 31,000 were imported direct from America.

ELECTIONS. There are one or two errors in the tables heretofore inserted. The following statement from the Boston Daily Advertiser presents a correct table of the approaching elections:

Electors of state officers. Oct. 5th—Arkansas, Georgia and Michigan; 9th—Maryland; 12th—South Carolina; 13th—New Jersey, Ohio and Pennsylvania.

In Delaware, Massachusetts, New York and Mississippi, on the same days in which their electors are chosen.

Election of Electors. By a law of congress the electors of president must be chosen in such manner as the legislature shall direct, within thirty-four days preceding the first Wednesday in December, which day falls on the 23d. The electors may therefore be chosen this year on any day after the 26th of October.

Alabama (14), a majority of 14, must be elected by the people by general ticket, except the 11 in South Carolina, who will be chosen by the legislature, which meets on Nov. 23d. 1840.

Nov. 23d—Arkansas (3), Connecticut (3), Georgia (1), Illinois (5), Indiana (9), Kentucky (15), Maine (10), Michigan (3), Mississippi (1), Missouri (1), New Hampshire (1), New York (4), Rhode Island (4), Virginia (23).

Nov. 34—Louisiana (5), New Jersey (5), Tennessee (5).

Nov. 35—Massachusetts (14), Maryland (10), Alabama (7).

Nov. 10th—Delaware (3), Vermont (7), Nov. 12th—North Carolina (1), Ohio (1).

In the city of New York the election is held one day, Nov. 4th; in the rest of the state, on the 2d, 3d and 4th; and in New Jersey and New York the election is held on the 2d and 3d of Nov. 4th.

With these exceptions the elections are completed in one day.

FLOOR. No variations worthy of notice since last week's report.

HOSE. A Cincinnati paper says that four hundred men of hose are killed in that city last year.

Iron. An English paper mentions an advance in the price of both Welsh and Staffordshire iron, of ten shillings per ton.

The iron trade. Orders for manufactured iron for the past week, being a fine day, have given rise to iron trade to the enormous weight of 35,000 tons; and it is anticipated, when this contract is completed, others will specify, though not to the present extent. The above order has been kept back to the latest period, with the view to take advantage of the deficiency in our harvest; but the fine fine weather, and the admirable samples of new wheat which have appeared at market, have completely disappointed the hopes of the speculators, as to our being compelled to rely so much upon foreign countries for our supply of corn.

MR. JACKSON. It is said, will return to England in the course of three or four weeks.

JOHNSON, N. J. Population 2,499, being an increase of 302 since 1830.

MARKED. In a single century, four thousand millions of human beings appear on the face of the earth, are busy their parts and sink into its peaceful bosom.

METHODISTS. The general conference of the Methodist churches in England, met at Newcastle in July. The Rev. John Ryland was elected president, and the Rev. Dr. Hannah, secretary.

The primitive Methodist connection in England is composed of seven districts, and one hundred and thirty churches, and a total of 2,390,000 members; 2,390,000; 6,500; 24,215; 1,418; children taught in Sabbath schools, 60,500; and gratuitous teachers, 10,000.

NAPOLÉON'S REMAINS. The French frigate *Arctique*, under the command of prince De Joinville, had arrived at St. Helena in 47 days passage from Cherbourg, for the purpose of taking the ashes of Napoleon to France.

NEWARK, N. J. Present population 17,292.

NEWSPAPERS. Mons. Vattemme is making a collection of newspapers. He intends to include a specimen of every paper published in the country. His collec-

tion already amounts to two thousand. When completed, he intends to deposit it in the national museum at Paris. [Presidence (R. I.) Journal.]

NEW SHOEKIMAN, N. J. The population of it, 1,065 being 169 less than in 1830.

OLD BOOK. The Philadelphia Ledger makes mention of "an old book" in the possession of Mr. J. M. Woods, bookseller, of that city—namely, a copy of "The Bible, printed in London in 1715," and makes "whether any body in Philadelphia can show an older book." We know not whether any body in Philadelphia can do so; but there is in the private library of S. U. Bernier, Esq., N. Y., a fine copy in folio of Quinlin's Institutes of Oratory, printed at Cologne, anno 1621. The volume is handsomely bound in vellum, with brass clasps, &c. according to the fashion of the age, and is in all respects in the most perfect state of preservation. [Standard.]

OHIO RIVER. The Cincinnati Chronicle states that the river has now but three and a half feet of water in the shallow parts of the channel between that city and Louisville, which is lower than it has been before this season. Several boats have grounded because of the low water, for the purpose of their trip.

STEAM SHIPS. Mr. Himes, an Englishman, who has devoted much time to the study of improving the construction of steam ships, says, so great is the reduction of cost in both the construction and working of steam ships by increasing the size, that we may, within a short period, expect to see vessels of at least ten thousand tons, (four times the size of a first rate man-of-war), working on the principal lines of communication.

STAMBOUL. The *William Peris*, which left Louisville for New Orleans with bale rope, left Louisville at the foot of Henderson's island—badly broken. She was built in 1832 and cost \$15,000.

The *John B. Edwards*, a large packet, in collision near the junction of the Illinois and Missouri rivers, on the night of the 19th ultimo, the *Pika* being a small boat, was so much damaged as to cause her to sink immediately. The passengers and crew were saved with the exception of one child. The cargo, 800 pig lead and some packages of merchandise, is a complete loss. The boat was uninsured.

The *Steamship* *Enterprise*, ascending the Missouri on the 17th, struck a snag and sunk, 4 miles below Glasgow. The boat is a total loss, but the engine, furniture and cargo are expected to be recovered.

SLATE. We learn from the London *Advertiser* that Mr. Selous, an Englishman, has discovered a new and valuable stone in the department of Saône et Loire. The slate is drilled in close vessels, and inflammable gas, is also produced, which assists as a combustible in the process of burning the slate into slabs or tiles of oil.

SPRITS. The packet ship *Friday*, which sailed from New York for Havre on Friday, took on 877,000, chiefly Mexican. The barque *Eugenia*, at N. York from Vera Cruz, brings 225,000.

The *Spanish* *Enterprise*, at New York from Valparaiso, has on board two hundred and seventy-two thousand and forty dollars in specie.

STOCKS. The New York *Express* says there is evidently more confidence in the stock market since the arrival of the news from England.

TEXAN BLOCKADE OF VERA CRUZ. Havana papers report that New Orleans state that on the 22d of Aug. the port of Vera Cruz was blockaded by three Texan vessels of war.

TROY, N. Y. In a lecture recently delivered at Troy, N. Y., the Rev. Mr. F. W. Johnson, who was studying theology at Auburn, there were but three houses where Troy now stands with a population of 20,000.

TOLSON. London, Sept. 11. The supplies of American tobacco are successfully restricted, and the holders are demanding higher rates. The only business of this day has consequently been in 100 hogsheads of new Kentucky of middling to good quality, at 81½¢.

WINSTONIA tobacco. The experiment of raising tobacco in Wisconsin territory, has been tried this season, and succeeded beyond expectation.

TELEGRAPHY NOTES. The official monthly report of the telegraph shows the amount outstanding, of notes issued of the issues, for Oct. 1840, 8241,774 90 Amount issued under the act of 1840 4,932,414 57 Of which there had been reduced 613,669 58

Leaving of that issue outstanding 4,318,914 92 Aggregate outstanding 4,560,699 19

WALKER R. I. Present population 9,451, of which 12 are revolutionary pensioners, averaging 51 years of age.

WHEAT in Baltimore market, 90 to 100 for best Maryland and Virginia red; white 100; Pennsylvania wheat 104.

In Philadelphia and New York the prices appear to be about at the same rate. 2400 bushels Genesee wheat brought in the latter 91.

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REMITTANCES BY MAIL. "A postmaster may console himself in a letter to the publisher of a newspaper, to pay the subscription of a third person, and frank the letter, if written by himself."—*Amos Kendall.*

Some of our subscribers may not be aware that they may save the postage on subscription money, by requesting the postmaster where they reside to frank their letters containing such money, he being able to satisfy himself before a letter is sealed, that it contains nothing but what refers to the subscription. [*Am. Farmer.*]

FOREIGN INTELLIGENCE.

The steamer *Caledonia* arrived at Boston on the 3d inst. having left Liverpool on the 19th ult.

GREAT BRITAIN.

The *Acadia* arrived at Liverpool on the 14th, and the President on the 17th ult.

There had been a furious gale of wind on the north east coast of Scotland, and many fishing vessels had been lost with all their crews.

The harvest had been generally productive, and the grain had been gathered in most parts of the country in good order.

No later advice, from China or the East Indies, Cotton realized about the same.

Lord Brougham had been ill, at Cale hill, in Kent, but was convalescent.

The English papers mention the death of lieutenant Benjamin Gordon, at an advanced age, in Paris. Also, of admiral Edwards, an officer who distinguished himself during the revolutionary war, by capturing the American frigate *Alliance* in 1781, while he commanded the *Atlanta* sloop of war—He died at the age of 95.

In Ireland, the repeal excitement seems increasing. No fewer than five of the Dublin aldermen have resigned themselves as repeaters.

It is stated that on the motion of Mr. J. O'Connell, the other day, at the repeal association, in Dublin, a young lady was admitted, in whom he had a "deep interest," namely, Miss Eliza O'Connell, his father's twenty-fourth grand child! The motion was received with loud cheers.

An accident of one of the cars of the North Midland railway, on the 14th ult. broke, and threw 7 cars off the rails, killing several persons, and wounding others, some mortally.

Naval preparations.—The greatest activity prevails in the naval departments at Plymouth. The *Calcutta*, 84, was commissioned on Friday week, by captain Sir S. Roberts, C. B. The *Bombay*, 84, is ordered to be masted without delay; she is expected to be commissioned immediately. The *Nile*, 82, the *Clarence*, 84, the *Vengeance*, 84, and the *Foudroyant*, 75, are ready for speedy commission.

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sioning. At Portmouth there are at present no ships ordered for service, except the *Britannia*, 120. The *Queen*, 110, is to bear the flag of Sir E. Codrington, and is preparing for the purpose.

[English paper.]

The London correspondent of the *Boston Atlas* writes on the 18th Sept.

Since the departure of the last packet, things have continued to improve in this quarter of the world. The warlike rumors from France are daily dying away; in monetary affairs there is a general improvement, a test of this is the rapid rise which has occurred in the English funds during yesterday and to-day.

There is no alteration in the London market for the securities of the United States. Nor during the last ten days has business in this line been done on an extensive scale, quotations being maintained at preceding rates, except a slight decline in bank shares of the present circulation, to be mentioned at this time, is the arrival of considerable orders for stocks to be returned to the United States. The abundance of money reported in the latest papers received, is said to be such as to have caused a speculation business in such securities, and these being at so low a point of depression that considerable profits may soon be expected to be realized. Should this demand for American securities, for returns, be confined to any considerable extent, the London market is almost sure to advance in consequence, as these operations will be viewed as a proof of the revival of monetary affairs throughout the United States. There are other circumstances favorable to a revival of the business in transatlantic securities, particularly the accounts which arrive of the increasing stability of the banking institutions of the country through large accumulations of specie, for easy resumption of cash payments at the appointed time.

The importation of foreign merchandise continue to be small, and the exportations of cotton and flour so large, as to be rapidly reducing the mercantile balances in the various European states. The crops of the present season are also estimated as very much larger than those of 1839, which still further must increase the stability of the country, and the next president being now almost ascertained to be a man of more rational views of monetary affairs, confirms the probability that a great revival of the American trade may be looked for in the course of a few months from the present time.

The weather has continued variable since last packet. There have been violent storms in the north of England and in Scotland, lasting from 24 to 36 hours, with a subsequent rapid dissipation of temperature in every instance. The reports from the agricultural countries continue to be favorable, and the harvest is going forward every where with the prospect of at least average crops being secured, in consequence of which the markets for wheat and flour are becoming dull, but not materially on the whole lower. The duty on foreign wheat advanced yesterday to 10s. 8d. per quarter, and to 6s. 3d. per barrel of flour of 196 lb. The general opinion of the corn market is that the prices will range at the present rate throughout the ensuing year, not extraneously high, nor yet very low, the fluctuations between 10s. 5d. and 12s. per quarter—as the markets may be influenced by the varying qualities of the wheat of the present year. The business of London is very much limited by the absence of capital on autumnal excursions.

The hop crop is exceedingly short, and prices range very high in consequence. On the whole there is little of importance in a commercial point of view to be added to former accounts.

New York letters received by the last private letter four hours later in date than the above, giving the substance of a third edition of the London Times as follows:

"London, Friday night, Sept. 18th.

"We have been in a state of almost suspense during the week, and we cannot tell for even an hour what aspect the eastern question may assume. At present the French people are most violent in their denunciations, and have not at all softened down in their acrimonious feelings. The Paris papers continue sending forth the same anathemas against England; and represent the conduct of the British government as being utterly at variance with all recognized principles of national honor and

justice. This, remember, is the French version, ours is a different one, although I do not hesitate to say that it is to be wished that England had shaped her course rather differently in some respects. However there is nothing to justify the present conduct of our French neighbors, and they may probably have cause deeply to deplore the headlong course they are pursuing."

This intelligence is corroborated by the tone and statements of the other London and Paris prints. We are more than ever persuaded of the strong probability that a war will break out in the east.

A large failure of a Hebrew house had taken place in London, of £400,000 sterling, arising from stock speculations.

Treaty of commerce between France and England. Paris, Sept. 26. We are enabled to state, that the British and French commissioners have brought to a close their negotiations for a treaty of commerce between Great Britain and France, and that it contains several clauses highly favorable to British manufactures. The very few points which may be considered open are mere technicalities, of no importance whatever, and which cannot by possibility be made the subject of any discussion affecting either the principle or the details of the treaty. But for the unpleasant difference which have arisen on the eastern question, the treaty would have already received the signature of M. Thiers. His motives for not signing it under such circumstances will be understood; but Mr. Porter remains in Paris, and there appears to be an understanding that the treaty will be signed the moment the political horizon shall have brightened up. The announcement of signature will thus be regarded as a strong indication of the resumption of harmonious intercourse between the two nations.

[Gulligan's Messenger.]

Amid all the turmoil of foreign politics, and fall of the continental funds, American securities have risen, Ohio 103½ state of New York 99, City of New York 92½. If there occurs a war, American stock will be the favorite investment. Even with this partial advantage, every well wisher to the general good of society throughout the world, will rather wish for the permanence of a pacific aspect of affairs.

FRANCE.

We abridge the following intelligence from Paris up to the 16th from the London Times of the 18th ult.

We have received by express the Paris papers of Tuesday, with our usual correspondence.

The ministerial journals appear to have been instructed to abstain, for one day at least, from reference to the eastern question, and in lieu of it to direct all their attention to the new position of Spain.

The Monitor publishes an advertisement for tenders to supply, for the use of the dockyards of Brest, Toulon, Rochefort, Cherbourg and Orléans, 2,400 tons of hemp. The Press states that the reserves of the conscription for the years 1834 and 1835 are positively to be called out, and that a contract had been signed for the purchase of a vast number of horses. But it adds, "that it must not be concluded that the government that the government considers war as imminent."

"Thus it will be seen," say our private letters, "that every thing looks warlike, while every well informed man is convinced, that if no untoward accident occur, that disaster will even yet be averted."

That such was the opinion on the Bourse on Tuesday is evident from the considerable improvement which took place in the public funds on that day, and which was the most recent of the present circumstance the more surprising, as, with the exception of an article in the Constitutionnel, which averred that "the king of Prussia was endeavoring to bring about a remodelling or a modification of the treaty of London, so as to admit that France should become a party to it," nothing appeared in the journals to change the face of affairs. In repeating once more that "the impression in the best informed quarters that there would be no war," our Paris correspondents add, "the possibility that Mehmet Ali might, in a fit of desperation, order Ibrahim to advance, or take such other steps as would render French intervention necessary, and so originate a general war. He adds, however,

"that admiral Hugon, who arrived at Vouria on the 26th of August, had, in order to prevent the too probable occurrence of quarrels, at such a juncture, between the officers of the two fleets, forbidden all communication between the French and British ships of war."

The Courier Francaise mentions, that on Tuesday the British charge d'affaires was to communicate the treaty of the 19th of July to the French government, the ratifications having been all exchanged. This statement is, however, positively contradicted in our private letters.

The Monitor contains an extraordinary fact, that "on Sunday and Monday last the sums drawn from the savings banks of Paris amounted to 1,775,000 francs while the lodgments on Monday were only 412,297!" This is, however, we are assured, rather ascribable to the desire to purchase in the funds at the then depressed price of stock, than to the extension of the panic to the depositors.

The Constitutional and the Courier Francaise respectively deplore the revolutionary proceedings which have recently taken place in Spain, and call upon the French government to lend support to the queen in resistance of the rebellious municipalities of the capital and other great cities, and of the correspondent treason of Espartero.

The Journal des Debats says that the present movement of British troops in the Mediterranean is not to be attributed to any hostile expedition against Mehemet Ali, but is merely an exchange of some regiments who have completed their period of service, and are about to be relieved; it considers that the amount of troops present in the East Britain would not be sufficient to enter into the French government to undertake any expedition without making an application to parliament. The Debats likewise observes, that the improvement in the funds on Tuesday arose from purchases made by persons who buy or are about to draw deposits out of the savings banks, which is proved by the fact that the purchases in the five per cents. made on Tuesday were conditioned to be accepted on Friday next, the day on which the savings bank is open for refunding the interest on deposits.

The postscript of our Paris letter of Wednesday announces, on the authority of advices from Malta of the 5th inst., that count Walewski had submitted to Mehemet Ali a plan for adjusting his differences with the sultan, which the viceroy had accepted. The count had immediately been communicated with the intention of presenting the same project to the sultan, through the medium of M. de Ponsio. Mehemet Ali had believed to have declared that he would content himself with the possession of Syria during his life.

SPAIN.

Spain is once more in a state of revolution. The people, through the municipal officers and army, through its chiefs, have demanded the repeal of the law on municipal corporations, the dismissal of ministers, and the convocation of the cortes. The queen regent has refused compliance. She must submit, for the nation is nearly unanimous. Throughout Germany and Italy the government's are preparing for war. Throughout the late French Rish provinces and Italy, the people are prepared for a revolt on the first appearance of the tri-colored flag on the frontier. Still the best informed rely on the continued maintenance of peace.

RUSSIA.

The emperor of Russia has had a grand review of a portion of his troops, to the number of 55,000 men, composed of artillerymen, infantry and cavalry—a number of American citizens, were present, among whom were major Barker, capt. Morreux, major Wade, and others, a number of the distinguished founders of Europe by order of the United States government.

AFFAIRS IN THE EAST.

A letter from Paris says—Nothing further of any importance has taken place in the present question, but the state of the stock market fully bears out the assurance that we shall have no war this time, although it is impossible to fix the date of the restoration of good feeling between the other great powers and France, or to say that no accident will occur to defeat our hopes for the continuance of peace. Stocks up 5 per cent. in Paris on 16th of September, next day another rise of 1½. There is every sign of preparation for war in the meantime. Cannon, wagons, arms, munitions, military arms, clothing, in short all the material of war are in progress of manufacture or of completion for the field, with an activity of which none, who do not witness it can form an idea. The troops are drilled twice a day. Similar efforts are made in respect of the navy. There is a very strong anti-French feeling manifested on every occasion throughout the country, but this is probably limited to a class whose weight consists rather in their numbers than in

fluence. One hundred millions of francs are placed at the disposal of the government to be used as "defensive works round Paris" as the ministerial papers term them, but for establishing that city, as the republicans aver.

Notwithstanding all this display, it is almost impossible to conceive that war can be seriously contemplated. The coalition powers have known that France would not concur in it even they signed the quadruple treaty, yet they made no effort whatever to increase their respective fleets or armies, until the French press raised the alarm of war, which has contained no real power.

Latest accounts from the Levant, state that the English had commenced the blockade of Alexandria, on the 1st of September. The French fleet sailed from Vouria for that destination on or about 29th ultimo. A campaign is therefore possible, though the commanding officers are strictly prohibited giving any occasion for quarrel. Still there may, unhappily, arise a case in which this pacific injunction may be disregarded, and then we shall have a general war. Of this Mehemet Ali is aware. Will he continue to resist? That is the whole question and turning point. His old and deadly enemy, Kosrev pasha, late grand vizier, has been strangled at Constantinople for treasonable practices. He was a devoted tool of Russia, and in secret connection with the ex-janissaries. His removal may pave the way for the reconciliation of Mehemet with the Porte.

A letter from Constantinople, published in the Gazette of Leipzig, states, that the Turkish fleet which had sailed from Constantinople under the orders of commander Walewski had on board 25,000 muskets and 1,250,000 cartridges. It likewise mentions that the Ottoman Porte has dispatched a courier to Rome to request his holiness the pope to give orders to the patriarch of Lebanon to exhort the population of Syria to observe obedience to the sultan. If the pope accedes to this request, there would very soon be 60,000 men under arms in Syria.

The intelligence from Alexandria of the 30th ult., confirms our previous accounts, that the pasha of Egypt was resolutely bent on raising the measures of the blockade to a tax on dates, rice, water, wheat, &c. Walewski, perceiving that there no longer remained any hope of an amicable arrangement, had left for Vouria, in the expectation of finding the French squadron there. The fleet had, however, previously sailed for Malta, having been ordered by Sir Tristram, having on board rear admiral Hulse. Its destination was not known. Our private letters state that up to the 1st inst. the pasha had refrained from acts of retaliation, though several Egyptian vessels had been sequestered by admiral Stopford.

Our private correspondence from Alexandria, dated the 27th ult., states that the day then on day given to the viceroy to reply to the notification of the treaty of London had expired, and that the four consuls, accompanied by Riat bey, had waited on Mehemet Ali, and that the conference only lasted three minutes and a half. Effort being wished to speak but Mehemet Ali interrupted him, and said that there was nothing more to be said, that he ought to know his intentions, and that was sufficient. The English consul then wished to speak, but Mehemet Ali interrupted him, and told him that he did not wish to hear any thing, because his determination was fixed, and that the other powers might do what they pleased. Mehemet Ali then began to walk with rapid strides, and the consuls retired.

The viceroy had ordered an immense case filled with iron chains to be sunk at the day then on day harbor (brig or corvette alone can enter the harbor), so that his fleet is secure against any attack.

The steamboat Syria had brought M. Hourse, the late French consul at Beyrout, and his family. Sir M. Acheson, British consul at Alexandria, presented a petition praying for the pardon of the two at Damascus, which petition had been signed by several consuls. It is said that the Jews had acknowledged their guilt.

A letter from Alexandria, dated the 1st inst., published in the Times, states, that the blockade of that port by the consular British and Austrian fleets had no effect on the viceroy's determination, which still continued inflexible. His plan was generally approved of, and every Egyptian joined heartily in assisting in the defensive measures adopted. Mehemet Ali is the idol of the population, which he has rescued from slavery, and the success of the viceroy is considered certain if France opposes the unjust ultimatum of the allied powers."

The despatches forwarded by the pasha to the allied powers are of a great nature, and are of a nature to give another turn of affairs. It is generally believed that these despatches will induce the French government to take a definite decision.

EGYPT AND SYRIA.

Mehemet Ali's civilization. Much has been said and written concerning the enlightened policy of Mehemet Ali in introducing civilization and useful arts into the countries under his sway. An English traveller writing in the London Sun of the 3d inst., declares that this boasted civilization consists more in report than in reality. "The establishments in Egypt which seem to indicate improvement, such as polytechnic schools, schools of medicine and general instruction, manufactories, &c. are under the direction of foreigners, chiefly Frenchmen, and to the strengthening of his own power, and for this purpose foreign arts and establishments are brought into the country. To lighten the burdens of his subjects, to alleviate their sufferings, to elevate their condition—these not objects of his policy."

The real state of things in Egypt can be seen only by travelling through the country; but some idea may be formed from a statement of some of the oppressive laws which are enforced upon the unhappy people with as much rigor by Mehemet Ali as they were by any of his predecessors. The whole of the land belongs to the pasha, and he has an absolute monopoly of the soil. The pasha takes the price fixed by himself, to be afterwards re-sold at a higher price.—With the poor pliant allowed them in this manner, the people are obliged to pay a capitation tax, and this is levied not according to the real number of people in a village, but according to the number at which it is rated on the government books. If a town becomes half depopulated by conscription or other means, the remnant of the inhabitants are compelled to pay the full quota. This is enforced by the bastinado. Besides the capitation tax, there is a tax on dates, rice, water, wheat, &c. for drawing water from the Nile to irrigate the land, and on every article of daily and domestic use. Finally to complete the measure of tyranny and oppression there is the corvée in continual action—a tax on the people, in the form of labor, to be seized for public work, for the transport of the baggage of the troops, or any other government service—and this without pay. In constructing the canal from Alexandria to the Nile, Mehemet Ali collected together 120,000 men from all parts of the country, and compelled them to excavate with their hands, as tools were scarce.

In time of war a conscription is in force. An order is given to the chief of a district to furnish a certain number of men; these he seizes like wild beasts wherever he can find them. They are chained and sent forward to the pasha's order. The natives of the country are rarely employed in any office of trust. The government places are filled by Turks. "In short," says the traveller to whom we have referred, "the worst features of the Mameluke and Turkish rule are still in action; but the method of applying them is much more ingenious, and the boasted civilization of Mehemet Ali amounts to this—that being beyond doubt a man of extraordinary talents, he knows how to bring into action the country he rules, and to make his own necessities felt, like them, directly for his own interests, and without any reference to the well-being of the people; and that with the aid of his European instruments he has, if I may say so, applied the screw with a master hand, and squeezed from the country under his sway the very last drop of their blood."

The insurrection in Syria which lately broke out was caused by the introduction of the Egyptian system of oppression into Syria—the people of this latter country not having been accustomed to the yoke which us has made familiar to the people of Egypt. [Bull. Amer.]

SOUTH AMERICA.

Valparaiso papers to the 16th of July, have been received by the ship Natick, at New York. The Journal of Commerce contains a sketch of the message transmitted to the Chilean congress, which was then in session. This document states that the revenue of Chili for the past year appears to have been \$2,299,108 1,700,000.

Leaving a surplus of \$589,000 of which about 200,000 have been remitted to England on account of the interest due to the bond holders.

New custom house stores are erecting in Valparaiso, which will cause an outlay of \$100,000; the rest of the surplus will be expended in further payments to the English bond holders, and internal improvements. The army has been reduced to 1,600 men, but the militia form a very considerable well organized and well disciplined body of troops. A re-union has also taken place in the navy; which is now composed of a new and powerful frigate of the first class, and a few small vessels.

It is satisfactory to see from the vice president's address, that the long deferred claims of American citizens are at last in a fair way of being adjusted and paid.

MEXICO.

We have advices from Mexico to the 1st, and from the capital to the 15th August. Government appears to be strengthening its position as much as possible. Arista, the central general, is again on his march. Much confusion and discord are said to prevail among the federalists—but our accounts are from central papers. Arista has been joined by some 300 or 400 Naegoches and Lusher Indians. A detachment from Arista announces his intention to march to the Rio Grande. The Texian squadron had appeared off the bar of the Rio Bravo, and an attack was feared. Much sickness prevailed among the forces of Arista.

TEXAS.

The *Galveston Daily Courier* of the 20th August mentions the arrival of a sloop from Campeche, with commodore Rebeus of the federal Mexican navy, on board. The Texian fleet was at Camanche, and another intercourse existed between the officers of the fleet and those of the federal Mexican government. According to the report of commodore Hebeus, Urres had been driven out of the city, but was fortifying himself outside, to make a determined resistance. This is in contradiction to the last advices received in this city, which stated that a treaty had been concluded between the two parties, in virtue of which the federalists had evacuated the capital, and that Urres had resigned the command, and had withdrawn to some distance. Contradictory reports constitute no novel feature in Mexican intelligence.

Colonel Burleson has resigned his command of the 1st regiment of infantry, and Wm. G. Cooke has been appointed his successor. Captain Howard has been promoted to the rank of major, and is expected to proceed against the Comanches immediately. We learn, says the *Galveston Courier*, that general Houston pursued the Indians, after his engagement with them on Plum creek, till his horses and men were completely exhausted in the pursuit. He returned to Austin, and has been very ill ever since his return. The last accounts represent him to be convalescent, though his health is very bad. Colonel Cooke is about to start with two companies under his command to lay off the military road from Nacogdoches to Nueces river.

Later, by the schooner Henry, captain Alden, from Matagorda, we have few days late intelligence from Texas. The army under general Felix Houston, had captured one thousand horses and mules loaded with the plunder of Llanillo. The pursuit of the Indians by the Texians was a hot one. The savages were alarmed, and were scattering in every direction. A force of about four hundred of the brave Texians had succeeded in getting between the Comanches and the mountains to cut off their retreat, while a much larger number were pressing on in the rear, with the ardent hope of cutting them off entirely. Seventy-four were reported to have been killed and a number taken prisoners. It was ascertained to be true, that the Comanche chief by the Indians at Llanillo, had since been killed by them.

[N. O. Bulletin.]

Galveston is quite healthy. This quarantine laws are rigidly enforced.

CANADA.

Information has been received in town that the governor general has fixed on Toronto as the place where the united legislature will hold its meetings during the first session of four years. We learn that the government has a treaty with the honorable sir A. N. McNab for a lease of Donnybrook castle. Hamilton, as a residence for his excellency the governor general.

[Montreal Herald.]

Fire at Quebec. Three stores, three taverns, three and a half dwelling houses were destroyed on the 30th ultimo. The loss is estimated at 130,000 dollars. The fire originated in the wholesale tobacco warehouse of J. H. Joseph & Co. Napoleon wharf, by a spark from a steam boat. The Victoria house itself, erected four years ago at great expense by Mr. George Armstrong, was consumed. By Mr. A. McGrotty, jr. of New Brunswick, fell from the roof of a house on which he was pouring water, and so severely fractured his skull that he is not expected to survive.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT. John V. Ingersoll, register of the land office at Mineral Point, Wisconsin, vice John P. Sheldon, removed.

Howell A. Hobbs, to be deputy postmaster at Jackson, in the state of Mississippi, in place of John R. Childs, removed.

CONVENTION OF TOBACCO PLANTERS.

Notice to the tobacco planters throughout the United States. By a resolution of the general convention of tobacco planters held in the city of Washington in May last, their president was authorized and directed to re-assemble the convention whenever in his judgment their interest might call to require it; and the committees in their circular address to the planters having suggested the 15th day of December next as a suitable day for the re-assembling of the same, in virtue of the resolution referred to and in concurrence with the views of the committee, the 15th day of December next is hereby fixed upon and appointed as the day of said meeting in the city of Washington.—And as it is deemed of the utmost importance that the convention when assembled should be as full as possible, it is respectfully and most earnestly recommended, that the planters throughout the tobacco growing states, hold, in their respective counties, conventions, as early in October as may be, for the purpose of sending delegates to represent them in conformity to this notice.

SAML. SPRIGG, president.

September 26th, 1840.

The Baltimore American says, "It is highly desirable that something be done efficiently during the approaching session of congress on the subject of the tobacco trade, so as to relieve that interest from the very onerous burdens which now oppress it.—The meetings which have been held heretofore by the planters have resulted in good, they have been the means of calling attention to the existing restrictions, enormous and unjust as they are, which foreign nations have imposed upon American tobacco. By continuing the active exertions so auspiciously begun, we may hope that some effectual means will be devised which shall place the tobacco interest upon a favorable footing and insure a fair market for the article. Mr. JENKIN'S remarks at the last meeting of the convention may be regarded, we presume, as expressive of the general feeling of the planters as to the proper course to be pursued."

The political excitement which prevailed at the last session of congress so as to exclude from consideration many subjects of real importance to the country will not be subdued, we hope, when the national legislative assemblies again, so as to allow of a calm and dispassionate examination of the present condition of the tobacco trade. This being had, we cannot doubt that prompt measures will be taken to restore it to that bases of reciprocity which it is the policy of the government to establish in all the branches of its trade with foreign nations."

EX COLLECTOR ANDREWS. In the U. S. district court, at Boston, on Thursday, the United States obtained a verdict for \$921.95, against Asa Andrews, ex-collector of Ipswich, and his sureties.—This sum was retained by him upon his leaving the office several years ago. As an offset he claimed some \$7,000 of the U. S. States for various alleged extra services; but the jury did not sustain his claim.

SALE OF FORFEITED CLOTHS. The U. States marshal sold at the Masonic Hall, Philadelphia, on Wednesday last, a large piece of broad cloth, the same forfeited to the United States for a breach of the revenue laws some time since. It is supposed the sales will amount to \$50,000. The terms of sale were cash, in funds receivable at the United States treasury.

IMPORTED LIQUORS. The *Journal of Commerce* says, the quantity of ardent spirits and wines imported into the United States from foreign countries in each of the last six commercial years, ending 30th September, is as follows:

	Spirits.	Wine.
In 1839	3,802,718	6,573,219
1838	3,072,776	4,449,121
1837	2,672,228	6,350,441
1836	2,524,367	7,264,778
1835	3,394,439	5,285,310
1834	2,611,354	5,193,063

It appears from this statement, which we have derived from official documents that the importation of spirits last year was larger than in either of the five preceding years; and of wines, rather above the average. But within the period mentioned, there has been a great diminution in the quantity of spirits manufactured in this country.

FOREIGN AGENT. Among the passengers who sailed for Europe, in the steamship *British Queen* on Thursday last, was M. Krumer, secretary of the Russian legation, on a visit to his own country, after a residence amongst us for many years in his public capacity, in which, as well as by his personal merit and intellectual qualities, he has secured general esteem and such friendly sentiments as induce the hope that his absence will be but of short duration. [Nat. Intelligencer.]

REMOVED DEFALCATION. It was stated here last week, says the *Memphis Enquirer*, by a gentleman just from Arkansas, that capt. Collins, the disbarred agent of Little Rock, had procured a bill for a very large amount—rumor says \$300,000 or \$400,000. Captain Collins is, we believe, now at Washington city.

[St. Louis "Daily Bulletin," of Sep. 10.]

NORTHEASTERN BOUNDARY.

We ask attention to the scorching letter copied from the Boston Atlas, in which Mr. Cushing dissects the report, and portrays the character of that successful but impudent humbug, the *ci-devant* self-styled U. S. geologist—now British commissioner, to make out a case for Great Britain against the U. States, in the case of the disputed boundary.

THE NORTHEASTERN BOUNDARY QUESTION. From the Boston Atlas.

Boston, 11th Sept. 1840.
We ask attention to the scorching letter copied from the Boston Atlas, in which Mr. Cushing dissects the report, and portrays the character of that successful but impudent humbug, the *ci-devant* self-styled U. S. geologist—now British commissioner, to make out a case for Great Britain against the U. States, in the case of the disputed boundary.

This report is a folio of 67 pages, about two-thirds part of which consists of a political disquisition, and the residue a brief geographical memoir, followed by a summary view of the pretended facts adduced, and conclusions reached, by the commissioners.

It is understood that the document is, in chief, the composition of one of the commissioners, J. W. Featherstonhaugh.

This individual, a British subject, never, I believe, naturalized in the United States, was, nevertheless, employed, for a large compensation, to make sundry geographical surveys, a portion of the work, in behalf of the United States government. Mr. Featherstonhaugh's account of these surveys, published at the time by congress, is equally distinguished by its bombastic style, for its inflated pretensions to scientific accuracy, and its superficiality, in fact. On the strength of this commission, however, Mr. Featherstonhaugh assumed the title of "United States geologist," a title, so far as I am informed, unknown to the laws, and which no more belonged to him than it did to any one of the score or two of officers of the army, and others, who have been from time to time employed in topographical or geological surveys under the authority of the government. Rejoicing in this high sounding title, Mr. Featherstonhaugh flourished for some seasons at Washington, in all the pride of place. But even then, whilst acting in this public capacity, in the employ of the United States, his conduct was marked and remarked on at the time, for more devotion to the British minister, than to the government he professedly served. It seemed to be very little observant of the poet's injunction:

Be sure you are off with the old love,

Before you are on with the new.

Or rather, he imitated Sir John Falstaff's comprehensive taste, in paying court at the same time to both of the "old and new loves," and thus, with the same disinterested indifference as to which of them would turn out to be the most profitable "speculation."

When it was first known in America, that this individual (well known in England), was appointed by the British government, to explore and survey the disputed territory in the north east, the intelligence was received with universal surprise. On the one hand, the inhabitants of the British provinces were slow to believe that the British government, in the custody of the "United States geologist." On the other hand, those of the people of the United States, who knew anything of the individual, saw that such a double traitor was the very man, of all others, to be relied upon to mystify the northeastern boundary question, by systematic falsification of argument or fact, and thus to earn the approbation of his new masters in England, by the hearty good will of his endeavors to injure his old masters in the United States.

And the result has proved the correctness of these anticipations. I do not believe that there can be found a more impudently disingenuous state paper, more elaborately deceptive, alike in its statements of facts, or in its conclusions, to dishonor the annals of modern diplomacy.

Of the many pregnant proofs of this, which I might select from the "report," I will exhibit to you one by way of example, not only because it is characteristic of the whole document, but because it is the turning point in the controversy between the two governments.

You know that the great geographical problem to be solved is, to determine (in the words of the treaty of Paris), the "highlands which divide those rivers that empty themselves into the Atlantic ocean." These words occur twice in the treaty description of the northeastern boundary.

The United States claim that such highlands exist, that they run in a direction northeast and southwestwardly, forming on their northerly side the basin of the St. Lawrence, and of "those rivers that empty themselves into the St. Lawrence," and falling off on their southerly side, towards the sources of those rivers which flow into the Bay of Fundy, Passamogoddy bay, Penobscot bay, and other bays of the Atlantic ocean. In the region of these highlands, as the United States contend, is to be found also the "northwest angle of Nova Scotia," which the treaty makes to be the northeast angle of the state of Maine.

That such "highlands" exist in that region, is distinctly admitted in Featherstonhaugh's report. He calls it a belt of elevated land. He speaks of it as an "elevated country, along the crest of which various high hills, or mountain peaks are seen, much separated from each other, but once probably were united in a continuous, irregular curved line, tending northeasterly to southwest." Indeed it would have been idle for him to deny the existence of these highlands in that section of country, since their existence is obviously a matter of absolute physical necessity; they forming the *linde des versants* of the basin of the St. Lawrence.

Nor can it be denied that in that region, and far north of the main stream of the St. John, is the "northwest angle" of the British province of Nova Scotia. Mr. Butler, in the Westminster Review, fully admits this; so fully, indeed, that he distinctly imputes it to his own government as a piece of unwise and injudicious faith, to have endeavored throughout the past negotiations to ascertain and prove this notorious fact. All the communications of the British provincial governors, all the legislative and judicial proceedings of the provinces themselves, recognise the northwest angle of Nova Scotia, as a fixed legal point, near the head of the river Ristigouche, and far north of the St. John.

From all this, the inference in favor of the pretensions of the United States, would seem to be irresistible. But the effect of it is to give to the United States a gore of land north of the St. John, which the British government think it desirable to their interests to possess. Accordingly, during the negotiations at Ghent, not claiming this gore of land as theirs, they labored strenuously, though unsuccessfully, to buy it of the United States. Failing in this attempt, they some years afterwards, first set up a claim to it as theirs; a claim unjust in its origin, arrogant in its prosecution and which has more than once seriously endangered the peace of the United States.

The British government is induced to desire the tract of land in question, because it lies *interposed* between the provinces of New Brunswick and (late) Lower Canada. It is precisely as if the United States, in order to straighten our boundary and strengthen our frontier, should by claim to that portion of Upper Canada, which separates Michigan from New York.

To give color to its claim, it has been the first object of the British government, to remove the northwest angle of Maine, from the north to the south of the river St. John.

In undertaking to do this, they nullify and reject all that part of the treaty description of the line which speaks of the northwest angle of Nova Scotia.

They nullify and reject, also, all that part of the treaty description which exacts highlands adjoining the St. Lawrence and its tributary rivers, and constituting the *linde des versants*.

And to escape the force of these requisitions of the treaty, they state upon this one solitary petty quibble, namely, that whereas the St. John flows immediately into the Bay of Fundy, therefore it is not a river of "those which fall into the Atlantic ocean," though in the name, really they themselves contend that the St. Croix, which flows into Passamogoddy bay, and the Penobscot, which does into Penobscot bay, are nevertheless rivers which in the treaty *must* "fall into the Atlantic ocean." That is, the quibble is not only a very poor one in itself, but it is one which does not work through the argument, and is therefore as if contradicted and self-contradicted.

Having, by this piece of county court ingenuity, raised a pretext for placing the northeast angle of Maine south of the St. John, though confessedly neither of the northwest angle of Nova Scotia, nor in the highlands bounding the St. Lawrence basin, the great anxiety of the British government, I repeat, has been to seek out and set up highlands somewhere, (no matter where, provided they be south of the St. John), by means of which, to fulfill at least one of the conditions of the treaty description, namely, HIGHLANDS DIVIDING RIVER HEADS.

After due reflection, the British government pitched upon an insulated conical elevation, called Mars Hill, which lies between the southerly head waters of the St. John, and the head waters of the St. Croix, which, though, as I have already suggested, it falls into the Atlantic ocean, no otherwise than the St. John does, by falling into an Atlantic bay, they were compelled, in violation of their own premises, to treat as a river of "those which fall into the Atlantic ocean."

This pretension, that Mars Hill is the line of the treaty, which the British have persisted in for nearly twenty years, and which they have strained all the arts of diplomacy to sustain, is well admitted, not only by Mr. Butler, major Vule and others in England, who have recently discussed the question, but Mr. Featherstonhaugh himself, to be totally destitute of foundation in truth.

What remained? Should the British government abandon the whole controversy? Mr. Featherstonhaugh has very kindly stepped in, and tendered to them a new pretext, which they can, if they choose, avail themselves of, as the alibi of a new series of controversies with the United States. I hope they will not be so foolish as to do so. They will do so, if this sore by applying to it the noxious compound of one who is equally a traitor to the interests of both governments. It would be better for both, if (in the language of the old rhymist, preserved by Walter Scott),

"The sword the Featherstons haugh they saw;"—that is, if we are to judge of the race by this "Albany Featherstonhaugh." The people of the United States, at any rate, should be prepared with a proper knowledge, in season, of the nature of this new pretext, if by chance the British government should adopt and urge it against the United States.

Mr. Featherstonhaugh seems to have assigned to himself the task:—To find highlands south of the St. John to claim by, instead of Mars Hill, which it was impossible any longer to contend for;—and, in the performance of this task, not regarding nice distinctions, he has ventured to assume that, in highlands, and to invent them, was all the same thing. It may be so in Latin; but it is not in English; in the English of Elizabeth and James, which our fathers brought over with them to Virginia and Massachusetts.—Nay, not content with this, also Mr. Featherstonhaugh appears to have adopted as the motto of his report, the old adage, *visu invenimus verum*. For on his "map" of the disputed territory he has invented, made and projected as pretty a new range of mountains, extending from the head waters of the Connecticut northeast to the bay of Chaleur, as any British "geologist" could desire to behold.—He deserves a patent for this ingenious invention; if he does not get that, I presume he will receive a quietus in some other form, as a reward for his discovery.

I do not wonder at the ecstasy of the London Times on seeing this map. The editors of that journal, I suppose, never had occasion to buy wild lands by map. If they had, they might have enjoyed an old experience (dear brother, permit me), the creative faculties of the human mind in the matter of locating rivers or mountains at convenient points on paper, which it is very difficult sometimes to discern on the earth's surface. It is true that Mr. Featherstonhaugh has consensually to project a range of highlands along the southerly side of the St. Lawrence basin, and north of the St. John; but then he has depicted a much more conspicuous mountain range south of the upper waters of the St. John. And can readily conceive that an Englishman, who thinks nothing is wanting but highlands, and who looks not beyond this map, should consider the case a very clear one in favor of Great Britain.

When I myself came to examine this map, the thing which struck me as being most peculiar, was to see the river Roostout and the river Tobique, branches of the St. John, which enter the main stream nearly opposite to another, and which run, in opposite directions but in the same general line, one by one, and then, by a singular coincidence, together, over a space of one hundred and fifty miles,—to see these rivers running right along the back line of

this new range of mountains. The boundary "highlands" occupying the very bed of the Roostout, the St. John, and the Tobique! This seemed to be a strange freak of nature. Strange to the notion of the king of the Netherlands, who, though he placed the boundary line in the *thalweg* or bed of the St. John, did not pretend that the very highlands themselves were there, along the line of the river's bottom. This might, indeed, be a natural equivalent of some bound of some mile to length, with the Roostout and the Tobique flowing along its summit, is a few degrees greater than even the grand river embankment of the Erie canal. But how is this aqueduct carried across the St. John! And how do the Roostout and the Tobique get down from their perilous elevation, to join the main stream of the St. John?

Solicitous to obtain some clue to the apparent mysteries on the face of this map, I resorted to that part of the report which is headed "Physical Geography of the country." As I read along, I came to this sentence: "The investigations of individuals who have travelled extensively in North America, confirm what is obvious to local observers, that, at some remote period, the waters have every where indicated these 'higher levels.'" Here is a pretentious scrap of "geology." I felt half disposed to stop at this a moment, and inquire whether this observation was universally true; whether, if in most cases the water had retired from the highlands, yet in some instances these 'higher levels' on the continent of North America might not, by volcanic or other submarine action, have been raised above the water. But I reflected, this northeastern boundary is a question of geography not of geology.—What matters it how the mountains were in the miocene or pleistocene age, with its itchy saurian and plesiosaurian monsters sporting in the waste waters of earth? We want to know how they stood in the year 1753, and how they stand in this our present year 1840. And so I proceeded to read.—But presently I reached a larger level.—"What is the geological eye?" I asked.—"What?" said it:—"Ecce iterum a Crispinus!" The "United States geologist" again! And reading along a few sentences further, I fell on the secret of the whole mystery of the new mountain ridge of the map in the following paragraphs of the report:

"On advancing in a northwesterly direction into the interior, from the mouth of the Bay of Fundy, we find a strong correspondence with the physical geography of the western portion of the continent of America; the continent; here also the country rises in elevation, the strata follow the northeasterly and southwesterly directions, the ridges hold the same course, and are usually parallel to each other, but very much broken down and separated into detached hills and the valleys between them. These ridges seem to have passed across this part of the continent, contemporaneously with the formation of the valley of the St. Lawrence.

"The remains of these ABRADED RIDGES are found elevated and deposited in every part of the country, and the basins of the river St. John, and those of its tributary, the Roostout, often consist of a depth of from twenty to thirty feet of the COMMUNED MUDS of the older rocks."

And again: "These are various lines of what have once been continuous ridges, traversing in a northeasterly direction the disputed territory, some of which have been so abraded and broken down that they are now mere ridges, leaving the peaks and points of view from each other, but to the same magnetic direction."

The report then proceeds to describe particularly one of these "abraded ridges," one of these "once been" ridges, one of these ridges "so abraded and broken down that they are now mere ridges," which it claims as a "true highland" of the treaty of Paris, and which is the very range of mountains so conspicuously depicted on the map accompanying the report.

To this report, this profound and learned "geologist" has discovered, or imagined that he has discovered, in the line of the Roostout and the Tobique, traces of a range of mountains, which existed there in the year of the world number one, (or perhaps a few years before, or perhaps a few years after, as the name exact personal recollection of the chronology of those early times as Mr. Featherstonhaugh may have), but which are now "abraded," "broken down," and "obliterated," and thus supposed to indicate a range of mountains, which have now a map just out of a new series, and is presented to us as the "true highlands" of the treaty of Paris! He would have us believe that when that treaty was drawn up the rivers ran, not by Mitchell's map and by a century of error, but by Noah's map, by some antique chart of the pre-Atlantic age, which, by great luck, to be saved in Noah's

ark, or might have been dug up in a fossil shape from some of the quarries about Paris, and so in process of time fell into the hands of John Adams or old Ben Franklin.

I ask you if any language can be too strong to be applied to this wretched piece of sophistry, which Mr. Featherstonhaugh would impose upon the world as a solution of the northeastern boundary question! Is it not the climax of impudence?

For this laith science searched, on weary wing,
By shore and sea?

If such be geometry, I desire none of it. I would rather have a single grain of hourly fact, and plain, living truth, than the cartload of such practices and elaborate mystification. It is painful to see even the language of science perverted, as it is in this report, to such disingenuous ends. And yet Mr. Featherstonhaugh talks about the "spurious topography" of the Americans, and of their practice

"to substitute fancy for reality," and "just forward as fact a state of things which is, for the most part, hypothetical and conjectural." Truly his effrontery is matchless. Meanwhile I shall not believe, until I see the use of the highlands in the world before the foot—highlands broken down, and obliterated by the "powerful currents" of the great deluge—highlands "abraded" away, and whose "communitated rocks" now form the actual river banks and the mud of river bottoms—that this ghost of the pre-Adamsian nation, thus summoned up from its sleep of fifty centuries by the incantation of Mr. Featherstonhaugh,—will be adopted by the British government as the new ground-work of a continued claim to the territory of the state of Maine. I earnestly exhort that government, to which peace with the United States is necessary and as dear as it is to us, to think better of what its interests, no less than its honor, demand at its hands.

For, even though Mr. Featherstonhaugh's "highlands" were not subject to the rather arbitrary notion of having been "broken down," "abraded," and "obliterated" in the "powerful currents" of the great deluge, leaving only the "communitated rocks" to mark where they once stood, in the somewhat ancient days of prehistoric creation, even if this difficulty could be got over, there would remain another pretty knotty one—and this is, that his newly invented highlands would not be "highlands" into which those rivers that empty themselves into the St. Lawrence, and those rivers that fall into the Atlantic ocean,—for the rivers that deluge "abraded" Mr. Featherstonhaugh's mountains, left some large rivers in their place.

So high as heaven the tumid hills, so low
Down sunk a lowly bottom, broad and deep,
Which was the bed of waters.

Accordingly, the geological site of these mountains, to discover which, Mr. Featherstonhaugh has explored

Far into chaos and the world unborn,
Finds, at the present time, with great impartiality,
and with a persevering disregard of all perils by flood, down the whole course of the Koonstee, across the St. John, and up the Sagadahoc. That is to say, if these pretended highlands existed any where but in an all-diluvian chaos, which they do not, still they would not be a *highe des versants*, and so could not fulfil any one of the conditions of the treaty of peace.

There is much more in the report, and in the political as well as the geographical part of it, which I should take great satisfaction in cutting up, but for gratification I must reserve as a *bonne bouche* for some future day of leisure. I am yours, respectfully

Gen. H. A. S. Dearborn.

EMIGRANT STATISTICS. Hazard's Commercial and Political Register, contains some interesting statistical tables relating to the number, sex, age, occupation and nativity of the foreigners who arrived in this country in 1839—the whole compiled with much labor from the annual report of the secretary of state. It appears from these tables that the whole number of passengers arrived in 1839, is 74,606, of whom 70,369 were natives of foreign countries, and 4,237 of the United States. Of the whole number, 46,681 arrived at New York, 10,306 at N. Orleans, 6,959 at Baltimore, 3,949 at Philadelphia, 3,946 at Boston, and the residue at other places.

As to birth—21,212 were of Great Britain, 19,474 German, 7,193 of France, 4,234 of Prussia, and 2,104 of other parts of Europe, making the whole number from Europe 61,227. Texas furnished 2,416, Mexico 353, Cuba 833, and the West Indies and British colonies the residue, chiefly, of the foreign passengers.

As to occupation—37,668 are represented as having none, but in this number are included 26,811

females, and a portion of the 13,166 males under 15 years of age, which will account for the larger part of the number having no occupation. Of the several trained occupations, 12,401 appear to be farmers, 8,930 mechanics, 7,570 laborers and 5,633 merchants, (of the last, probably a considerable number are American). There were also 371 ministers, 143 clergymen, 354 physicians, 296 seamen, and 268 clerks. The remainder of the whole number is divided among various branches of business. The larger portion appear to be in the earlier and middle periods of life, as only about one-tenth or 7,193 are above 40 years of age, while 51,073, are between the ages of 15 and 40.

INDIANS. It is stated in the Ottawa (Illinois) Free Trader, that between five and six hundred Indians of the Pottawattamie and Ottawa tribes from the northern part of Indiana, passed through that place on the 27th ult. on their way to their western homes.

They were to be followed in a few days by a number of the same tribes, who refuse to remove voluntarily, but have been compelled to do so by the agent, who has called the military to his assistance.

THE ARMY.

Col. Worth, one of the most heroic and valuable officers attached to the army, has just been ordered to Florida, to take active command in that inglorious war. He is now with his family at his residence at Watervliet, but will soon leave, with a large body of troops for that region. Almost every day some officer, recently from Florida, may be seen in this city, with feeble health and ruined constitution. Among them all there is but one opinion expressed as to the humiliating character and painful nature of the Florida service. Already it has been the grave of many of the best officers and soldiers of the American army. We are pained to learn, moreover, before that stupendous fraud of subduing and exterminating the Indians is accomplished, that other heroic spirits will sleep the sleep of death in the hammocks of that distant and ill-fated land.

Movement of troops. Major Payne's command, consisting of companies B and F, 23d regiment U. S. artillery, left this morning for Sackett's Harbor, via N. Falls rail road. Lieutenants Daniels, Arnold, Brooks and Nichols, and surgeon —, accompany Payne, recently from Florida, may be seen in this city, with feeble health and ruined constitution.

It is stated in the Eastport S.-star, that the post of Fort Sullivan has been occupied by a detachment of about sixty U. S. troops. Two companies are expected to be quartered there during the winter.— Mr. Kirby is to be in command. This fort had been vacant since 1836.

From Florida. *Apalachicola*, Sep. 13. We learn by the steamer *Louis*, from Chattahoochee, that the Indians attacked at 10 o'clock on Monday morning the residence of Mr. James Dorsey, two and a half miles from Chattahoochee, and killed and burned his house. Mr. Dorsey, through fear of the Indians, had previously removed his family to Alabama, and was himself from home, consequently no lives were lost.

Four Indians captured. We are happy this week in being able to lay before our readers an account of the capture of four Indians, by the active and vigilant U. S. officer, capt. B. L. Beall, of the 32d regiment of dragoons.

On the morning of the 4th inst., capt. Beall, having received information of a party of Indians being in the neighborhood, left his encampment, with ten or twelve men, for the purpose of scouring the country. After having been out for some time, he came suddenly upon a party of some 30 Indians, who fled on his approach. He fired and killed a single man, capt. Beall and his men followed them to the swamp of the Wa-coos-a-sa river and succeeded in capturing four of their party; one of which, we learn, is Ho-la-too-kee, a sub-chief of the Micucos. The captured Indians were taken to Fort Point, (at Cedar Key), the station of general Armes, on the 7th inst. and were to have been employed as guides of another scout, by capt. B. on the 12th inst.

The guns taken from these Indians, are said to be in exceedingly good order, one of which was nearly new and of costly manufacture. Capt. B. also took a large deer skin, filled with honey, on which they are supposed to have subsisted.

The prompt and efficient efforts of this small band of men to look out for better times, are so sincerely to be hoped that these ruthless savages will be permitted to escape, as those of former captures. Capt. Beall's conduct on this occasion, as well as that of his men, were highly creditable.

Hanson's fight with Indians. The Savannah Republican, in an account of a recent action, in which the engagement which took place on the

6th instant near Fort Watkovich, between the U. S. troops commanded by lieut. W. K. Hanson, 7th infantry, and a party of the Indians.

On that day, information having been received at the fort that Indians were in the vicinity, lieut. Hanson, with a force of thirty-five men, started immediately in pursuit. At the distance of 13 miles from the fort the troops were fired upon by the enemy, from a dense hammock. Lieutenant Hanson caused the fire to be promptly returned; and judging from the long line of fire of the enemy, that they far outnumbered his command, and perceiving that they outnumbered him, he retired in good order, about 200 yards to the river woods, and then maintained a warm contest with them for about forty minutes—at the end of which time, the enemy left the ground, and hastily withdrew into the hammock. Lieut. H. now knowing that the enemy were superior to his force in numbers, and having one man killed and four wounded, did not think it prudent to follow them into the hammock.

Capt. Hawkins, 7th infantry, soon arriving upon the ground with a reinforcement, the command of course devolved upon him. A charge was made into the hammock, but to no purpose—no Indians living or dead, were seen; another instance of the wonderful rapidity with which the Indians conceal or carry off their wounded and dead.

The number of the Indians was not less than 80, and there are many good reasons for supposing it to have been greater.

The contending parties were often within 50 feet of each other, and Indians were distinctly seen to fall. Had they not met with very rough treatment and suffered severely, they would not have so hastily yielded the ground.

The following order has been issued in reference to the above affair:

Order. *Head quarters, 7th infantry, No. 37, U. S.*

For information, Sept. 19th, 1840.

The lieutenant colonel commanding has the satisfaction to announce to the regiment, that an action was fought on the 6th instant, near Watkovich, between 1st lieutenant Hanson with a detachment of 35 men of "A" and "B" companies, of the 7th infantry, with a large body of the enemy, estimated at 80 or 100 warriors, in which the latter were severely beaten. To fight successfully, a force superior in numbers, and that under the disadvantage of an ambuscade, requires no small degree of coolness and bravery, beyond the ordinary of men. The lieutenant colonel commending is highly pleased with the skill and courage displayed by lieutenant Hanson, as well as at the good conduct of the men under his command. He hopes and believes that the bright example set by this small detachment will not be forgotten by the regiment when they are subsequently ordered to engage the enemy. By order of lieut. col. Whistler. R. C. GATLIN, adjt. 7th infantry.

Colonel Kearney with 200 regulars, left Fort Leavenworth on the 10th ult. for the purpose of settling the dispute between the Ohio and Iowa Indians.

THE NAVY.
Frigate Macedonian. The U. S. frigate *Macedonian*, arrived at New York on Tuesday from the eastward, bearing the broad pendant of commodore W. B. Randolph Shubrick.

Capt. Boscawen, of the navy, is ordered to the command of the sloop of war *Concord*, now fitting out at Boston for the East India station. The crew of the sloop of war *Exeter* is ordered to be transferred to the sloop of war *Concord*. She is a first class vessel of the navy, and mounts 24 24-pound guns, or medium guns, and is nearly new.

[New Haven Herald.]
The United States frigate *Constitution* was at Calais, Peru, on the 15th of the last, all well, and expected to sail soon on a cruise to the west coast. The ship *St. Louis* was looked for from the west coast of Mexico, and the schooner *Shark* from the coast of Chili.

The naval apprenticeship system. The Norfolk Beacon describes the appearance of the young naval apprentices of the U. S. ship *Delaware* at that port, as they proceeded to church every Sunday, headed by two marshmen in uniform. They are forty or fifty in number, fine, healthy young fellows, and very orderly and well behaved.

The naval apprenticeship system is one of those excellent conceptions which when carried into practice are so admirably adapted for good as to excite wonder that the thing was never tried before.—Every act or calling requires a period of training as preliminary to a successful performance upon its duties. There is no reason why the seaman's period should be an exception to this—the more especially as the service is one in which the exercise of moral and intellectual qualities finds a place along with practical dexterity and skill. The system now happily introduced into practice will serve as a nursery for sea-

men of the best kind. It will rear up a class of men among whom the sense of national and individual honor will be strong, and who to an enthusiasm for their profession will unite intelligence and moral sentiment. From these the minor officers will be chosen, who, being in near contact with the ordinary sailors, will exert a wholesome influence over them both in the way of example and by blending with the severity of discipline feelings more elevated and refined than those of mere arbitrary force. The Reason says with propriety of this system, that "it will destroy the too common notion that would deem profanity, extravagance, lewdness and recklessness, as necessarily connected with good seamanship, and will prove that a sailor may be highly accomplished in his profession and yet merit the respect of the temperate and good."

The United States transport Solon sailed from New York on the 4th instant, with a detachment of the 8th infantry, destined for Florida. The following named officers command the troops: Capt. W. B. Worth, assistant surgeon Cuyler; assistant surgeon Van Buren; lieut. Berham; lieut. Sprague; lieut. Larkin Smith; lieut. L. O'Brien; lieut. W. C. Browne; lieut. W. B. Hayward; lieut. Wardwell; lieut. G. D. Hanson; lieut. W. Johns; lieut. Folson.

STATES OF THE UNION.

MAINE.

Election. The returns of the election for members of the next congress from Maine stand as follows:

Cumberland, Wm. Pitt Fessenden, whig; Kennebec, Geo. Evans, whig; Lincoln, Benj. Randall, whig; Penobscot, Eliza H. Allen, whig; Rock, Nathan Clifford, V. B.; Waldo, Alfred Marshall, V. B.; Oxford, no choice; Hancock and Washington, no choice.

Four whigs—two V. B.—two vacancies. The Vao Buren papers assert that Fairbairn is re-elected governor, or, that there is no choice. Their latest statement stands

Fairfield	45,309
Kent	45,483
Fairfield's majority	163
The whig papers continue to affirm that Kent is elected—their latest accounts stand	
Kent	45,573
Fairfield	45,415
Kent's majority	228

MASSACHUSETTS.

Special election. The governor of Massachusetts has ordered a new election to take place on the 9th of November, to fill the vacancy occasioned by the resignation of Abbot Lawrence.

Candidate. Richard Haughton, the editor of the Boston Atlas, is a candidate for elector from the county of Suffolk, in the place of R. G. Shaw, resigned.

Rail road. The Boston people appear determined to complete as speedily as possible their rail road connection with Buffalo. A meeting was held in Boston for the purpose of raising subscribers to the capital for the section of the road from Attica to Buffalo; \$250,000 is the amount wanted.

The insurance capital of Massachusetts amounts to \$7,963,000, \$6,250,000 is located in Boston, \$3,044,433 of this total amount is invested in Massachusetts state and bank stocks. The amount of premium notes is \$2,614,614. Cash, \$216,292. The risks on \$223,858 of premium rates have terminated. The total amount of Marine risks is \$58,784,199. Fire risks, \$4,789,842 dollars. Total, \$113,574,041. The Warren company of Boston has made the lowest average dividend for the last five years, being 22 per cent. The Merchants' has made the highest, being 25 46 100 per cent. The Bedford Commercial has averaged 15 4 5 per cent. The amount of fire losses paid last year was 209,327 dollars. The amount of marine losses, 1,808,157 dollars. In addition to this, the ascertained and estimated losses unpaid, amount to \$27,537, making an aggregate loss of \$2,545,521. A comparison with the returns for the previous year, exhibits a considerable increase in the amount of losses.

Fire losses	125,832	209,327	83,995
Marine do	1,721,083	1,808,157	87,083

Excess

170,060

The amount at risk was nearly the same at both years.

Population statistics. Of the 307 towns in Massachusetts, there are only six that have a population so large as 10,000, viz: Boston 83,979; Lowell

20,981; Salem 15,162; New Bedford 12,565; Springfield 11,013; Charlestown 10,872. The towns generally average, according to the present census, from one to three thousand inhabitants; and herein, perhaps, is to be found the security for the moral and physical welfare of the state. The population seems to be very equally spread over the whole territory, and the enjoyments and blessings of society seem shared in alike through every part. This was the plan of sir Thomas Moore's Utopia—in which beautiful republic great cities were regarded as "vernal sores."

[Sun.]

NEW YORK.

Meeting on Long Island—at Patchogue. On the 22nd ult. a meeting variously estimated as consisting of from three to five thousand persons, amongst them many ladies, was addressed by Daniel Webster, for upwards of two hours and by Ogden Hoffman for an hour and a half.

On the day following Mr. Senator Wright addressed the Suffolk men at the same place in behalf of Van Buren.

On the 24th Mr. Webster addressed the people of Kings and Queens, at Jamaica.

Conventions. The whigs of New York have determined to hold a state convention at Auburn on the 18th ult. H. C. River, ex. of Virginia has accepted an invitation to attend.

A conservative convention assembled at Auburn on the 1st inst. The New York American estimates the number of delegates attending at 10,000 to 12,000. Pierra Van Courtlandt presided, and Mr. Tallmadge, in a brief address, introduced Mr. Rivers, who made a brilliant speech for nearly four hours. He was succeeded by Mr. Legare, who spoke for about two hours. The meeting separated in high spirits.

Steamboat Seizure. The Albany American says—This boat left our city about eleven o'clock yesterday morning, having in tow several barges and boats for New York. When in the vicinity of Castleton, and about six or eight miles from this city, the boiler of the boat exploded. What the confusion caused by the explosion had subsided, it was found that seven persons employed on the boat had been more or less injured. An account of the disaster had reached the city in the course of the afternoon, and it is said that until Swifts came up in tow of the Troy, about seven o'clock, that the whole was known. The boat was brought to the dock at the foot of Lydius street, where every aid, medical and otherwise, in the power of man was bestowed, was rendered the unfortunate individuals.

Our informant says that with one exception, (the son of Havens, the engineer), the bodies of the sufferers presented such an appearance that their nearest friends would not be able to recognize them. The plan of writing this article one man was dead, and our informant says that the engineers could not possibly survive an hour.

We annex a list of the sufferers by this dreadful calamity.
Thomas Havens, the engineer, of Shrewsbury N. J. Mr. H. is a married man, with a family of seven small children. His son Thomas Havens, about 12 years of age, is slightly injured. Daniel Hagerman, of Shrewsbury New Jersey, fireman—dead.

Henry Yales, fireman; is a married man and has a family—resides at the corner of Christopher and Washington streets, New York—very badly injured.

Robert Graves, fireman—has a large family—George W. fireman, John Kearney, deckhand, Nicholas Davis deckhand.

Six o'clock this morning. But one now survives the unfortunate calamity, and of him all hopes of existence for half an hour are abandoned. Mr. Havens died at 9 o'clock last night, Graves died about 4 o'clock this morning, John Kearney died in the course of the night, George White died about 5 o'clock this morning, Henry Yales will no doubt be dead before our paper goes to press.

NEW JERSEY.

Wig meeting at Rahway. Some thousands were present at the meeting on the 23d ult. The New York American says:

"On the spacious platform sat some 200 ladies—and in their name a banner embroidered by their own hands was presented to the Harriet and John club of Woodbridge. We did not learn the name of the young gentleman who was the spokesman for the ladies, but he did his part well, and was well replied to by Mr. J. B. Scoles of this city, who had been requested by the Woodbridge club to make the acknowledgment for the present, and to pledge their efforts that its motto—'New Jersey will be faithful!' should be carried out.

The meeting was then called to order and briefly addressed by the president, Mr. Phelps, who suc-

cessively introduced the speakers. A striking incident occurred while Mr. Phelps was speaking. Captain Stockton, who was in the crowd, suddenly exclaimed, "Mr. Chairman—excuse me—I can stand it no longer; see, my eye is being blinded by yours, 'see our eye on the eagle hovering over us.'" Immediately all eyes were turned heavenward, and there, in very truth, basking in the near light of the sun, and gently circling round, was seen the noble bird—poised on high—nod, presiding, as it were, over the proceedings of those who were there met to rescue, if they may, the eagles of our country from the bats and owls and vultures and other obscene birds of prey that now hamper her energies and restrain her upward flight. A thousand cheers were sent upward, as the eye discerned this bird of good omen, and the influence of it was not unfail either by speakers or audience.

The assembly was then addressed by colonel Downing, of Florida, gov. Call, capt. Stockton, Mr. Woodruff, and others. The main theme, could only be on the misgovernment of the country, and the consequent sufferings of the people—but the modes of treating and illustrating it were various as the characters and pursuits of the speakers. Col. Downing was humorous, gov. Call grave and argumentative, Captain Stockton frank, downright, plain and strong spoken. Mr. Woodruff, an elderly man, a native of New Jersey, but now and for many years a resident in Kentucky, a personal acquaintance of gen. Harrison, bore testimony to the State bank of New York, and the Pennsylvania. At its being inform from age or otherwise incapacitated, he said he was vigorous both in body and mind—and able to beat Mr. Van Buren in a speech or a foot race.

The speakers were all men of some admirable power from Mr. Gamble and others, of Newark, and the meeting broke up, as evening closed in, in high spirits, and in perfect order.

PENNSYLVANIA.

United States bank. We learn with pleasure that arrangements are now in progress between the United States bank and other banks of Philadelphia, which is likely to have considerable effect to removing public confidence. In order to facilitate and render certain a general resumption of specie payments, the Philadelphia bank has offered to loan the State bank \$1,000,000—the bank of Pennsylvania has made a similar offer, and a proposition to the same effect was yesterday before the directors of the Farmers' and Mechanics' bank. The U. S. States bank is indebted to each of the others, both in bank notes held by them and balances.

The plan is that the smaller banks to return notes payable on demand, to the extent of \$1,000,000 each, and to receive in exchange post notes payable in a year, or longer if necessary. This will of course reduce the liabilities of the U. S. States bank, and the prospect is certainly in certain of specie payments. It is believed that the other banks of Philadelphia will also participate in this generous work, and thus assist in bringing about a condition of things so earnestly desired by all who wish well to the business and character of Philadelphia. The details of the arrangement have not, as yet, been thoroughly arranged, but we believe it is contemplated to effect a reduction of the immediate liabilities of the larger bank, to the extent of four or five millions. The eastern banks have professed great willingness to assist Philadelphia in relieving it of great willingness, and it is to be hoped that if necessary, they will now act in the spirit of their professions. The best understanding exists amongst the moneyed institutions of Philadelphia at the present time, and the prospect is certainly encouraging. Our money market continues easy.

[PAID. Inquirer.]

PENNSYLVANIA NOMINATIONS—CONGRESS.

VAN BUREN. WHIGS.
First district—county of Philadelphia.
Charles B. Smith, J. W. Tyson,
Joel B. Sutherland.

Second district—city of Philadelphia.
Joseph C. Neal, John Seitzman,
Andrew Miller, George W. Totand.

Third district—county of Philadelphia.
C. J. Ingersoll,
Morris B. Michael.

Fourth district—Delaware, Chester and Lancaster.
Dr. William Gray, John Edwards,
Gen. Joshua Evans, Francis James,
Gen. Isaac Winters, Jeremiah Brown.

Fifty district—Montgomery.
Joseph Fornace, Robert T. Potts.

Sixth district—Bucks.
Gen. John Davis,
Seventh district—Northampton, Wayne, Pike and Monroe.

Col. John Westbrook.

*The returns from the district according to statements in the Bay State Democrat, are Lowell, V. B. 4,959; Noyes, whig, 4,789; Weller, V. B. 264.

Eighth district—Schuykill and Lehigh.
 *Peter Newhart. Henry King.
Ninth district—Berks.
 *Gen. George M. Keim.
Tenth district—Dauphin and Lebanon.
 Valentine Hummel, sen. Wm. Simonton.
Eleventh district—York.
 *James Garry. Matthias Smyer.
Twelfth district—Adams and Franklin.
 Daniel Sheffer. *James Cooper.
Thirteenth district—Cumberland, Perry and Schuyl.
 *William S. Ramsey. S. Daulan Adair.
Fourteenth district—Centre, Huntingdon, Mifflin and Clinton.
 Gen. A. P. Wilton. Geo. James Irvine.
Fifteenth district—Columbia and Luzerne.
 Benjamin A. Bickel. E. W. Sturdevant.
Sixteenth district—Northumberland, Union and Lycoming.

John Snyder.
Seventeenth district—Toga, Bradford, Susquehanna, McKean and Potter.

Davis Dimock, jr.
Eighteenth district—Somerset, Bedford and Cambria.
 Major Joseph Isthoff. *Charles Ogle.
Nineteenth district—Westmoreland and Indiana.
 *Albert G. Marcland.

Twentieth district—Fayette and Green.
 *Enos Cook. Jonathan B. Howell.
Twenty-first district—Washington.
 *Isaac Leet. Joseph Lawrence.
Twenty-second district—Allegheny and Butler.
 Wm. Wilkins, 2 years. Wm. W. Irwin, 2 years.
 Wm. Wilkins, 1 year. H. M. Brackengoe 1 do.
Twenty-third district—Butler, Clearfield, Armstrong and Jefferson.

William Jack. Samuel A. Purviance.
Twenty-fourth district—Bacon and Mercer.
 N. P. Feltner. Henry.
Twenty-fifth district—Erie, Crawford, Venango, Warren and Clarion.
 Arnold Plumer. Dr. Wm. A. Irwine.
 The present delegation in congress stands 17 Van Buren—11 Whigs.

*Members of present congress.
 †Nominated by the Van Buren men opposed to the regular tickets.

SENATE.

Second district—Philadelphia county.
 Benjamin Cuyler.
 †Joseph Johns. Peter A. Keyser.
Third district—Delaware, Chester and Montgomery.
 John L. Pearson. John T. Huddleston.
 *John B. Steriote. Abraham Brower.
Fifth district—Berks.

Samuel Pagely.
Sixth district—Lancaster and York.
 Andrew McConkey. *Thomas E. Cochran.
 Jacob Demuth. William Heister.
Eighth district—Huntingdon, Mifflin, Juniata, Perry and Union.

Dr. Joseph B. Ard. James Mathers.
Ninth district—Schuylkill and Columbia.
 Samuel F. Hendley. Jos. Brubst. (volunteer.)
Tenth district—Lehigh and Northampton.
 John S. Gibbons. Peter S. Michler.
Nineteenth district—Allegheny and Berks.
 John Nagley. Charles C. Sullivan.
Crawford.

*Cayler Church. J. W. Farrelly.
 Joseph Douglas. T. M. Power.
 Greene.

Thos. P. Pollock.
 *Members of the last legislature.
 †Nominated by the Van Buren men in opposition to the delegate tickets.

Birth and death of property. The Philadelphia Ledger of the 26th ult. says:—The public may not generally be aware that about one and a half miles beyond Gray's Ferry, near the Baltimore rail road, workmen have for some time been employed in constructing a very large and commodious building, which was to have been appropriated to the manufacture of bricks by means of steam. The house was nearly completed on Friday, when a "house raising," or, in plain terms, a jolification was had. A very large number of workmen in surrounding brick-arches became dissatisfied at the thought that a machine should be put in operation which threatened death to their future means of employment. Accordingly, about nine o'clock on Friday evening, a great number of them assembled and made descent upon the yet unfinished building, which was fired immediately upon their arrival; they then went to work and battered down the walls so as to "smoke destruction doubly sure;" having perpetrated these acts, they exultingly retired. The loss for the time being will be the contractor. According to the information handed to us, the contract made between him and the owners, that his responsibility should not take place until the

roof was placed upon the building. The house at the time of its destruction was not roofed. Mr. Taylor, we understand, is the owner.

DELAWARE.

Whig meeting at Wilmington. The Philadelphia Inquirer has the following notice of the great farrow meeting which was held at Wilmington, Del. on Thursday:

The farmers and mechanics were there from Kent, Sussex and Newcastle; and a large number of citizens present. The accommodations were ample, the speaking excellent, and the spirit such as to inspire the most encouraging hopes as to the result of the approaching struggle in that state. Nothing of an equal extent, in the way of popular demonstration, has ever been remembered in Delaware.

It is impossible to describe the life, gaiety, and enthusiasm which prevailed in Wilmington during the assembling of the throng of many thousands who repaired to the scene of rendezvous—a spacious field in the vicinity of the town. Dr. Naudin was elected to the chair. He presided with dignity and urality, and was ably supported by numerous vice-presidents and three secretaries.

The honorable Daniel Webster addressed the meeting in one of those powerful speeches for which he is so justly famed, and in the peculiar style of eloquence and excellence, that may be termed his own—unsurpassed in vigor, harmony of diction, force of argument, and general splendor of rhetoric, by any orator of the age. Every sentence he uttered carried conviction to the minds of his attentive hearers—and every sentiment, rich with patriotism and truth, found an echo in the bosom of the immense multitude collected on the ground. We regret that the lateness of the hour prevents our giving a synopsis of the address of the distinguished statesman, the leading points of which we were furnished with by a friend—but we can truly say that he never made a more successful effort, never left a stronger or more permanent impression upon the memory, never more triumphantly enlisted the feelings of an auditory, and never shone with greater lustre in the delivery of sentiments alike worthy the republican, the philosopher and the lover of his country.

He was followed by the hon. Mr. Clayton,—and Ketchum, esq.—and both of these gentlemen acquitted themselves with eloquence, ability and irresistible argument. The whole passed off in the most delightful and inspiring manner, and the occasion was rendered doubly brilliant, owing to the number of ladies who graced the meeting with their lovely presence.

The committee of arrangement and the marshals, are entitled to the highest credit for the admirable manner in which they had provided for the accommodation of so large an assemblage. A spacious platform was erected for the speakers, covered with an awning. The exhilarating strains of martial music, the waving banners, and the many symbolic decorations that adorned the field, imparted additional and joyous life to the enthusiasm that was naturally kindled by the glorious cause of Harrison and reform.

Election of inspectors. At the preliminary election which took place on Monday last for inspectors, the result in New Castle county was as follows:
 No. of votes polled. V. B. maj. Harrison maj.
 478 Brandywine hundred 52
 1,627 Wilmington city 55

450 Christiana hundred 48
 331 New Castle hundred 49
 418 Mill Creek hundred 21
 175 Red Lion hundred 30
 250 Pender 30
 284 St. George's 38
 409 Appoquinimink 17
 260 White Clay Creek 30
 99 232
 99 133

Whig majority
 Aggregate vote, 4,156—700 votes more than ever before polled.

Whig majority has hitherto been uniformly a Jackson and Van Buren county. The V. B. majority at last election was 203.

Keat county—Whig majority for inspectors 346.
 Sussex county goes for the whigs as usual.

MARYLAND.

Election. The state election for the 69 delegates and for 7 of the 21 senators to the general assembly took place on Wednesday last. A very full vote was taken except in two or three counties in which no Van Buren tickets were run. Notwithstanding yet received the entire returns, we reserve the statement until we have received complete—meanwhile the following is an abstract of the general result.

The senate was last session composed of twelve whigs and nine Van Buren. Of these, seven were to be replaced at this election, five were Van Buren and two were whigs. Of these the whigs have now elected five and the Van Buren party two—the next senate will therefore be composed of 15 whigs and 6 Van Buren—whig gain 3 members.

The house of delegates last year was composed of 48 Van Buren and 53 whigs—V. B. majority 12. The probability, so far as we have returns is, that there are 19 Van Buren and 60 whigs returned—which would give a majority of 50.

Baltimore city returns a Van Buren senator (A. V. B. gain) by a majority of 270 votes, and five delegates by a majority of 101 votes. The average Van Buren majority in this city at last October election was 423.

Election Returns—Baltimore city.

WARDS.	FOR SENATOR.	
	Whig.	Van Buren.
1st	222	445
2d	398	447
3d	594	736
4th	421	799
5th	766	589
6th	692	689
7th	691	307
8th	496	767
9th	703	346
10th	505	723
11th	737	885
12th	738	967

Total, 7,072 7,342
 The majority for Howard, (Van Buren), is 270.
 FOR THE HOUSE OF DELEGATES.

WARDS.				
Wards.	Waltz.	Collins.	Sevill.	Learn.
1st	524	524	522	523
2d	358	359	389	385
3d	596	596	595	597
4th	426	425	425	426
5th	763	764	762	765
6th	521	524	522	523
7th	669	669	666	667
8th	495	497	595	497
9th	701	704	706	700
10th	512	519	515	513
11th	756	761	764	758
12th	735	737	741	737
7,086 7,109 7,103 7,100 7,094				

Van Buren.				
WARDS.	LEGISLATURE.			
	Legend.	Gallagher.	Greene.	Slenderick.
1st	443	444	444	444
2d	448	447	445	446
3d	720	721	720	721
4th	759	790	791	787
5th	525	529	528	528
6th	590	588	590	592
7th	302	304	303	303
8th	765	765	764	767
9th	541	541	543	540
10th	712	715	716	716
11th	687	690	689	689
12th	959	951	928	962

7,284 7,295 7,290 7,291 7,290
 The average majority for the Van Buren delegate ticket is 191.5.
 " congressional " 1839, 12,826

Incense over 1839. 1,588
 Baltimore county. Col. Ely, V. B. is re-elected to the senate, by a majority of 716 votes. Ely 2,372, Windsor 1,650. Five Van Buren delegates elected by an average majority of 679.

Anne Arundel county was last year represented by two Van Buren and two whig delegates; there being not one vote average majority for either party. Four whigs are now elected by an average majority of 49.

Annapolis city last year elected a Van Buren delegate by a majority of 15. A whig is now elected by a majority of 22.

Culpeper county last year elected two whigs and there was a tie between a whig and Van Buren candidate for the third seat. Three whigs are now elected by an average majority of 133.
Cecil county was last year represented by an administration county. The average Van Buren majority at last

election was 178. The senator is now elected by a majority of 32, and the three delegates by an average majority of 223. Five of the seven commissioners elected are whigs.

Harford county. This county gave last year a Van Buren majority of 299. The delegation is now divided, two whigs and two Van Buren elected. And four whigs and one Van Buren commissioners. Mr. Williams the late speaker of the house is defeated.

Fredrick county last year elected five Van Buren delegates by an average majority of 2263. Five whigs are now elected by an average majority of 193.

Washington county had last year a Van Buren senator, and four Van Buren delegates. The last fair contest between the parties was in 1838 when the county gave a Van Buren majority of 290. A whig senator is now elected by a majority of 193 votes, and four whig delegates by an average majority of 196.

Carroll county was last year represented by three Van Buren and one whig delegate. The Van Buren majority in 1838 was 309. Four Van Buren delegates are now elected by an average majority of 125 votes.

Kent county. The whig ticket has a majority of 155, last year 120.

Queen Anne's last year gave a Van Buren majority of 92. The whigs have this year elected their senator and the three delegates, by a majority of, about 92.

Talbot county last year gave a Van Buren majority of 493. Their majority now is 35.

Charles county has given a whig majority of 365 being a considerable increase.

Allegany county. Sufficient returns are in to ascertain that the whig ticket is elected, being a gain of a senator and three delegates.

Caroline county was last year represented by two Van Buren and one whig. Three whigs are now elected by an average majority of 89.

Dorchester, Somerset and Worcester on the Eastern Shore, and old St. Mary's, on the Western Shore, remain to be heard from, but there is no doubt, whatever, of their all giving whig majorities.

VIRGINIA.

Clerk of the bank of Virginia. An obliging correspondent has called our attention to the notice contained at page 320 of the last vol. of the Register, in which it is stated that H. M. BERRY, esq. was appointed cashier of the bank of Virginia. That appointment was offered to Mr. Berry, but he declined it, and J. W. PEGRAM, esq. was subsequently chosen and now fills the station.

An active competition prevails at present between the Petersburg and Roanoke, and the Richmond and Fredericksburg rail road companies on the one part, and the Portsmouth and Roanoke rail road company on the other. The rates of fare have been reduced, and travellers by the first named route are now charged but \$7 00 from the Roanoke river to Baltimore.

Death of Judge Parker. We learn with deep regret from the Richmond Whig, that judge Parker of the court of appeals expired at his residence in Clark county on Thursday the 10th inst. For some years he labored under a pulmonary complaint which was lingering and distressing. He was long a popular and highly estimable judge on the Jefferson district bench, and was called thence by the voice of Virginia, for his reputation as a jurist and statesman, to the senate of the United States. A vacancy having occurred in the senate, he was re-elected, a few weeks after he had taken his seat, he was chosen to this high office which is discharged with an ability that has reflected distinguished honor on himself and dignity and character to the court of which he was an eminent member. It is expected that western Virginia will have the honor of transferring one of her ablest judges to fill the office of the deceased. John J. Allen, of the Botetourt district, is mentioned as the probable successor.

[Jeffersonian.]

Yorktown anniversary. The whigs of Norfolk propose making arrangements for celebrating, on the plains of Yorktown, the glorious anniversary of the 19th October, in a style corresponding with the events which have given immortality to that venerated spot; and to which celebration will be invited the whig electors of Virginia, North Carolina, and Maryland, and other distinguished whigs of the nation.

A festival is to be held at Leesburg, Va. on the 14th inst.

State debt. The public debt of the state of Virginia, according to the Norfolk Beacon, is at the present time \$6,500,000, exclusive of its liabilities under acts authorising loans for works of internal improvements, which amount to \$4,412,162 more.

NORTH CAROLINA.

Great preparations appear to be in hand for the state convention in Raleigh on the 5th October.—Arrangements on the most magnificent scale are making for the entertainment of all who may attend.

Robt. W. Haywood has been appointed adjutant general of the state of North Carolina, vice Beverly Daniel, deceased.

SOUTH CAROLINA.

Population of Charleston. According to the census just completed, the population is as follows, compared with 1830:

1830.	1840.	
White males,	6,326	6,836
White females,	6,502	6,536
	12,828	13,372
Gain in white population,	203.	
Free colored males,	814	854
Do. do. females,	1,293	977
	2,107	1,831
Loss of free colored,		516
Male slaves,	6,777	6,384
Female slaves,	8,877	8,339
	15,534	14,723
Loss of slaves,		681
Census of 1830 of city,	30,288	1227
Census of 1840 of city,	29,263	Deduct gain
		in white, 3
Loss of population,	1,026	1,026

1 white over	100
3 free colored females over	"
5 male slaves	"
5 female slaves	"

— 11 persons over 100 years. Five white males over 20, who cannot read and write.

Extract of a letter dated St. Joseph's, Florida, September 12.

More Indian murders! It becomes our melancholy duty to record further sickening details of Indian barbarity. On Thursday morning, the 10th instant, the house of Mr. Wyley Jones, on the Economa, in Washington county, about six miles north of this place, was attacked by a party of Indians, the premises all burnt, and Mrs. Jones and one of her children, an infant, slain. We have conversed with Mr. Jones, who says he was returning from one of his fields about 10 o'clock in the morning, and when within two hundred yards of the house, he heard four or five rifles fired in his yard, he ran for the house, and, on rising the hill, found the house surrounded by Indians, and eight or ten in the piazza. The Indians discovered him at that moment, and pursued him, firing and whooping all his life. Being entirely unarmed, without even a knife, he fled and escaped in the hammock. Mr. Jones' daughter, a girl of about 13 years of age, states that her mother, a negro woman, and four children were in the house when the Indians were discovered in the yard. Mrs. Jones caught up the youngest child and was about attempting to escape out of the door, struck by three balls, one passing through the head of the child in her arms. The daughter above mentioned, took the two children, and, while the Indians were ransacking and plundering the house, passed out unharmed and hid them in the bushes. The little heroína then returned to the house, in the midst of the Indians, helped her mother up, who was lying on the porch, and, about three hours after the murder, the little girl, when, becoming faint from loss of blood, the field girl left her in search of water. She returned with it, but her mother, after drinking, died in a few minutes. She then covered her mother and the dead infant with bushes, and carried the remaining children to the nearest neighbor.

A few days before this outrage Mr. John Loath, while descending the Chipola river in a boat, was killed, probably by the same party, as pieces of tarpon belonging to the boat were found at their camping place, about a mile above Mr. Jones'. A company of volunteers started in pursuit of the Indians, and tracked them to the Dead Lakes, on the Chipola. Volunteers are now about being raised in this county to continue the pursuit, but we fear the Indians cannot be overtaken. The inhabitants near St. Andrews' bay have mostly fled to this place for protection, and those on the Economa have abandoned their homes and fortified in the house of E. Robbins, esq. How long is this state of uncertainty and alarm to exist? [Times.]

ALABAMA.

Et cetera returns. The Montgomery Advertiser, (A. C.) gives the following as the result of the late election:

	V. B.	Wag.	V. B. maj.
Senate,	21	12	9
House of representatives,	53	47	6
Van Buren majority on joint ballot,			
Table showing the majorities of the popular vote of Alabama, for 1840:			

	V. B.	Har.	Lowdes	V. B. Har.
Atlanta	200	150	Montgomery	169
Barbour	200	100	Mobile	100
Blount	617	300	Macon	200
Bolton	600	200	Meritt	200
Baldwin	30	30	Morgan	400
Bibb	35	35	Nadson	1,200
Chambers	250	250	Monroe	250
Coosa	400	400	Marion	150
Catoosa	271	271	Marshall	1,000
Cheokee	200	200	Waynes	50
Conecuh	175	175	Pickens	209
Covington	50	50	Pike	220
Dale	600	600	Russell	140
Dallas	190	190	Tallapoosa	300
Dekalb	500	500	Shelby	40
Fayette	400	400	St. Clair	400
Franklin	350	350	Sumter	—
Greene	450	450	Tallapoosa	200
Henry	200	200	Tallapoosa	75
Jefferson	250	250	Tuscaloosa	25
Jackson	1,800	1,800	Washington	276
Landenale	360	360	Walker	200
Lauderdale	600	600	Wilcox	183
Limestone	600	600		
Total,			12,034	9,635

Mr. Jones, who was elected senator for Sumter county at the election in August, has, it is said, resigned his seat, on discovery that illegal votes were cast for him. His majority was but one vote. A new election is ordered.—Mr. Boyd, the unsuccessful candidate, does not run again, and the whigs have nominated H. I. Thornton.

Mobile. A mercantile house of \$500 of the bonds issued by the corporation, has just received advices that judgment had been obtained, but previous to its being rendered, the corporation of the city had made an assignment or deed of trust, of all the real estate belonging to the city, by which act the judgment obtained against it is useless.

[N. Y. Jour. Com.]

LOUISIANA.

Congressional election. The governor of Louisiana has ordered a special election for the third congressional district, to supply the place of Mr. Garland, resigned, whose term does not expire until the 4th of March next. The election will take place the same day that the presidential electors are chosen.

Banks in New Orleans. From a general statement of the condition of the New Orleans banks, dated on the 8th instant, we extract the following aggregate:

Monetary capital,	\$54,950,000
Capital paid in,	41,762,739
Discounts and loans,	45,537,633
Individual deposits,	6,039,301
Circulation,	6,054,866
Specie in the vaults,	3,526,210

Opelousas, Lou. Sept. 4th, 1840.

Insurrection. Perhaps you have heard something about the insurrection which was to have taken place in the parishes of Lafayette and St. Landry. Fortunately it was discovered in time to prevent any mischief. The plans of the insurrectionists were bad, and as usual, horrible in the operation, so far as I have heard. They have as yet hung but three of the ringleaders. Many are arrested, and more, I suppose, will be hung. Two white men (I suppose abolitionists), have been implicated; they were tried and found guilty by circumstantial and positive testimony, but as the law of the state does not recognize slave testimony against a white, they could not, by a legal tribunal be found guilty to suffer death, as they would have been, had the testimony been admissible.

They were, however, sentenced by judge Lynch to a severe flogging, with orders to leave the state at the peril of their lives. [Jour. of Com.]

TENNESSEE.

Nashville corporation election. The Whig ticket prevailed in every ward in the city, at the election on the 26th ult. The votes for mayor stood:

C. C. Crabbe (whig)	899
W. H. Moore (V. B.)	401
Whig majority	193

OHIO.

Political meetings. The accounts of the numbers that attend the political assemblies in this state are almost incredible. The vigilance committee, H. M. Johnson has been hailed by his friends with the ut-

most enthusiasm. His competitor, Mr. Tyler, of Virginia, has accepted the invitation of whig friends and is now attending meetings in various parts of the state.

General Harrison addressed a large meeting at Chillicothe on the 18th ult. estimated at 49,000. On the 19th, a meeting at Somerset, estimated by the Times at 20,000. On the 21st, a large meeting at Somerset, and on the 25th, one at Columbus.

The Whig Times says:—We have seen several times, among whom was Penrose of Pennsylvania, who say that Harrison made the best speeches at Chillicothe and Somerset they ever heard. Mr. P. says he was beyond all the young men they could produce—he would travel further and make a better speech than any of them.

The following are the whig nominations for congress:

- 1st district, N. G. Pendleton,
- 2d " L. D. Campbell,
- 3d " G. George,
- 4th " Jeremiah Morrow,
- 5th " Thomas L. Shields,
- 6th " Calvary Morris,
- 7th " William Russell,
- 8th " Joseph Ridgway,
- 9th " George Sanderson,
- 10th " Samson Mason,
- 11th " B. S. Cowan,
- 12th " Joshua Mahaffy,
- 13th " S. Stock, J. Andrews,
- 14th " Levi Cox,
- 15th " Samuel Stokely.

The convention at Chillicothe, Ohio. Upwards of eleven columns of the Scioto Gazette of Thursday last are occupied with the details relating to this immense assembly. The convention proper was appointed for Thursday the 17th ultimo, but in consequence of the vast numbers which had congregated in the town on Wednesday, that day must be deferred as the first day of the convention. During the whole day delegates continued to pour into the immense assembly. The convention proper was appointed for Thursday the 17th ultimo, but in consequence of the vast numbers which had congregated in the town on Wednesday, that day must be deferred as the first day of the convention. During the whole day delegates continued to pour into the immense assembly. The convention proper was appointed for Thursday the 17th ultimo, but in consequence of the vast numbers which had congregated in the town on Wednesday, that day must be deferred as the first day of the convention. During the whole day delegates continued to pour into the immense assembly.

On Thursday almost every house displayed its banner, and the national flag floated from every prominent elevation in the place. At 10 A. M. the procession was formed and proceeded to welcome the illustrious guest, General Harrison. They met his escort near the first gate on the turnpike, when the procession halted and formed on either side—gen. Harrison in a barouche and four, with his aids col. Todd and Chambers, and the long file of young men by whom he was accompanied, passing down the thronged avenue, while about a half shout echoed along the line and was returned from the densely populated city. The general was welcomed by R. Douglass, esq. with a few remarks, to which he briefly and appropriately replied. A place called the Sugar Grove was selected for the convention, to which the many thousands now repaired, and the meeting was organized by the appointment of the hon. Wm. Key Bond, as president, and a suitable number of vice presidents and secretaries. Col. Bond then addressed general Harrison to the assembly, and when the long and loud cheering of the multitude had subsided, the veteran engaged their profound attention during an address which occupied two hours and a quarter in the delivery.

General Todd and Chambers, and aids to general Harrison during the war, succeeded him, in addresses to the people.

The Gazette estimates the number of persons present at the Grove at 49,000. At the meeting then adjourned till next day, but during the evening previous were entertained as before by the eloquence of various talented members of the convention at several places in the city.

The next morning, Friday, the grand procession was formed, and this must be left to the imagination of the reader, for a description of the scene has baffled the pen to which we are indebted for the record before us. The people afterwards reassembled at the Grove, when general Harrison was addressed by general Blunt, the prompt vindicator of the fame of the standard hero. The ceremony of presenting a cane succeeded, which the general received with a suitable acknowledgment.

The multitude were subsequently addressed by gov. Wells of Ky. the hon. C. B. Penrose of Pa.

*The Ohio Confederates says—"Gen. Harrison arrived escorted by a procession of thirteen 'six miles long.' The old and new friends of the general, the cheering, the prolonged and deafening shouts of the multitude made manifest the enthusiasm which pervaded it."

and gov. Metcalf of Ky. after which the chairman of the committee on resolutions reported the same, which were read and adopted by acclamation.

In the evening a splendid exhibition of fire works took place, concluding with the temple of liberty, surrounded by a beautiful figure and illustrating a transparency of gen. Harrison.

A shout was then made for gov. Moorehead of Ky. who responded to the call in an able address, and then concluded one of the greatest concourses of the people that has hitherto been held. [Amtr.]

MISSOURI.

Rapid increase of population. Judging by the number of votes taken at the recent election, this state, which has now but two representatives in congress, will be entitled to six or seven under the new census. In 1832 the state polled 17,250 votes. In 1836, 27,372 and at the election last month nearly 52,000 votes were taken.

Darius. The St. Louis papers state that in the case of Darius, a noble prisoner has been entered by the attorney, in consequence of some informality in the indictment. The prisoner is released on \$3,000 bail, to await the further action of the grand jury.

Sub-treasury operations. The Bank of Missouri has hitherto been used as the fiscal agent of the government in St. Louis, and as the place of deposit for the public money at that point. The amount reported as due from the bank to the government in July last was \$1,162,129 71. As the city of St. Louis is one of the places designated in the sub-treasury bill for the residence of a receiver general, it was expected that this amount of government money would be transferred from the bank to the office of the receiver. This transfer might cause a pressure or it might not—according to the operation should be made suddenly or gradually. If the bank should be required to pay over the amount at once in specie, the business community of St. Louis must suffer—for the bank would be compelled to press her debtors and to curtail accommodations. The St. Louis Republican states that Mr. Smith, president of the bank, went on some time ago eastward to solicit, as was supposed, time and indulgence for the bank from the secretary of the treasury. That paper says:—

Mr. Smith returned, and left the city on Thursday last on a second trip to the east. This second visit the newsmongers, in the street, apply to the same cause. The report runs, that the United States government has ordered the bank to place all, or nearly all the funds and bonds belonging to the government in New York, during the month of November next. The visit of the president of the bank is said to be, to make provision for complying with this requisition.—The bank is compelled, if this order has been issued, to do one of two things. Either it must effect a loan in the east, payable in such money as the government will receive, or else she must ship the specie, provided she can get it to ship. In either event, it is likely to be a losing game to the payers of Missouri.

To ship specie from St. Louis to New York, it is stated, will cost at the lowest estimates three per cent, including freight, insurance and incidental expense. This expense, says the Republican, must be borne by the bank, or rather by the people of Missouri who own the bank. The cost, then, of transporting from the bank to New York the sum above named due from the bank to the government would be something over \$34,000.

The injury done to the business community of St. Louis by this sudden transfer would be for a more serious evil than the loss to the bank of thirty-four per cent. It would be a loss to the east, payable in such money as the government will receive, or else she must ship the specie, provided she can get it to ship. In either event, it is likely to be a losing game to the payers of Missouri.

Political meetings—Van Buren convention. The Journal of the 19th ult. says—"The 8th of October is the day fixed upon for the meeting of the state convention at Jefferson city. Col. Benton, Dr. Linn, hon. John Johnston and gov. Reynolds will be there, and probably the greater number of the Thayers. We'll our neighbors of Ralls and Lincoln, sleep upon their posts! Now is the time for action. The election is at hand. "The night soon cometh when to man can war." Cole, Howard, Cooper, and others, have already appointed delegations, and we hope that the Salt River region will not be backward."

FLORIDA.

Jackson county—The Indians. A letter from Mr. J. H. Parker, of Marianna informs us that a few

days since, a small party of Indians appeared in the lower part of Jackson county. They went into Washington and killed the wife of Mr. Wiley Jones, and two of his children. A boatman by the name of Rogers, was also killed. The citizens were in pursuit of them.

[Tallahassee Floridian, Sept. 19.]

POLITICS OF THE DAY.

The president of the United States having been invited to visit the great meeting at Washington to celebrate the passage of the independent treasury bill, held at Poughkeepsie, N. Y. on the 16th ult. the largest one ever convened in that state, returned the following reply:

GENTLEMEN: I have received your good letter, inviting me to attend a mass meeting of the democratic electors of the several counties contiguous to the Hudson river, to commemorate the triumph of free principles in the passage of the independent treasury bill.

It will not, I regret to say, be in my power to comply with your request. Of the pleasure it would afford me to accept your friendly invitation, if I could do so, it cannot be necessary to assure you.

There has been no event in the course of my public life in which I have taken so much interest, or the success of which has been more grateful to my feelings, than that which you are about to celebrate. Although compelled to propose the measure by a sense of public duty, which did not admit of compromise, and which I could nevertheless scarcely allow myself to say for its adoption, without violent opposition from uniform opponents; and, what was more to be regretted, without extensive diversities of opinion in regard to its expediency, among friends who had every claim to my respect and admiration, and who were so brought to bear upon a public measure; after having for years been proclaimed as the cause of embarrassment in the pecuniary concerns of the country, which it not only had no agency in producing; but which was entirely springing from directly opposite causes; sustained by the ablest and the most intrinsic merits, and the intelligence and patriotism of the people; this much abused measure has at last become the established, and I sincerely hope, the permanent policy of the country.

It affords me great pleasure to be able to say to you that thus far the new system has worked well—indeed, equal to my most sanguine expectations, and without any considerable inconvenience to the government, notwithstanding the temporary embarrassments which usually attend great changes in the management of public affairs. If it has been in any respect unfavorable in its practical operation, either to the inconvenience or interests of the people, we have not been apprized of it. These are great and gratifying results, honorable to the fortitude and indomitable spirit of the American people; and as you truly say, "auspicious to the hopes of every friend of republican government."

They have, however, not been accomplished without sacrifice, political as well as personal. The injuries to which the general interest of the country has been exposed from assaults upon this particular measure have been very great, and the division among the political friends produced by the struggle have been to me a source of poignant regret. In no quarter has this latter consideration occasioned greater anxiety on my part than in the new system, as it was not, you will do me the justice to believe, without pain that I found myself deprived, upon so vital a point, of the approving voices of thousands of the friends of my youth, and the associates of my untimely years—of many of the very names in the political field with which I entered life, and I had again and again seen tried in the crucible of political adversity, without ever being known to waver in their devotion to what they believed to be the cause of their country, and whose integrity of motive commanded my unqualified confidence. Still, grave as that measure was founded on principles which could not fail to take a deep root in the hearts and judgments of the people, and must in the end command itself to the support of my dissenting friends, I have with me in confidence for the fulfillment of my most sanguine expectations. Still, grave as that measure was founded on principles which could not fail to take a deep root in the hearts and judgments of the people, and must in the end command itself to the support of my dissenting friends, I have with me in confidence for the fulfillment of my most sanguine expectations. Still, grave as that measure was founded on principles which could not fail to take a deep root in the hearts and judgments of the people, and must in the end command itself to the support of my dissenting friends, I have with me in confidence for the fulfillment of my most sanguine expectations.

of the democracy of the state which have preceded it, the tone of its press, and the innumerable indications of popular feeling that have reached me,

through other channels, leave no room to doubt that my utmost wishes, in this respect, have been fully accomplished.

The complimentary manner in which you have been pleased to speak, for yourselves, and in behalf of those your readers, of my political career, is to me a source of satisfaction, which, taken in connection with the favors I have already received at their hands, and the cordial, earnest and prevailing indications of personal regard and political support with which I have been greeted by my democratic friends in the state, have laid me under obligations I can never hope adequately to discharge. Assurance of an unwavering disposition and unceasing efforts to do so, are, however, freely given, and will be faithfully and promptly given. I am, gentlemen, very respectfully and, truly, your friend and obedient servant.

M. VAN BUREN.

To Edmund J. Porter, and others.

Politicians! Do you suppose that this is the last year of time? Are all things to pass away with the political contest, leaving nothing to tell the story? Will the footstools, the falsehoods and the lies, all the antic tricks played before the people be forgotten? Will not "the cold, rebuking eye" of impartial history hereafter look back upon the extraordinary excitement of the present day, and single out for honor and immortality those who have done well, and for infamy or oblivion those who have done ill? Will it not discover those who, with a lofty patriotism, a deep, honest, heartfelt regard for truth, spurned all base weapons and refused to stoop to the low and miserable trickery of demagogues, and will not its piercing gaze also be directed to the skulking and cowardly traitors to their country and its popular institutions, who strove to shut out the light of truth, to deceive the people and hold them up before the world to be ridiculed as an ignorant rabble, who could only be controlled by being deluded with falsehood or confounded with noise?

Depend upon it, politicians, the history of these things will be written hereafter, when the excited passions of the present hour will have become cool, and when no delusion can obscure the truth. Reflect what that history will be, and in what a volume it will be found. Remember that this will be the same volume which immortalizes the great apostles of American liberty—our Washingtons, our Jeffersons, and our Franklins—the volume which is to record one of the most striking instances of human exertion since the first dawn of time, a noble and successful effort to throw off the yoke of arbitrary power, and establish a government upon the great principles of equal rights, and to be directed solely by the will of the people. Nor is it what is merely written in this volume that should be alone considered, for when all this many a brilliant page remains to be filled through the long years of future time!

He who would not have his name a foul blot upon those pages, placed there but to hand down his infamy to after ages, must see to it that in the heat of party strife, or in his overwearing ambition for office, he does not so conduct as to weaken confidence in self-government. He must not abuse the institutions of his own country, nor hold up the people as an unthinking rabble who can be poisoned with falsehood, corrupted with money or warped with prejudice. Remember that this will be, of course, but they should not be conducted in this manner. When men differ, as they will honestly differ, in regard to political measures, let them come before the people fairly, avow distinctly their respective principles, state clearly the points upon which they are at issue, produce the facts and press home their arguments with as much warmth and force as they may, leaving the people to pronounce an impartial decision between them. There is a dignity in such a controversy; it tends to elicit truth, to scatter light abroad, and to establish correct principles. He who truly loves his country, who is devoted to the cause of human liberty, and who respects his own reputation, will not depart from this course and resort to the degraded passions, the sneers, falsehoods and the turnings which at present fill so many papers and afford material for so many speeches.

[N. F. S.]

The letter of the right rev. bishop Green has led to a controversy between that prelate, as editor of the *Catholic Miscellany*, and gen. Duff Green, editor of the *Fideli*; in this course of his remarks, the bishop says—

"According to gen. Green's principles, the Catholics of Savannah should be EXTERMINATED and their RELIGION PROSCRIBED! The Catholics of Savannah! No, but the whole body of Catholics throughout the United States. And this

is the republicanism and the toleration of gen. Duff Green and his supporters! We do not charge it upon the party that employs him, though we have long known that it is the principle of a vast number of that party; yet we also know that it is repudiated by a large number who are honestly opponents to the democratic party, who love republicanism, and who would show, if necessary, their hatred of persecution by rallying even in the field of fight, to prevent the EXTERMINATION of the Catholics. It is, therefore, that we do not consider it the principle of the party, though cherished and fostered by men, high amongst them, but published only by a few."

The *Fideli* retorts with considerable severity to the justice of which the above is extracted.

Address to the society of Friends throughout the United States, especially to the voting members of the said society.

Respected Friends: With a view of satisfying myself, and some friends and acquaintances to the state of New York, where I reside, relative to the moral, intellectual and physical fitness of William Henry Harrison to occupy the presidential chair of our country; I have visited Ohio, and had several interviews with gen. Harrison. I have also heard him deliver three public speeches, and so far as I am able to judge from such a limited acquaintance, I presume that he is capable of occupying the highest office in the gift of the citizens of the United States. Hitherto, (although I am forty-two years old), I never cast a vote for political electors, having conscientious scruples of the propriety of Christians actively participating in political governments. But after a mature and weighty consideration of the subject, I have come to the conclusion that it is not only proper, but my duty, to name two candidates for an important official station are the people, one of whom must be elected to make my vote (as far as consistently can), acquainted with their relative qualifications and claims for the office; and that if I became satisfied, (all things considered), that one is far preferable to the other, that I ought to vote for him, regardless of the party that may have nominated him, or acting as a member of the one body politic of our country, instead of a member of a party. In resolving therefore to support Harrison for the presidency I do not design to identify myself with all that his friends say and do, or with all that has hitherto as a party motto said or done, but to become acquainted with the principles, characters and claims of Harrison and Van Buren, (having once resided in the same place that the latter then did), I esteem the former far preferable to the latter; therefore, in voting for Harrison I consider that I merely express my choice of the two men, one of whom, in all human probability, must be president. This is the course of conduct that I consider Christian principle demands. Christians of the United States now doubtless hold the balance of power between the two political parties of nature's hand; and if they would exercise it in reference to Christian principle and public good, they might hereafter secure the services of the best men that the two political parties may present for their suffrage. As political objections are undoubtedly the minority of this republic, it would be anti-democracy for them to force rulers of their exclusive choice upon the nation, if by a political organization and shuffle they could do so. I must, therefore, from the principle of republican democracy, against such a principle of republicanism, believe abolitionists and minority in this our republic—because I believe the law of nature and of nature's God dictates that the majority should rule in natural things. Christianity says its victories with no law but truth and persuasion; not to put down its will with the sword, but the prerogative of Jehovah alone. Hence my friends will see why I go against a third political organization. Under existing circumstances it was against democracy. Correct public sentiment, by legislative means, will inevitably follow. For the minority to suppose, that under any possible circumstances, it might be right to coerce the acts of the majority in a republican government, is to suppose that an effect may exceed the cause.

In coming to a conclusion relative to the claims of candidates for our suffrage, if upon an important topic they appear to be equally balanced, then we should weigh them upon other topics of the most important. Friends' sentiments upon the important topic of slavery are generally known, that while they deprecate it as a great moral and political evil, they are all unconsciously and unconsciously measures. To inflame the passions, is but to close the mind against the appeals of truth. Admitting that Harrison and Van Buren stand nearly upon a par in relation to slavery, still there are other im-

portant topics upon which they may be weighed. I ask neither of them to pledge what he will do, but I consult their principles and past acts relative to what they may do. Their principles and past acts relative to the Indians are very dissimilar. When I inquired of Harrison the course he would pursue with the New York Indians, if he should be elected president, he replied, "I will do them justice, so far as I may be able to act in relation to them." But, he continued, "I can give you no pledges relative to what that may be, but I will give you something better than pledges. I refer you to my past acts towards the Indians when governor of Indiana, and to my measures relative to them to the legislature. In one or two instances, when governor of Indiana, I withstood the general government, because I thought it demanded more than justice did of the Indians. I never would conclude a treaty with the Indians," he continued, "unless I believed it would be satisfactory to the tribe after made." He then referred me to John Johnson, for many years an Indian agent under Harrison, for proof of his assertions. I called upon Johnson who abundantly confirmed all that the general had said. As I have recently visited the Seneca Indians at New York, and heard the statements of some of the best and noblest of that tribe, relative to Van Buren's conduct towards them as president of the United States; I will state it, and let my friends contrast it with that of Harrison. I have in possession ample proof of the correctness of the following facts:

During the last session of congress, Van Buren signed and proclaimed, as the law of the land, a treaty which requires the Seneca Indians of New York to deliver within three years to the Ogden Land company, of which one of his sons is said to be a proprietor, all of their lands in New York, comprising about the thousand-acre tract of land adjoining the city of Buffalo, is said to be worth from one to five hundred dollars per acre, and it is worth probably upon an average \$12 per acre; and the United States government is bound by the treaty to pay \$100,000 to the Indians, about double what the Ogden company pay for the New York land, in consequence of the Indians relinquishing their claims to Green Bay lands—but the Indians declare that they have no claim upon such lands. The philosophy or treachery of this making government and the Ogden company partners in the land to be received is more than I can develop. I merely state what I learnt from the Indians; responsible white men vouch for its correctness.

Previous to the ratification of this singular treaty, the Seneca nation sent a delegation of four of their head chiefs, and three responsible white agents, to Washington, who testified before the senate and the United States, that the treaty which the president had laid before the city for consideration was not nor could not be binding upon the Seneca Indians. It was not the treaty of that nation, but that of the Ogden company, and the chiefs who had been bribed and unlawfully enticed to sign the said treaty. And that the majority of the chiefs of their nation, and fifteen out of sixteen of its members disclaimed the treaty. Among the delegation was one of the bribed chiefs, who testified against himself, that the said treaty was unauthorized, and therefore not binding upon his nation. They exhibited the affidavit of John General, a chief of the Seneca nation, residing at Buffalo, which deposed "that while commanding the Seneca Indians at Buffalo, and in the Ogden company) enticed him into a tavern in Buffalo, where he was pressed to drink some ardent spirits, which he did, and finally became intoxicated, in which state he was strongly pressed to sign the assent to the aforesaid treaty, which he conscientiously refused, and that he has since been informed that his name is affixed to it; and he solemnly declares that he never so affixed it, unless when so drunk that he did not know it, and has never since remembered it." By an affidavit signed by eight of the chiefs of the Seneca nation, and three Indians of their nation, who attached their names to the treaty as chiefs, who obtained their election by a sham election, at a tavern in Buffalo. By sundry documents they exhibited, that to eight of their chiefs the payment of \$21,000 was promised upon the faith of written articles, duly exhibited by the Ogden company, as a reward for signing the treaty, and seducing their fellow chiefs to do the same; this money to be paid within three months after the ratification of the treaty.

But the time has expired, and the contracts have not been paid, and it is now found that the bribing agent is not the Ogden company, but the Ogden company. The senate's committee on Indian affairs, after learning the foregoing facts, reported against the ratification of the treaty. But still, through some influence or other, (the rich Ogden of New York

was at Washington) the senate was equally divided, and the vice president gave the casting vote; and with a knowledge of all the bribery and corruption attending that treaty, Martin Van Buren signed it as president of the senate.

To me, it seems as though every senator, as well as the vice president and president, in sanctioning that treaty, endorsed all the bribery, treachery and wickedness of its origin; and therefore for me to support either of them for a public office, without knowing that they had repeated and confessed this public sin, would render me a participator of the same.

The time has come, in my opinion, for Christians to hold public men responsible for their public sins, and have no fellowship with them. Let them prove them by voting against them. Unless this course is pursued, and *Christian principle* and *influence* are determined to bear upon public men, our country, I fear is destined to destruction! Under a fearful and weighty apprehension of this kind, I invite my friends to liberty and justice to through their influence across the path of political gamblers.

The policy of the administration of our government is, that the Indians shall go west of the Mississippi. The execution of this policy, by the means, has already produced the Black Hawk and Florida wars, and expended perhaps fifty millions of money, with the destruction of two thousand lives. And the result of a forcible removal of the New York Indians, I have no doubt, will be the same. The Indians war upon our western frontiers. One of the heads of the Seneca nation said to me, "if the whites are determined to have our lands, let them come and tomahawk us, and bury us by our fathers, and not thus meekly die as we from home."

Believing that the election of general Harrison will result in the annulling of this fraudulent treaty, and in ending the disgraceful and expensive Florida war, if there was no cause of preference in him, save this prospect, I should esteem his election of vast importance. And knowing that some friends in New York state are fearful in consequence of the reiterated false statements of one class of newspapers, that Harrison is not capable of filling the presidential chair by reason of age and lack of talent, I do hereby testify that it is the unanimous testimony of the members of the society of Friends in this city and vicinity, who are personally acquainted with gen. Harrison, that he is in all respects, in their opinion, well qualified to fulfil the station of president of the United States; and all those who are conversed with, say he shall have their support for the same.

MICHAEL H. BARTON.

Cincinnati, 9th month, 17th, 1840.

[Cincinnati Daily Gazette, Convention at Cumberland Gap. A correspondent furnishes us with the following vivid and eloquent description of the brilliant spectacle presented by the great convention which recently assembled at Cumberland Gap, from the states of Kentucky, Tennessee and Virginia.]

[Richmond H'g.] I have just returned from the great Cumberland Gap meeting, (common to the states of Kentucky, Tennessee and Virginia). It was a most interesting affair, and the spectacle it presented, at once unique and striking. At the east foot of the mountain were encamped the Tennesseans and Virginians, numbering some two or three thousand, and the Kentuckians, nearly as numerous, at the foot of the mountain on the other side. They had come from all distances within 150 miles, both sexes and all sizes, in wagons, carriages, carriages, on horseback on foot, with their tents and provisions and cooking utensils—all came up to the top of that desert mountain to consult together on the affairs of the country. How deep, how wide-spreading, how fearful must that dissatisfaction which thus came in thousands and tens of thousands to leave their homes and their business, and under circumstances of such inconvenience! The white tents covering the plain, the carriages of all descriptions amidst them, the thousands of horses picketed around, the family and neighborhood groups, and the bright dresses and brighter looks of the women and children; the long lines of the different delegations, winding along the road, as it serpentine up the mountain side, with their gay banners floating at their head—and, to crown all, the great flag, 50 feet by 50, streaming like a meteor to the breeze on the mountain top, displayed from a tree fit for the mast of some tall admiral, (bearing the inscription, "Kentucky, Virginia and Tennessee—Harrison and Tyler—one more fire, and the day is ours!") looking afar off, scarce bigger than a report of the cannon, (which, with the shining reports of the cannon, (which had been dragged to the very summit of the Gap) reverberating around, and the gayest strains of music heard on all sides, all set off by bright skies

and a delicious air, presented altogether one of the most rare and delightful scenes it was ever my fortune to witness. The stand was erected in a hollow on the summit of Old Cumberland, and around it on all sides, the ground was like an amphitheatre, where 10,000 persons might have heard with convenience. "Whita, the representative of the district of Kentucky bordering the mountain, was president of the convention, and was closing the opening speech when I arrived—Crittenden followed in a charming speech, instructing, delightful, warming as hardly any but he is capable of doing; then Bell, who, from great exhaustion by fatigue and sickness, passed into a state of nervous excitement that quite undid him; then Combs, with a brilliant, rapid and stirring account of general Harrison's military services, of which he was an eye-witness, and of the northwestern campaign in which he himself served, and from which he brought home a disabled arm (of more eloquent action than that of Demosthenes) and a scarred body, the evidence of his gallantry and the badges of his glory. The next day Mr. Robertson of Richmond first addressed the meeting; then came Bell, in a redeeming, triumphant and most powerful speech; then Center, that's the way they pronounced it! God knows how long and how long Harrison's military services, and Anderson followed, a wing elector of Tennessee, brother of the loco fero United States senator; and Crittenden, in a splendid effort, at the end, poured out, in rich profusion, "thoughts that beat and burn like fire," as the poet describes in a course with a shower of stars. Shortly after, the tents, were all struck, and the vast crowd dispersed towards their homes—every man cheered with fresh hopes and nerved with new zeal in the great battle we are waging with power."

VAN BUREN MERCHANTS' MEETING.

POLITICAL MEETINGS. The Van Buren party in the city of New York called a meeting of the merchants of that city a few days since, which was addressed by Mr. Senator Wright, an extract of which speech we insert below.

SKETCH OF SENATOR WRIGHT'S SPEECH.

From the Journal of Commerce.

Mr. President and fellow citizens: I appear before you this day, not from any personal presumption of my ability to pursue in an interesting and so far as I know, by your desire. But I also appear here in pursuance of a duty to me more sacred and important than even your invitation. I appear here as one of your representatives in one branch of commerce, and I mean to say that I appear before the citizens of the state, and, as far as I can, to give them a full, fair and true account of how I discharged the trust which they reposed in my hands, and by doing so, enable you to determine where that trust shall be reposed in future. But let me say that there is perhaps no assembly in New York which I am less competent to address than a body of merchants, so little am I acquainted with mercantile affairs. But when called on to come here by merchants of New York, who own themselves friendly to that administration which I support, and to the re-election of our present chief magistrate, I would be recalcitrant to every feeling of my heart if I did not appear here that moment.

I am well aware, fellow citizens, that the present occasion is of a political character, but when called on to address a meeting of merchants, whose obligations shall be of a mere political or partisan character, further than the interest of merchants are involved in politics. If, therefore, there is any political opponent present, let me assure him, that I cannot be expected to treat any man, or any party, as the meeting is not a party meeting, for I consider the success of my cause more for the well-being of the country, and in my heart I am convinced that almost every one will respond to me when we can bring them calmly to consider the duties which I propose to introduce.

What is the question at present presented to us? Is it whether we shall change our present administration. Shall we put out one man and put in his opponent.

Mr. Wright then referred to the chief reasons why, with the opponents of the present administration, he gave for opposing the re-election of Mr. Van Buren, namely, his alleged hostility to commerce and banking institutions, and his having established the sub-treasury. On the subject of banking, Mr. Wright addressed the second law, was in the country.

Let us look at our experience on the subject.—Forty years ago our government created a national bank. I will not refer to the first bank, but the second. It was created in a time of embarrassment and distress, and derangement of public and private credit. The second law was in the country with a capital of thirty-five millions, and was charged with effect on business! For the first few months of its existence, there was a severe pressure, because the

capital of the institution had to be obtained and paid in. But when the machinery was perfected, what followed? First expansion, and afterwards asperation, produced a revolution in trade, more severe in extent than any of the evils which visited us in 1836.

Let us go back and see what was the state of the country from 1819 to 1821. What was said of it by your Niles' Register? It said that at that time there were between 10,000 and 20,000 laborers in our large cities seeking employment, and in a state of starvation.

I don't find fault with the bank for causing these evils. They were caused as much by the laws of banking and the laws of trade. But still it was the standard currency, say on re-estimation, and such as the present administration ought to be put out of power for not having re-established.

Let us follow up its history from 1819 to 1821. How long was it before the currency underwent another fluctuation? Another came in 1825, and in that part of the country where it lived, it was not in favor you could do a farmer was to give him 500 for a bushel of wheat. How were we again situated at other times? In 1830 and 1831, this institution following the law of its nature, which is the law of its nature, commenced another expansion. Other institutions followed this example, and in 1832, when the question of renewing its charter was before the country, its expansion amounted to nearly twenty millions; or perhaps more than twenty millions. In 1833, when I was in the country, it was going to justify, but merely to trace his acts—win or not, hostily or not, as you please, but an honest man was never placed in the breast of any man living—then made up his mind that his duty to the people was to vote in office would not allow him to sign a bill for re-charter, instead of which, he put his veto upon it. And who does not remember how triumphantly the people sustained that act, by the most decided expression of public opinion ever tested a presidential election? So very decided, that it was thought the bank question was forever at rest.

This bank was by law the depository of the treasures of the country. Until an order came from the treasurer, it had a right to every dollar collected from our pockets, and Jackson thought it better, in anticipation of the coming of the new administration, to direct the money collected from that time to be deposited in other hands. But of the millions which it held belonging to the public purse, he took from it no one dollar. Therefore, that institution was not deprived of property, but the anticipated receipts of the public treasury, and the property which will never be forgotten followed this act, and a most rapid curtailment of the United States bank was also the consequence of it.

What came next? Jackson's friends, and I amongst the number, thought that the state institutions would be fit places for deposits instead of the national bank, and they were accordingly fixed upon as such. The expansion of the United States bank, in about seven months, as I think, was something like twenty millions. The state banks followed in the same course, enabled to do so by the public re-positing, and this expansion continued during the years 1835 and 1836. Near the close of 1835, a calamity befell this city, more fatal and disastrous to it than any that has occurred during the whole period of the present administration. Twenty million worth of property were lost in a few hours, or near the spot where I now stand. Forty millions or more of the public money were at that time in the state banks, which expanded and stimulated trade to such an extent as was never seen in this country. In the month of January following, there was an excess over five millions, such excess was taken from the banks and given to the treasurer of the U. States. Thirteen millions I repeat without dates—were deposited with the banks of N. York; and you know that this money was not locked up in those banks. It was secured among the merchants, traders and other bank customers. And what was the effect of the regulation adopted? It made the banks oblige their customers to pay in their loans. We have now reached 1836, and the early part of the year 1837, and the consequences of the occurrences I mentioned, and our state institutions were obliged to tilt the country that they

could not continue to discharge their duties. In mentioning these matters of history, let me not be understood as wishing to cast blame upon any one. Here, then, we find the president with all the banks suspended, and thirty millions of the public money locked up in them, and the laws of congress forbidding him to pay out or take in one dollar of irredeemable paper money. Under such circumstances, his first act was to convene congress, in order that they might devise measures for putting an end to this disastrous state of things. What was the president's duty in this dilemma? In the year 1832, the question of a national bank had been submitted to the country. It was rejected by the people. In 1835 he was nominated as a candidate for the presidency, and he then told the people openly that, in his conscience he believed such an institution as a national bank was not authorized by the constitution, and he would not oppose it. Could he then, after having been so elected, favor such an institution without forfeiting his pledge? Could he recommend a return to the state bank system of deposits, which, although he had formerly full confidence in it, has since fallen under the pressure of circumstances? Could he, the next day after the stoppage of the banks, ask you to give back your money to them? I then ask any candid man, what remained for him to do, except what he did do, viz: to recommend that the public money be put into the sub-treasury.

I will now revert to a topic, the sub-treasury, which I fear may little alarm you, but I will be extremely brief upon it. The sub-treasury was consequent upon the failure of the banks in 1837; and I request you will not forget, and make it the basis of the contention for such mistakes are most industriously disseminated through the country.—The sub-treasury was not the cause, but the consequence of it; and so far as trade and commerce are concerned, the only difference it makes is that, the money of the people collected in revenue, when put in the treasury of the nation, shall not be banked upon. That it shall be kept by Stephen Allen, instead of the bank of America, or Manhattan company. And with this salutary exception, that it shall not be a bank capital of what effect it has on the trade of New York or any other country? If, then, a proper ratio is preserved between the revenue and expenses of the country, and if no more money is taken from our pockets in duties or imports than is necessary to pay for the goods imported, in such a case how much money would the banks be deprived? From two to five millions of dollars; which amount is sufficient to perform the operation which the treasury of this country requires. It is scarcely necessary for me to remark, that such an amount would allow the banks to lend institutions of the country. A merchant will, in one hour and without notice, make his draft for a larger sum on a single bank, and certainly five or six millions can destroy the banking institutions of 26 states. I have thus disposed of the greatest objections against this measure, but others are made against it, namely, that it gives the president great power, and increases too much the executive patronage; and that, he pretending to be a democrat, adopts a principle which the federalists never dream of, in the shape of patronage. What is it? Four officers are to be appointed by the president, with the consent of the senate. Stephen Allen is one of them, and there are three others; and these officers are, at the utmost limit, to employ ten clerks, to whom they are to give salaries. This is the great and fearful addition to the executive arm of government. It is that mighty power which is to destroy our liberties; and it is to do it in this way.

Suppose our president so corrupt as to put three officers under a whip and spur, in order to gain his election, and that he comes to Stephen Allen, in New York, and to Isaac Hill, at Boston, and tells them, "I do not exert myself to secure my election, I will turn you all out." This would certainly be a great and fearful addition to the executive arm of government. It is that mighty power which is to destroy our liberties; and it is to do it in this way.

system can be dangerous; and if we could induce our opponents to lay aside their prejudices, their fears, and their animosity, and to make a more rational charge, and of more weight against it, namely, that keeping the public money locked up, may give the government a dangerous control of the money of the country, and that an accumulation of gold in the sub-treasury, may be injurious to banks and merchants. Let us look at this objection. Who governs it, as far as relates to the amount to be accumulated? It is almost exclusively in the hands of the merchants and traders. They govern their dealings by their knowledge of trade; and when they make importations, they deposit it into the sub-treasury, until the public creditor wants the money. If, therefore, you import but little, little goes into the treasury, and the whole state system tends to establish a healthy and stable state of trade, and prevents overtrading, by placing a tax on overtrading, which cannot be put into a bank, and make more capital for more overtrading. Is it not in its nature the very system for which our opponents contend? to raise up trade, when it has a tendency downwards, and bring it down, when it has a tendency upwards. But, let us look at it that it goes to make the entire currency of the country a metallic currency, and that we have said that there should be no currency but gold and silver. Now this is just such a misrepresentation of our system as you were to say this to me.

The tendency of the system will be, then, to keep the public treasury to that standard which the constitution makes it the duty of congress to regulate, and then only to take it out of the standard, if you so stand, itself. Congress cannot make the state banks contract or expand; and if you have a national bank, when will it be likely to expand? Just in such times as we shall have in four or six months to come, when business is starting into health, and when the bank is called on to promote its own interests and those of its customers. And when will it contract? When trade is thriving!—No; no; but when trade is in such a state that the safety of the bank requires contraction, and then it comes like an avalanche upon you, and the state banks must follow its course, and the merchants are made to sweat and bleed, and they cannot prevent it.

Look at the sub-treasury. Where will it use its profits for contraction? Where will it become excessive; for then the coin is locked up, and much capital is taken from the excess of business.

What are we to expect if we throw out the present administration? The candidate opposed to Van Buren has not given any pledges, and the only measure he has proposed is to measure in the hands of the people, is the establishment of a national bank still more powerful than the other. I speak upon the authority of a leader of their party, whom I know, and therefore it is not improper in me to assume that such is their policy. What want he to effect on trade if such a policy is adopted? Business is just beginning to assume a healthy aspect in this city and other towns. Let us have within the current year a national bank, with fifty millions capital, and what will be the effect on the state bank? Would it not be the contraction of their capitals to the amount necessary to put such a bank into operation? But it may be said that the necessary capital would be got from abroad. But not in the first instance. It should be done with American money, and the effect must be a contraction of trade and commerce until the new bank was ready to commence operations. Then in what condition would you have the country? All the state institutions restricted to these limits, and a new national bank, with fifty millions—for that is the amount mentioned by Mr. Clay. What would be the consequence? A bank of fifty millions in the hands of eleven discreet men, could not be idle. It must have customers. And we should start from a restricted state of trade and soon reach an excessive one. The effect would be a contraction of trade and commerce, but men like myself and thousands of others, would be induced to launch out into an extensive trade, and at whose risk? Not on our own, but on that of every solid man who is in trade, and who must suffer if this bank were expanded. If expansion must then follow as the consequence of such a bank, what would follow its contraction? The smaller institutions should pursue the same course, and how very shortly after such an inflated prosperity might we not meet here to complain of want of trade, and low prices.

We have now no national debt which requires a great moneyed institution, and it is not better for merchants to moderately persevere in business and trust to it, under this sub-treasury system, than to run the risk of a contraction to-day, for which you talk round on the pavement at to-morrow.

I must now refer to our own state in comparison with other states. I have already referred to some of the marked changes in our trade, and I ask you as merchants, how comes it that we can so proudly say that the banks are honorably fulfilling the conditions of their charter, when more than one-half the country has fallen back to a second suspension, at the cost and sacrifice of the merchants of New York? I refer to 1839, did not the banks follow suit with the great bank of Pennsylvania! Because the merchants of this state thrilled through the entire continent that New York would not suspend again. Shall we then, after all we have suffered and sacrificed, again suspend, and say that the system is a failure? I fear, and always with the same result? If, then, we cannot promise ourselves profits from such a system, should the citizens of New York discard a fellow citizen who has stood so high amongst us for thirty years, and whose principles are avowed and known, for a man whom we do not know?

THE WHIG MERCHANTS' MEETING.

Yesterday, surpassed any thing ever before witnessed in this community. Long before the hour, Wall street, by the hundreds, was thronged with a multitude, and when the chairman took his seat, there were not less, probably, than 15,000 persons present in the streets, and at the windows and buildings around. The platform was placed on the corner of Broadway and Wall street, and was a field of larger area for the audience. It may furnish some test of the numbers present, to state, that, on the steps and within the porch of the Bank of America, 330 persons were counted; and the space occupied by them, as compared with that covered by the crowd, was probably not in the proportion of 1 to 50.

The shipping in the port were all decorated with their flags for the occasion.

The official record of the proceedings, list of officers, and resolutions, will be found in the outer page, and to them we refer with pride, as expressing, by the character of the parties, and the language of their resolves, the true sense of this great commercial metropolis.

Mr. Webster's speech, which we have carefully reported, needs no commendation from us—though it will furnish us with topics of future reference.

The resolutions were introduced by Moses H. Grannis, who, having prefaced them, with a few striking and stirring remarks, read them at length, and, notwithstanding the lateness of the hour, a rising, was received with deafening cheers. When these subsided Mr. Webster thus spoke.

I am deeply sensible of the honor and of the responsibility of this occasion. Honor it is, certainly, to be requested to address the merchants of New York;—a body of as much intelligence, capacity and respectability, as any in the world; responsible it is, to address such a body on subjects which many of them understand scientifically better than I do, and with which they have so much more or less practical acquaintance.

The question of the currency of a country, always important, always somewhat complex, is, under present circumstances, the great question of the times. I do not shrink from expressing my views on this subject here to-day. I am in the full of life, and since on this question, more than any other, political results are likely to turn, I have no hesitation in speaking. The state of the currency is a principal cause why one administration is about to give place to another. I have no doubt that these circumstances lead me to promise what I have to say to day, by remarking, in the first place, that I propose to speak for nobody but myself.—My general opinion on subjects of currency are well known, and as it is highly probable that those who are to be elected in November, will be earnest will be called upon to propose remedies, it is the more incumbent on me to repeat that, what I say to day, I say for myself, and for no one else. Especially in regard to the candidate whom we all support for the presidency to-day, I have no authority to speak for him, nor other means of learning his opinions, than you all possess.

I will proceed then to state some general propositions which I believe to be founded in true principles and sound political economy, suited in their application to our country. In the first place, I hold the opinion that a mixed currency of gold and silver, and of paper redeemable, and steadily redeemed, in specie on demand, is the most useful and convenient currency for this or any country. It is the only one that has been tried, and it has held on here in the United States,—the idea of an exclusive metallic currency being, in my judgment, the mere fancy of theorists, or used as an instrument of popular delusion.

In the next place, the management of this mixed currency has its difficulties, which it requires both

That correspondence was published; but it is one you cannot get inserted in an administration paper and yet, in spite of this correspondence, maintaining the right of the country to the specie, the good faith and ability to pay, it is maintained that I, and those with whom I act, are active and systematic in bringing about an assumption of these debts by the United States.

James M. Barings have written a circular, in which they point to an assumption. That circular I over saw heard of till my return to the United States last December; and then, too, I first heard of Mr. Benton's resolution at Washington, which was to require the country to Europe, where in any way state debts became the subject of conversation, no English or European banker or bond-holder ever suggested to me, or in my hearing, or caused to be suggested, any idea of assumption; and the first I heard of was, as I have already said, from an American citizen in London, to whom I made the reply already mentioned.

I have said my visit to Europe lost much of its pleasure by reason of the gloomy accounts from the United States, and I confess I was much depressed both as to the commercial and political condition of the country. I could perceive no disposition on the part of those in power to grow wiser or bolder, and although I knew there was a numerous and able party opposed to them, I yet feared, for the want of union, of energy, and of candor, that their efforts to bring about a change would be ineffectual. When then, off this coast, I heard of the Harrisburg convention, and of the nomination so unanimously made—the heat that could have been made—I was soon encouraged. And then, afterwards I saw, notwithstanding the preferences of some were disappointed, that the nomination was received with unanimity, which has since swelled into enthusiasm, I felt once more that the country was likely to be excited from their difficulties, and restored to wondrous prosperity.

I will say a few words on the sub-treasury. This appears to me a scheme new to our history, and foreign to our habits; the last of the series of baffled experiments; an experiment into which the representatives of the people seem to me to have been lured by executive power; fatigued into by appliances and importunities, through four mortal sessions of congress. What are the arguments in favor of the bill? The leading one of Mr. Van Buren, in 1837, was the safety of the public funds. And it was to be kept where rogues should not run away with it. The best way to effect that is, not to trust rogues to keep it but, as to the parade of sales and vaults, it is a mockery. I don't know in which of the banks it is to be deposited. Mr. Van Buren (Harc, here, said many voices from the porch of the bank of America.) Well, he is to—and I undertake to say, that if he has any special vaults or safes there, they are no whit more secure than those in which this bank keeps its own funds. But the government says it must take care of its funds. Who and what is this I of the government? Is not the government a public trust and agency? No individual may put money in a vault—but the government is not a private person, having pockets of its own. It must employ officers, it must trust somebody. My colleague in the senate, Mr. Wright, says the object is to keep the money by agents of the people more directly responsible to the people than heretofore. How is the fact? The receiver general is appointed by the president and senate, is amenable to the law, and gives bonds for the faithful execution of his office. In what does he differ as to the responsibility from the collector, who is appointed in like manner, amenable in like manner to the law, and gives bonds for the faithful execution of his office. How, then, is the one more directly responsible to the people than the other? The pretence is destitute of sense or reason. And so as to the safety of the funds. The vaults and safes in which they are placed are no better than those of the banks of the banks. The receiver general here, is, I don't note, a very respectable man, and has given good security; but why or how are the funds in his vault safer than it is in a bank vault? The common sense of our community will tell us that it is not. Mr. Allen were to borrow to advertise to receive deposits in his vaults—they, think you, be filled to the emptying of the vaults of banks responsible in their whole capital and credit for the safe-keeping of their vaults, and would freedom in their power, I say the present system endangers the public funds, for it multiplies the hands through which they pass, and therefore multiplies the chances of evil. Mr. Wright collects the moneys—but they are paid out by Mr. Allen. And the drafts from the treasury are drawn. Now, the collector, if not honest, can spend the money before paying it over to the receiver; and so, once in the hands of the receiver, he, if not honest, can spend it before

it is drawn out by the treasury. You double the chances of loss, by doubling the hands that touch the money.

Then, the promised infusion of specie into the currency by the operation of this bill,—what is there in this? According to its provisions, one quarter of the duties is now payable in specie; yet if one of you have a bond to pay at the custom house, if he find the collector with a check cashable and payable, one-fourth in specie, and the residue in bank bills, does he not take it? (Yes from many voices.) Well, then, all this specie talk is mere sham. But suppose you go to the receiver general with a draft, and you find in the hands of the Bank of America,—but where is the specie? He will doubtless, if you exact it, give you specie, but habitually the payment is in bills; and then I ask, where is all this movement of specie, this marching and countermarching of gold and silver that was to dole our eyes? It is all humbug—loud cheer.) But your collector, where does he put his money before it gets into the receiver's vaults? Why, fellow citizens, as I am informed, in a bank of gentry name, the Bank of the United States—and when he pays over, he pays no specie.

Then, as to the divorce of bank and state—what in fact is it? Is not the greater part, I will not say the whole, for I suppose the receiver keeps some in his vaults, but is not the greater part of all the money of the government now absolutely in the hands of the banks? I believe it is. You collect from individuals and pay to individual agents of the government, and they forthwith pay it into the banks—and therefore, instead of there being a divorce of the money, as the scheme is to make it, there is more than ever, and like other illicit connections, a great deal more secret.

This is called the independent treasury: independent of nothing but public opinion and public opinion is the weakest of all securities. It is the government and the banks I am all a sham. But although a sham now, the authority to demand specie when all due to the government shall be payable in coin, will be most dangerous one. If the government, and the main concern itself, former be the government and our commerce resume its activity, it will be to the power of the receiver general, at this place, to break every solvent bank; and if this be true of New York and the seaboard, it is more emphatically true of the banks at the west, where the receipts are in small lots.

And this bill, professing to render the treasury independent of the banks—how independent you have seen—is called a second Declaration of Independence. Now, so far as banks are concerned, the administration has no cause of treachery to be called the third Declaration of Independence.—How does that render us independent of banks? I will tell you. At this moment about two millions of these notes, bearing interest, are lying in the vaults, and the collector, (pointing to different bank houses within his eye,) sold to these banks, with authority to the treasury to draw for the amount thereof—and these drafts are so arranged that the banks make a very reasonable—not to say a very unreasonable—amount of interest upon these notes, before they are called upon to pay the cost thereof. We had before us the accounts of a bank that had taken a large amount of treasury notes, bearing interest, and credited the government with the face of them, and paying the drafts of government as presented; that appeared by that single operation to have made a profit of from 80 to \$100,000, and this is the mode in which the third Declaration of Independence of the banks works. Of the five millions of treasury notes last authorized, I repeat, two millions are now in the hands of the banks, and I know not how much more to banks in Boston and elsewhere—drawing interest while the money is not all advanced. This is the financial skill and economy of the treasury—the divorce law, and the independent treasury.

The fashion now is, since Mr. Calhoun, followed by the gentleman who usually follow him, gave the signal to discredit paper money as much as possible. They agree this to be their object. Who can forget Mr. Wright's point of view, that the collector, the custom houses, the post office, and the land offices, to throw doubt and discredit upon bank paper? The refusal to receive, and the attempt to discredit, this circulation, is, in fact, a power to break solvent banks, and to put a power in the hands of the collector to perform their duties. The demand of specie on the notes of specie-paying banks may break them, but such demand passes unheeded by those that do not pay specie. As it is maintained that Mr. Wright has no danger to be apprehended from this source, for that a sum not exceeding five millions of dollars will perform all the functions of receipts and expenditures by the government. We do not know upon what estimates of revenue or ex-

pensitars Mr. Wright founds this calculation. He does not tell us whether he expects the thirty-nine millions of annual expenditure, under Mr. Van Buren, will be brought under to the treasury, and that of the prodigal administration of J. Q. Adams; but he asserts, that five millions will accomplish all that is required. Well, take it at five millions—and what then? Why, five millions in specie is equal to the toll average of the country, and it is equal to the city banks? What, then, would be the effect upon these of the accumulation of five millions of specie in the hands of the receiver?

Another main argument for the sub-treasury, according to Mr. Webster, is, that it saves the money from discounting on the public moneys, and therefore the necessity of receivers general, who shall keep it locked up until wanted for the public service. He traces the fluctuations in our currency to the use made by banks of the public moneys, and desires that these may be restrained. But if only five millions will be in the possession of the receivers, can that sum suffice to restrain those fluctuations? Can five millions, absent or present, affect the general disbursements, circulation and business of the country? The arguments of these effects do not coincide or stand together. The only difference he says between the late and present system of keeping the public moneys is, that instead of the Bank of America, Stephen Allen keeps them, so that they cannot be used for bank purposes, but that they then become of the specie concern, if this be the only difference? I will not detain you any longer on the practical operation of the sub-treasury, so far as regards the receipts and expenditures of the public treasury, but I will say, that the effect of the operations better than I do; but the great public objection to the whole scheme is, that it not only makes no provision for, but professes abundant all interest in, and concern about, the currency of the country. This is the cardinal of the objection, which is to determine the fate of the present administration. This question has now been so long before the country, so frequently discussed, that I will not go into it anew. The people are competent to judge of it themselves, and that judgment will I apprehend, soon be promulgated.—(Cheers.)

One topic more I desire to advert to before finishing. We have the happiness, under the benign permission of Providence, to live in a country of which we are justly proud, and in virtue of which we have maintained our high standing among nations. Scintillations have been brought forth alike at the very foundation of our social and political system. I speak not now of doctrines promulgated in any one state, that a man has no right to leave his own property, acquired by his own labor and industry, to his own children—and other like absurdities—but I refer to the doctrines maintained here and elsewhere, that no set of men can bind those who are to come after them, that no legislature can bind its successors, nor make any contract with another legislature may not repeal. One generation not bind their successors! Who shall mark the lines that separate generations? These change daily, hourly. This American community when I began to live, was composed of a few families, and now in existence, and is now composed in part of others not then in existence. How abundant is this doctrine to the great general principle, that although individuals may flourish or decay, states are immortal.

Direct political responsibilities and communities are ever young, ever green, ever identical. Individuals may change, as the atoms of our bodies change, but communities continue to exist, as our bodies do—with this exception, that whereas, we know our bodies are mortal, and that we are to die, and that for all the living, and that we must all return to the dust from which we sprang, our country will survive, and at that last moment of our mortal existence, the thought of it will still dwell in our hearts, and the spirit of it will still dwell in our hearts. (Mr. Webster then sat down amid cheers and again repeated.)

*This may be nearly accurate in the present condition of the banks, when they are overburdened with specie; but generally speaking, five millions are equal to the whole amount of specie held by our city banks. They maintain a specie reserve of from one to two millions. Thus, therefore, greatly strengthened Mr. Webster's argument. [Ed. N. Y. Amer.]

CHRONICLE.

AMERICAN BOARD OF MISSIONS. The receipts during the past year, have amounted to \$14,681; expenditures, \$25,774. Balance against the board, \$24,082.

AMERICAN COLONIZATION SOCIETY. The receipts for the last month, were \$2,045, including \$901 for sales of cottonwood brought by the *Shadua* at February last.

ANTHRACITE IRON is appropriately termed in the Philadelphia Commercial List the second staple of Pennsylvania, the first being coal. That paper remarks that although not one year has elapsed since it was brought into use, it has already become so important a commodity that it may fairly be taken as the harbinger of the first it is destined to become in a few years. Within the brief period of nine months there have been constructed and are now in blast, three furnaces, making iron of the first quality, with no other fuel than anthracite coal. They have been in blast from three to five months, and turn out each from 40 to 50 tons of pig iron, weekly. During this time many experiments have been made, in nearly all of whom it has been ascertained that it can be managed and kept in order as easily, as the furnaces using charcoal or coke. Two more furnaces are erected, which are to be put in blast this month. Sixteen more furnaces are already erected, or are now in progress, all of which will use anthracite coal. Four large rolling mills with puddling furnaces are erected, one of which is in successful operation, and the others will soon commence manufacturing with coal as fuel. Two additional mills are to be put up, and three more are in progress. The above twenty-one furnaces and six rolling mills with their puddling furnaces will all use anthracite coal as fuel. Thirteen of the furnaces and five of the mills, are located on the line of the Atlantic and Merca canal, and will create a tonnage including ore, coal, limestone and pig iron, of 227,500 tons, of which amount there will be 30,000 tons of coal obtained from the Lehigh mines. *[Am. Merc.]*

BENNETT'S DISCOVERY IN STEAM MACHINERY. An experimental trip was made a few days since, from N. York to Stonington, by the steamer *Eureka*, for the purpose of witnessing the performance of some machinery, the invention of Mr. Bennett, of New York, which has attracted the attention of mechanists and men of science, and which, if successful, is considerably more important than the discovery of the application of steam to navigation. The subject of the invention is to have less, or to obtain the power by the consumption of a third or fourth of the fuel now used in making a given number of revolutions, and requiring less space for fuel, which is of vast importance, particularly to vessels navigating the Atlantic. The experiment is pronounced a satisfactory one. The consumption of wood during the voyage from N. York to Stonington, a distance of 139 miles, was but 3½ cords, and, on her return trip, 3 cords. The usual consumption of steamboats making the same voyage is 25 cords each way. *[Ledger.]*

CANAL. The Wabash and Erie canal was opened at Maumee city, with becoming ceremonies on the 23d of September.

CATTLE. Of nearly 1,400 head offered in the Baltimore market on Monday last, 400 were sold at from \$4 20 to \$6 per 100 pounds for prime.

COTTON has declined 1½ ct. in the New Orleans market—1,000 bales, of which half was new, sold on the 30th ult. at that reduction.

At New York 6½ ult. between 6 and 100 bales sold, an average there 4½ and upward at 101.

Sales at Savannah, 1,985 bales at 74½; Mobile, old, is quoted at 72½; new 74½.

The cotton crop of 1840. *[Tallahassee, Sept. 24.]* The crop is making splendid ravages through the entire cotton growing section of the southwestern states.

In Indian Florida not a bad average crop will be made. The long-staple is nearly destroyed; in many fields it is not a good deal better than the short-staple. The cotton is said of fields of the short-staple or green seed, which had been planted late. The grounds which had been early planted with the long-staple have been ravaged by the caterpillar committed its ravages, will insure a tolerable crop. Very few fields have been left untouched. *[Star.]*

THE CAROLINE. We learn that Mr. Leed, a conspiracy arose in cutting up and burning the vessel, was arrested yesterday at Lockport, and committed to the jail to that place. He was indicted by the grand jury of Niagara county early in 1845, if we remember right, and will probably be tried at the next term and retrial. *[Buffalo Ad.]*

THE CEMETARY OPERATION was recently performed for the second time in England. A fish market and stall were doing well. The surgeon was Dr. White.

THE CERVAINS. It is reported in the German Town Telegraph, that the brothers Canard, the promoters or originators of the Liverpool, Halifax and Boston line of steam packets, are the sons of Abraham Canard, who was born at a small town in France called "The Neck," three or four miles below Philadelphia, where he resided with his father until the commencement of the American revolution, when, after taking part with the mother country, he left with the British, and took up their residence at Halifax, where Abraham, in due time, entered eminently into commercial business,

which he prosecuted for many years with great success. He continued to reside there until his death, which was a very large estate to his children—among which were those to whom we now have particular reference.

DACTYLOTYPE MINIATURES. We would advise such of our friends as may be desirous of obtaining a "counterfeit presentation" of themselves, at the market of the present time, trouble and money, to call upon Messrs. Finley & French, at 149 Broadway, the corner of Liberty street. If they can keep their countenance for half a minute, they may be duly immortalized to perfection. We believe that the Yankees are the first who have applied the art to the uses which are the most certain to remunerate those who practice it.—Among the likenesses taken by these gentlemen that would be familiar to many of our citizens, we noticed an excellent one of Mr. Attorney General Hall, and of the rev. Mr. Kirk. *[N. Y. Express.]*

DEATHS last week in Boston 32, in Baltimore 32, of which 17 were under 2 years of age, 11 were colored—all free.

EXCHANGE. The rate of foreign has gone up in New York to 105½/103, which again invites the export of specie.

AN EARTHQUAKE. A severe shock of an earthquake was felt in Haverhill, U. C. on Saturday, 13th of September. There was a rumbling noise in the earth, and some buildings were slightly shaken. To those who were in bed at the time, it seemed as if some heavy body had rubbed against the wall, followed by a trepidulous motion. At the bary shore the noise is represented to have been like the rumbling of the sea; the lake at the same time being untroubled by a ripple. The whole passed off in about ten seconds. Its course apparently was from W. to E.

FANNY ELSLER. The Boston Courier publishes a correspondence between Fanny Elsler and the president of the Bunker Hill Monument association, by which it appears the generous-minded lady known for her intentions to give the association the sum of \$1,000, or her professional services, at the discretion of the "prosecutors and committee."

Fanny Elsler in his reply expresses the wish "that Mr. Elsler should expressly her own choice, and consult her own convenience, in regard to the manner in which her generous sympathy shall be indulged."

FISHERMAN SEIZED. A letter from Sydney, C. B. of 11th ult. says—"Fishing schooner *Palma*, Haskell, of Gloucester, was captured and brought into this port on the 6th inst. by the cutter *John Louisa Wallace*, for carrying on board an alleged violation of the Fishery Laws. The vessel has been stripped and the officers and crew sent on shore. The validity of the seizure is doubted and will be contested."

FLOUR. At New York \$4 97½ for Genesee; \$3 75 for Genesee.

Baltimore markets remain stationary at our last quotations. The inspections of last week were 12,272 bales and 911 half bales.

At Alexandria 85 wagon price, **At Mobile 66 50½** for Baltimore, and \$56 25 for a few weeks.

Erie canal trade. *Consul collector's office, Buffalo, Oct. 4, 1840.* Below you have a statement of flour and wheat cleared at this office, during the month of September, and tolls received for 1840 and 1839:

1840. Flour. Bush. wheat. Tolls. *1839.* Flour. Bush. wheat. Tolls.

Increase, 45,640 91,696 624,195 62

THE ILLINOIS DOVES. The chancellor of New York has decided in favor of the state against *Delaford*. An appeal will be taken it is said.

CO. KANEK, the greatest pioneer and Indian fighter that Pennsylvania had, is reported to have died at San Antonio on the 16th.

LORENTZ. The Post *Amst Gazette*, of Frankfurt, says there is now living at M-wow, the widow of a dealer in skins, who has survived her 187th year. When Lorentz married her 67th husband. All her business has been prosperous and happy. She is still in possession of all her mental faculties.

ROBERT McCONACHY. Governor Porter has signed the death warrant of Robert McConachy, who for the sake of a few dollars murdered the whole of the Brown family, six in number. He is to be executed on the 6th of November.

NEW ORLEANS has doubled its population in the last ten years. The precise returns of the census are as follows:

First municipality 52,000
Second do. 21,923
Third do. 22,168

Total, 96,191

NORMAL SCHOOLS IN FRANCE. There are in France 75 primary normal or model schools destined to form primary teachers. The number of pupils educating for teachers in these establishments is about 2,000, 400 pupils annually obtain brevets of capacity, either for primary elementary instruction or primary superior

instruction. 2,356 places of primary teachers become disposable each year, either by death, or resignation, or new creations. The number of pupils who receive brevets annually as teachers being 960, there are 1,396 places to dispose of either for youths who are intended for primary instruction without passing through the moral schools, or for religious corporations. *[Monitor.]*

NEW YORK CITY ASSISESMENT. According to the assessors' statement, the value of property in the city of New York has decreased within the last year thus: Decrease in the value of real estate for \$3,607,500
Decrease in the value of personal estate, 47,303,346

\$13,943,786

ORANGE CROP. The Baltimore American says: "It is said that the orange crop will increased the revenue of St. John's county, Florida, \$300,000 this year."

REDEMPTION. The Philadelphia Inquirer of yesterday says: the arrangement for the redemption of specie payments by all the banks of Philadelphia, is we are told, favorably progressing.

RIGHT OF SUFFRAGE. The Philadelphia U. States Gazette states that a trial of much interest before the supreme court of New Jersey, has just closed. Colonel Thomas Caldwell, who was a native of Ewing, in that state, and who, in 1798, inherited the property on which he resides, and who paid property and personal taxes there, had been in the habit of spending his winters in New York or Philadelphia—in the latter city he hired a house by the year, for two years and lived in it—returning in the spring to his place in New Jersey. On attempting to vote at the state and congressional election in 1838, his vote was denied on the grounds that he had lost his citizenship in New Jersey. He sued the judges of the court for the sum of \$100, claiming that his vote was *unlawfully* rejected, and judgment was entered accordingly.

SLATES CATARINE. In discharging the cargo into the custom house stores, under the direction of the British consuls, there have been found one hundred and fifty pairs of iron manacles for the slaves. *[N. Y. Com. Ad.]*

STEEL. The packets which sailed from N. York for Europe on Thursday, carried out upwards of half a million in specie. The British Queen had about \$200,000, and the Havre packet ship *Charles Carroll* had \$213,000. The New York Star remarks—"This drive is, however, rather a relief than otherwise to Wall street, as it returning in the spring to the market a very large lot of, and more daily expected. It is estimated to 1½ per cent. better to ship specie to Havre than to buy bills at 3½."

TEMPERANCE. Father Meehan recently administered the temperance pledge to 100,000 persons in Dublin 1½ times.

Tobacco. The demand remains brisk, and our last quotation of prices are fully maintained. Sales have been effected to a large amount.

The rice crop of Maryland. From present appearances we will judge the year somewhat short of an average in quantity and the quality will be good.

WESTERN TRADES. The St. Louis Bulletin states that a company of traders under the command of Mr. C. Frisco, consisting of 14 wagons and 60 men, arrived at Independence, Mo. on the 11th ult. bringing about \$61,000 in specie.

WELSHMAN SOCIETY. The following is an abstract of the returns made to the last conference of the number of members in the society, showing an increase during the year of 25,551:

Great Britain, 1840, 223,178
1839, 207,063

Increase, 16,110

Ireland, 1840, 27,010
1839, 25,353

Increase, 631

Foreign stations, 1840, 78,504
1839, 76,772

Increase, 5,772

Total increase, 22,551
Reported as on trial in Great Britain, in 1840, 19,603

WHEAT. 15,000 bushels sold at N. York at \$1 00 a bushel, mostly for export to Ireland. In Baltimore 90 to \$1 00 for Virginia and Maryland red—Pennsylvania \$1 04 to \$1 06.

WINE AND SPIRITS IN LONDON. The quantity of wine imported into London in the last year, 1840, and July 1, of the same year, on which duties have been secured, is 2,057,551 gallons—being 70,447 gallons less than were imported during the same period last year.

The total quantity of ardent spirits imported into London during the same period, was as follows: Brandy, 12,575 gallons, val. \$376, 319, 191, 175—which is less by 129,718 gallons, and 1,000,000 lbs. than during the same months last year. This diminution in the amount of wines and spirits imported into London, is probably due to the increased duties on the domestic manufacture of foreign liquors—and partly owing to the progress of the temperance cause.

NILES' NATIONAL REGISTER.

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FOREIGN ARTICLES.

TEXAS.

Dates of the 19th ult. have been received at New Orleans from Galveston and the 8th from Austin. We regret to notice the death of Col. Karnes, a meritorious officer in the Texian army. His fame stood very high as an Indian fighter and pioneer. General Felix Huston had recovered from sickness brought on by fatigue in pursuing the savages. A public dinner had been tendered him at Austin by way of acknowledgment for his gallantry in the late skirmish with the Cumanchees. Col. W. G. Cook had been appointed to the command of the 1st regiment of infantry, in place of Col. Burleson, resigned. A decided improvement is announced in the health of president Lamar, who had been ailing for some time. In Galveston they are about erecting an Episcopal church. A fair was held there on the 17th ult. to raise funds for the purpose. The inhabitants had returned to Linnville, and were busily engaged in repairing the injuries done by the savage enemy. The loss in buildings and other property is estimated at one hundred thousand dollars. Advances were received at Austin by express from San Antonio, stating that an army of Mexican cavalry, one thousand strong, had crossed the Rio Grande. They were in pursuit, probably of the federalists. The health of Texas appears to be good. The Indians have fled into the mountains, and all apprehensions of danger from that quarter are for the present dismissed. [Bulletin.]

Recognition of Texas. We learn from an authentic source that advices were received by the Great Western, to the effect that the governments of Holland and Belgium had authorized their ministers in London to treat with general Hamilton, for the conclusion of a treaty of recognition, amity and commerce with the new republic of Texas; and that General Hamilton, the diplomatic plenipotentiary of Texas, was about to repair to London for that purpose. [N. Y. Courier.]

CANADA.

There have lately been some acts of incendiarism committed along the Canada border, but no suspicion rests on Americans as the authors of the villainy, and there is generally a good understanding between the inhabitants on the different sides of the line.

Some of the Canadian papers speak in strong terms of the injudicious management of the home government. There are a million and half of souls in North America, says the Quebec Gazette, who have been sincerely disposed to acquit themselves of their duty of allegiance to the British crown, even at the hazard of seeing their country desolated by a war with the population of the neighboring states, with whom they can have no ground of quarrel. But if people in England will undertake to manage the affairs of these colonies in the way they have been managed of late, giving credence to those who know little about the colonies, and to have no permanent interest in them, it will be found that they are difficult to manage, and will cost more than they are worth. [N. York Herald.]

NATIONAL AFFAIRS.

THE NORTHEASTERN BOUNDARY. A few days since we met with a gentleman from the state of Maine, who informed us that on the 5th ult. a party of surveyors under capt. A. Tolcott, U. S. commissioner, left Canaan, Vt. for the head waters of Connecticut river, for the purpose of tracing the sources of the Magalloway river. A branch of the party to which our informant belonged, proceeded through Bury, and are now examining the sources of Arnold river, at the head of Megantic lake, where they expect to meet their companions from the head of the Connecticut.

The party are then to proceed along the dividing highlands to the Kennebec road. Another party under professor Renwick have proceeded to the Redgouche bay, from whence they are to trace the highlands agreeable to the treaty, and expect to meet the first party in the vicinity of the Kennebec road. A third party under major Graham, is employed in running the meridian line from Mars Hill. [Shepherd's Journal.]

COCHRAN'S CANNON. The New York Herald contains a very interesting account of a trial of Cochran's cannon, which took place on Tuesday last, at Sandy Hook, under the direction of captain Newton of the United States frigate Fulton, and Mr. Cochran the inventor. The trial was very satisfactory in every particular, its peculiar facilities consist in discharging twelve balls per minute, taking eight each time, in its having three breeches, thus doing away with the possibility of failing as most guns do at the breach, it does not recoil, and requires but four men to man it. To the British service eleven men are necessary to man a 64 pounder.

LETTERS FOR EUROPE. The Boston papers say: "There is no charge on letters conveyed to England by the Cunard line of steamers from this port. All that is needed to be done, is to have them lodged at the post office, in Boston, before 10 o'clock on the 1st and 15th of the month. The post office charge is one cent on each letter, thick or thin. If letters are sent by mail to Boston, by paying postage they will be forwarded."

FOREIGN RELATIONS.

The United States and Mexico. We regret to learn that very little progress had been made by the joint commission under treaty with Mexico for the adjustment of claims of citizens of the United States against Mexico, before their adjournment for several weeks, which took place some weeks ago. We are mortified by this information, because, having been decided and earnest advocates for an amicable adjudication and final arbitration of those claims, in preference to a resort to arms for redress of the alleged grievances of our citizens, as proposed to congress by the executive, we looked with confidence to a prompt and just action upon the subject.

In accordance with the convention between the United States and the government of Mexico for the adjustment of the claims referred to, the commissioners of the two countries were to have met on the 7th of July; and at that time the very respectable commission appointed on the part of the United States were ready to commence their labors. Owing to some causes with which we are unacquainted, the commissioners on the part of Mexico did not arrive in this city, the place designated in the convention for their meeting, until the middle of August.

Since the 17th of August, the commissioners have had regular meetings until within a few days past, when they adjourned for a short time without having established any rules for their future government in the adjudication of the multifarious claims that will be presented to their consideration. A painful anxiety is naturally felt on this subject by the claimants, to whose position the public cannot be supposed to be insensible.

We are at a loss to imagine what difficulties could have arisen to frustrate an object so indisputably to a judicial tribunal (in which light this board of commissioners must be considered) as fixed rules of action.

Where the responsibility rests for this procrastination, or rather from this omission to act at all, we are unable to determine. Judging of the future by

the past, we apprehend that the time designated in the convention for the completion of the labors of the board will be far too short. [Nat. Int.]

THE ARMY.

Head quarters of the army.
Adjutant general's office, Washington Aug. 25, 1840.
General orders No. 31.

1.—The 3d and 8th regiments of infantry will proceed to join the army in Florida, agreeably to the special instructions communicated from the adjutant general's office. The present garrisons of Forts Towson, Jessup and Smith, will be relieved by detachments from the 4th infantry, to consist of one company for each post.

11.—The new work at Fort Wayne will be suspended until further order, and lieut. col. Mason, of the 1st dragoons, with his command, will take post at Fort Gibson.

111.—A field officer and two companies of the 2d regiment of artillery will take post at Madison barracks, in time to relieve the infantry garrison on the 23th of September.

IV.—Surgeon Howe will repair without delay to Cedar Keys, Florida, and report in person to the commanding general. Assistant surgeon Masfit will repair to Fort Leavenworth and relieve surgeon Maccomb, who will proceed without delay to join the 8th infantry, and accompany it to Florida. Assistant surgeons Leonard and Griffin, will each accompany a detachment of the 3d infantry to Florida, pursuant to the instructions they may receive from general Arbuckle. Surgeon Jarvis and assistant surgeons Abadie and Muffe will remain at their stations until further orders. By order of maj. gen. Macomb.

Military movements. The New York Commercial says that on the 1st instant a detachment of 218 recruits, for the 1st regiment of infantry, embarked on board the ship *Prospere*, bound for Tampa Bay, Florida. Captain Peckham, 2d dragoons, 3d artillery, with lieutenants Reynolds, Lancaster, Caldwell and Carpenter, attached to the command.—These officers all belong to the 1st regiment of infantry.

The 3d instant another detachment of 239 recruits for the 6th regiment of infantry embarked on board the ship *Moslen*, also bound for Tampa Bay. Captain Hoffman, of the 6th infantry, in command of the detachment, with lieutenants Mooroc, Lovell, Armstrong, Macleay and Irwin of the same regiment attached to the command.

On the 6th instant a third detachment of 148 recruits, for the 2d regiment of infantry, left Governor's Island, and took passage on board the ship *John Cumming*, for Savannah, and thence will take other conveyance for St. Augustine. Lieut. Penrose, 2d infantry, commands this detachment. The following officers are with him:—Lieuts. Tilden and Bacon, 2d infantry; liut. Johnson, 3d infantry, and lieuts. Sherman and Field, 3d artillery.

The following regiments are now in Florida, or on their march there:—2d dragoons, 3d artillery, 1st, 2d, 3d, 6th, 7th and 8th regiments of infantry.

1st regiment of artillery is stationed along the north eastern frontier.

2d regiment artillery at Buffalo, Niagara, Rochester and Sacandaga's harbor.

4th regiment of artillery in Michigan.

4th regiment of infantry at Forts Gibson, Smith, Towson and Jessup.

5th regiment of infantry on the upper lakes, and upper Mississippi.

1st regiment of dragoons on the Missouri and Arkansas.

These comprise all the troops of the regular service.

Death. At the residence of gov. Coll. at Tallahassee, Middle Florida, on the 21st ultimo, lieut. col. JOHN GREEN, of the 6th infantry, U. S. army. Col. Green entered the U. S. service in 1812, as a subaltern of the 22d infantry; he was subsequently appointed adjutant of this regiment by its colonel, (now brig. gen. Hugh Brady, of the army). He served with reputation in the different engagements on the Niagara frontier, in the campaign of 1814, during which period he was promoted to a captaincy. He was retained on the "peace establishment" of 1815, and, after eighteen years' service as a captain in the 3d regiment of infantry, was promoted, in 1833, to the majority of the 5th, and in 1838 he

was promoted to be lieutenant-col. of the 6th infantry, of which he was in command at the period of his death.

(Nat. Intell.)
Florida. The Savannah Georgian has the following intelligence from Florida.

St. Augustine, Sept. 11. *Indian fight.* On Sunday last, Lieut. Mason, 7th infantry, discovering numerous signs around his post at Wachapreague, proceeded with 30 men in search of the trail. He had not advanced far before he received a heavy fire from the enemy who appeared in large force. One of his men was killed and four wounded whom he succeeded in taking back to the garrison. There was over an hundred Indians.

Another letter in the same paper says:—"I have just conversed with a gentleman direct from Newnanville, who states that the body of Griger was not found until Thursday 10th. When found, it exhibited one of the most revolting spectacles of fiendish vengeance, seen since the commencement of the war. He was first whipped until his back was a mass of clotted gore, his legs were lacerated from his feet to his hips, then cut with a knife entirely round until his upper parts were nearly separated from his lower, his heart taken out, and his head cut off. His head has not been found. He was one of a party of volunteers stationed at Fort Walker, who started the expedition to lieut. Hamon, informing him of the Indian sign.

Major general Macomb and Scott were both at Saratoga a few days since.

THE NAVY.
Commodore Warrington, it is understood, will succeed commodore Weddell as navy commissioner—the latter having been appointed inspector of ordnance and ammunition for the navy.

The United States sloop of war *Levant*, Joseph Smoot, esq. commander, arrived at Norfolk on Wednesday last, New York, whence she sailed on the 3d inst. The usual salute was exchanged with the U. S. flag ship Delaware. Officers and crew all well. She proceeded up to the navy yard; she will take the place of the *Vandalla* in the dry dock in two or three days, for the purpose of undergoing some regular repairs proceeding on her voyage to the West Indies.

Capt. Silas H. Stringham is ordered to the command of the ship of war Boston, now fitting out, and destined as one of the squadron of observation in the China sea.

The United States frigate constitution, and United States schooner Boxer, were at Callo, July 16. U. States ship St. Louis was on a cruise among the islands.

The U. S. sloop of war Concord, commander, Wm. Broom, sailed from Boston a few days since, to join the West India Squadron.

The United States mail packet schooner Hayne, captain Griffiths, from Havana, via Key West and Indian Key, arrived at quarantine yesterday.

A passenger in the Hayne, writes us that the U. S. schooner Otter, commanded by Lieut. Starbuck, captured a small sloop, on the 8th Sept. called the *Liberity* near Key West light house, under the belief that she was a pirate. There were six men on board, who proved to be mechanics of New Orleans, who had been spending the summer months at the Bahamas.

(N. O. Pic.)

STATES OF THE UNION.

MAINE.

Athens and Madison have elected whig representatives, making the whole number 96 centinuity—and probably 99, three towns being disputed by the administration. The whole number of representatives will be 125, or 126, and Madison seats, 156. Several towns have not yet elected.

(Boston Daily Advertiser.)

VERMONT.

The legislature of Vermont convened at Montpelier on the 8th inst. By a letter in the Boston Post, we learn that the official vote for governor is as follows:

Johnson, whig,	33,435
Dillingham, V. B.	22,637

Whig majority,	10,798
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The votes of Barre and Vershire appear to have been thrown out on account of informality. Including these towns, Dillingham's vote in the state is 23,050. Last year, 22,257. Increase, 793. Excluding these towns, the increase 283. Increase of the whig vote, nearly 9,000.

MARSHAFIELD.

The governor of Massachusetts has appointed Thursday the 10th of November, as a day of thanksgiving in that state.

Leri Lincoln has been nominated for re-election in the fifth congressional district of Massachusetts.

NEW YORK.

Registering voters. The number of voters registered to the city of New York when the books closed on Saturday night, the 10th instant, was 43,720, which is 2,500 more than ever voted there. The increase is entirely due to the increase in the right to give certificates to those who could not register during the legal time. The New York correspondent of the National Intelligencer, says:

"Four of our courts have been busy some weeks past in making American citizens, and the number naturalized is unusually large; I have not the means of knowing how many."

Nomination. Ogden Hoffman, Moses H. Grinnell, Edward Cortis and James Munroe, members of congress from New York, have been nominated by the whigs for re-election.

The *Norman* convention. We have just returned from this glorious gathering of the unchanged and unfettered democratic republicans of the state of New York, and language cannot convey to our readers an adequate sense of the intense interest and deep and gratifying emotions excited by this great congregation of the people. It was, perhaps, the largest delegated convention ever assembled within this state. Although called as a convention of delegates, the people themselves came. The influence of the public liberty, as well as the blighting influence of the doctrine of the federal administration, they have rallied around the ever glorious standard of Jeffersonian republicanism, as they did in 1800, and expressed their firm determination again to conquer under that banner.

The delegates from this city, doubled the numbers that attended from this place the federal young men's mass convention at Syracuse, on the 30th ult. and the number assembled at our place of meeting, far exceeded the whole federal assemblage at Syracuse. The delegates spoke volumes of encouragement to the gallant Spartan heroism they brought to the apostate federal administration, which has sought by every measure and all means, to establish a supreme executive power.

The hon. William C. Rives and the hon. Hugh S. Legare, accompanied the New York delegation, and their passage was marked at every point with the most enthusiastic demonstrations of popular respect and esteem, making the trip to Auburn little less than a triumphal progress. Notwithstanding the delay of the delegates on Wednesday, commencing about 10 o'clock, the delegates on Thursday morning, at every stopping place the cars were immediately surrounded by the people, anxious to see, and express their gratitude to, the noble and independent son of Virginia, who had offered himself up as a sacrifice for the country, and the power of the president and the intolerance of party government were too strong for the popular will. It must have gladdened the inmost recesses of the heart of old Virginia's "favorite son," to receive these unbounded and the noblest testimonials of grateful esteem from the democracy of New York. We may say to Virginia the confident assurance, that as New York stood by her Jeffersonian, in the great political struggle of 1800, she will now, in 1840, stand by her Rives in defence of the great principles of our republican government, in rescuing the nation from the hands of an usurper of the popular rights, and restore the integrity of the federal constitution, and the supremacy of the people. He who has seen the popular demonstration of the present week, may read in letters of light, the position of New York, defined by a majority of at least twenty thousand on the side of liberty and law against executive usurpation and dictation.

But the glory of the progress was eclipsed by the spirit of the convention itself. There were the people, in their majesty, assembled to deliberate upon their grievances, and to repeat and renew to each other their high resolves and stern determination to maintain the principles of the Jeffersonian democracy, and defend the constitution at every sacrifice. "We will be free," they said, "and they, themselves, have struck the blow."

The number assembled upon the ground at the opening of the convention in the afternoon, was variously estimated at from ten to fifteen thousand, and probably was not less than twelve thousand, including a large number of ladies. It was an audience composed of those daring and resolute men who had remembered, when their principles were invaded and their liberties endangered, that "they had a country to save, as well as a party to serve." It was a congregation of as much energy, moral integrity and intelligence, as has ever before gathered together to win a cause. It was refreshing to the soul of any patriot to look upon that great body of men, assembled to perform their high duties.

The convention had been organized in the foundation of the state, and the names of the president, and Henry W. Hicks and Robert Haight,

secretaries pro tem. A retiring committee was then appointed to report an organization of the convention. Mr. John L. Graham, from that committee, reported for president of the convention, the veteran democrat, and officer of the army of the revolution, and member of the electoral college, which gave the vote of this state to Mr. Jefferson—general PIERRE VAN COBLENCK.

After the organization had been completed, the convention took a recess for dinner, and met in the afternoon in the spacious room in front of the theological seminary. The hon. N. P. Tallmadge, after making a few remarks, and the interior of the hall directed to the vast assembly, the hon. William C. Rives, of Virginia. His appearance was hailed with the most enthusiastic hosannas.

For four hours Mr. Rives enchaind the attention of his great auditory in a speech, which for solidity of reasoning, elegance of diction, happy flow of language, and beautiful manner of delivery, may challenge a comparison with any which the crisis has called forth. We shall not do him the injustice to attempt a description of his eloquent and masterly performance, but have made arrangements to give a report of it, (which wants, however, the happy effect of his manner) before our readers.

At the close of Mr. Rives' remarks, the assembly, still unthinned, called for Mr. Legare, who rose to make an apology, but obeyed the will of the assembly in a few moments. It is impossible to pourtray a speech of Mr. Legare's. Containing most varied and critical learning with the highest rhetorical powers, and a rapid flow of thought with an impassioned and impressive manner, he surprised and highly delighted his auditory. But we have not space to do more than make a few remarks. At the close of Mr. Legare's speech, Mr. Hoxie favored the people with a song. Mr. Edward Sanford then reported resolutions and an address. Another song, with ten thousand voices joining in the chorus, closed this mighty gathering, and the people dispersed to carry out, through the ballot box, the sentiments of the convention.

(N. Y. Times & Star.)

NEW JERSEY.

This state heretofore had seventeen counties, of which at the last election, ten gave whig majorities. There are now eighteen counties in the state.

The election for members of the legislature took place on Tuesday and Wednesday last, the 13th and 14th of October.

Election. The returns so far as received exhibit a large whig victory. The whig majorities are set forth as follows: Burlington 750, Gloucester 620, Mercer 450, Somerset 308, Sussex 208, Union 112, Hudson 201, Morris 203, Middlesex 156, Essex 1740, Passaic 199, Monmouth county reported to have given a majority for the whigs—one report says 570.

In four counties, viz: Huntington, Sussex, Warren and Bergen, no whig tickets were run.

The legislature will have a whig majority in both branches, thereby securing the election of a whig United States senator.

PENNSYLVANIA.

The election. On Tuesday last, the 13th instant, elections took place in this state for their 22 representatives to congress, of which last year 17 were Van Buren and 11 were whig; for a part of the state senate, and for members to the house of representatives. Returns have been received to the following effect:

1st congressional district—Brown, (V. B.) elected by a majority of 1,354.

2d district—Two whigs elected. Sergeant 7,136, Toland 7,123; Neal 4,631, Miller 4,990—average whig majority 2,369.

3d district—Ingersoll, (V. B.) 5,839; McMichael, (W.) 4,755—Van Buren majority 1,084. This district was represented by a whig in last congress.

4th district—Brown, Jones and Francis, (W.) elected.

5th district—J. Farnace, (V. B.) re-elected.

6th district—R. Ramsey, (W.) elected—a whig gain.

10th district—W. Simonton, (W.) elected.

11th district—L. Gerry, (V. B.) re-elected.

The Van Buren vote of the three first districts, including Philadelphia city and county, has been largely increased, but the increase so far heard from, have shown considerable whig gain. We have returns from twenty-one counties, which with Philadelphia city, places the parties, as to the aggregate vote, just about as they stood in the same district in the election of 1836, and showing a whig gain, as compared with 1835, of upwards of 2,000 votes.

It is ascertained that the whigs will have a majority in the state senate—and they have a gain of 12 members in the house, so far as returns are received.

Girard college. The expense up to January last on this college amounted to the colossal sum of \$1,272,712, and the college reported by the architect to be about two-thirds completed.

Governor Porter and the banks. We learn from the Pennsylvania Sentinel, that the governor of Pennsylvania has called on the banks in that state, for their several proportions of the balance of a loan authorized by the last legislature, no proposals having been received by the executive within the time specified for such proposals. The amount to be advanced to the state at this time is \$1,100,000.

The Philadelphia banks. The question of resumption occupies considerable attention in Philadelphia. The great difficulty in this way, says Beckett's reporter, is the indebtedness of that city to the east, the amount of which is \$6,000,000. "Unless some satisfactory arrangement can be made at this important point, a general resumption, as before stated, is impossible. Our banks, even in the present reduced condition of their circulation, could not spare \$6,000,000 with safety, so that any sudden demand for specie in New York and Boston would immediately lead to drafts upon Philadelphia, and to all the unpleasant consequences."

Philadelphia commercial list of Saturday says—

There was a general meeting of delegates from the different banks of the city and county last evening, (Thursday) at the board of trade room. Delegates were present from twelve, out of fourteen banks—the Girard and South-west not being represented. The object was to take into consideration the application of the United States bank, to enable that institution to resume on the 18th January next. A resolution was offered and adopted, recommending a loan to the bank, to the amount of six millions of dollars, to be taken by the various banks in proportion to their means. Seven banks voted in the affirmative—two (North America and Farmers and Mechanics) in the negative—three declined voting, not having received instructions, and two not represented. We learn that some of the banks voting in the affirmative, have to-day rescinded the votes of their delegates, which places the subject in its former position, and it is probable that nothing doing will be had until after the election.

It is said that Mr. Jackson's connection with the U. S. bank will soon terminate, and also, that Mr. Dunlap will retire from the presidency in January. For the latter rumor, we learn, there is no foundation. Lemuel Lamb, esq. for many years past president of the Mechanics' bank, has resigned that station, with a view, it is said, of entering into commercial pursuit.

Pennsylvania and Ohio canal. The Cleveland (Ohio) Herald announces the arrival at that place, by way of the Pennsylvania and Ohio canal, of 126,815 lbs. of merchandise, and 376,649 lbs. of iron and nails. The time is not far distant when considerable supplies from the Atlantic market will reach Cleveland by this route.

Trade of Pittsburg. Pennsylvania canal collector's office, Pittsburg, July 9th, 1840.

DEAR SIR: Agreeably to your request I now furnish you the statistics of this office.

The number of boats cleared since the opening of navigation (on March 16th) to the 30th of June inclusive, is 1,109, and the amount of tonnage since October 31st, is 44,853,218 pounds, and the tolls \$166,967. The number of boats cleared at Johnstown from opening of navigation up to July 1st, is 1,025

Blairsville, 76
Freeport, 228

The amount of tonnage taken off at this office so far as we have an account of it, is 18,676,898 lbs. There are about 120 boats plying on this division of this canal, and will average at least six days to a boat. The regular lines are as follows:

Pennsylvania packet co. Hays & Black, agents.
Western transportation co. "Freight and packet"

Union do. do. H. & P. Graff.
Bingham do. do. Wm. Bingham.

Patent portable car body line Taffie & O'Connor.
Mechanics do. L. M. Kvir.

Despatch do. J. C. Reynolds.
Reliance line, "freight & packet" J. McFadden.

Hollidaysburg do. J. P. Reed.
N. American line C. W. Caldwell.

Baltimore, Pittsburgh & U. S. line, H. Devin.
Pennsylvania & Ohio line, McDowell & Co.

The foregoing may be relied on as correct. Very respectfully yours,
Wm. INGHAM, collector.

Iron Harria.
Port of Pittsburg—Pennsylvania canal business.

We present this week the aggregate of the business on the Pennsylvania canal, arriving at and departing from the port of Pittsburg for about a month.

viz: from the 10th of March, the time the canal opened, to the 14th of July, (some only reporting to the 1st of July) furnished by the different canal transportation companies, to John B. Bakewell, Wilson McCandless, and Hillary Brunot, esq., a committee of counsils, and Wm. Ingham, esq., collector, for the use of the board, for selecting a site for the marine hospital for the United States on the upper Ohio river. These with a large mass of other important and useful information was collected and presented to the marine board by the committees of the select and common councils and the board of trade.

106,171 bbls. flour.
1,032 do. whiskey.

38,431 boxes window and other glass.
1,500 bushels dried apples.

86,616 do. wheat.
17,567 do. coal.

512,435 lbs. tobacco, in bbls.
9,812,431 do. bacon, do.

6,138,800 do. mess pork.
377,719 do. tresson in bales.

1,474,610 do. lard in bags.
28,668 do. butter in bbls.

287,334 do. buffalo robes and deer skins in bales.
203,266 do. wool, in sacks.

44,537 do. feathers do.
45,049 do. hemp bales.

92,240 do. ginseng sacks.
5,741 do. rags.

12,411 do. sole leather.
4,340 do. venison.

15,130 do. castings.
4,581,911 do. dry goods, groceries, hardware and other miscellaneous articles.

[Harri's Intel.]

Election returns. The following are the returns of the election which took place on the 7th instant.

Baltimore city.
The votes of the respective wards were inserted at page 87 of the Register. The following is the aggregate.

For senator. Van Buren.

Wm. 7,072 | Howard, 7,842
Van Buren majority 770.

For delegates.

Walsh, 7,089 | Freeman, 7,399
Collins, 7,109 | Graves, 7,390

Sewell, 7,108 | Seidenstricker, 7,292
Leary, 7,103 | Gallagher, 7,205

Purvis, 7,101 | Legrand, 7,286
Average Van Buren majority 1814.

In 1836 the majority for Van Buren in the city was 110. The Van Buren majority last October was 423.

Baltimore county.
For senator.

Winder, 2,656 | Ely, 2,372
Van Buren majority 718.

For delegates.

Gillings, 1,657 | Poutlary, 2,327
McHenry, 1,618 | Orick, 2,327

Gravatt, 1,667 | Welch, 2,328
Graham, 1,647 | Ramsdell, 2,329

Howard, 1,673 | Holmes, 2,333
Average Van Buren majority 679.

For commissioners.

Chapman, 1,609 | Walker, 2,312
Mathews, 1,640 | Bailey, of Jno. 2,305

Cole, 1,655 | Hosh, 2,278
Anne Arundel county.

For delegates.

Riigley, 1,378 | Hammond, 1,327
Gent, 1,478 | T. Dorsey, 1,312

Dowry, 1,247 | Owens, 1,313
Estep, 1,474 | Merriam, 1,304

Average whig majority last year, 4 vote.
Average whig majority now, 504. Whig gain, 494.

For commissioner.

Brogden, 578 | Franklin, 623
City of Annapolis.

For delegate.

Brewer, 170 | Tighart, 145
Last year the Van Buren delegate was elected by a majority of 18.

For commissioner.

Brogden, 160 | Franklin, 149
Prince George's county.

For delegates.

Tuck, 859 | Hiltary, 396
Sprigg, 841 | Robey, 390

Bowie, 827 | Cooke, 376
MacWhin, 719 | Tolson, 394

Average whig majority over 300. Last year it was 664.

Allegany county.
For senator.

1,229 | Bloucher, 1,114

For delegates.

1,234 | Neff, 1,142
1,205 | Huddeson, 1,106

1,208 | Price, 1,100
Average whig majority 104. The Van Buren majority in 1839 was 58.

Washington county.
For senator.

2,504 | Wason, 2,292
For delegates.

Newcomer, 2,444 | Reutch, 2,347
Neibitt, 2,442 | Mason, 2,321

Clagett, 2,467 | Garrot, 2,321
Zeigler, 2,479 | Lyday, 2,325

Whig majority for senator 124; average whig majority for delegates 129.

Last October the Van Buren ticket was elected by an average majority of 260.

Frederick county.
For delegates.

1,890 | Gwynn, 1,701
Richardson, 2,335 | Schley, 2,095

Nail, 2,384 | McKeehan, 2,709
Mottet, 2,395 | Dunlop, 2,704

W. Lynch, 2,391 | Geyer, 2,088
Buren ticket was elected by an average majority of 223.

Carroll county.
For delegates.

1,514 | Boyle, 1,600
Eagle, 1,507 | Shover, 1,563

Shelman, 1,485 | Stuhl, 1,563
Steele, 1,369 | Leecompe, 1,533

Average Van Buren majority 722.

Last year, owing to disunion in the Van Buren ranks, one whig (Edw. Hook) was elected in this county. He is now beaten by 49 votes. The Van Buren majority in 1838 was 309.

Harford county.
For delegates.

1,274 | Sutton, 1,292
1,243 | Hope, 1,230

Hopkins, 1,224 | Williams, 1,237
Horton, 1,080 | Polk, 1,221

For commissioners.

1,292 | Conterey, 1,227
1,368 | McGraw, 1,260

1,319 | Davis, 1,219
Ams, (independent), 1,731

Two whigs and two Van Buren delegates elected—a whig gain of two. Four whig commissioners and one Van Buren elected. Last year the Van Buren majority was 399.

Cecil county.
For senator.

1,386 | Mackey, 1,354
For delegates.

1,385 | Cameron, 1,369
1,374 | Knight, 1,363

1,391 | Heckart, 1,368
Average whig majority 224. In 1839, Van Buren majority 178.

For commissioners.

172 | Price, 73
121 | Nowland, 113

223 | Purnell, 216
101 | Cowen, 264

206 | Gillespie, 179
306 | Gether, 228

For delegates.

661 | Blackinton, 504
650 | Ringgold, 495

653 | Cann, 504
For senator.

661 | Conney, 506
659 | Thomas, 501

662 | Miller, 509
Average whig majority 155.

Talbot county.
For delegates.

713 | Martin, 734
713 | Lowe, 737

710 | Widis, 740
For commissioners.

724 | Harmon, 724
715 | Leonard, 725

The average Van Buren majority is 35—last year it was 50.

Caroline county.
For delegates.

648 | Fountain, 579
683 | Sangston, 571

656 | Cheream, 584
Average whig majority about 80.

For treasury.

677 | Keene, 584
676 | Jones, 584

661 | Chace, 581
659 | Bishop, 601

Monterey county.

England,	1,039	Dade,	731
Gaither,	1,021	Warrington,	685
Gott,	1,025	Carter,	690
Gittings,	1,020	Spencer,	705

Average whig majority 305.

Queen Anne's county.

Palmer,	774	Roberts,	682
For delegates.			
George,	773	Fisher,	681
Ford,	765	Wilmer,	682
Pace,	765	Bryan,	698

Whig majority nearly 100. Last year the average Van Buren majority was 75.

Dorchester county.

Jacobs,	1,121	No opposition.	
Keene,	1,130		
Erskine,	1,113		
Tall,	1,099		

Somerset county.

Williams,	1,351	Sanders,	863
Jones,	1,350	Ballard,	865
Parsons,	1,384	Beauchamp,	832
Rider,	1,371	Brattan,	859

Average whig majority 517.

Worcester county.

Townsend,	1,227	Fassitt,	924
Whig majority 313.			
We have not been able to procure the votes for members to the house of delegates. The regular whig candidates, Edwin Forman, Levi Cathell, Ebenezer Heern and Jas. Hooper, were elected without opposition.			

Calvert county.

Hellen,	496	Parran,	369
Drysdale,	493	MacKinnell,	348
Weems,	464	MacCall,	345

Average whig majority 133.

Charles county.

J. D. Bowling,	807	Francis Neale,	619
George Brunl,	806	Nich. Stonestreet,	489
John Matthews,	804	W. B. Stoe,	305

Average whig majority 301.

St. Mary's county.

Heard,	865	No opposition.	
Coxe,	863		
Cassin,	828		

In three of the counties, viz: St. Mary's, Dorchester and Worcester, there were no Van Buren tickets run—except for a senator in the latter.

RECAPITULATION.

The popular vote in the annexed table is made by taking the highest delegate vote on each side.

Counties.	W.	V. B.	W.	V. B.	W.	V. B.
Alleghany,	1,234	1,142	3	0	1	2
Anne Arundel,	1,378	1,327	4	0	2	2
Annapolis city,	170	148	1	0	0	1
Baltimore co.,	7,109	7,295	0	3	0	5
Baltimore co.,	1,673	2,339	0	5	0	5
Calvert,	496	369	3	0	3	0
Caroline,	653	591	3	0	1	2
Cecil,	1,391	1,391	3	0	3	0
Charles,	807	519	3	0	3	0
Carroll,	1,514	1,607	0	4	0	4
Dorchester,	850*		4	0	4	0
Frederick,	2,935	2,709	5	0	0	5
Harford,	1,274	1,292	2	2	0	4
Kent,	664	504	3	0	3	0
Montgomery,	1,025	737	4	0	2	2
Prince George's,	727	492	4	0	4	0
St. Anne's,	773	698	3	0	3	0
St. Mary's,	300*		3	0	3	0
Somerset,	1,559	865	4	0	2	2
Talbot,	713	740	0	3	0	3
Washington,	2,479	2,347	4	0	4	0
Worcester,	1,237	924	4	0	4	0
	30,491	27,946	60	19	33	46
	27,946					

Whig maj. now 2,515

V. B. maj. 1839, 912

Whig gain, 3,457

The nett whig gain is 27 delegates—and the whig majority in the house, is 41. Last year the whig majority was 13.

*Whig majorities.

SENATE. The seven districts which this year

elected senators stand as follows:

	1840.		1839.	
	Whig.	V. B.	Whig.	V. B.
Cecil,	1	0	0	1
Queen Anne's,	1	0	0	1
Washington,	1	0	0	1
Alleghany,	1	0	0	1
Baltimore city,	0	1	1	0
Baltimore county,	0	1	0	1
Worcester,	1	0	1	0
	5	2	2	5

Whig gain three senators. The senate will now

stand 15 whigs, 6 Van Buren—whig majority 9.

Last year parties stood 12 whigs 6 Van Buren.

The following was the vote at the last presidential and gubernatorial elections.

PRESIDENT.		GOVERNOR.		
Van Buren.	Harrison.	Graham.	Steele.	
Baltimore city	3,740	5,630	6,074	6,198
Baltimore co.	2,482	2,069	2,402	1,777
Annapolis city	120	156	141	146
Cecil	1,092	1,020	1,359	1,281
Harford	920	1,090	1,255	1,129
Queen Anne's	517	637	666	641
Kent	367	589	644	530
Frederick	3,015	3,140	2,532	2,582
Carroll	(new county)		1,646	1,843
Montgomery	512	896	743	852
Prince George's	450	728	684	778
Calvert	224	363	357	415
Caroline	492	676	577	653
Charles	356	514	510	718
Dorchester	694	966	847	1,113
Somerset	623	1,030	449	maj. 163
St. Mary's	190	643	449	794
Talbot	479	696	732	890
Washington	1,895	2,079	2,226	1,966
Worcester	541	1,032	maj. 397	
Harrison's majority in 1836 was 3,694.—Governor Graham's majority in 1839 was 241.				

NORTH CAROLINA.

Elections. The Raleigh Statesman says that the election takes place on the 20th inst. in this state instead of the 19th inst. as heretofore given in our tables.

North Carolina whig convention. The greatest popular convention ever gathered together in North Carolina was held at Raleigh (the seat of government of the state) on Monday, the 5th inst. The number of citizens present is said to have amounted to twelve thousand; affording a conclusive proof of the deep interest felt by the good people of that state in the present political contest.

Ex-governor John Owens was called to preside over the great assembly, and, on being conducted to the chair, delivered a neat and very suitable address.

What followed we copy from the Raleigh Register.

At the conclusion of this address, on motion of Mr. W. R. Gales, the following gentlemen were named as vice presidents, viz: William B. Shepard, of Pasquotank; Andrew Joyner, of Halifax; John McLeod, of Johnston; Richard Hinds, of Edgecombe; R. Galloway, of Rockingham; P. J. Hill, of Brunswick; Wm. Roberts, of Granville; Alfred Dockery, of Richmond; R. C. McNamara, of Rowan; Michael Holt, of Orange; D. M. Baringer, of Cabarrus; and Rufus Reed, of Irwell.

And on motion of Mr. George W. Haywood, Charles Manly, Edmund B. Freeman and H. W. Miller were appointed secretaries.

The convention being declared to be duly organized, Mr. Badger addressed it for nearly an hour on the great political topics of the day, and concluded by offering for the adoption of the convention, the declaration of rights. It was accordingly read by Mr. Manly, and the question on its adoption was carried in the affirmative by a deafening shout. We consider it one of the ablest papers to which the present state of the country has given birth, and it should be circulated by thousands throughout the state.

Mr. Mangum being called for by the crowd to address the convention, it was announced that he was detained at home by sickness.

Mr. Stanly was then called out and addressed the convention nearly two hours in his usually fervid and fearless manner.

After dinner, a number of gentlemen were called on for speeches, and the evening was most agreeably spent. Among the gentlemen who addressed the crowd were Messrs. Baringer, of Cabarrus, C. F. Green, of Virginia, H. L. Roberts, of Granville, and Gathier, of Guilford.

At night there was speaking again at the whig encampment and at the log cabin.

On Tuesday, at 11 o'clock, the convention was again organized, without any statement of spirit or enthusiasm, and but little of numbers. Mr. Rayner opened the discussion in a speech of more than two hours, and fully sustained the high reputation he so recently gained as a debater. The veteran whig, Le-wis Williams, was next called out, and delivered a most capital speech. The enthusiasm with which Messrs. Stanly, Rayner and Williams were received by the immense throng must have been gratifying in the highest degree.

James W. Bryan, esq. elector in the Newbern district, was next called out. He has the finest collection of almost any one within our knowledge, and was, on this occasion, in his best vein. Of course, he served up a rich intellectual treat to his hearers. An incident occurred whilst he was speaking, which, being very uncommon, excited considerable sensation, and deserves to be noticed. Three eagles were distinctly described, at a great height, for several moments hovering directly over the thousands assembled to hear the discussion of great and important political questions connected with the approaching presidential election.

The rev. Mr. Cradup, of Granville, was next called on, and addressed the convention for about half an hour, but we were not fortunate enough to hear him. After he concluded, Mr. Boyden, of Surry, was called out, and delivered a most brilliant and spirited speech, which was enthusiastically received. The hour being late, the convention then adjourned sine die, and dinner was again served up at the encampment for the delegates.

We are aware that we have given but a very imperfect account of the great occasion. With a greater alliance of time, and under more favorable circumstances of preparation, we should despair of doing justice to the incidents of our glorious tea days. We will venture to say that no person who attended this immense gathering left Raleigh with a single doubt on his mind as to the triumph of whig majority which we shall give for old Tip in November. Each delegate must have become satisfied that this bright prospect is before us, not only from conversation with others, but from his own personal observation of the ardor which constituted the convention, the tone and temper which marked all its proceedings, and, perhaps, more than all, the gratifying reception which every where along the route of the various delegations, from every house and cabin, was extended to them. The farmer forgot his plow, the laborer his wheelbarrow, the apothecary abandoned their household duties—and all, actuated by common impulse, rushed to the road side, to give one hearty "hurrah for old Tip," and to bid the delegates "God speed" in their good work.

And we know that the friends of the Union pervade the whole body of the whig population throughout the state; and we look forward to the 12th of November next as another "glorious fifth"—an auspicious day, when we will be released from the fears of that dire oppression which hangs over the land, and when we may again behold the government administered as in those old days, when democracy was something more than an idle name.

Taking the convention all together, the short time between its call and its assembling, the splendor of its population, the few facilities for transporting large masses of the people, and it will compare advantageously with any ever held south of the Potomac.

We should do great injustice to an individual to whom we are more indebted than to any other person for the order and propriety of the proceedings of this convention, to give him no distinct notice. We allude to gen. John I. Pasture, of Newbern, a gentleman whose military knowledge is only exceeded by the possession of all those qualities which constitute a clever fellow. Aided by gen. Robert W. Haywood and Gen. Lucas, of Raleigh, the arrangements were made all so perfect that no irregularity occurred in the whole procedure, from beginning to end.

GEORGIA.

Political contests. This state has long been the theatre of very severe, and singularly marked contests, and a condensed view of which we here to annex, taken from the Salem, Mass. Gazette, authority to be relied on:—

The first election of governor by the people was in 1825, when in the memorable contest between Toussaint and Clark, the former was elected by a majority of 683 votes at which time there were 40,000 votes polled. In 1827 John Forsyth was elected without any regularly organized opposition, two candidates of the opposite party to Mr. F. having successively died after their names were before the electors. These were Messrs. Talbot and Col. Duncan G. Campbell. In 1828, Mr. Gilmer was elected over maj. Crawford, both belonging to

the Troup party, the Clark men generally casting their votes in favor of Mr. Gilmer. In 1831, Wilson Lumpkin, the candidate of the Clark party, succeeded over Mr. Gilmer, by 1,840 votes. In 1833 the same gentleman was again elected over maj Crawford by 2,900 votes. In 1834 old party lines were pretty much broken down; a number of the Troup party joining with the mass of the Clark party formed what has since been known as the union party, and, sustained the administration of general Jackson, while a smaller number of Clark men joined with the mass of the Troup party, and formed what has since been termed the state rights party, which opposed the administration.

The first struggle under this new organization of parties resulted in the success of the union congressional ticket by 5,000 majority, and a majority of about 80 in the legislature. In 1835, governor Schley, the candidate of the union party, beat Judge Dougherty 2,500 votes, and the party lost a majority of about 60 in the legislature. In 1836, the union ticket succeeded with one exception for congress, by an average majority of 1,000, and a majority of 49 in the legislature. In 1837 the state rights ticket prepared for governor was opposed by about 750 majority, and the union party had a majority of 80 in the legislature. In 1838 the union party had become decidedly the Van Buren party, and this state rights party defeated them by an average majority of 1,100; but 1839, the Van Buren party elected a governor and legislature by 1,827 majority.

The election in Georgia for nine members of congress, and members of the state legislature, took place on the 5th inst. A year ago, Dougherty, whig, was elected governor over McFadden, V. B. by 1,840 majority. At the present election, the union congressional ticket was elected; but three of the members, on their arrival at Washington, sided with the Van Buren party. These three members, Messrs. Bieck, Colquitt and Cooper, are now among the Van Buren candidates. Georgia elects her congressmen by general ticket.

Of the election which took place on the 5th inst. we have returns from sixty-five of the ninety-three counties in the state; they give the following aggregate:

	1840.	1839.
Whig ticket	32,347	82,807
Van Buren ticket	27,651	34,634

Whig majority 4,696 V. B. 1,527
This places the result no doubt.

LOUISIANA.

Whig state convention. At a meeting of the whig delegates from the different parishes of the state of Louisiana, convened according to previous notice, at Baton Rouge, on the 26th of September, 1840, the following resolutions were called for and adopted:—
Thomas Gibbs Morgan, the following persons were named as officers, and unanimously approved by the meeting, viz:

President. Gen. Philomen H. Thomas, of East Baton Rouge.

Vice presidents.—1st district Frederick Buisson, esq; 2nd dist. Gen. B. Morgan; 3d dist. Narcisse Landry, esq; 4th dist. Neville De Cloute, esq; 5th dist. Gen. Horatio S. Springs.

Secretaries.—Wm. H. Wilkoff, of East B. Rouge; Adolph Layet and Frederick Wilkinson, of New Orleans.

An honorable veteran of '76, Mr. William Tabor, of Lafourche Interior, who fought through the war in the south, was of King's Mountain, and served in Wm. Washington's army, and was the hero of the legion of the battle of the Comptons, was presented to the convention by the hon. E. D. White, and invited to take a seat by the side of the president.

The convention was opened by the rev. Dr. Wm. H. Lacy, of East Baton Rouge, with an eloquent prayer.

On motion, the chairman of the whig delegation from Mississippi, and also the nominated whig presidential electors for Louisiana, were invited to be seated on the rostrum.

Resolved by the hon. S. S. Prentiss, of Mississippi, apologizing for his non-attendance, being prevented from being present by his numerous engagements for the whig cause in his own state, was then read by judge Morgan, as also an answer from the Bowling Green club, Miss. to an invitation given them to attend the convention, containing an acceptance of the invitation.

On motion of R. N. Ogden, esq. a committee of five was appointed to draw up resolutions expressive of the opinions of the meeting on the subject of the Wm. De Bays, J. B. Armand, esq. C. M. Conrad and Walter Brashear, were named by the president as said committee.

The committee having retired, the hon. E. D. White was called on and made an able and appropriate speech in reply to the call.

Col. Wm. H. Sparks, of Assumption, then followed, in a strain of eloquence rarely surpassed. The hon. Wm. W. Chinn, of West Baton Rouge, was then called on, and addressed the meeting in a brief but forcible manner; his remarks were warmly received.

The convention then took a recess of one hour, for refreshments at the baroque. On the return to the place of meeting, judge J. F. Canonge, of New Orleans, at the loudly expressed desire of all present, spoke in the French language, at considerable length and in the most energetic manner, being frequently interrupted by the applauding assembly.

J. S. Verger, esq. one of the delegation from Vicksburg, Miss. next took the floor, in answer to an universal call. For earnestness, vigor and a correct statement of important facts, Mr. Verger's speech has seldom been equalled. Mr. V.'s quaint and most impressive manner, much resembling that of Mr. Prentiss' drew down a deafening shout of applause at his conclusion.

R. N. Ogden, esq. chairman of the committee to prepare resolutions, then presented the following, and the assembly, at the place of meeting, which were enthusiastically received by the meeting:

WHEREAS, It is the right of the citizens of the United States peaceably to assemble and consult concerning the welfare of their country, and freely to express their opinions respecting the administration of their government; therefore, we the whigs of Louisiana assembled in convention at Baton Rouge, on this 26th day of September, 1840, do solemnly resolve—

That we have seen with alarm the fearful advances made by the present administration in a course of measures tending in an eminent degree to sap the foundations of our free republican government, to overturn and destroy it, and to bury under its ruins the liberties of the people.

We have abhorred the patronage of the executive power to the basest purposes of party influence, by introducing bribery and corruption into our elections, thereby striking a fatal blow at the elective franchise, on the purity and independence of which our civil liberties essentially depend.

We have used their utmost effort to subsidize and corrupt the public press, and to convert the post office, that great channel of intelligence, into a vehicle of slander for the promotion of their correct political designs.

We have destroyed the national currency while pretending to reform and improve it, thereby paralyzing the whole business of the nation, and bringing incalculable mischief and distress upon the people; and to our prayers for relief, they have insultingly replied, "the people expect too much from the government."

While professing the purest democracy they have constantly trampled upon the public will, appointing to office men who had been discarded from the confidence of the people, forcing upon them measures adverse to their wishes as capriciously and constitutionally expressed, and they have endeavored to create in a time of profound peace a large military establishment unneeded, expensive, oppressive, unconstitutional and dangerous to the liberties of the country.

They have with a high hand seized upon the money of the nation, taken it from the custody of the law where the constitution places it, and put it under the control of the executive, thus uniting the purse to the power of the sword, an union which has never yet failed to overthrow civil liberty, an union which constitutes the very definition of despotic power, and this fatal union is now rendered permanent by the passage of the sub-treasury law.

While professing reverence for state rights they have aimed on insulting and fatal blow at the honor and credit of the state, by holding them up to the world as insolvent corporations, and as one of them, whose soil is rendered classic by the battle of New Orleans, they have trampled upon the emblem of her sovereignty and virtually expelled her from the union.

While professing peculiar regard for the interests and security of the south, they have introduced into our political discussions a question, the agitation of which is fraught with danger and mischief, thereby evincing a reckless disregard of the interests of the south, and in all these pernicious measures they will persevere unless the people arrest them in their course.

Resolved, That we view with feelings of great indignation, the gross and unfounded charge that has been made by the opponents of William Henry Harrison, against that tried patriot and citizen, and particularly the infamous one of abolition, when every action and every vote of his political life prove, incontrovertibly, his soundness upon the subject of southern rights

which charge is more atrocious coming from the partisans of Martin Van Buren, whose vote on the Missouri question and whose opinion on the subject of slavery in the District of Columbia, (on both of which he has voted or acted in direct opposition to general Harrison), prove him to be regardless of southern rights.

Resolved. That though the proud laurel earned by Louisiana in the July election, of being the whig state, has since been snatched from her brow by a state state, we now proclaim our fixed determination to regain that high title, and we hereby give a bold and confident challenge to every whig state of the union to a friendly and pacific contest with us, for the glittering prize of the flag that is to be presented to that state which shall give the largest proportionate whig majority at the presidential contest, pledging ourselves individually, each to the other, that we will use the most untiring zeal, industry and honorable exertions for that object, and thus in the face of and in competition with the whole union, gain for Louisiana, now and forever, the proud appellation of "the flag state."

Resolved. That every whig who neglects either to deposit his name as a candidate, or to use his best exertions to promote the sacred cause at the coming election, will be guilty of betraying the interests of his country, equally as if he had turned his back to the enemy on the field of battle.

The resolutions having been read in French and English, they were adopted in both languages by acclamation.

Judge Thos. Gibbs Morgan being then loudly and repeatedly called on, spoke at considerable length on the different objects of the meeting, but more especially on the subject of the destruction of the United States bank and the disfranchisement of New Jersey. Well known as is the eloquence of this gentleman, on the present occasion he excelled himself—being a native New Jersey blue, the warmth with which he handled the wrongs inflicted upon him, found a quick response in every bosom. The star of Jersey shrouded with clouds but still with the motto of "New Jersey resurgent," which was immediately in front of him, appeared to be inspiring. More than one eye was moist in looking at that banner clothed in eras, and that emboldened, and in listening to the soul stirring words of Morgan. His final address to the lovely ladies of Louisiana, who graced the occasion by their presence in large numbers, was most impressive.

The president then called for the convention a general invitation from the Mississippi delegation to the whigs of Louisiana, to attend their state convention, to be held at Jackson, on the 5th prox. J. M. Chilton, esq. of Mississippi, on being called, after some remarks, gave a characteristic account of the hon. John Quincy Adams, which was received with cheers.

Night then approaching, the meeting adjourned sine die.

PHILEMON THOMAS, *pres.*
FRED. WILKINSON, *sec.*

ADOLPH LAYET, *secretaries.*
WM. H. WILKOFF

Candidate. Judge Moore is the whig candidate to fill the vacancy in the third congressional district of Louisiana, caused by the resignation of the hon. Rice Garland. As yet no Van Buren candidate has been nominated.

New Orleans. The extent of the trade of this great southern mart may be inferred from the following statement of the leading items of domestic produce which were received there during the year ending the 1st instant:

Cotton,	968,702 bales.
Sugar (conjectured)	115,000 bbls.
Tobacco,	48,997 hhds.
Flour,	486,972 bbls.
Bacon and pork,	6,000,000 lbs.
Mackerel (small),	100,000 barrels.
Lead,	320,000 quintals.

Besides, a variety of articles, and some of them in considerable quantities. The whole, even at the present low prices, are valued at sixty millions of dollars.

These valuable products, we learn from the Courier, have afforded freights to 1,523 sea vessels, and 1,938 steamboats, besides some thousands of flat boats, barges and pirogues.

Election. An election was held on Tuesday last, the 13th instant, in this state for governor, nineteen representatives to congress, a part of the senate and all the members of the popular branch. We have received no returns.

Mechanics' Institute. The report of the third annual fair of the Mechanics' Institute (of Cincinnati) has been published, from which we learn that the total proceeds, after deducting the expenses, amount to \$1,638 85. It is represented to be a very flourishing condition.

MISSOURI.

The annual conference of the Methodist Episcopal church of the state of Missouri, was in session at St. Louis on the 23d inst, and would continue some eight or ten days longer. Bishop Waugh presiding. Seventy preachers were said to be present.

Trading company. The St. Louis Bulletin states that a company of traders, under the command of Mr. C. Frisbie, consisting of 18 warriors and 60 men, arrived at Independence, Missouri, on the 11th ultimo, bringing about 600,000 to specie.

The trial of Wm. F. Darnes for the assault and death of A. J. Davis at St. Louis, Missouri, has been continued by the state until the November term of the criminal court. This, says the Republican, is the third continuance by the state, the defendant having always been ready for trial.

WISCONSIN.

Census. Comparative statement of the population of Wisconsin territory, for the years 1838-40.

Cities.	In 1838.	In 1839.
Brown	2,107	
Calamet	270	
Fond du Lac	139	
Marquette	19	
Winnebago	133	3,045
Portage	1,623	
Manitowish	235	
Sheboygan	133	
Washington	843	64
Milwaukee	5,651	8,131
Eau Claire	8,475	6,054
Rock	1,701	450
Walworth	2,610	1,019
Jefferson	914	468
Green	933	494
Dane	933	172
Dodge	67	18
Iowa	8,977	8,318
Grant	3,923	2,768
Crawford	1,218	
Sac	1,218	1,220
St. Croix	1,218	
Total,	30,747	19,149

POLITICS OF THE DAY.

MR. WOODBURY'S LETTER.

Washington, 1st Sept. 1839.

"DEAR SIR: Yours of the 24th ult. was received last evening. I thank you sincerely for the friendly sentiments it expresses towards myself personally; but I must confess, that the tone of it, and of Mr. Haynes' letter, which you enclose, are such towards the administration, as to create much regret and painful disappointment in respect to the boundary question.

When every thing—even war, was hazarded by the president, last spring for that question; and when the whole summer has been spent by the secretary of state in efforts to advance the interests of Maine, and when all the rest of us here have sustained the claims of Maine as firmly, at least, as the strange democrat some of your politicians recommended to be special minister to England, on this subject—it is really discouraging, and causes sickness at the heart, to hear the complaints reiterated by our friends, of the "apparent egotism and unwisdom of the general government in regard to the northeastern boundary." We have so many real and unavoidable troubles with our enemies at home and abroad, that to have these increased and aggravated by our friends makes me utterly depressed.

I have now been left alone here, struggling with embarrassments without a parallel in our financial history, for over two months—and taking the additional burden on my shoulders of advising all the other departments, in the absence of their heads when cases of doubt, difficulty and great responsibility arise—and now to have this new source of discontent, danger and threatened war upon us reopened, is more than I am able to bear. It is said to be the last feather, which breaks the horse's back.

But with this Army and additional pressure, which it was hoped that all was in a favorable train, my exhausted frame must soon yield. I will do all in my power for my friends and the cause while here; but I cannot work miracles, and neither my mind nor body is made of iron. To escape death or insanity, I shall leave my present situation the first moment the president will consent to it; and I sincerely pray, that some one from New England may succeed me, more successful and able in giving satisfaction, not only on the boundary question, but on all others of importance. This year is my last year in the executive department, and it is high time for rotation—not that I love the good cause less, but that I love principle more, and the wishes of my friends more, to promote better by the services of other men, of different or similar politics,

the great interests of at least some of the states, if not all of them.

I complain not going on. Indeed, had I been left to my own inclinations and judgment, I should have resigned over a year ago. But as some of the obstacles, then existing, have been removed, I think a glimmer of light to myself personally breaks through the clouds.

I will show, as you seem to wish, your letter and Mr. H's to the president, on his return at the close of the month. After the glorious action of the west, I trust our leading friends in the east have not so conducted as to lose caste with the people and lessen our majorities there, as you fear. Even Rhode Island has gained largely on the democratic side within two years; and if Maine is determined to throw itself into the arms of the opposition, let us to play into their hands—during such a crisis as the present one—let us beseech a kind Providence to save the republic, for no arm of flesh can avail us. I had rather lose Tennessee and Indiana united.

LEWY WOODBURY.
Hon. Albert Smith, Portland, Me."

[Portland Argus Revised.]

MR. BUTLER'S SPEECH.

At the administration meeting held at Tammany Hall, on the 24th ultimo, to respond to the nominations at Syracuse.

Mr. Butler, on coming forward in compliance with the call of the meeting, was received with loud and long continued cheers, and after silence had been restored, briefly reviewed the opposition to his election for the warm-hearted reception they had given him; and having informed them that he was authorized by Mr. Wright to promise his attendance so soon as he should be relieved from the meeting at Brooklyn, took occasion to pay "a passing tribute to friendship and justice," in reference to that able statesman and consistent democrat.

Mr. B. then referred to the particular object of the meeting, and spoke, at some length, of the democratic candidates for governor and lieutenant governor, recently nominated at Syracuse. With col. Bouck he had been personally acquainted for nearly twenty-five years, and could testify to his sound and unswerving political principles, and his fitness for the office for which he had been nominated. He particularly noticed the fact that, during the long period he held the office of canal commissioner, no dollar of the immense sums of public money entrusted to his care, had failed to reach its proper destination; nor had he ever been involved in controversy with the canal contractors, although it was universally conceded that no man could be so faithful in protecting the interests of the state. The integrity and practical good sense, implied in this fact, was a sufficient guarantee that, in his hands, the interests and character of the state will be entirely safe. Mr. Dickinson was equally deserving the confidence of the democracy, and his able support of the rights of the city, in opposition to the registry law, imposed upon us during the last session, should secure to him here a grateful and ardent support.

Mr. Butler was repeatedly cheered whilst speaking of Mr. Wright, and Messrs. Bouck and Dickinson, and after closing his references to them, proceeded to speak as follows:

But, fellow citizens, there are other considerations connected with the approaching election, infinitely more important than the success of this man or that; considerations, in comparison with which individuals sink into insignificance, except in so far as they are the representatives of principles, and the agents to carry out, the execution of the principles with which they are identified. The candidates for governor and lieutenant governor, and the candidates for the higher offices of president and vice president of the United States, to whose support we are pledged, I sincerely believe, representatives of the great and most salutary principles, the vindication and establishment of which depend upon the result of the pending contest. Let us illustrate this position.

Slavery, in all time, have been found in free governments; their existence is one of the prices which man must pay for the boon of freedom. When their object is merely to keep or to get office, for the sake of its emoluments and honors, their disputes are of a peculiar party, and the success or defeat of any particular party is only important to the public as its candidates are more or less qualified for the public service. But when parties divide on great questions of public policy; when their differences are radical; when the objects and measures they have in view are as widely and as violently to affect the liberty of the citizen and the welfare of the state, then their conduct becomes vastly important; and then the business of politics becomes the highest of all earthly concerns.

Of this latter description, fellow citizens, is the great contest now going on in the United States. It is eminently so, for in the interests which gave it birth, the points on which it turns, and the issues it involves, we have all the elements of that old and interminable conflict, which, in every free state, has divided the people into two general parties—one popular, or democratic in its character, the other directly the reverse. The distinctive features of each party may be described in a few words: the one regards the elevation of man in his intellectual and moral nature, and not the acquisition of wealth or the exercise of power, as the highest end of the social state; and it regards government as a mere trust, delegated by all the people, to their agents, to be exercised impartially and faithfully, for the benefit of all of each—and thus, I need not tell you, is a popular or democratic party. The other degrades the protection of property—which it regards as the fountain of individual comfort and of national prosperity—the chief interest of society; and is continually seeking to confine the sovereignty, in effect, if not in form, to a select class, some privileged order of the people, and to make government arbitrary, not to the interests of the mass, but to those of the few; and thus, you perfectly understand, is an anti-democratic, so aristocratic party.

So long as human nature shall continue what it has been and is—so long as ambition and avarice, the love of power and the love of money, shall dwell in man's bosom—these two parties will exist, in greater or less activity; and under the blinding influences of those passions, many, very many, will adopt the views, and promote the interests, of the aristocratic party, under the sincere conviction that the condition of such a society is the most likely to be better when the power is vested in the hands of a select class, than when it is shared among the whole community. Forms of government, and local and other circumstances, may very much modify these distinctive features; but in spirit and tendency they will be found to characterize the popular and anti-popular, the democratic and aristocratic parties, in all countries in which they exist. In the United States, two parties of this opposite character were parties to the establishment of the government, and the federal constitution; but it was not until the struggle which brought into the presidency that apostle of democratic truth, Thomas Jefferson, that they were fully exhibited among us.

It was the conviction of Mr. Jefferson and his associates, that the federal government, as then administered, was a government of the few, and not of the people—that it was silently exercising its power in a manner, and for purposes, which were entirely at variance with the reserved rights of the states—and that it was fast tending, through the instrumentality of its patronage and power, and especially by means of the financing system and the bank of the United States, to impair the free spirit of the people, to foster aristocratic distinctions, and ultimately to assimilate our institutions to the British model, which, it was well known, was held in high esteem by many leaders of the party—and led them to band together, for the purpose of overthrowing that administration and bringing back the government to the republican track. They were not willing that this government, the fruit of so much toil, and of so many dangers, should be converted into a job, for the benefit of a few; and they were not willing to see the states stripped of their power, to swell the power of the union; they were not willing to stand in silence and with folded arms, whilst the federal legislature were enacting anti-republican laws, and the executive, at the instance or with the assent of the executive, and the executive, at the instance of the executive, were enacting laws, which they could, to make this government what its fathers designed it should be—a glorious temple of liberty—glorious in the amplitude and simplicity of its proportions, rather than its outward splendor or its internal decorations. They were not willing to see the oppressed of every clime meet freely enter; and whose altar every American citizen, of whatsoever name, or creed, or condition, might stand in the full consciousness of equal right, and worship with his fellow-citizens.

They triumphed; and the first act of their illustrious leader was, to proclaim, in his inaugural address, for the instruction and safety of his countrymen, and for his own guidance, and that of his successors, the great principles of democratic liberty as applicable to our government, and to mark out for the people the path to be pursued in its administration. The democracy of 1801 received this invaluable paper, as the patriots of 1776 received, from the same pen, the Declaration of Independence. It may well claim the same rank in our estimation, and it is justly to be preserved in the same manner, as we and our posterity shall adhere to the instructions of the inaugural address, we may be sure that the great ends of the revolution will be attained—

striking, with his sling, may bring the boaster to the earth. If not great, I have in it a stone furnished by himself, which will achieve this result. But before I resort to it, let me employ a few other proofs which may perhaps be sufficient for my purpose.

I remark, then, that Mr. Webster, during the long period of his service in the congress of the United States, has generally given to measures of an aristocratic tendency his warm and decided support. The Bank of the United States, internal improvements, and since the capital of Boston has been invested in manufactures, protective tariff, have all been defended and sustained by his voice and by his votes. I am one of those who think that these measures, and especially a national bank, have an aristocratic tendency; that they are calculated to give advantages to persons of a pecuniary kind, to particular classes, to the exclusion of the rest of the people—to increase the inequality of wealth in our community—to make the rich richer and the poor poorer—and to give, in many cases, to the few, a constant control over the many, the minds of the many; and, thus, thinking, I hold that he who deliberately and systematically gives his support to these systems of policy is, so far as an American legislator can be, an aristocrat. I know not how, otherwise, a member of congress can make himself by his votes obnoxious to the charge.

The proof, if left here, would be abundantly satisfactory to those who think with us in relation to these laws. But Mr. Webster will doubtless demur to our view of the case, and I shall therefore bring forward this more decisive evidence to which I allude. It consists of Mr. Webster's views, delivered in the convention of Massachusetts, held for the amendment of the constitution of that state, in 1821, as to the proper basis and measure of political power. You will find that he deliberately defended and sustained, with precision and distinctness, in reference to the constitution of the senate of that state, the aristocratic principle in preference to the democratic.

To enable you to see this, I must first state the manner in which the question arose.

The constitution of Massachusetts, adopted in 1780, divided the legislature into two branches, the senate and house of representatives. The senate consists of forty members, to be chosen by districts into which the legislature is divided. In apportioning the senators, the constitution provides that the general court or legislature "shall govern themselves by the proportion of the public taxes paid by the said districts." In other words, the senators, instead of being chosen by the districts in proportion to the population of the districts respectively, (as is the case in New York and in almost all the other states of the union), are to be apportioned among them according to the property within them, that being the effect of the reference to the tax for the purpose of apportionment. The house of representatives are, by the same constitution, apportioned on the principle of equality, by a scale of peculiar arrangement, according to the number of taxable polls—in other words, according to the population of the respective towns. The principle of apportioning representation according to population is obviously the democratic one. It obtained in most of the constitutions forced prior to 1801; it has been adopted, I believe, in respect to both branches of the legislature, in every state since that of every state admitted into the union since that epoch. On the other hand, it is equally plain, that the apportionment of the members of the legislature, or of either branch of it, according to property instead of numbers, is an aristocratical arrangement. Its effect is to give a larger share of the political order—the holders of taxable property—a larger share of the power of government, so far as that body is concerned, than is given to the same number of citizens who may be destitute of property; and to give to a wealthy citizen a larger share of the sovereign power than is given to a less opulent one. The case is thus brought within the definition of an aristocracy, as explained by all the writers on political science. For an aristocracy is that form of government in which the sovereign power is lodged, not in one man, which is a monarchy, nor in the whole people, which is a democracy, but in a select class or order, no matter how ascertained, or by what name they may be called.

The practical effect of the proposition referred to may be illustrated by supposing the county of Suffolk, which includes the city of Boston, to contain one-tenth of the population, and one-fifth of the taxable property of the state; in this case, if the forty senators were apportioned according to population, Boston would be entitled to only eight, if apportioned according to property, it would be entitled to eight. In other words, 80,000 inhabitants in Boston would

have just twice as many senators as the 80,000 inhabitants in other parts of the state.

In the case I have supposed, I have taken even numbers to exhibit the working of the principle; and I have not had opportunity to ascertain the exact proportion. But if the same principle were adopted in this state, it would produce, when applied to the city of New York, the following result: Our city at the last state census, had less than one-eighth of the population, and to make a senate district with four senators, Kings and Richmond were added. But in 1839, we had four-fifths of nearly one-half of the taxable property, which would give to this city, were the senators apportioned according to property, twelve of the thirty-two. These illustrations are sufficient to show the aristocratic nature, and the palpable injustice, according to our notions, whatever opinions you may think of it, of the Massachusetts rule.

This point of the constitution of Massachusetts is in exact accordance with the doctrines of John Adams, in regard to the necessity of the property mode of electing and balancing the different departments of the government, as expounded in his defence of the American constitution, in which, as is well known, he advocates very high toned doctrines. In the convocation of 1821, a vigorous attempt was made by Messrs. Dearborn, Lincoln, and others, to strike out the property mode, to get rid of this aristocratical provision. Mr. Dearborn moved to strike it out, and to substitute, in its stead, the democratic principle of an apportionment according to population. This motion was opposed by the venerable John Adams, then in the convention, in a short speech; and by Daniel Webster, then a resident of Boston, in an elaborate and powerful argument. The motion failed; the obnoxious provision was retained, and to this day it is a part of the constitution of Massachusetts; for which the people of that state are mainly indebted to Daniel Webster. I shall now proceed to read to you some extracts, which will show you what sort of a democratic Daniel Webster then was:

Mr. Webster thus states the question with his accustomed lucidity:

"The immediate question now under discussion, is, in what manner shall the senators be elected? They are to be chosen in districts; but shall they be chosen in proportion to the number of inhabitants in each district; or in proportion to the taxable property of each district; or in other words, shall we go to the part which each district bears in the public burdens of the state? The latter is the existing provision of the constitution; and to this I give my support. The proposition of the honorable member Mr. Roxbury (Mr. Dearborn) proposes to divide the state into certain legislative districts, and to choose a given number of representatives in each district in proportion to the population."

He then refers to Messrs. Childs, of Pittsfield, and Lincoln, of Worcester, who supported Mr. Dearborn's proposition; but he required the other senators, without explaining their views as to the choice of representatives, and after some comments, thus repeats his preference of the existing provision:

"It has been said that the constitution as it now stands, gives more than an equal and proper number of senators to the county of Suffolk. I hope I may be thought to contend for the general principle, without being influenced by any regard to its local application." "I wish to look only to the PRINCIPLE."

"But, sir, that to be consistent, as to SALUTARY, I give my vote in favor of maintaining it." He then proceeds to argue in support of his opinion; and the general course of his argument is this—that to make the senate an efficient check on the executive, a representative there should be "some difference of opinion, or of privilege, or of sentiment, in the two bodies; and that the apportioning of the senate according to the property of the different districts, as was done by the existing constitution, was a just and useful mode of effecting the desired result. He then proceeds to the very essence of the aristocratical doctrine, as defended by John Adams, in the work to which I referred.

I will now give you some extracts from the arguments which Mr. Webster offered in support of his doctrine. "The gentleman from Roxbury (says he) called for authority on this subject. He asked what writer of reputation had approved the principle for which we contend." After some remarks to show that, even if no authority could be cited, the principle should not be expunged, inasmuch as it had worked very well, standing argument of all the enemies of reform—he adds:

"But, sir, I take the principle to be well established, by writers of the greatest authority. In the first place, those who have treated of natural law, have worked very much on the principle of what I call, as far as the object of society is the protection of society, in which the members possess unequal shares, it is

just the weight of each person in the common councils should bear a relation and proportion to his interests. Such is the sentiment of Grotius, and he refers, in support of it, to several institutions among the ancient states."

Thus it seems that in 1821, Mr. Webster sought for precedents and authorities, not in Thomas Jefferson and the democratic principles of the Declaration of Independence, or the constitutions of the new states, framed after the triumph of 1800; but in the institutions of ancient times; in no one of which were the principles of democratic liberty as now understood, in our country, at all carried out. He proceeds: "Those authors who have written more particularly on the subject of political institutions have, in many of them maintained similar sentiments." To this effect he quotes from Montesquieu, but soon leaves him, to go to a subject about a century older, for whom he seems to cherish a peculiar reverence, and who it appears expresses his own sentiments more exactly:

"One of the most ingenious of political writers," says Mr. Webster, "is Mr. Harrington, an author not now so much as he deserves."

And now we shall have the very quintessence of political philosophy—that which the great expounder of the constitution, thinks peculiarly worthy of attention "now"—i. e. in 1821, and in the United States—namely, that "ingenious" writer, so much to the taste of Mr. Webster, and whose writings the American democrats have so stupidly neglected. He goes on to tell us what it is:

"He tells us to go to subject in his Oceana, to prove that power naturally and necessarily follows property. He maintains that a government founded on property is legitimately founded; and that a government founded on a disregard of property, is founded in injustice, and can only be maintained by military force."

Here, fellow citizens, you have the principle of Mr. Harrington, whose book Mr. Webster so highly approves. And what is it but rank aristocracy—the veiling of the sovereign power in a particular class—the veiling of the sovereign power in the hands of Mr. Webster's quotation from Mr. Harrington:

"If one man, says he, i. e. Harrington, 'be sole landlord, like the grand seigneur, his empire is absolute. If a few possess the land, this makes the Gothic or feudal constitution. If the whole people be landlords, there is no government.'"

That is, the sovereign power, according to Mr. Harrington and Mr. Webster, should be vested in the holders of land, to the exclusion not only of the vast mass who own no property of any kind, but to the exclusion of the great body of the property holders; however large in amount; and this sovereign body is to be parcelled out among the landholders, in proportion to the extent of their respective domains. So that a wealthy or fortunate proprietor, who may acquire title to a very small portion of the soil, is to be the grand proprietor of the tract, though in process of time, it should be filled with thousands of hardy yeomen, unless the grand seigneur were willing to part with his little, by selling out the fee. But bear Mr. Webster a higher tribute:

"It is strange," says Mr. Webster, in one of his recorded conversations, "that Harrington should be the first man to find out to evident and demonstrable a truth as that of property being the true basis and measure of power."

But, fellow citizens, in his zeal to support the authority of his favorite author, thus draws from his store of his general reading, a passage from Mr. Pope, he proceeds to correct a mistake into which the great English poet had fallen, in respect to the origin of Harrington's views:

"It is not Harrington," says Mr. Webster, "Mr. H. was not the first. The idea is as old as political science itself. It may be found in Aristotle, lord Bacon, sir Walter Raleigh, and other writers. Harrington, seems however, to be the first writer, who has illustrated the principle, and has given to it the effect and prominence which justly belong to it. To this sentiment, sir, I entirely agree. It seems to me to be plain, that in the absence of military force, political power naturally and necessarily goes into the hands which hold the property."

Can any thing, fellow citizens, be more distinct, unambiguous, unequivocal than this? Mr. Webster not only repeats the particular aristocratical provision contained in the constitution of Massachusetts, but, in doing so, is at great pains to lay down, in the clearest and most positive terms, the general principle of aristocratical domination; to express his preference for it; and to vindicate it as the only true and legitimate basis of government. He draws his principles, not from Thomas Jefferson, whom he now so much admires, but from Aristotle, the great exponent of Independence, which affirms it to be a self-evident truth that all men are created equal, and that govern-

ment derives its just powers from the consent of the governed, (and the honest laborer, or mechanic, or merchant, is surely among the governed, even though he may not own a foot of the land), not from the various American authors and institutions which vindicate this doctrine, but from the many pages of Aristotle, and from the imperfect views of the early pioneers in the path of liberty, and especially Harrington, the least democratic of the class.

Fellow citizens, of all classes—fellow democrats, fellow workmen—for I am too a workman, and have been so since I was a boy—fellow laborer, fellow patient labor in my calling—labor not more honorable or useful than mine, but I am sure equally, if not more so—are I indebted for whatever of substance or consideration I possess—I put it to you, all the doctrines thus advocated by Mr. Webster's doctrines which would deny to the intelligent mechanic, or trader, or shipmaster—to the industrious mechanic—to the useful laborer in all the various departments of industry, their equal right to participate in the power of the government, according to their numbers, because they do not own a farm in the country or a tenement in town, although they contribute by militia and jury service, and even by tax on personal property, to the support of government, are not eminently aristocratic; and whether the man who defiles, studies, and labors, who defends such doctrines, is not, in the highest sense, in which an American statesman can be, an aristocrat? [Loud cries of he is, he is, from all parts of the room.]

There are several other passages equally pertinent and it possible even stronger than I have read, which I will not now read, because I can no longer trespass in this way on your time; but I shall cause them to be incorporated in the report of what I am now saying, by which you will see that, while he occasionally utters a somewhat remark, he does not to argue and reason, at great length, and with the solemnity of a deep and thorough conviction of the truth and justice of what he was maintaining, that the principle for which he contended was not only right in itself, but that the preservation of social order; because that portion of the people who were not possessed of property were incapable of self-government, and unfit to share any portion of political power.

The following are the further extracts referred to by Mr. Butler:—
"The freest government, if it could exist, would be least acceptable, if the tendency of the laws were to create a rapid accumulation of property in few hands, and to render the great mass of the population dependent on the few. In such a case, the popular power must break in upon the rights of property, or else the influence of property must limit and control the exercise of popular power. Universal suffrage, for example, could not long exist in a community where the majority of the population were the holders of estates would be obliged, in such case, either in some way to restrain the right of suffrage, or else such right of suffrage would, ere long, divide the property."

"In the nature of things, those who have no property, and see their neighbors possess much more than they think they need, cannot be favorable to laws made for the protection of property. When this class becomes numerous it grows clamorous.—It looks on property as its plunder, and is naturally ready at all times for violence and revolution. It would seem, then, to be the part of political wisdom to found government on property, and to establish such distribution of property by the laws which regulate its transmission and alienation, as to interest that majority in the protection of the government. This is, I imagine, the true theory, the actual practice of our republican institutions."

"If the nature of our institutions be to found government on property, and that it should look to those who hold property for its protection, it is surely just that property should have its due weight and consideration in political arrangements. Life and personal liberty are no doubt to be protected by law; but property is also to be protected by law, and is the fund out of which the means for protecting life and liberty are usually furnished. We have no experience that teaches us that any other rights are safe where property is not safe. Confiscation and plunder are, generally, in revolutionary commotions, not far before hand with murder, and treachery. It would be monstrous to give even the name of government to any association in which the rights of property should not be completely secured. The disastrous revolutions the world has witnessed—the political and social convulsions which have overthrown the pillars of society, from their deepest foundations, have been revolutions against property."

"The English revolution of 1688 was a revolution in favor of property as well as of other rights. It was brought about by the men of property for their security; and our own immortal revolution was undertaken, not to share or plunder property, but to protect it. The acts of which the country complained were not violations of the rights of property."

Look at the Declaration of Independence, and its catalogue of grievances; mark how very few are violations of rights of property, how many are violations of personal and civil liberty, and of other rights beside those of property."

"An immense majority of all those who had an interest in the soil were in favor of the revolution; and they carried it through, looking to its result for the security of their possessions. It was the property of the frugal yeomanry of New England, hard earned, and freely given, that enabled her to act her proper part, and perform her full duty in achieving the independence of the country."

True; but how few, how very few of the brave sons of New England, who flocked to Bunker's Hill, and fought in other battle fields, in every quarter of the union, were land owners.

In another part of the speech, Mr. Webster, to maintain the peculiar weight which he claims for the doctrine of property, to which the people of Massachusetts are indebted for the great blessings of their common school system, in the following words:—

"What is it but the property of the rich devoted by law to the education of the poor, which has produced this state of things?—[The several intelligences of Massachusetts.] Does any history show property more beneficially applied? Did any government ever subject the property of those who have estates to a burden more favorable to the poor, or more useful to the whole community?"

Is it not the power which the law exercises over it, for the purpose of instruction, is the basis of the system. It is entitled to the respect and protection of government, because in a very vital respect it aids and sustains the government."

"The honorable member from Worcester, in contending for the admission of the mere popular principle in all branches of the government, told us that our system rested on the intelligence of the community. He told us truly. But allow me, sir, to ask the honorable gentleman what but property supplies the means of intelligence? What but living intelligence leads this overflowing, ever-renewing, ever-fertilizing stream of public instruction and general intelligence? If we take away from the towns the power of assessing taxes or property, will the school be maintained? If we take away from the towns the benefit which they now derive from the property of the rich, will their children remain on their farms, or will they not rather be in the streets in idleness and vice?"

He extends the same argument to the provisions which had existed in Massachusetts, for the maintenance of religious worship by taxation, and defends its propriety and usefulness."

And now, fellow-citizens, have I not fulfilled my pledge? Have I not proved Mr. Webster by his votes and speeches in congress, and above all in the convention in Massachusetts, to be an aristocrat? [Cries of, you have—you have.] Have I occupied your time or wasted my strength by mere declamation? True, I have spoken long, because I wished you all to hear; I have spoken with fervor and animation, because I have deeply felt the interest of the subject; I have spoken distinctly and positively, because I had the proofs in my possession; I have sought to win you by plain and simple statements, I wished to communicate to your minds the convictions of my own; but have I indulged in mere idle or abusive declamation? [Cries of no—no—you have proved him an aristocrat.]

Fellow citizens, it has been no pleasant task to go through the position I have now taken. It was far from my wish to make Mr. Webster, the theme of so large a portion of my remarks; for whilst there is no reason why I should shun, when duty requires, the discussion of his conduct or opinions, I have no motive for seeking a personal controversy with him. As persons associated for several years in the government of the country, though in different departments, and as members of the same profession, we have frequently been brought together; and on my part, though often warmly and honestly dissatisfied, it has always given me pleasure to recognize his claims to personal courtesy and respect; whilst from him, I have, in like manner, received the same courtesy and respect.

During my residence at Washington he was more than once my zealous and honored guest; and we have never met since without taken each other by the hand. He has declared, in his recent speech, that the man who says he is an aristocrat, is a liar;

and that the man who will not meet him fairly with argument, but uses idle and abusive declamation instead, and then will not come within the reach of his arm, is not only a liar but a coward. In the sense before defined, I have pronounced, and do again pronounce him, an aristocrat, and I feel that in doing so, I have not only not violated, but have spoken the truth. I have done more; I have proved him an aristocrat by record evidence, from which, with all his power of argument, I do not believe he can escape. Having the proofs in my memory, which, for good or for evil, is a tedious and a ready one; understanding perfectly well their pertinency and conclusiveness, I could not, as one of the free citizens of this state, permit this gentleman to come into the midst of us, and set up the bold pretension that he was a democrat, the school of Jefferson, and in no sense a member of the opposite school—the school of aristocracy—without resolving, on the instant, to expose to public view the error and folly of that pretension. The unprecedented language he thought proper to employ, and the implied threat with which his assertion was clothed, only made me the more resolved to nail it, as worthless coin, to the counter. After what has occurred, I shall not unnecessarily obtrude on the presence or the society of Mr. Webster, but without detraction to himself, or injury to his cause, the language of the bragart, I think it right to say, that so often as official duty, or professional occupation, or the business or courtesies of life, shall make it proper to place myself "within the reach of his arm," I must assuredly I shall do so. [Cheers long and loud.]

Fellow citizens: In the professions now made by the whig party and its leaders to be the disciples of Thomas Jefferson, and the true exponents of the democratic faith promulgated by him, there is involved a power which the whig party, I think, I conclude, I must direct your attention. When the principles of that faith were first brought before the people—when, in opposition to the dogmas and the acts of the "reign of terror," they were made the rallying point of the democratic party, and the principles they were established by the victory of 1800, as rules of policy—during the democratic administrations which succeeded, and until a very recent day, they were bitterly denounced by a great party, embracing nearly all the aristocratic and aristocratic of the country, as utterly unconstitutional, immoral and destructive. During all this period, every distinguished advocate of these principles, and above all the man who gave them form and symmetry, and who first applied them to the government of the country, was a man who was nurtured in the determined opposition, the unyielding enemy, of that party. What do we now see and hear?

The two parties into which the country is divided, acknowledge the truth of the democratic creed. Each claims to be the true and regular policy of conformity to that creed—each inscribes on its banner the name of Jefferson, each demands to be regarded as the repository of his principles, and each rallies for a candidate who professes to take Jefferson as his mentor. Many of those who opposed him when in office, and who opposed his successor because he was the disciple of Thomas Jefferson, are now loudest in his praise; and, to complete the triumph of Jeffersonian democracy, we have just seen that the ablest and most eminent of the country, a man who was nurtured in the aristocratic school—who, as an orator and politician, made his debut in defence of the doctrines of ancient federalism—who opposed the restrictive system of Jefferson and Madison—who opposed the declaration of war against England—who was elected a federal member of congress, elected during the first year of the war as its avowed and determined opponent—who from May, 1812, when he took his seat in congress, to the peace of Ghent, was among the foremost in the ranks of opposition—who, at the expiration of the war, in 1814, and who opposed a leader in those ranks, though the body of which he was a member had been driven from its hall by the torch of the enemy, and was surrounded on every side by traces of the invasion, the triumph and the barbarism of that enemy—who could hold out an active leader in those ranks, even after it was known that the British government insisted on the cession of a large portion of our territory, now among the fairest regions of the west, as a sine qua non, the only condition on which the peace should be granted, though several of his associates, and the chivalrous Lincoln at their head, nobly gave up their opposition, on the ground that the war had now assumed a new character, and that, to prevent a diminution of the nation, they would cheerfully vote to the peace, and would not be so much as to hold out and hang back, a leader in opposition, whilst the Hartford convention were plotting their treasonable plans, whilst the enemy was ma-

turing his expedition against New Orleans, and up to the very last moment of the war—ach, long after this, avowed the aristocratic doctrines of government which I have laid before you, and whose whole public career, in the councils of the union, has been signally marked by the policy and wishes of Mr. Jefferson—gives the sanction of his high authority to the truth, the justice, the wisdom of the democratic creed. [Immense cheering.] What an illustration have we in this change of opinion—these clamorous professions and developments in the school of democracy—of the vitality, the omnipotence of truth. To the language of one of our own number—who to the fame of the true poet adds the equally high honor of a champion for democratic liberty.

"Truth, crushed to earth, shall rise again,
The eternal years of God are hers;
But error, wounded, writhes with pain,
And dies among his worshippers."

[Cries from all parts of the room—"three cheers for William C. Bryant"—which were given with the greatest enthusiasm.]

Once more. In this universal adoption of the democratic creed, and this anxiety to be regarded as the true successors of those who pledged and sustained Mr. Jefferson, what a homage to him and to them! Who and what were they? From what class did they mainly come? From what walks of life—these men who were themselves the select, the wiser, the better, the higher class? or from those who were sneered at by the self-conceited aristocracy of 1798, and of subsequent times, as the poor, the vulgar, the vulgar, the vulgar, they were just such men as you and I, and our associates of the present day—some merchants and professional men, and some of the wealthy and distinguished; but for the most part farmers, small traders, mechanics, artisans, seamen, fishermen, and day laborers of every grade and kind. Just such charges too were made against them and their conduct, as are made now to our opponents. Just such opprobrious and scurrilous epithets were then heaped on them as are now heaped on the supporters of Van Buren. Loco fies, levellers, Jacobins, destructives, agrarians, infidels, these are some of the choicest epithets commonly bestowed upon the wing presses and the organs of the times. These are also made to persuade men of property, and the religious portions of the community, that the object of the party which supports Mr. Van Buren is to overturn the foundations of social order, to deprive the owners of the power of the soil, to strip their industry to their children; to divide estates among the democracy of numbers; to destroy religious institutions; and, in the room of every thing valuable and sacred, to substitute the reign of vulgar violence and rabble-rousing, to substitute, as it is called, "The Crisis of the Country," written, as is said, by a clergyman, who assumes the name of Junius, has, within a few weeks, been published and industriously circulated, for the very purpose of establishing these monstrous accusations. But what of all this? This same contemptuous epithets, and even in larger abundance, were poured upon the heads of the true hearted men who accomplished, by years of heroic effort, the civil revolution of 1800. The federal press—and that was almost the whole press of the country—deemed with the most violent abuse; the irreligious and anti-social spirit of the worst periods of the French revolution was resorted to Jefferson and his associates; the cry of danger to order and religion was sounded from the pulpit. It was frequently charged, and doubtless many good men were made to believe, that if the democracy triumphed, property would be wrested from its owners, churches be demolished, the Bible be burnt, and the Sabbath be blotted out. Still, the honest and unfeigned democracy of that day boldly persevered. They were neither shaken by the assaults of the enemies, nor seduced by the appliances of wealth, nor overawed by the arm of power; they believed their principles to be sound; they knew their motives to be pure, and they trusted to time—the great vindicator—to do justice to their cause. They trusted that the aristocratic and aristocrats continued to oppose and to calumniate, the country, under the influence of their principles and measures, received an impulse which has carried it forward with a rapidity and success unparalleled in the history of our race. What is more, the tranquillity, morality and religion which have adorned and blessed American society, for the last forty years, have conclusively demonstrated the consistency of Jefferson and his associates with the principles of social order, the benign principles of the Christian faith, and the exemplary practice of the purest morality. This very experience it is which has brought about the change of opinion, the safe, which have advanced; it completes the vindication of the men of 1793. [Cheers.]

Flow citizens: In the midst of the abuse and slanders by which we are assailed; in spite of bragged threats and frantic prophecies of victory to others and defeat to us; yet, even when appearances may seem to be against us; let us not, for a moment, be discouraged. We stand upon democratic ground; we stand where the men of 1800 stood; we are their true, their only, their not unworthy successors. They struggled with difficulties far greater than ours; their way was infinitely darker; and yet they conquered. So shall we, if we are faithful to ourselves and to the principles they bequeathed us; for now, as then, their principles are identified with truth, and to her belong, not only "the eternal years of God," but, sooner or later, the crown of triumph. [Repeated and long continued cheers.]

VIRGINIA WHO CONVENTION AT RICHMOND.

The Richmond *Whig* of the 7th says: "The convention of the 5th will be epoch in the existence of the thousands who thronged the metropolis on yesterday and the day before. We had anticipated much, but all our expectations, sanguine as they were, fell far short of the reality. Never before have we seen such an assemblage of people. The expected had to the number—the appearance, the respectability or the intelligence. There were not less than 15,000, and many, accustomed to estimating the number of multitudes, put the number at not less than 20,000. The crowd of the Old Dominion was assembled. The good, the wise, the patriotic—the farmer, the mechanic, the lawyer, the doctor, the merchant, the student, fair, the lovely fair—the old, the young, the soldier of the Revolution, the soldier of the late war, all were here, coming from every corner of this far famed old commonwealth.

No language can convey any idea of the thrilling excitement—the rapturous enjoyment of the occasion—such were so many happy people joined together—within the limits of this state. Smiles were playing upon every cheek—and joy, the joy which patriot hearts alone can feel at the certain prospect of reaptured freedom, was beaming from every eye. The whole city was all life and animation. Joyousness and happiness every where prevailed. Sobriety and decorum, thanks to the noble character of Virginia gentlemen, and the regular habits of the citizens, and the order of the arrangements, knew no interruption. All were content and delighted; all were amply accommodated with creature comforts; all were thrilled by the intellectual treat spread before them, and all had their own share of the excitement still fresh in their great struggle at hand. The day, we repeat, will be a memorable epoch in the lives of all who were present.

The 5th was ushered in by a glorious sun, which, as far as possible, still farther to exhilarate the multitudes which came together. The weather throughout has been as sweet as the heart could have desired. By day, a cheering sun, by night, a lovely moon. The heavens smile upon a prosperous cause!

Governor Barbour, of Orange, was elected president of the convention. He responded to the compliment in a characteristic speech, teeming with noble sentiments and patriotic appeals.

The whig electors who were in attendance, were elected vice presidents, and judge Beverly Tucker and James M. Garnett, ex. secretaries. Mr. Leigh then submitted an address, worthy of the speaker, and which was adopted by acclamation. As soon as this was over, the president introduced to the convention, our distinguished guest, the illustrious senator from the Old Bay State. The welcome, long and continued, which accorded from fifteen thousand Virginians, took him at once, that he was at home. Or the orator in which he responded to the hearty welcome, the reader can judge for himself, by the faithful report of the speech in another column. All will have to say it, that the illustrious fame of the orator, in the opinion of the thousands who heard him was fully sustained. He proved himself every thing that had been expected of him and more.

When Mr. Webster entered the convention, the convention adjourned till 4 o'clock. During the evening, various, little squads of 3,000 each, were addressed by Mr. Wm. S. Archer, Mr. John Hill, Mr. John Campbell, and again by Mr. Webster, towards sun closing, and the close of these bursts of eloquence, to which he alone can give birth. After night the speaking was continued until 12 o'clock, at the capital by Messrs. Batts, Snowden, of Alexandria, and the illustrious Daniel Webster, at the log cabin by Messrs. B. W. Leigh, and Cutler, of Buckingham. The delight of the audience throughout these various speeches, was manifested by frequent and rapturous applause.

At 10 o'clock, Mr. B. W. Leigh closed the convention in a speech of some 4 hours—the

numbers but little, if any diminished from the day preceding. One of the most striking features in this vast assemblage, has been that of deep, intense, undragging interest of the whole. At midnight, when the last speaker concluded, a universal cry arose for music, and until last evening, to our lot, our lot, our lot with the delegates from every quarter, we heard no man make mention one of going home. That such a place as sweet home existed, appeared to have passed from their memory altogether, and wholly absorbed were they all by the thrilling scenes around them.

During last evening, Mr. Humes, of Abingdon, and Gov. Barbour addressed the convention. The interest continued unabated throughout. At night, the log cabin and the capital square resounded with bursts of eloquence again, which are still delighting vast multitudes, as our paper goes to press.

Mr. Webster, at the earnest solicitation of his fellow citizens made his appearance within the logs—the most famous temple of liberty in the land—the theatre of the most brilliant oratorical displays of the age, and spoke for two hours, in a strain as he only can speak. The *Register* says he has been the most successful speaker of the year. His own account—and on account of the Old Bay State, which stood shoulder to shoulder. Old Virginia in the time that tried men's souls. We have no time or space to characterize the speech of Mr. Webster. Enough, it will be worthy of Daniel Webster.

When the vast multitude had marched to procession and occupied the area on the south side of the capital.

R. T. Daniel, ex. chairman of the sub-committee of arrangements, came forward and said:

Fellow citizens of Virginia. In behalf of the whigs of Richmond, as their officers, and expressing their will, the sub-committee beg leave to nominate our distinguished guest and countryman, James Barbour, to be president of this convention. All who are in favor of the nomination say, *aye*. [Loud acclamation of applause.] The *times* I need not put. [Longer.]

So Mr. Barbour was declared to be duly elected president of the convention; whereupon he rose (amid loud cheers) and said:

Fellow citizens—I rise to express to you my profound admiration and respect for the noble efforts which you are making by this vast assemblage of my countrymen; an assemblage the like unto which, whether we look to numbers, intelligence or patriotism, has not been seen before in this ancient commonwealth. The day which has opened before us, Mr. Barbour's glory was filled by serving a master, how much more must men be full to overflowing when called upon to serve such a people. [Cheers.] We are in the midst of the most auspicious omen. Look at your bright sky, heavy as has vouchsafed as a day which there is no spect to obscure, like the purity of that character which we all delight to honor. The day itself stands high in the American calendar—rendered illustrious by a victory achieved by our beloved fellow citizen, William Henry Harrison. The whole American people have borne testimony to the distinguished services which he rendered, and I myself had the honor to bring forward the first resolution which proposed to make perpetual record of the achievement, and proclaim him the benefactor of his country. I hope that on this day even the traducing, standering politician will stand rebuked, and forbear by sacrilegious hands to tamper with the laurels which have been prepared for him; and in lieu of which they have been endeavoring, by means the most foul, to write infamy on his name.

But, fellow citizens, we are assembled for infinitely higher purposes than these. We are here to concert measures, under the blessing of Providence, to drive the spoilers from office, to substitute honest men in their places, and to bring the government back to that simplicity, economy and integrity with which a republican government cannot exist; to drive back the executive within the sphere designed for him by the constitution; to re-establish the independence and virtue of congress, to re-rotate the supreme power to the laws, to replace the constitution on the eminence from which it has been cast down. This is the great purpose, as I understand, for which we have been gathered together. The spectacle now existing throughout this vast country, and which this conference so distinguished a part, is the most august within the conception of the human mind; an entire nation—fifteen millions of freemen sitting in judgment on the administration of the laws, to replace the constitution on the eminence from which it has been cast down. This is the great purpose, as I understand, for which we have been gathered together. The spectacle now existing throughout this vast country, and which this conference so distinguished a part, is the most august within the conception of the human mind; an entire nation—fifteen millions of freemen sitting in judgment on the administration of the laws, to replace the constitution on the eminence from which it has been cast down. This is the great purpose, as I understand, for which we have been gathered together. 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men who have betrayed their trust. When I look upon this assemblage, when I turn my eye upon the various flags which I see around me, I feel confident that liberty herself is descended to look down upon the scene; and that when she contemplates these banners dedicated to her cause, and thinks on the still stronger hearts that violate her laws, she will be repelled with ten thousand avords. But, my fellow citizens, let us not disguise the fact, that, however auspicious the omens are, we have an adversary to contend with, powerful and subtle and formidable, on account of the means of corruption and usurpation which this assembly has placed at its disposal. Let me employ them. I thank God we have virtue and knowledge. Many illustrious patriots have gone forth with the gospel of liberty in their hands, which they have proclaimed to the inhabitants of the hills and the valleys; and to which every where there has been a response cheering to the hearts of

But let us beware of too much confidence, which is frequently but another name for defeat. Let every man consider himself the defender of the constitution and the laws; let every man depend on his own exertions; let him night and day apply himself to the great work; let him consider every sacrifice as dust in the balance compared to the great prize for which we are contending. With this we shall have nothing to apprehend. The result is inevitable.

But let me address myself to Virginians particularly. The adversary is about to take means, not, as may be supposed to effect the great question, but to save it possible, this ancient and honorable Commonwealth from the general defeat. Virginia will be said with sorrow and shame, casting for a moment her eyes into dark oblivion, did once suffer her honors to be trailed in the dust when she permitted herself to become the tail to Martin Van Buren, Amor Kendill and company. But she feels the degradation to which she has been reduced. She has made an effort to cast off the abominable shackles of a despotic and tyrannical and unchristian character. That effort was one of those glorious events, whose moral influence was felt throughout the United States, and Virginia was hailed as returning to her first love. Let us then, with one heart, unite and advance, until she shall regain her position in the estimation of the world, and be able to stand a standard bearer of liberty. [Loud and long continued cheering.]

Finally, fellow citizens, I pray to God that our councils may be directed by wisdom from above, and that our exertion may be crowned with success to the uttermost of our hopes.

MR. WEAVER'S SPEECH.

Mr. Webster rose and addressed the convention as follows:

Virginia. The wisdom of our fathers has established for us a constitution of government, which enables me to appear here to-day, and to address you as my fellow citizens, (cheering), and half of a century of experience has shown how useful to our country the constitution has been. To continue its renown and glory is that constitution by which we have been united. I desire to pay *dua* honor to those illustrious men who made us—the children of those who fell at Bunker Hill and Yorktown—members of the same family, and to those who share the same common destiny, and awaiting together the same common prosperity or common adversity in all time to come. It is the extraordinary nature of the times, united with a long cherished desire to visit Virginia, which has afforded me the pleasure of being in the midst of you all to-day. I may have come more for the purpose of seeing and of hearing you than of speaking to you myself. I have come to mingle myself among you; to listen to the words of your wise and patriotic men; that I may learn the people's pulse, and to be inspired by the chivalrous spirits of this ancient dominion. (Cheers.) But inasmuch as there are, or may be, some questions of national policy or of constitutional power, on which you and I differ, there are reasons among people, and of every consideration of our reputation and of every reputation, to signify that they esteem it a great breach of propriety for me, that you should invite me to come here, and that I should come here to you. (Loud laughter and cheering, mingled with cries of "welcome, welcome.") But let us put out of our minds these amiable personal considerations, and let us leave these amiable personal considerations to their own fate.

If there be any question or questions on which you and I differ in opinion, those questions are not to be the topics of discussion to-day. No! We are not quite soft enough for such an operation as that. (Laughter.) We are battling together in the face of a common enemy—we armed to the teeth—putting forth as many hands as Briareus, and with each hand dealing him all the blows we can—and each

be imagine that at such a moment we shall be carrying on our family controversy. That we are carrying it on to ourselves, those blows which are done to him. No; he is the enemy of our country, and we mean to pursue him till we bring him back to capitulation or to flight; and when we *have done that*, if there are any differences of opinion among us, we will try to settle them ourselves, without his advice or assistance; (laughter); and we will settle them in a spirit of conciliation and mutual kindness. If we do differ in any of our views, we must settle that difference not in a spirit of exasperation, but with moderation—with forbearance—in a spirit of amity and brotherhood.

It is an erem life for me to find myself on the soil of Virginia, addressing such an assemblage as is now before me: I feel it to be such: I deeply feel the responsibility of the part which has this day been assigned me. I have never before, in any other time I have addressed an assembly of my fellow citizens upon the soil of Virginia, I hope I am altogether unacquainted with the history, character and sentiments of this venerable state. The topics which now are agitating the country, and which have been the subject of much debate and discussion whatever with those in which I differ from the opinions she has ever entertained. The grievances and the misgovernment which have roused the country, pertain to that class of subjects which especially interest the community, and which are the result from the very beginning of our history. I know something of the community amidst which I stand: its distinguished and ardent attachment to civil liberty; and its disposition for political disquisition. I know that the landholders which it contains are the most intelligent and the most patriotic; and I can discuss political questions in their elements, and to look at government in its tendencies as well as in the measures it may at present pursue. There is a sleepless suspicion, a vigilant jealousy of power, and a watchful anxiety for the rights of the quarters of a Country has marked the character of the people of the Old Dominion: and if I have any true conception of the evils of the time or of the true objection to the measures of the present administration, it is, that they are of such a kind as to excite the jealousy of the people, and to kindle a less jealousy, that stern republican scrutiny, that acute and astute inspection which have distinguished the present as they have all preceding generations of men in this sweet commonwealth. All things are to be viewed in the light of the own views of the present aspect of our public affairs.

In my opinion, a decisive majority of all the people of the United States have been, for several years past, opposed to the policy of the existing administration. I shall assume this is what I have farther to say, because I believe it to be true; and I believe that if you were to assemble in some public place which will proclaim the truth of that position, and will show a vote of three-fourths of the population of this country in favor of a change of men (Cheers, and strong marks of assent.) Taking this (or the present as the true state of political feeling) we are now at the point where we may expect the very extraordinary excitement of agitation, and I had almost said of commotion, which marks the present moment throughout every part of the land. Why are these vast assemblages everywhere congregated? Why, for one people, and I there, five hundred others from their own pulpits, address such addresses as subjects of Virginia? And why does every day, in every state, witness something of a similar kind? Has this ever been the case before? Certainly not in our time, and once only in history, the time of the American Revolution. At that time, fathers and sons, and there are others who have learned from the lips of their parents, the state of feeling which existed in 1773 and '5, before the resort to arms was had to effect the objects of the revolution. I speak now of the time when Patrick Henry first raised his voice against British tyranny, addressing the Virginians of that day, while at the same moment James Otis and his associates were making the same rising appeal to the people of Massachusetts. (Loud cheering.) From that time to this, there has been nothing in any degree resembling the present state of feeling in this country. Hence, this universal concern of all men in public affairs, is now witnessed for the first time since the revolution. Do not men abandon their fields in the midst of seed-time—do they not leave their various occupations, go to the polls, attend elections, and deem no thing less than more important than it is not so through all classes of our citizens all over the whole land? Now the important question I wish to put, is this, and I put it as a question fit for the mind of the statesmen of Virginia—I propose it, I repeat, as a question fit for the mind of the statesman of every patriotic man throughout the country—it is this: If it be true that a majority of the peo-

ple of the United States have, for some years, been opposed in sentiment to the policy of the present administration, WHY IS IT NECESSARY that these extraordinary efforts should be put forth to twin the States, which could not be so easily separated in their places? We inhabit a free country—every office of public trust is in our own hands, at the disposal of the people's own unbiased suffrages: all that we have to do is to elect the men we desire, at their own pleasure; and the trust has always been to the ballot box as an effectual means to keep the government at all times in conformity with the public sentiment. Why, then, do we suppose that with all this such extraordinary effort, have been necessary to put out our particular administration? Why has it not been done by the silent power of the ballot box? Why has it not been the case that the government has been changed both in its policy and in the men who administer it? I desire from the free, the thinking men of Virginia, an answer to that question. When the elections are every where held, and the people are free to express their own opinions in sentiment to the existing administration, I desire them to tell me how that administration has held its place and pursued its own peculiar system.

M. In answer to my own question is this: In my judgment, it has come to be true in the actual working of our true system of government, that the executive power has increased its influence and its patronage to such a degree, that it may counteract the influence of the legislative power, and, in the end, prevail, until that majority has not only become very large, but till it has united in its objects and in its candidate, and by the strenuous effort, is enabled to turn the administration out of power. I believe that the power and patronage of the executive in our country is so great, that the influence of the people ought to be diminished. I believe that it does enable the incumbents to resist the public will, until the country is roused to a high and simultaneous effort, and the imperious mandate of the public will is directed against the administration in power. Now, I ask, can it be supposed that this places can go on long in a course of successful operation, if no change can be produced without an effort as that in which the people of this country are now engaged? I put it to the old friends of the republic, whether it can be supposed that this free republican government of ours can last for half a century longer, if its administration cannot be changed without such an excitement—I may say, such a civil war as we are now in progress, and, I trust, is near its completion.

I present this case as the greatest and strongest of all proofs that executive power in this country has increased, and is dangerous to liberty; that when a majority of the people have for a long time been opposed to an administration, it still requires such an effort—it still demands that we should simultaneously relinquish all their private pursuits to produce a change of that administration.

If this be so, then I ask, what are the causes which have given and have augmented this force of executive power? The disciples of the ancient school of Virginia long entertained the opinion that there was great danger of encroachment by the executive government, on the just rights of the states; but they were also alarmed at the possibility of an undue augmentation of the executive power. It becomes us at a crisis like the present, to recur to first principles—to go back to our early history, and to see how the question actually stands.

You all will know that, in the formation of a constitution for the government of this country, the great difficulty its framers encountered was with regard to the executive power. It was easy to establish a legislative power, and to divide it into two branches of the government, in the form of a senate and a house of representatives. But to divide the executive power in such a manner that while it defended the country, it should not be able to encroach on civil liberty. Our fathers had seen and felt the evils of a monarch, and they were determined to have a weak executive in government. The country had suffered much from that cause. There was no unity of purpose or efficiency of action in the executive power. As the country had just emerged from a long and bloody civil war, and the people, therefore, they were looking intensely to such a constitution as should secure an efficient executive. Perhaps it remains to be seen, whether in this respect they had not better have given powers to the executive, such as the income tax, power arising from the want of it, rather than to pass

nothing said or to subtract from what I then said. I commend it to your attention, or rather I desire you to look at it. I hold that congress is absolutely precluded from interfering in any manner, direct or indirect, with this as with any other of the institutions of the country. (The cheering was here loud and long continued, and a voice from the crowd exclaimed, "We are here from Maryland to Louisiana, and we desire that the sentiment just expressed may be repeated." Repeat, repeat, repeat.) Well, I say that there is no power directly or indirectly in congress or the general government to interfere in the slightest degree with the institutions of the

country. A memorial, praying congress to remove the prohibition by such power as it possessed. The memorial was referred, in the house of representatives, to a select committee, consisting of Mr. Foster, of New Hampshire, Mr. Gerry, of Massachusetts, Mr. Huntington, of Connecticut, Mr. Brown, of Ohio, Mr. Linnick, of Louisiana, Mr. Linnick, of New Jersey, Mr. Hartley, of Pennsylvania, and Mr. Parker, of Virginia—all of them, northern men, as you will observe, but all of them who were made a part of the committee. This committee made a report, which was read, and then discussed on several days; and being amended, as though without material alteration, it was adopted. It contains three distinct propositions:—The first, of slavery and the slave trade—first, in the words of the constitution, that congress cannot, prior to the year 1803, prohibit the migration or importation of such persons as any of the states then existing should think proper to admit; second, that congress had authority to restrain the citizens of the United States from carrying on the trade in slaves for the purpose of supplying the foreign countries. On this proposition, our early laws against slaves who engage in that traffic, are founded. The third proposition, and that which bears on the present question, was expressed in the following terms:

"Resolved, That congress have no authority to interfere in the emancipation of slaves, or in the treatment of them in any of the states—it remaining with the several states—alone to provide laws and regulations therein which humanity and true policy may require."

This resolution received the sanction of the house of representatives as early as March, 1790. And now, honorable gentlemen will allow me to inform you, that not only were the select committee who reported the resolution, with a single exception, all northern men, but also that of the members then composing the house of representatives, a large majority, I believe nearly two-thirds, were northern men also.

The house agreed to insert these resolutions in its journal, and from that day to this it has never been maintained or contended that congress has any authority to regulate or interfere with the condition of slaves in the several states. No northern gentleman, to my knowledge, has moved any such question in either house of congress.

The fears of the south, whatever fears they might have entertained, were allayed and quieted by this early decision, and so remained until they were excited afresh without cause, but for collateral and indirect purposes.

When it became necessary, or was thought so by some political persons, to find an unvarying ground for the exclusion of northern men from confidence and from lead in the affairs of the republic, then, and not till then, the cry was raised, and the feelings indignantly excited, that the feelings of the north, and the public councils, would endanger the relation of master and slave.

For myself, I claim no other merit than that this ground of northern injustice towards the whole north has not wrought upon me to change my opinions or my political conduct. I hope I am above violating my principles even under the smart of injury and false imputation.

Unjust accusations and false imputations, however painful they may experience from them, will not induce me, I trust, nevertheless, to overlook the limits of constitutional duty, or to concede to the rights of the south. The domestic slavery of the south I leave where I find it—in the hands of their own governments. It is their affair, not mine.

I go to the constitution as to the power for the union as it is; and I am resolved not to submit in silence to accusations, either against myself individually, or against the north, wholly unfounded and unjust; accusations which impure to us a designation, and which extend the national compact and to extend the power of the government over the internal laws and conditions of the states. All such accusations, wherever and whenever made, all imputation of the existence of any such purposes, I know and feel to be groundless and injurious. And we must confide in southern gentlemen themselves; we must trust to those whose integrity of heart and magnanimity of feeling lead them to lead their countrymen and disseminate truth, and who possess the means of its diffusion with the southern public, and we must leave to them to discharge that public or self-judicial duty. But, for my own part, I am resolved, and I am resolved to act justly, whether those to whom justice is extended receive it with candor or with contumacy.

South. (Immense cheering, and a voice from the crowd exclaimed, "that in two thousand votes for Harrison.")

Well, I said Mr. W. I ask you only to do me one favor (we'll do it). I ask you to carry that paper home (we will, we will), read it, read it to your neighbors; and when you hear the cry, "abash Mr. Webster, the abolitionist, be allowed to profane the soil of Virginia," (loud shouts and repeated cries of "welcome, welcome, welcome!") that you will tell them that, in connexion with the doctrine in that speech, I hope that there are two governments over us, each possessing its own distinct authority, with which the other has no interference. I may differ from you in some things, but I will here say that as to the doctrine of state rights as held by Mr. Madison in his last days, I do not know that we differ at all, (cheers)—yet I am he, and among the foremost, to hold that it is indispensable to the prosperity of these governments to grant, and that he is in error false and untrue who does not labor to preserve that true distinction between both. (Immense cheering.)

We may not all see the line which divides them alike, but all honest men know that there is a line, and they will not go to either side of it. I am on the side of it. It is this balance between the general and the state governments which has preserved the country in unexampled prosperity for fifty years—and the destruction of this just balance will be the destruction of our government. What I ask is not the destruction of state rights, I hold as firmly as any man. Do I not belong to a state? and may I not say, to a state which has done something to give herself renown, and to her arms some little share of patriotic distinction? (Great cheering.) I say again, that the preservation of state rights, on one hand, and of the just power of congress upon the other, is equally indispensable to the preservation of our free republican government. (Cheers.)

And now, gentlemen, permit me to address to you a few words in regard to the measures of the general government which have caused the existing excitement throughout the country. I will pass rapidly over them. [Go on.] I need not argue to you demagogue the question of the sub-treasury [groans and contemptuous laughter]; and I suppose I need not venture to speak of the veto. Mr. Poind's stilling bill. (Laughter.) Into which of your mountains has not its discussion penetrated?—Upon which of all your winding streams has not its echo floated? I am sure he must be very tired of it himself. (Laughter.) Remember that the constitution is the principle of the constitution on that subject, is that the militia is the militia of the states, and not of the president—(Loud cheers, and cries of "yes, yes!") and being thus the militia of the states, there is no part of the constitution worded to give it, and with a more acrimonious jealousy than that which speaks of the power of congress over the militia. Does it say that congress may make use of the militia as it pleases—that the militia may be called out to make war, to train and discipline? No such thing: the terms used are the most precise and particular—The president may call out the militia to execute the laws, to suppress insurrection, and to repel foreign invasion." These three cases are specified—and these are all. Call out the militia to drill them? To discipline them? To march the militia of Virginia to Wheeling to be drilled? Why, such a thing never entered into the head of any man—never, never, (laughter and cheering.) What is very unusual in the constitution, it has placed a negative on all other purposes for which the militia is to be called out, and it is enumerated; and then follow those golden words of the constitution, reserving to the states the appointment of officers and the disciplining of the militia. That's it!—(Cheers)—"Yes, that's it!" Read this clause, and then read in Mr. Poind's project that the militia is to be trained by the president. (Shouts.)—Look on this picture and on that. I do Virginia no more than justice, when I say that she first laid hold upon this monstrous project, and has continued to denounce it, till she has made its authors sick, and its friends, and she doesn't mean to pardon it ever now. [No, no.]

As to the sub-treasury, the subject is worn out. It is almost as empty as the treasury itself. [Laughter and cheers.] I had the other day the honor to address an assemblage of the merchants of N. York. I asked them another thing, whether or not they felt any objection to a separation of bank and state, not all mockery and humbug, and ten thousand merchants, intimately acquainted with the whole financial system, cried, "yes, yes, it is!" The fact inquired of them, was, that the federal government was just as much in the custody of the banks at this moment, as they ever were, yet at the same time, I believe that under that law, there does exist at Washington, a vast power to stop at its pleasure, all the

solvent banks in the community. Such is the opinion every where held by the best informed men of the commercial parts of the country.

There is another subject, a pregnant executive power quite novel in its character. I refer to the power conferred upon the president to select from among the appropriations of congress, such as he may suppose the state of the treasury most to justify, and may give or withhold the public money accordingly. This is certainly a most unbecomingly democratic doctrine. Do you not remember the emphasis with which Mr. Jefferson expressed himself on the subject of specific appropriations? The law, as it now stands, requires them to be specific. If congress appropriate so many dollars for building of ships, a part of the money may be applied to the pay of sailors or mariners. But how has this legal provision been treated? The restriction remains in the statute as it did before—the appropriations are specified still; but then a specific power is given to the president, to disburse with the restriction, and thus one specific is set against the other. [Laughter.] Let this process be carried but one step farther, and although there may be a variety of appropriations made by congress, yet, inasmuch as we have entire trust and confidence in the president's discretion, that the president will make the proper selections from among them, therefore, be it enacted, that what little money there may at any time be found in the treasury, the president may expend very much as according to his own pleasure.—(Loud laughter.)

There is one other topic, I must not omit. I am now endeavoring to prove that of all men on the face of the earth, you of Virginia, the descendants and disciples of some of the greatest men of the republic, are the least disposed to understand or to condemn the doctrines of this administration. I call upon you to apply to this administration all that body of political truth which you have learned from Henry, from Jefferson, from Madison, from W. Y. M., and that whole train and column of revolutionary warriors of whom you are justly proud, and under this light to examine and to say whether this present only democratic administration are the favorers of civil liberty and of state rights, or the reverse.—And, in furtherance of this design, I call your attention to the fact, that in the executive departments, and of the senate of the United States, in regard to the right and practice of the states to contract debts for their own purposes.—Has it occurred to you what a deadly blow they have struck at the great principle of the right of the states to follow in this matter our little in the palmy times of the treasury, when it was not only full but overflowing with the public money, the states to a very considerable extent, engaged in works of internal improvement, and in consequence of doing so, and in consequence of the fact, we all know that money can be had on much cheaper terms on the other continent than on this; hence the bonds of the states went abroad and absorbed capital in Europe, and so long as their credit was unassailed and remained sound, this was accomplished for the most part at very reasonable rates. During this process, and while a number of the states had thus their state securities in the foreign markets, the president of the United States, in his opening message to congress at the commencement of the last session, comes out with a series of the most discouraging and most disparaging remarks on the credit of the states. He tells congress that the states will repent what they have done, and that they will find it difficult to pay the debt they have contracted. He tells congress that the chief magistrate to the legislature proposes to put every market where these state bonds are held for sale.—Then comes his secretary, Mr. Woodbury, with a report in the same strain, giving it as his opinion, that the states have gone too far in this assumption of liabilities, and that it is necessary to stop here. Mr. Benton brings forward a resolution in the senate, declaring that the general government ought not to assume these debts of the states; that resolution is sent to a committee, and that committee makes a report on the subject as long as your bridge (though not I trust over) is traveled or as often gone over, the whole object and tendency of which, is to disparage the credit of the states, and then Mr. Grundy makes a speech upon it.—What had Mr. Benton or Mr. Grundy to do with the matter? Were they called on to guarantee the debts of Virginia or of Maryland? [Laughter.]—Yet, the effect very naturally and inevitably was, to depress the value of state securities in the foreign market. I was in Europe at the time. My own state had bonds in that market; and what did I say? The market fell, and the value of the securities fell from the public press in New York, endeavoring to prove that the states had not sovereignty enough to contract debts. These

CHRONICLE.

ALEXANDRIA, D. C. The vote on the question of the reorganization of the town and county of Alexandria to the state of Virginia was taken on Tuesday, and was largely in favor of that measure.

CHRONIC EXPERIENCE. The Pennsylvanian says:—"The stomach of a Wine of the atmosphere, it is a fact, is a curious one. It is well known that almost every one on looking down from a great height feels affected by vertigo—giddiness of the head—and a sensation of sickening uncertainty. But he avers, from repeated experience, that this only occurs when the individual is standing or standing upon something connected with the ground, or rather with communication with the earth. But that entirely isolated from the earth, no such feeling or sensation can be experienced."

BANK OF THE UNITED STATES OF PA. Shares at New York \$3.63; at Philadelphia 64½¢.

BUNKER HILL MONUMENT. It is stated in the Boston Daily Advertiser, that it is probable a contract will soon be entered into for the completion of the monument. A contractor is ready to enter into an engagement to complete it for \$45,000. This is exclusive of the grading of the grounds, and the erection of a suitable fence; besides which there is a debt from the association for money borrowed some years ago, amounting to over \$6,000 with interest, which avails the amount to about \$7,000, making the sum requisite for the completion nearly \$60,000.

For effecting this object, the present and anticipated resources are the following: The funds in hand of the treasurer, the present and the treasurer of the mechanic association, together with the subscriptions of sundry individuals, are more than equal to the amount of the debt. The net proceeds of the fair, including the several contributions, exceed \$30,000. In addition, two gentlemen are ready to pay over \$10,000, as soon as it shall appear that the conditions of their magnificent donations are accomplished in a few days, making the sum available for the completion of the work \$50,000.

CARS. The first seen in Boston, made its appearance on the 6th inst.

CATCO PRINTING. A friend who possesses an extensive correspondence, has collected the following facts, which we are permitted to lay before our readers: *The Cotton goods printed in the United States per annum.* States. Fact's. Val. pr. av. Val. tot. Val. av. per cent. New Hampshire 10 38,167,667 13.15 874,066 Massachusetts 10 38,167,667 13.15 874,066 Rhode Island 9 36,621,000 13.15 811,621 Connecticut (none) 26 100,120,022 11.67,612 New York 2 12,209,867 9.25 1,099,241 New Jersey 2 8,071,334 " 647,128 Pennsylvania 4 8,871,667 " 734,728 Maryland 2 2,600,000 8.25 208,000

There are no print works in any of the other states. [N. Y. Jour. Com.]

CAROL TOLLS. The amount received for tolls on the New York steam canal, during the week ending 10th inst., is seventy-four thousand eight hundred and ninety-nine dollars and four cents.

CATTLE. 1,000 head in the Baltimore market on the 13th inst. of which \$60 sold at from \$2 25 to \$2 00 per 100 lbs.

COTTON. At Savannah, prices decline ½ to 1 cent. Sales on the 9th 32 bales at 74½¢.

At Mobile \$410; nearly all new crop. Cotton crops. The total cotton crop of the United States for the year ending 20th September 1840, is 2,177,535 bales, an increase this year over last of 817,303 bales, and showing the largest cotton crop ever raised in the United States, by nearly 400,000 bales.

DEATHS during the week ending the 10th instant: At Philadelphia 72, of which 26 were under 2 years. At Baltimore 51, of which 10 were under 2 years of age, and 7 were colored, all free.

EXPLORATION in New York on England has gone up to 100; on Philadelphia 2½; Baltimore 1½; Richmond, Norfolk, and Raleigh 3½; Charleston 1½; Augusta 4½; Macon 2½; New Orleans 2½; Louisville and Cincinnati 5½.

FLORA in New York, Genesee and Michigan \$4 81 874 88.

At Philadelphia. Inspections for the quarter ending 30th Sept.

Without flour—superfine, bbls.	103,130	56,704
" do. hds.	2,213	1,990
" fine and good bbls.	10,484	5,729
" middlings	707	95

" equal to bbls.	112,491	66,122
" do. hds.	10,021	4,284
" fine and good bbls.	11,190	5,729

Rye flour—do. hds.	90,394	13,748
Com meal—do. hds.	33	121
" do. hds.	1,122	1,607

At Alexandria. Inspections during the quarter ending 30th Sept. 6,190 bbls. 374 half bbls.

At Richmond \$6 25.

At Savannah. For Howard at \$6 25 50.

At Cincinnati on the 10th 33 7½.

At Mobile \$61½ for western and \$7 for Baltimore.

The amount of flour exported from Quebec this season, is 131,532 bbls. against 47,427 bbls. last season.

At Rochester flour last declined 14; wheat 75 cts. oats 22½; corn 42½.

THE FISHERIES. It is stated in the Yarmouth Register, that there is being a falling off in the fisheries this year. Of the mackerel fishery very few have made good voyages. The quantity of cod taken is less than last year, by one-third.

FORES. The N. Y. Courier estimates \$12,000,000 the amount of the property in New York city, much of which is required for desirable investment.

LIBERTY has a population of 4,500 American colonists, and 30,000 natives. It has nine settlements or towns, the two most distant being 300 miles apart, on the coast—the others at various distances intermediate. Its territory, procured by purchase, contains nearly 500,000 acres of land, and other large tracts can be easily obtained of the native owners in the same way. The government is modified after our own and is pure republicanism—administered almost wholly by colored people. Agriculture is thriving and greatly extending. Four printing presses are in operation, and the churches are numerous. More than 30 ordained ministers are engaged in religious teaching—many Sabbath schools are regularly attended. And on the whole, the colony never appeared better than now, nor so entirely attractive to its friends on the ground of its great usefulness. [Presbyterian.]

MOBILE. At an election in Mobile on the 6th inst. for aldermen of the middle and north wards, Mr. A. L. Cowen was elected in the former ward, and Mr. J. R. Rouse in the latter. The successful candidates were all whites.

COLIN G. NEWCOMBE. This case, in which the prisoner is charged with having embezzled some \$60,000 from the funds of the Manhattan bank, of which he was first teller, was set down for trial on Monday, but the district attorney intimated that he was not prepared to move in it in consequence of a maneuver in the indictment, which we understood to be in stating the funds to have belonged to the "Manhattan Banking company," whereas it should be the "Manhattan bank." Under which title they have been incorporated, the latter having been subsequently adopted, under a special clause in the act.

Messrs. Maxwell and J. T. Brady, counsel for the prisoner, and the district attorney, contended that under those circumstances, his bail should be discharged as from the counsel's own showing, the court could not hold him under the present indictment, but that it was necessary another should be found by the grand jury.

The court admitted the necessity of a new indictment but refused to entertain the motion for discharge of bail. The case therefore went off, and will probably be tried during the present term of the court. [N. Y. Exp.]

OIL TRADE. The New York Sun states that during the month of September, there arrived at the various ports of the United States, ten ships, one bark, four brigs, a schooner, engaged in the whale trade. They brought 12,580 bbls. whale oil. Within the last three months \$240,000 worth of whale oil has been exported from New Bedford at a good profit, to the north of Europe, and \$70,000 of sperm oil to Great Britain.

RAIL ROADS IN THE UNITED STATES. There are 2,274 miles of rail roads now in operation, and about an equal number under construction.

A REVOLUTIONARY HERO GONE. WILLIAM PEARCE, of Boston, one of the few remaining survivors of the celebrated tea party, died in that city on Saturday morning last, aged 56 years.

Another revolutionary hero gone! Died on the 26th of August, at the residence of his son, Major S. Cooper, of the United States army, near Alexandria, D. C. Major SARVIS. He was a native of New York, and after several years of suffering which he bore with Christian resignation and fortitude. The deceased was an officer of the American army during our memorable war for independence, and was a member of the other important ones of the revolutionary war. No greater meed of praise could be offered to his memory in this brief notice than that of his having possessed the confidence and confidence of his adorned chiefs, Washington and Lafayette. [Alex. Gazette, Sept. 1.]

SHOVEL MANUFACTURE. Oliver Ames, of West Bridgewater, Mass. commenced his work by making of stone shovels, which he took to market in a wagon. He now owns three extensive factories at Easton, Braintree and West Bridgewater—employs 60 workmen and has his wares to carry to any market. His profits are twenty thousand dollars annually.

SMALL TOWNS. Mr. Groul, a missionary of the American board, writes from Cape Town, South Africa,

under date of May 27th, that the small pox was raging dreadfully there. It was believed that ten thousand persons had already had it, of whom about 2,000 had died.

STEAM. The packet Roan to Havre, took out \$240,000.

A company of traders, under the command of Mr. G. Trevel, on the 11th ult. arrived at Independence, Missouri, with \$60,000 in specie.

STEAMBOAT. The steamboat Pike was lost a few days since in descending the Mississippi two miles from Alton. By coming in collision with the steamboat Fayette. The bow of the Fayette struck the Pike amidships, tearing her almost in two parts and sinking her in a few minutes. It was suspected that many more are yet to be accounted for. [N. O. Rec.]

STEAMERS. The Great Western left N. York on the 10th inst. for Bristol. She took 97 passengers and about \$200,000 in specie—also remittances to meet the interest on the Alabama bonds.

The steam ship New York, Wright, sailed from N. York on Tuesday for Havana, via Charleston with upwards of sixty passengers.

STEAM NAVIES. While America is yet sleeping, France and England are hurrying to the aid of necessity of organizing a steam navy. Louis Philippe has sanctioned an ordinance appropriating nearly six millions of dollars for steam packets from Havre to New York and other ports. The Emperor of Mexico, from St. Nazaire to Rio Janeiro, and three secondary lines to Mexico, Central America and Buenos Ayres. The arrangements comprise 14 ships of 450 horse power.

All these steam ships are to be men-of-war. England, too, assigns her naval officers to the command of her mercantile steamers. Alexander of Russia is also alarmed to the importance of this subject. All the great European powers are aware that when the great war takes place, that nation which can bring into action the most powerful steam ships will be masters of the seas. The steam frigates, by the facilities which it possesses for attack and changing it at pleasure; of advancing and retreating at will; of turning to its own benefit the circumstances of wind and tide which vindictive men anticipate; and applying its superior floats power to those most dangerous of all weapons, steam cannon, can annihilate a fleet of vessels which depend on the caprices of the elements. Nations which aspire to rank as first powers, must be constantly increasing their steamers to keep pace with their rivals; and perhaps the final effect may be that the means of warfare destruction will become so overwhelming that the nations of the world conscious that a single defeat would be utter ruin, will refrain from playing so hazardous a game; and thus, paradoxical as it may seem, the increase of the destructive power of war will insure universal peace.

STEAM PACKET LINE. The Richmond (Va.) Company says: A letter received here states that the merchants of Bremen, Germany, have projected a steam packet line between their city and New York. The vessel to be employed is the "New York," upwards of \$100,000 has been subscribed on the 1st September.

TORONTO. Richmond, Oct. 12. Lugs 31 to 41 in common; good weights 4½; leaf, commission 51 to 61; middlings 74 good \$14½.

At Baltimore. The prices of the common and middling qualities are a shade better. The receipts of bay and yellow, as well as the finer qualities of all descriptions are limited, and prices fully maintained. Inferior at \$4; common \$4 50; good \$5; fine \$5 50; good \$6; good leaf \$6 50; fine leaf red, suitable for segars from \$10½; and up country bay and yellow at from \$8½ to \$14.

The crop of Ohio is now nearly all in market, and the receipts (all off materially from former rates). Inferior and common at \$4½ to \$5; middling \$5; good \$5 50; fine red and wrappry \$6½; and fine yellow at \$7 50 to \$8 50. The market is very full, and holders asking an advance on these rates. Very heavy Virginia in market—\$3½ for prime. Kentucky is in demand at former rates, viz. \$6½ for good shipping; the \$4½ for Maryland. The Maryland red \$5 a 61 00. Common 67½ bbls. Maryland; 35 Kentucky; 23 Ohio; and 24 Virginia—total 973.

WESTERN WHEAT. The Ohio at Louisville on the 6th inst. 3 feet 9 inches, in the channel. The Cumberland on the 3d was up to 7 feet on the Harpeth shoals.

WHEAT. Prices in the Baltimore market were the \$4½ for Maryland. The Maryland red \$5 a 61 00. Pennsylvania prime red \$1 05; fine \$1 07. At Richmond, \$1 00 to \$1 10 for red, and \$1 15 for white.

WILMINGTON, DEL. At the corporation election on the 15th, the following was the result: For city council.

Wm. Barr.	500	Wm. H. Hollingsworth,	481
Emory Seal,	500	Eliza H. Hays,	481
Joseph C. Seeds,	501	Samuel Bury,	484
Allen Thompson,	504	George Craig,	484
Henry Hicks,	499	John Hagan,	490
Amos.			
John B. Lewis,	499	Wilson Peirson,	499

NILES' NATIONAL REGISTER.

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[Vol. LX.—WHOLE No. 1,517.]

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BY REMITTANCE BY MAIL.—"A postmaster may enclose money in a letter to the publisher of a newspaper, to pay the subscription of a third person, and frank the letter, if written by himself."—*Amos Kendall*.
Solicit our subscribers may not be aware that they may save the postage on subscription money, by requesting the postmaster where they reside to frank their letters containing such money, he being able to satisfy himself before a letter is sealed, that it contains nothing but what relates to the subscription. [*Am. Farmer*]

APPOINTMENTS BY THE PRESIDENT.—*Recipients of public moneys*: James H. Elliott, at Winamac, (La.) vice Jesse James, deceased.
Lanceford R. Noel, at Danville, (Ill.) vice Thos. James, deceased the appointment.

FOREIGN ARTICLES.

The steamer *Acadia*, arrived at Boston, on the 17th inst. having left Liverpool on the 4th, 12 days and 17 hours from dock to dock—including 10 hours detention at Halifax.

The steamer *Liverpool* left Liverpool on the 1st inst. and has arrived at New York.

The apprehension of a war in Europe on the eastern question has somewhat subsided, notwithstanding the tone assumed by the French journals on the commencement of hostilities by the bombardment and destruction of Beyrout.

GREAT BRITAIN.

Death of princess Augusta. On the 23d of September, at 20 minutes past 9 o'clock, departed this life, at Clarence house, St. James' palace, after a long and painful illness, her royal highness the princess Augusta Sophia, aunt to her most gracious majesty, to the great grief of all the royal family. Her royal highness was in her 72d year, having been born on the 8th November, 1768. She was the sixth child and second daughter of George III and queen Charlotte. Within a few weeks of her death, she presented all her domesticities, who were much attached to her, with a copy of her portrait, as the last acknowledgment which she should make of their affection.

Fire at Liverpool. A fire broke out on board the *Talavera*, line-of-battle ship in the North dock, on the 25th ult. which was entirely destroyed. The fire also communicated with several buildings connected with the Royal Naval arsenal, and was extinguished only after having destroyed the *Talavera*, *Imogen* frigates, and property amounting to eight hundred thousand pounds. It is not known how it occurred.

Attempt to fire Sheerness dock yard. *Sheerness*, *Free meeting*, S. P. M. Her majesty's ship *Camperdown* 120 guns, was attempted to be fired in the basin this evening by some incendiary. The fire was discovered in a midshipman's berth, but was extinguished after burning a locker, but on further search a well-laid train was discovered in the war-

rant officer's store room, consisting of resin, oakum and lucifer matches. The above is official.

Lieut. Fayer, R. N. had been dismissed from the command of the steamer *President*. His friends had held a meeting on the subject, at which a letter in his own defence was read, and elicited immense applause. The moving cause of his dismissal appears to have been the dissatisfaction of the owners of the *President* on account of the time occupied by that steamer in crossing the Atlantic.

London, October 8, 1840. General Hamilton has returned to Holland where he has signed a very satisfactory treaty. Lord Palmerston is not utterly absorbed in the treaty question of the east, this will attract his attention, as the effect will be to introduce German goods by means of Dutch shipping into Texas and Mexico—and over jealousy of German manufacturers, you are well aware of.

I have not yet seen the general since his return, and therefore am unable, by this conveyance, to give you any information respecting his financial prospects.

British fleet in the Mediterranean. The following is, we believe a correct list of the British fleet in the Mediterranean:—

1. Princess Charlotte,	104
2. Powerful,	84
3. Océan,	84
4. Thunderer,	84
5. Bellarophon,	78
6. Revenge,	76
7. Cambridge,	78
8. Asia,	84
9. Implacable,	74
10. Hastings,	74
11. Benbow,	72
12. Edinburgh,	92
On passage out—	92
13. Vanguard,	84
14. Castor,	36
15. Pique,	36
16. Inconstant, (at Gibraltar, it is said),	36
Flying Squadron—	120
17. Bellerophon,	120
18. Howe,	120
19. Calcutta,	84
20. Bellisle, (no men)	72

Money market. London, Friday morning, Oct. 2. The money rate of the English fund yesterday has not had to any further improvement to-day in the price of consols. On the contrary there was rather a tendency downwards in the early part of the day, the quotation for the account being 88 1/2.

Evening, Oct. 2. Monetary affairs have been again depressed during the present day, the consequence of the less pacific tendency of the accounts from France. The result of the cabinet meeting held in London on Monday last has been published in the Parisian news papers, and the account appearing in the *Capitole* is believed in the city to be substantially correct. The determination to carry out the treaty of July, and the circumstance that no real proposition appears to have been made by the French government to the English cabinet, have created uneasiness to the former doubts, difficulties and alarms of the capitalists; and consequently every department of the money market has become very gloomy in the course of the present afternoon. The fall in consols is about 3-8 per cent. on the quotation of last night, but the speculative business has been large at that reduction and the market presented every appearance of a tendency to still lower rates.

Cotton market. Liverpool, Oct. 3. Since the 30th inst. the demand for cotton has been moderate and without any speculative operation, but the market, though languid, remains steady. The sales for the week, ending last evening, amounted to 27,060 bales; of which 3,260 were upland at 54 1/2s; 9,220 Orleans at 54s; 7,390 Alabama and Mobile at 54 1/2s; and 220 Sea Island at 12 1/2s to 24s per lb.

Corn market. Liverpool, Oct. 3. The duty on wheat yesterday advanced to 18s. 8d. per quarter, and on flour to 11s. 2 1/2d. per barrel, and must soon be still higher. Flour, duty paid, sold at 44s. 3 1/2s. per barrel, but is now in uncertainty.

During the last two days the weather, although cloudy, has been much more favorable than in the early part of the week, and is fine this morning.

which, if general, will accelerate the proceeding of harvest in the counties north of Lancashire and some parts of Ireland, where much grain, particularly oats, is still reported to remain unsecured.

Excepting oatmeal, of which the supply is moderate, we have received very little produce from Ireland, and scarcely any from the west since Tuesday; the import of foreign grain also, has been limited merely to 8,207 qrs. of wheat; but of Canadian and U. States flour the arrivals furnish 16,660 bbls. upon which the duties of 13s. 8d. per quarter, and 8s. 2 1/2d. per hbl. have been freely paid, and several cargoes detained on the passage will of course be liable to higher rates, now advance upon wheat to 13s. 8d. on oats to 4s. 8d. on peas to 5s. per quarter, on flour to 11s. 2 1/2d. per bd., and reduced on barley and Indian corn to 9s. 4d. per quarter; these upon British colonial growth remain unsecured.

FRANCE.

The *Moniteur* announces, that by a royal ordinance of the 21st of September, an additional credit has been opened for the minister of war of 51,674,000 francs, to provide for the expenses of the army, from the increase of the effective and material of the army. The sanction of the chambers for this extraordinary credit will be applied for in the approaching session.

The *Evening* papers publish a transcript, taken from the Belgian journals, of a note, addressed, on the 31st of August last, to Mr. H. L. Bulwer, British minister at Paris, in the absence of Lord Granville, the object of which is to prove that it was France that involuntarily separated from the four powers, and not the four powers from France.

There was a rumor that admiral Lalande was about to return and proceed with the squadron of reserve to the straits of Gibraltar.

Trial of Madame Lafrage. The trial of Madame Lafrage was resumed on the 19th inst. and she made his reply to the advocate general. The president afterwards made his charge to the jury who then retired, and after an absence of three quarters of an hour returned into court, and the foreman delivered the following verdict—"guilty, with extenuating circumstances."

The president then ordered Madame Lafrage to be brought forward. She, however, had fainted, and was in such a state as to render her reappearance impossible. The president, therefore, pronounced the sentence in her absence, "to hang for life and exposure in the pillory. Madame Lafrage remains in a dangerous state."

Paris, Sept. 30. The cabinet council of Monday. We extract the following from the *Capitole*: "For the last two days the political world has been much interested in the council extraordinary which was to be held in London. It was known in a vague manner that all the members of the British cabinet would come to a decisive resolution on the eastern question. This council has been held, and its results were known in Paris at half past two to day (Tuesday.) Little has transpired concerning the contents of those important despatches; nevertheless, rumors were spread, and caused a very strong reaction on the exchange."

Before we give the information, which we have derived from, we believe, a very good source, we ought to say a word on the facts, anterior to the settling of the British council. It will be recollected that the voyage of M. Walewski to Alexandria had for its object to induce Mehmet Ali to make some concessions to the Porte. The vicerey made them, and M. Walewski set off immediately for Constantinople, in order to prepare the divan to accept them. The divan showed itself inclined to conciliation, and relied on the good offices of France for definitive conclusion in arrangements with Mehmet Ali. These inclinations of the Porte being well known both at London and Paris, Lord Palmerston requested the French cabinet to draw up in writing its definitive resolution upon this new phase of the eastern question. But Thiers, who had been duped so many times already, was apprehensive of being so again, and he begged the English ministry itself to declare its final intentions.—Lord Palmerston not daring, as he said, to adopt an important determination without consulting his colleagues, promised to consult the French cabinet. This grand council has been held, and we have every ground to believe that the resolutions adopted at it were—1st, that the propositions of

Mehemet Ali should be rejected; 2d, that the execution of the treaty should be carried out to its full extent; and, 3d, that admiral Stopford should be reprimanded for having shown weakness in the execution of the coasts measures.

The trial of prince Louis Napoleon was progressing before the chamber of peers.

The testimony of count Montholon and the other officers who attended the prince in his daring attempt, goes to show that he was the master of his design until a short time before the landing at Boulogne. The count declares that if his name appeared at the bottom of the proclamations, it was totally unknown to him. He said: "I would have been an act of cowardice not to have lauded with the others." He could not have abandoned the prince at such a moment."

Military preparations. The last accounts from France represent the government as actively proceeding in the work of surrounding Paris with a line of batteries. The following is the plan adopted by the government:

"There shall be raised a bastioned wall, terraced and faced with masonry, thirty feet in height, with glacis and counterscarp on each side. The wall, casemated, closed at the gorge, regularly constructed with counterscarp in masonry and covered way. St. Dennis shall be fortified; Clarenton shall have permanent works constructed for the purpose of insuring the possession of the fort. The works shall commence by the exterior forts of Nogent, Rosny, Noisy, Rosnival, Mont Valerien, St. Denis, and the construction of the other works will continue on all three points. A camp of 30,000 men will be distributed in the interior of the city, and the works require it. The minister of public works, shall unite himself with the minister of war for the direction and forwarding these works. The Ponts et Chaussées shall open a strategic road from the centre of Paris to the Maine."

The papers of M. Thiers thus speak of the project:

"A wall regularly constructed surrounds Paris and its suburbs, and will enclose a space triple the surface actually built on. It will make no alteration in administrative divisions, nor will it obstruct any existing communications. It will be protected against enemies' batteries by exterior works, more remote from Paris than the others. The works of this nature will be the first line of defence, and will keep the enemy at a sufficient distance from Paris to render impossible the action of incendiary projectiles. This plan, which unites all the advantages of the different systems of fortification, is the result of a data anterior to recent events. It resolves the principal difficulties, delivers Paris from the fear of all external danger, and renders a siege impossible, by depriving the enemy of all hope of carrying a fortress so immediately. It will have considerable influence on the policy of France, rendering impossible the greatest danger that could befall the capital in case of external war. It will form, with the beautiful works already executed at Lyons, two great centres of resistance on the two most important points of our territory. In giving an immense force to France, it augments the chances of peace, and diminishes those of war."

The *Journal* of Strasbourg states that orders have been received there for the putting into a complete state of defence all the fortified places of the military division of which that city forms the centre. Lieut. general Pelletier, inspector general of the artillery, has arrived there.

FRANCE AND EGYPT.

From the *London Morning Herald* of October 5.
Most important. We have this morning received the following important communication from our correspondents in Paris:

Paris, Oct. 2. (half past 8, Friday morning.)
I hasten to inform you that the French government have received the following most important telegraphic dispatch:

"*Marseilles, October 1, (half past 1.)*
"Matis, Sept. 27. The French government, which left Beyrout the 20th, announce that after bombardment of nine days, which reduced the town to ashes, the Egyptians evacuated the town in the night, and the allies took possession of it."

"The Oriental, which quoted Alexandria on the 24th, makes known that the French despatching Mehemet Ali had been communicated on the 21st to his highness, by the consuls-general of the four powers, who instantly struck their flags, and retired on board their ships."

"Director of the Telegraph Flocas."
The above is the most important and alarming intelligence that could be received. As members of the French government have said that if the treaty were executed a *Tramontane*, there must be, I dare not say more to alarm the public mind, but I

view it as much fatal news, and I have good reason to do so.

The above intelligence has produced a complete panic in the city, and consuls had fallen nearly 12 per cent, viz from 57½ to 80½. We may also add, that 100,000 consols were offered at 86, and no takers. Purchasers were, however, shortly, afterwards obtained at that price.

Ten thousand additional troops have been ordered to Constantinople for Cyprus. We have already stated that Mehemet Ali either was or feigned to be seriously indisposed. His disease is said to be a boil on the spine, an affection peculiar to the Nile. His late apparent anxiety to the sultan, the Emperor, and the Emperor of Russia, Candia and Adan, are believed to have been a mere ploy to gain time and had his order been accepted, he would probably not have abided by them.

The intelligence from Beyrout is extremely contradictory. It is said commodore Napier has made prizes of some Egyptian ships he had already seized, and that he continues to intercept all supplies going towards the coast. The governor of Beyrout has, on the other hand, literally offered a reward for the head of Lord Ponsonby's dragman, Mr. Moore. He is, however, safe on board the commander's ship. The city is now blockaded by a very strong squadron, consisting of the *Powerful*, the *Elephant*, the *Thunderer*, the *Guion*, the *Blow*, the *Castor*, the *Carysfort*, and the *Gaigon* steamer. The *Jeon*, manned with 750, and the *Sepin* with 670 men, have sailed for the Levant. Three two ships are destined to reinforce the French Mediterranean fleet under admiral Leven. The *Exploiter* and *Zeina* steamers had already preceded them. The *Trident*, manned by 600 men, has been sent for Philippeville. It conveys 960 men to join the fleet, and 6600 men to the coast. The *Coccy* is sent for Algiers with despatches for the marshal Vallee, 700 military passengers, of whom 21 are officers. Accounts from L'Orient state that beside the fleet in the Mediterranean, and the ships in command of the various ports of the Levant, there is, (one of the smallest of the French ports), also is at this moment ready for sea six sail of the line, seven frigates, and three steam vessels, besides several small vessels.

EGYPT.

Refusal of the pasha of Egypt to accede to the terms offered by the combined powers. The following is an extract of a letter received at Lyons, from their agent at Constantinople, dated September 9. "The pasha of Egypt, after having been informed, in a friendly manner, of the views of the combined powers, bringing it, it is reported, the pasha's positive and final refusal to listen to the arrangement which the four combined powers have agreed upon with regard to his difference with the pasha."

The quadruple treaty. In relation to the treaty, the *Baltimore American* says:—"It is still uncertain whether Mehemet Ali has accepted or refused the conditions proposed to him by the allied powers.—The facts relative to this treaty are in substance these: Mehemet Ali having long held dominion in Egypt, and having by the aid of his son Ibrahim subdued Syria, was determined to possess these countries in his own right, without the acknowledgment of any nominal suzerainty to the sultan. The open avowal of this determination was made towards the close of Mahmoud's reign, who immediately dispatched a Turkish fleet to hold the pasha in check, and his own forces, assisted by the powers of Russia, came in to reinforce the fleet. The Turkish fleet instead of opposing Mehemet Ali went over and joined him. The port was now in contemplation. Ibrahim had put his army in motion, and was threatening Constantinople; the sultan had no means of defence upon which he could rely. In this state of things, Russia was quite willing to take the sultan under her sole protection—in accordance with a system of warlike diplomacy which has been practiced of late years with success, especially by Great Britain in Asia. This system is to sustain an imbecile government with the view of controlling it and of governing through it."

But England was not disposed to allow Russia the exclusive privilege of exclusive protection and friendship for the sultan, was equally tender and strong, and she was not willing to be outdone in political generosity by the czar. These two great powers may be considered as the principals in the late negotiations; and they are utterly antagonistic to one another, though in alliance. Austria and Prussia are not much more than nominal parties—or if of influence in the affair, it is on the side of Russia, which, from the force of sympathy and of Russian influence. Turkey, by her position, commands the overland or interior route to India; hence neither Russia nor England is willing that the exclusive control should be possessed by a rival.

France is hostile to the treaty, because she can expect to derive no advantage from it; and further,

more because she hopes to exercise over Egypt and Syria the same sort of influence which the other great powers are seeking over Turkey.

But to the conditions of the treaty. The four powers in behalf of the sultan demand of Mehemet Ali that he relinquish within twenty days all claim to the hereditary possession of Syria and Egypt in his own right. If he accedes to this he will be allowed the pashalik of Egypt to himself and his descendants on condition of an annual tribute; he will be allowed also during his own life to hold the government of a portion of Syria, the pashalik of Acre, on condition likewise of paying tribute. He is required to give up the Turkish fleet and crews without delay, and to expunge during the time of detention. He must recall his forces from the country recently conquered by his son Ibrahim; and the army and navy which he may hereafter keep in Egypt shall be considered as a part of the forces of the Ottoman empire. The laws of the Ottoman empire shall be in force in the pashaliks of Egypt and Acre, though Mehemet may levy taxes to support his government.

These are hard terms, and not easily to be digested by an ambitious potentate, flushed with conquest, warlike in disposition, and conscious of his own power. The consideration that they are imposed by foreign Christian nations is not likely to make them more palatable. The French government, the French government, which is in truth desirous of peace, has tended to protract the final issue, and to throw uncertainty upon it. With the assurance of support from France, Mehemet would hardly waste a moment in coming to the conclusion of immediate resistance. The next arrival from Europe will probably bring definite intelligence one way or the other.

Dreadful earthquake. The account of the falling of a part of Mount Ararat shaken down by an earthquake, with a terrible destruction of human life, is confirmed. The St. Petersburg *Shells* of Nov. 4, September 11th, publishes the following letter, dated Tiflis, August 11th:

"You have doubtless heard of the terrible earthquake of Mount Ararat, which has totally destroyed the town of Makhteshim, damaged all the buildings at Erivan, and devastated the two districts of the Caucasus and Bourni in Armenia. All the villages in those districts have been destroyed. The earth is rent in such a manner, that all the cotton and rice plantations have perished for want of water. But the most awful event has taken place in the Caucasus, where a considerable loss was loosened from the mountain, and destroyed every thing in its way for the distance of seven verstas, (nearly five English miles)."

Among others, the great village of Akhoula has been the site of a tremendous earthquake. Above one thousand inhabitants were buried under heaps of rocks. A thick fluid, which afterwards became a river, ran from the interior of the mountain, which was opened, and following the same direction, swept over the vines, and carried with it the corpses of the unfortunate inhabitants of Akhoula, the dead animals, &c. The shock continued to be felt every day in the above mentioned districts, and entirely laid waste to them. The shocks came less frequent. Ararat is not yet quiet; the day before yesterday it was awakened by two violent subterranean commotions.

RUSSIA.

The steam packet *Syrus* arrived at the London docks on Saturday, the 20th ult. She left Constantinople on the morning of Wednesday. She brings accounts that 12,000 men were to embark at first, and in the event of Ibrahim's marching on Constantinople, a second expedition would be sent.

ALGERIA.

A despatch from marshal Vallee to the French minister of war, giving a detailed account of the defeat of an Arab force near the Oued Bouisson, on the 19th ult. is published in the *Moniteur*. Full particulars of the engagement have already been given in the Times.

Another despatch from marshal Vallee, dated the 21st of September, states that an attempt made by Bouhamet, Kalifa, of Tlemcen, to carry off some cattle from the allied Douars, was repelled by loss. Abdel-Kader was ill at Mascara, and the greater part of his regular troops were in the east, where they had been defeated on the 29th of August, and also on the 10th of September, by general Changarnier and colonel Levasseur. Benhamt Kalifa of Mascara, was at Saïda, collecting contributions, and Bouhamet was occupied in removing stores and troops from Tlemcen to Tatraoum. The recruiting for the Emir's regular troops continued.

The recruiting for the Emir's regular troops continued.

HOLLAND.

Abdication of the king. The Amsterdam papers of Wednesday announce the abdication of the king of Holland in favor of his son. It appears that his majesty communicated his intentions to his ministers before setting out the day before from the Hague to the castle of Loo. A proclamation will be issued in a few days informing his subjects of his resolution. The Hollanders say that the king, having summoned the prince and princess of Orange to Loo, communicated his intentions to them in the presence of his friend baron Fyvel. He is said to have laid aside his crown and retired to private life, for the purpose of accompanying the united army of Italy by his court, which encountered so much opposition from his subjects when first announced some twelve months ago.

CHINA.

Extract of a letter dated Bombay, July 23, at 9 o'clock in the evening, received by the Mediterranean packet:

"The steamer is already under weigh, and dropping down, b^c it try to catch her with three lines, to say that a private express from Calcutta had reached which was the first news we have received there from China, by the steamer Enterprise, of the arrival of part of the expedition in the Canton river, and of the total destruction of the forts of the Bocca Tigris. We shall know the truth of it in a few days or two; it is not worth the trouble."

The following, from a correspondent of the London Standard, is in addition to the above.

I send you in haste the accompanying extract of a letter from Bombay, received by a friend of mine in Liverpool—"After the vessels had destroyed the forts of the Bocca at the entrance of the Canton river, some troops and seamen were sent on board to put them in a state of defence against the Chinese. The expedition then proceeded towards Whampoa, having pressed two Chinese pilots; but on reaching the second bar, the passage for large vessels was impeded by the Chinese having taken the precaution to sink some large junks; however, the smaller vessels and steamers will almost immediately proceed with a strong military force to raze Canton to the ground."

SPAIN.

The revolutionary movement continues in Spain, the junta at Madrid still administering the government. The queen accepted the resignation of the Spanish ministry, and appointed *Espasero* president of the council, with instructions to call the cortes, but without any specific department in the ministry, "in order," the decree states, "that he may continue at liberty to command the army, as he has hitherto done, so much to the satisfaction and glory of the country."

PORTUGAL.

The insurrection among the troops in Portugal, according to accounts from Lisbon, dated the 21st of September, has been suppressed. The revolted soldiers, it is supposed, disheartened at not being joined by a force which they expected to find at Vises, and having exhausted the money with which they had been supplied, turned against their leaders. They refused to march towards the Spanish frontier, as they were ordered; assassinated their commander Miguel Augusto de Sousa, and gave themselves up to the queen's troops.

STATES OF THE UNION.

MAINE.

The official return of votes for congressmen in the two districts which failed to elect on the 14th ult. was as follows:

Eastern district—Noyes, (w.), 4,792; Lowell, (Y. B.) 4,567; Wheelan and scattering 304; of course Mr. Noyes wanted 79 votes by which elected.

Oxford district—Long, (whig) 5,293; Littlefield, (Y. B. regular candidate) 4,757; Parris, (do. irregular) 1,963; scattering 66.

We have no account yet of the period for another election.

VERMONT.

Governor's message to the legislature.
Fellow citizens of the senate and house of representatives:

Again it becomes my duty to address you upon our public concerns. Our official duties are various and responsible; and we shall but subvert the object of our appointment, and most effectually justify the prosperity of our country, by an honest, faithful and wise discharge of them. All legislation having in view the virtue and permanent happiness of the people, will ultimately result in the common welfare.

Under our happy form of government, the rights of the humblest citizen are as sacredly secured as those of the most highly favored; and every act which shall unnecessarily limit or abridge those

rights, is a positive controvention of the letter of our constitution, and in direct violation of the spirit of our civil institutions. To encourage the practice of virtue, to prevent the commission of crime, to foster the interests of education, to promote the industry and improvement of the country, and to protect the personal liberty and rights of our citizens, are among our legitimate and proper duties as legislators.

In popular governments, law depends for its efficacy, mainly upon the convictions of the people of its necessity and expediency. Without public opinion in its favor, legislative enactment becomes nugatory, and our statute book is not only disregarded of itself, but in some measure, by the force of salutary and necessary laws, and consequently lessens the respect paid to them. We ought therefore, to pause and examine with great caution, before adopting propositions for altering the principles or details of laws, which have received a judicial construction, and with whose provisions the people have become familiar.

The very careful revision of our laws, at the last session of the general assembly, brought under consideration the importance of the subject of statute law. Time has scarcely been afforded, since its promulgation, to test the operation of the various modifications and amendments therein introduced, and the necessity of an immediate alteration will doubtless be manifest and plain before you will be called upon to make it.

Our revenue, derived almost entirely from a direct tax on the people, presents a constant admonition to frugality and economy in expenditure, and should lead us to inquire into the operation of our system of taxation. This system is based mainly on income; and it is due to those who defray the expenses of government, that all productive property, and profitable pursuits, should bear their relative proportion of the public burden.

If our frequent application to me for the remission of small fines, imposed by the county courts, for assault and battery, and other breaches of the peace, I have been led to the inquiry whether an alteration in the law on that subject might not save considerable sums to the state, without weakening the claims of justice or lessening public security. Judging of the character of the offence, by the amount of fines imposed, the presumption is strong that respondents in some cases have been bound over to the county for the commission of the peace, more on account of the inability of the offender to pay, than on account of where the town in which the offence was committed might have had an interest, than by reason of the enormity of the offence. In a majority of cases, presented for the extreme of executive clemency, the fine has been ten dollars, with costs varying from fifteen to sixty. Nor is the payment of enormous bills of cost, the whole charge to the state. Respondents, in cases of this character, being usually irresponsible and unable to procure bail, are consequently confined in jail, and the state charged with their support as state prisoners. On conviction, a sentence to pay a fine of a few dollars and costs of prosecution, operates as severely as a sentence of perpetual imprisonment, to the offender, and a perpetual charge on the state for his support, unless relieved by executive interference. If such alteration should be deemed expedient, it would better accord with the humane spirit of our laws, to provide that the sentence in such cases, should be in the alternative, either fine, or imprisonment for a limited time, when the fine is not paid. But I would respectfully suggest, as worthy of inquiry; whether a remedy might not be found, by providing, that, on conviction of certain inferior offences and misdemeanors, the fine should be paid into the town treasury, and when it might not be expedient to enlarge the jurisdiction of justices of the peace for their trial.

By a salutary provision in the constitution of the United States, any person committing crime in one state, and escaping into another, shall, on demand of the executive of the state having jurisdiction of the case, be removed there for trial. This provision should be carried into effect in good faith. Some of the states have made the act of procuring goods by false pretences, an indictable offence. Cases are believed to have occurred where a man, snatching under the loss of property have been led to make oath to facts, at an *ex parte* hearing, which fully justified the commencement of a public prosecution for perjury, when the real object was evidently to prevent a complaint with a debtor or extort money from his friends in satisfaction of a precarious debt. The exclusive warrant when obtained, is used not to bring a public offender to justice, but for individual benefit. The evil complained of might perhaps be remedied by making it made void, if the party is to compromise with, and permit to go at large, any person arrested on an executive warrant, issued at

the request of the governor of the state, where the crime is charged to have been committed.

The condition of our common schools and seminaries of learning, is always deserving your careful attention. In my last annual message I urged the application of the income of the state school fund to purposes of education, and leg leave to refer to the suggestions there made.

We are practically an agricultural people. To the successful prosecution of this pursuit, are our citizens principally indebted, for the necessities, and many of the luxuries, of civilized life. Although an interest of such vast importance to the prosperity of our state, it has hitherto received but little encouragement from the action of the government. Great improvements have been made, within the last half century, in this important branch of industry, owing, mainly, to the successful application of science in the development of the properties of our various soils, and consequent adaptation of the same to the different products of agriculture. This is a matter, interesting, not only to the philosopher in his inquiries into cause and effect, but also furnishes an object of intense interest to the legislator and statesman, inasmuch as it has again urged upon the favorable consideration of the general assembly, the propriety of a geological survey of the state. Much valuable information on this subject may be found embodied in the reports made to the general assembly, from the geologists.

The difficulties which have beset the business transactions of the country since 1836, are by a large majority of the people of this state, considered as having grown out of the improvident measures of the general government. Many of our most enlightened and sagacious statesmen clearly foresaw, and predicted the result; a majority of the community, notwithstanding, deceived by the plausible reasoning and specious promises of interested and designing men, and by the apparent prosperity and success with which most kinds of business were then pursued, were led, for a season, to give them their support. The people, however, are now engaged in a fearful strife to remove from the administration of the federal government those who, in the discharge of their official trust, they believe, have wantonly disregarded the best interests of their constituents. As the struggle progresses, the final result appears less and less doubtful. The recent elections indicate with a certainty almost, ensuring, that the government of our people, now so generally inclined in government to have it wisely and judiciously administered, are becoming convinced of the ruinous tendency of some of the leading measures of the administration. This result is the more to be prized, affording, as it does, indubitable evidence of that bounty of purpose and party of intention, which have ever characterized the great body of the American people. It can hardly be otherwise, while the interest of the great majority of each of the political parties, into which the country is at present divided, is the same, the greatest good of the greatest number. It furnishes a sure guarantee for the durability of our institutions, and a serious admonition to our rulers, that they will always receive a rebuke at the hands of the people, whenever they make the success of parties the measures an object paramount to the general good.

The subject of the currency will, doubtless, claim a share of your attention. The hostility to banks and a paper medium, for the transaction of the business of the country, has been carried to an unrelenting and extreme, and has had a destructive influence upon the commerce of the country. While some openly assail, and would at once abolish them, thereby compelling a resort to an exclusive specie currency, others, with a pretended conviction of their utility and necessity, covertly attempting their destruction, by advocating measures and principles which, if sustained and adopted, would ultimately effect their ruin, by taking from them all their ability for usefulness. Among other charges, it has been said, that the operations of banks have been the cause of high prices, the artizan, or the merchant, suffered in consequence! High prices and a ready sale are great encouragements to individual industry and enterprise.

Low prices operate to the reverse. It is alleged, that they have given a fictitious value to property. As it so; under this state of things, and during their existence, immense indebtedness and liabilities have been incurred, in the purchase of property, in investments in manufacturing establishments and machinery, and in the purchase of the valuable improvements in the condition of the country. Would it be just, or humane, or honorable, for the same government, which authorized the establishment of banks, and gave them power to exert this influence over the high prices, in the purchase of, encouraging liberal discounts in aid of these enterprises, at once to annihilate these institutions, or,

canal, (36 miles in length) was opened the 1st day of September, and the amount of tolls received up to the 1st of October was \$1,371 20 cents. "The business of the canal is rapidly increasing, and the tolls for the present month will probably double those received during September."

Corporation vs. Croton water company. A curious proceeding is now going on in the city. It is a disputed point between the Croton water works' commissioners and city corporation as to which has the right to put down the iron pipes within the bounds of the city; but, before this is settled, the corporation have gone to work putting down pipes in all directions. In the mean time, the water commissioners refuse to pay the corporation's bills for putting down these pipes.

NEW JERSEY.

Election. The following table shows the character of the legislature just elected as compared with the last.

	1840.				1839.			
	Council.	Assembly.	Council.	Assembly.	W. V. B.	W. V. B.	W. V. B.	W. V. B.
Atlantic	0	1	0	1	0	1	0	1
Bergen	0	1	0	1	0	1	0	1
Burlington	1	0	5	0	1	0	5	0
Cape May	1	0	1	0	1	0	1	0
Cumberland	1	0	3	0	1	0	3	0
Essex	1	0	5	0	1	0	5	0
Glocester	1	0	4	0	1	0	4	0
Hudson	0	1	0	1	0	1	0	1
Hunterdon	0	1	0	3	0	1	0	3
Mercer	1	0	2	0	1	0	2	0
Middlesex	1	0	4	0	1	0	4	0
Monmouth	1	0	4	0	1	0	4	0
Morris	1	0	4	0	1	0	4	0
Passaic	1	0	2	0	1	0	2	0
Salem	1	0	3	0	1	0	3	0
Somerset	1	0	3	0	1	0	3	0
Sussex	0	1	0	3	0	1	0	3
Warren	0	1	0	3	0	1	0	3
	18	5	41	12	10	7	33	20
	5	12	7	20				
	3	28	3	18				

Whig majority on joint ballot, 1840, '37, in 1839, 16.

Popular vote as compared with 1838.

	Whig maj. of 1840.	V. B. maj. in 1838.
Bergen	192	223
Hudson, (new co.)	192	
Passaic	197	
Essex	1,746	
Sussex		1,619
Warren		864
Morris	207	
Somerset	253	
Middlesex	140	
Monmouth	97	
Mercer	453	
Hunterdon		929
Atlantic		362
Glocester	514	
Burlington	109	38
Salem	203	36
Cumberland	400	
Cape May		
	5,391	4,325

Whig majority in popular vote, 1,066. In the counties of Bergen, Sussex, Warren and Hunterdon, the whigs presented no tickets at the late election. In Atlantic they run a ticket, with the result as stated above. The majorities therefore necessarily are estimated.

The whig gain in the above 13 whig counties, over the vote of 1839, is 3,113; the Van Buren gain in Atlantic county 42, making a neat whig gain in the aggregate of 3,071 votes. This is upon the supposition that the four other Van Buren counties, in which no whig tickets were run, stand as they did last year.

In 1838 there was a Van Buren aggregate majority of 70 votes, if the illegal votes of Millville and Amboy be included.

Members of the legislature.

Bergen. Council—Albert G. Dorwin. Assembly—John G. Ackerson, Albert J. Terhune.

Hudson. Council—Abraham Van Santvoord.

Assembly.—John S. Condict.

Passaic. Council—Nathaniel Board. Assembly—James Speer, John F. Ryerson.

Essex. Council—Amzi Armstrong. Assembly—Jas. H. Robinson, Samuel H. Gardner, Benj. E. Brookfield, Wm. B. Baldwin, Alex. Wilson.

Morris. Council—James Wood. Assembly—Abraham Brittin, Ebenezer F. Smith, Paul B. Dow, James W. Decamp.

Sussex. Council—Daniel Haines. Assembly—Joseph Greer, Samuel Truax, Wm. H. Nye.

Warren. Council—Caleb H. Valentine. Assembly—John Moore, George W. Smyth, Jacob H. Winter.

Middlesex. Council—D. B. Appleget. Assembly—Adam Lee, John Acken, Israel R. Corbly, Dean Britton.

Somerset. Council—Joseph W. Scott. Assembly—Daniel Cory, Henry H. Wilson, Arthur V. P. Sulphur.

Mercer. Council—James White. Assembly—William Rosco, James Wilson.

Hunterdon. Council—John Lilly. Assembly—Joseph Eaton, Philip Hiler, Garret Servis.

Burlington. Council—William Irick. Assembly—John Emly, William Black, jun. Levi Boston, Elihu Mathis, Isaac Stokes.

Monmouth. Council—Peter Vredenburg, jun. Assembly—John Mairs, Henry W. Wolcott, James Grover, Charles Morris.

Glocester. Council—Joseph Porter. Assembly—Richard W. Snowden, Joseph Franklin, Charles Reeves, Elijah Bower.

Atlantic. Council—Mahlon D. Canfield. Assembly—Joseph Reid.

Salem. Council—Joseph M. Reeve. Assembly—John Dickinson, Samuel Bolton, and Alexander G. Catled.

Cumberland. Council—Samuel Barber. Assembly—William P. Seeley, Lewis Rice, Benj. F. Chey.

Cape May. Council—Thomas P. Huges. Assembly—Maurice Brasly.

The legislature meets on Tuesday next, the 27th inst.

PENNSYLVANIA.

Election results. The following is the result of the election held on the 12th inst.

The senate of the state consists of 33 members, the seats of 11 of whom are vacated annually. Of the 11 this year vacated, 3 were whigs and 8 were Van Buren—the remaining 23 stand 18 whigs and 5 Van Buren. The senate of last session being composed of 17 Van Buren and 16 whigs. The whigs have elected 7, and the Van Burens 4 of the 11 new senators—giving the whigs now a majority of 7 in the senate.

1840. 1839.

Whig. V. B. Whig. V. B.

Old members 18 9 13 9

Philadelphia 0 1 0 1

Delaware, Chester and 2 0 0 2

Montgomery 1 0 0 1

Bucks 1 0 0 1

Berks 1 0 0 1

Lancaster and York 2 0 1 1

Huntingdon, Mifflin, &c. 1 0 1 0

Schuylkill and Columbia 0 1 0 1

Lehigh and Northampton 1 0 1 0

Allegheny and Butler 1 0 1 0

20 13 16 17

The house of representatives consists of 100 members, of whom last session there were 32 whigs and 68 Van Buren—majority 36 V. B. The whigs at this election have a majority of 2, provided Mr. Johnson, who professes to be a conservative, elected in Armstrong county, be classified on their side. If he is counted on the Van Buren side, the house will be equally divided.

1840. 1839.

Whig. V. B. Whig. V. B.

Counties. 7 0 7 0

Philadelphia city 0 8 0 8

Philadelphia county 1 2 0 3

Bucks 4 0 4 0

Chester 6 0 6 0

Lancaster 0 3 0 3

York 0 4 0 4

Berks 0 3 0 3

Northampton and Monroe, 0 3 0 3

Lehigh 2 0 2 0

Dauphin 2 0 1 1

Lebanon 1 0 1 0

Delaware, 1 0 1 0

Cumberland 1 1 0 2

Adams 2 0 2 0

Franklin 2 0 0 2

Schuylkill 0 1 0 1

Berford 2 0 0 2

Perry 0 1 0 1

Centre, 0 1 0 1

Northumberland, 0 1 0 1

Union, Mifflin and Juniata 3 0 0 3

Pike and Wayne 0 1 0 1

Columbia 0 1 0 1

Washington 3 0 0 3

Westmoreland 0 2 0 2

Fayette 0 2 0 2

Huntingdon 2 0 2 0

Allegheny 4 0 4 0

* Whig counties.

Somerset and Cambria	2	0	1	1
Greene	0	1	0	1
Delaware	2	0	2	0
Indiana	1	0	1	0
Mercer	2	0	1	1
Butler	1	0	0	1
Beaver	2	0	2	0
Yenango and Clarion	0	1	0	1
Clearfield, Clinton and	0	1	0	1
Lycoming,	0	2	0	2
Montgomery	0	3	0	3
Luzerne	0	2	1	1
Bradford	0	1	0	1
Potter and Tioga,	0	1	0	1
Armstrong	1	0	0	1
Susquehanna	0	1	0	1
Crawford	0	2	0	2
Jefferson, Warren and	0	1	0	1
McKean	—	—	—	—
	51	49	32	68

Congress. The representation in the present congress consists of 17 Van Buren and 11 whigs. According to the latest information we have, there are 15 Van Buren and 13 whigs now elected.

1840. 1838.

Whig. V. B. Whig. V. B.

1st district 0 1 0 1

2d " 2 0 2 0

3d " 0 1 1 0

4th " 3 0 3 0

5th Montgomery 0 1 0 1

6th Bucks 1 0 0 1

7th Northampton, &c. 0 1 0 1

8th Berks and Schuylkill 0 1 0 1

9th Berks 0 1 0 1

10th Lebanon and Dauphin 1 0 1 0

11th York 0 1 0 1

12th Adams and Franklin 1 0 1 0

13th Cumberland, Perry 0 1 0 1

14th Mifflin, Centre and

Huntingdon, 1 0 0 1

15th Columbia and Lu-

zerne 0 1 0 1

16th Lycoming, Union

and Northumberland 0 1 0 1

17th Tioga, &c. 0 1 0 1

18th Somerset, &c. 1 0 1 0

19th Westmoreland and

Indiana 0 1 0 1

20th Fayette and Greene 0 1 0 1

21st Washington 1 0 1 0

22d Allegheny and Butler 1 0 1 0

23d Armstrong, Clear-

field, &c. 0 1 0 1

24th Beaver and Mercer 1 0 1 0

25th Erie, Crawford, &c. 0 1 0 1

13 15 11 17

The following are the names of the members of congress:

Dist. Whig. Dist. V. B.

2d, John Sergeant. 1st, Charles Brown.

Geo. W. Toland. 3d, Charles J. Ingersoll.

4th, Jeremiah Brown. 5th, Jos. Fornance.

Francis James. 7th, John Westbrock.

John Edwards. 8th, Peter Nantbrook.

6th, Robert Ramsey. 9th, George M. Keim.

10th, Wm. Simonton. 11th, James Gray.

12th, James Cooper. 13th, W. S. Ramsey.

14th, gen. Jas. Irvin. 16th, B. A. Bidlack.

18th, Charles Ogile, jr. 16th, John Snyder.

21st, Joseph Lawrence. 17th, David Dimock, jr.

22d, W. W. Irwin. 19th, A. G. Marchand.

24th, Thomas Henry. 20th, Enos Hook.

23d, William Jack. 25th, A. Plumer.

The popular vote. We have various statements, made some of them from the congressional officers, from the legislative vote, and others again from portions of one or the other, as would best subserve the view of the compiler. They all exhibit a Van Buren majority, however, which varies from 2,500 to 8,000 votes.

The following table is taken from the last Pennsylvania (V. B.) as the popular vote showing a Van Buren majority of 6,312 and compared with the presidential election of 1836.

1840.

Counties. President. Congress.

V. B. Harr. Dem. Whig.

Adams 1,136 1,520 1,560 2,119

Allegheny 3,074 2,623 4,229 6,581

Armstrong 1,523 1,014 329 maj

Beaver 1,076 2,077 1,817 2,825

Bedford 1,667 1,920 2,607 2,662

Berks 4,967 1,584 4,093

Bradford 1,462 1,521 2,748 3,411

* Since dead.

Bucks	3,890	3,289	4,389	4,411
Butler	1,098	1,106	1,845	1,918
Cambria	450	554	732	868
Centre	1,809	924	2,091	1,466
Chester	3,277	3,921	4,827	5,449
Cleaveland	499	284	363	maj
Columbia	1,634	565	2,433	1,295
Crawford	1,614	1,232	2,221	1,761
Cumberland	1,894	1,696	2,636	2,440
Clinton, new county			695	501
Clinton do.			1,281	444
Dauphin	1,372	1,993	2,138	2,651
Delaware	1,970	1,224	1,969	1,967
Erie	1,312	2,154	1,390	maj
Fayette	2,102	1,747	2,894	2,527
Franklin	2,155	2,575	2,984	3,356
Greene	1,136	815	1,736	1,060
Huntingdon	1,940	2,408	2,219	2,570
Indiana	692	1,169	481	572
Jefferson	244	229	200	maj
Junata	627	596	1,004	874
Lancaster	4,144	6,250	3,635	maj
Lebanon	1,681	1,467	1,365	1,583
Lehigh	1,987	1,784	2,286	1,994
Luzerne	2,008	1,415	3,387	2,664
Lycostown	1,705	938	1,750	1,366
McKean	158	85	130	maj
Mercer	1,283	1,991	2,232	2,762
Mifflin	917	748	1,252	1,174
Monroe	796	166	879	152
Montgomery	3,416	4,049	4,507	5,704
Northampton	2,278	1,436	3,015	2,145
Northumberland	1,421	712	1,914	1,336
Perry	1,107	743	1,498	566
Philadelphia city	3,028	5,747	4,631	7,196
Philadelphia co.	7,937	6,536	12,624	10,052
Pike	1,027	400	528	833
Potter	162	60	100	maj
Schuylkill	1,830	687	2,010	1,418
Somerset	811	1,905	669	1,691
Susquehanna	1,145	856	1,798	1,127
Tioga	1,027	400	528	833
Union	1,143	1,928	1,907	2,174
Venango	967	600	1,100	maj
Warren	498	251	216	maj
Washington	2,445	2,805	3,015	2,000
Wayne	1,241	340	1,020	608
Westmoreland	2,878	1,725	4,252	2,121
York	2,766	2,005	3,711	3,248

91,475,677 111,165 108,553
87,111

Majority 4,264

The New York Express gives the following table of the returns, professing to derive them from the best authorities:

Whig majorities.

	1840.	1838.	1836.
Congress.			
Armstrong	586	1,775	534
Adams	2,770	1,538	549
Allegheny	1,067	586	1,002
Beaver	365	47	158
Bedford	9		209
Bucks			69
Bradford			104
Cambria	650	444	641
Chester	617	678	621
Dauphin	583	468	194
Delaware	1,300	1,182	822
Franklin	524		420
Huntingdon	1,628	925	1,296
Indiana	900	461	177
Lancaster	3,753	3,065	2,108
Lebanon	544	675	319
Mercer	570	609	738
Philadelphia city	2,319	4,217	2,719
Somerset	1,600	1,358	1,394
Union	898	673	185
Washington	331	67	360

Van Buren majorities.

	1840.	1838.	1836.
Congress.			
Armstrong	4,023	1,271	514
Beaver	250	201	3,303
Bradford			406
Bucks			46
Bedford	129	82	
Cambria	670		
Centre	185	1,122	885
Clinton	392	818	215
Cleaveland	1,168	1,328	1,079

*Taken from Centre and Lycoming.
†Taken from Armstrong and Venango.

Crawford	602	847	382
Cumberland	175	127	109
Fayette	867	804	355
Fulton			235
Greene	725	740	223
Jefferson	110	170	15
Junata	150	186	11
Lehigh	276	111	203
Luzerne	200	540	585
Lycoming	450	395	767
McKean	92	92	65
Mifflin	79	168	169
Monroe	857	857	857
Montgomery	825	810	1,037
Northampton	898	1,071	952
Northumberland	909	709	709
Perry	952	1,033	684
Philadelphia co.	2,757	2,508	1,421
Pike	318	409	306
Potter	208	208	102
Schuylkill	600	763	694
Susquehanna	600	266	237
Tioga	850	854	327
Venango	937	937	367
Warren	158	158	244
Wayne	450	624	450
Westmoreland	2,200	2,226	1,153
York	831	939	751

	24,651	26,054	19,599
Van Buren maj.	3,527	7,350	4,264
Jackson's majority in 1828 was over			50,000
Do. do. in 1832 do.			24,267
Do. do. in 1836 do.			4,564
Porter (V. B. gov.) in 1838 do.			7,350
Van Buren congress ticket, in 1840			8,527

The Van Buren majority in October, 1836, was upwards of 16,000; at the November election of the same year, Van Buren's majority over Harrison was 4,264.

Election frauds. For some days past the town has been filled with rumors of election frauds, perpetrated through falsified forged naturalization papers, and we have abstained from giving publicity to any of these reports, until we had satisfactory and authentic information, such as we believe we now possess.

It is usual to have a book containing a register of aliens' declarations, and in the book of declarations, in the court of quarter sessions, are thirty leaves, printed in imitation of genuine, on which are apparent declarations of aliens, bearing date in 1838, so as to make them two years prior to the expiration of this year, unsigned by any clerk, and all in (seemingly) the same handwriting.

These declarations appear to have been recently issued, and naturalizations made upon them, and the courts are now engaged in an effort to discover the offenders, and have them brought to justice. However fraudulent may be these papers, the naturalization involves the commission of perjury, as every one naturalized has to swear, and in so swear, that he had declared his intentions two years previously, and a citizen vouched, under oath, for his five years' residence.

The book containing declarations was freely loaned to the committee of both political parties, and if the falsified naturalized persons can be found, there is no doubt but that the investigators, as well as the actors of the crime will be discovered, and brought to condign punishment.

The clerk of the court, we understand, has retained counsel, who are actually engaged in endeavoring to discover the origin of these impositions, and we believe those who have stated the matter are well satisfied that it was without his knowledge or connivance.

(Philadelphia Sentinel, October 21.)

North Branch canal. The Harrisburg reporter states that this important line of the Pennsylvania improvements, after having undergone a thorough repair by the construction of new locks, &c., is again open for use. The water was let into the lock at the instant. This canal commences at the basin which unites the Susquehanna and west branch divisions of the Pennsylvania canal at Northumberland. It pursues a northeastern course, through Northumberland, Columbia and Luzerne counties; and by the towns of Danville, Blooming, Berwick, &c., and terminates at Lackawanna in Wyoming valley.

Pittsburg convention. The whigs of Pittsburg were met in convention on Monday and Tuesday of last week, by their political brethren of the adjoining counties and of the states of Ohio and Pennsylvania, to the number of many thousands. Addresses were delivered by governor Tyler, the hon. Walter Forward, and others. In the procession, mechanics of

every occupation were at work, and farm hands threshing grain on floors fixed on wheels.

Mr. James Williams of Savannah has been appointed chief engineer of the state of Georgia, in place of col. Long, who has resigned in order to resume his duties in the corps of topographical engineers.

MARYLAND.

The electoral election in this state takes place on Monday the 24 November ensuing.

Baltimore city election. The election for mayor and both branches of the city council took place on the 14th inst., and resulted in the election of the Van Buren ticket. Mr. Brady being elected mayor by a majority of 232 votes, and seven of twelve wards elected Van Buren councillors in both branches. The number of votes taken was 14,008, being 498 less than was lost at the state election on the 7th inst. of this year. Mr. Brady had 7,119—general Jackson 6,887.

NORTH CAROLINA.

The unanimous declaration of the whigs of North Carolina, in convention assembled, October 5, 1840.

We declare the leaders of the party in power unworthy the confidence of a free people:

Because they have violated every pledge they have given to the people.

Coming into power with the alleged purpose of enforcing the most rigid economy, they have increased the public expenditures from twelve to thirty-six millions of dollars per annum:

Because, in consequence of such bank notes, which were convertible at the will of the holder either into gold or silver, they have redeemed the promise, by a course of measures which has issued in a general suspension of specie payments; has depreciated silver and gold, and, by the means of the banks, curtailed their discounts, and contract their circulation, until the price of property and produce is generally and greatly reduced; and the wages of labor rendered uncertain, fluctuating and inadequate:

Professing a lofty honor at the very idea of the patronage of the government being brought into conflict with the freedom of elections, they have, nevertheless, habitually conferred office as a reward for political services, and thus have corrupted the service; have directly incalculated the right and duty of federal officers to interfere in elections; have treated as ground of removal from office, not only opposition and indifference, but inactivity of service in political matters.

By thus assuming and having thus, in fact, as they say, converted the whole body of officeholders into mere dependants upon executive favor; bound, not to serve the country, but to maintain a party; and holding their places by the tenure of unlimited obsequiousness to the will of the executive.

Professing boundless devotion to the will of the people, and asserting the right of the many to rule the few, they have, nevertheless, lost no opportunity of encouraging political servants to betray their constituents, when their own schemes could be thereby promoted; and have repeatedly rewarded with bonuses and emoluments men whom the people have discarded from their service for incapacity and corruption.

Because, they have subverted a system for the safe-keeping and disbursement of the revenue, nearly coeval with the existence of the government, and continued under every administration, and have substituted in lieu thereof the sub-treasury.

By which the revenue is withdrawn from the channels of business, which it was wont to invigorate and support, is locked up in vaults under the charge of executive officers, and subject to executive will, and to all different and expensive.

By which the people are required to pay all the duties to government in gold or silver, while, by the measures of the government in respect to the currency, to obtain gold and silver is rendered impossible to many, and to all different and expensive.

By which, under a power of issuing treasury drafts, ostensibly for the transfer of the revenue, the president is covertly armed with power, at his pleasure, to supply a government paper currency, to convert the treasury into a great bank of issue and deposit, and thus, by contracting or enlarging the amount of circulation, to enhance or diminish the value of labor and property, at his own will, and for the purpose of enriching or impoverishing the people.

And which sub-treasury system they themselves, in 1834 decried as unwise, unjust, contrary to the genius of our institutions and the practice of the government, as exposing the public funds to loss and peculation, and rendering the executive a power dangerous to freedom.

Because, the sub-treasury plan, repudiated by the people and repeatedly rejected in congress by large majorities, is still carried into effect by the use of representatives by a majority procured in part by a corrupt coalition, and in part by a gross and palpable violation of the constitution, accompanied with

open contempt and disregard of the symbols of authority appointed by the laws of New Jersey to authenticate the will of her people:

Because, in order to secure a clear majority in the house of representatives, the administration members of that body did, without any color or shadow of right, against precedent, and in violation of the constitution and laws, refuse to admit to their seats five members duly returned by the state of New Jersey, and did admit, as prius facti, entitled to seats, five persons not returned, whom they finally declared to be sitting members on the part of New Jersey, for the whole congress, against the return under the great seal of the state, and without any authority to falsify the said return, or in any manner to manifest the title of the persons so admitted; whereby the said administration members did, in truth and effect, of their own authority, appoint five members to represent the state of New Jersey, and thus usurp to themselves the elective franchise of the people of that state:

Because, they have, from time to time, obtained from congress grants of large sums of money, have increased by hundreds the number of officeholders, and by many thousands of dollars the amount of salaries, beyond the demands of the service of the state, and have then squandered the money and distributed the office to purchase the support of the venal and ambitious, and have sought by every art of corruption, to secure themselves the possession of power, and to maintain the power of advancing themselves at the expense of the nation:

Because, the executive has recommended to congress, under the spacious name of a plan for the organization of the militia, the establishment of a standing army of 250,000 men, to be quartered in the service of the United States for eight years, to be marched to distant places, kept under the strict superintendence of officers, appointed not by the states, but by the president; and in a time of profound peace, when there are no invasions to repel, no insurrection against the order of society, no combinations against the execution of the laws to suppress, to be dragged into the field as conscripts, and without necessity or public reason, wantonly to be subjected, at the mere will of the executive, to all the rules and articles of war.

Because, the plan so recommended in its violation of the constitution, will be burdensome to the nation, oppressive to all, ruinous to the poor, dangerous to morals, destructive of the freedom of elections, and subversive of liberty.

Because, after the measure had excited the alarm and indignation of the country, and an election in a large and influential state had been, as was supposed, thereby determined against the administration, unworthy and disingenuous attempts were made by the president, and by his secretary of war, and others of his supporters, to relieve himself from just responsibility for his recommendation, sometimes by countenancing the plan of the secretary reported to the president, and by him communicated to congress, with the subsequent denial by the secretary to the house of representatives, containing the details of the plan; and then by denying that he had seen in December a letter that was written in March, leaving it to be supposed that he was ignorant of a plan submitted to him as early as December, and the outlines of which he himself sent to congress declaring that "he could not too strongly recommend it to their consideration;" and sometimes by asserting that the president had not approved, though he recommended the plan; did not desire its adoption, or that its execution was by the secretary, and it is known in all that the president is authorized by the constitution to recommend to congress such measures only as he shall judge "necessary and expedient;" and therefore his recommendation of the militia plan to congress was a precise and direct approval of it—of its expediency, and its necessity, and accurately and precisely expressed, that he deemed the measure "necessary and expedient;" and, in his judgment, necessary and expedient, then, in his judgment proper to be adopted:

Because, by assuming on the custody and control of the public treasure, by attempting to surprise the nation into the establishment of a vast standing army, and by converting the officeholders into a corps of spies and electioneers, they have manifested a settled purpose to erect a throne in the midst of our republican institutions, to concentrate in the hands of the executive all the powers of government, and thus to convert a free people into the slaves of a despot:

Because, they found the country prosperous and happy, and by unwise and wicked experiments upon its trade and currency, its industry and property, have brought it to the verge of ruin.

Wherefore, we declare to be our full and settled conviction that a change in the administration of public affairs is indispensably necessary for restoring

prosperity, preserving the constitution, and securing the freedom of the people.

We declare that William Henry Harrison, of Ohio, is the true opponent to principles and purposes of the present head of the party in power;

Because, he has ever served his country with disinterestedness, fidelity and success;

Because, he is in truth a republican, who desires the freedom and happiness of his country, and the equal protection of all in their rights and property; and because, he is against any chief magistrate holding office for more than one presidential term; against executive encroachments upon the powers of the representatives of the people; against the abuse of the veto power against extravagance and corruption in administering the government; against removing officers without cause, and against employing them as electioneering agents of the president;

Because, he is opposed to all usurpation of power not granted, and all abuse of granted powers, and because, in regard to all abuses, he is for affording us not only relief for the present, but effectual security for the future; and, finally,

Because, in his character and services, he more nearly than any man now living approaches to the ideal of his country, the illustrious Washington; Wherefore,

We, the whigs of North Carolina, declare that William Henry Harrison ought to be elected president of the United States, and we do hereby give the assurance to the whigs of the union that we will, on the 15th day of November, next, to a man, attend the poll, and put in our ballots for the whig electoral ticket, and thus give proof of the sincerity of this declaration and our purpose to maintain it.

And let not our opponents flatter, or our friends alarm themselves at the thought that we may prove recreant to this pledge. The spirit of the people is roused, their resolution taken, and this state, which first raised the voice of independence against a foreign despot, will be found the last to yield her freedom to domestic tyrants.

SOUTH CAROLINA.

Election. J. E. Holmes, V. B. is re-elected in congress from the Charleston district, without opposition.

N. S. Butler, V. B. is re-elected from the Barnwell district, without opposition.

F. W. Pickens, V. B. is re-elected from the Edgefield district, without opposition.

R. B. Rhett, V. B. has been re-elected without

opposi-

tion. In the district now represented by Waddy Thompson, (W.) who declined being a candidate, three candidates were voted for, with the following result:

Norris, (V. B.) 3,446

Butler, (W.) 3,321

Powell 877

Norris elected.

In the district now represented by J. K. Griffin, (V. B.) three candidates were also voted for:

Caldwell, (V. B.) 3,949

Brier, (W.) 1,812

Barkley, (V. B.) 1,100

Caldwell elected.

Gen. Rogers, (V. B.) re-elected without opposition.

From Marion district, John Campbell re-elected without opposition.

In the Richmond district, of which Columbia, the capital of the state is the centre, a close and violent struggle occurred, and resulted in giving a majority for the whig candidate, but it is stated that the election will be void, owing to the fact that seventeen more ballots were found in the box than there were names recorded upon the poll books.

GEORGIA.

Election. We have returns from eighty, of the almost three counties in the state; which exhibit an aggregate whig majority of about 4,000 votes.

The thirteen remaining counties will not materially reduce this majority.

There is also a decided majority of whigs elected in the thirteen counties. The vote has been larger than at any previous election.

OHIO.

The election. This state at the election in 1839 was Van Buren's in all its departments.

By the return of the election of the 13th inst. it appears that the whigs have carried the state by large majorities. The Ohio State Journal of the 17th gives returns from 75 of the 79 counties in the state, composed of majorities only in which the vote for governor stands—

Shannon, (V. B.) 25,692

Whig majority, 17,192

The three remaining counties gave in 1839, a Van Buren majority of 47 votes.

The Van Buren majority in the 75 counties in 1839 was 5,701—showing a whig gain of 22,899.

The senate consists of 36 members, one-half of whom are elected every year. Last year 13 Van Buren and 23 whigs were elected. The thirteen whigs who are now elected, will insure that party a majority in this branch of the legislature.

The house consists of 72 members, of which the whigs have elected about two-thirds.

The popular vote has been immense. The Cincinnati Chronicle estimates the total number at 270,000, which would be 60,000 more than ever has been taken before.

Of the nineteen congressmen at the election in 1838, eleven Van Buren and eight whigs were elected. These are now twelve whigs and seven Van Buren representatives elected. The delegation will stand as follows:

1st district—Pardollon, whig, vice Dr. Duncan, V. B.

2d district—Weller, V. B. re-elected.

3d district—Goode, whig, do.

4th district—Morrow, whig, vice Corwin, do.

5th district—Doane, V. B. re-elected.

6th district—Morris, whig, re-elected.

7th district—Smith, whig, vice Bond, do.

8th district—Ridgway, whig, re-elected.

9th district—Medill, V. B. re-elected.

10th district—Masoo, whig, re-elected.

11th district—Cowan, whig, vice Parish, V. B.

12th district—Matthiot, whig, vice Taylor, V. B.

13th district—Mathews, V. B. vice Leubuscher, V. B.

14th district—Sweeney, V. B. re-elected.

15th district—Andrews, whig, vice Allen, V. B.

16th district—Giddings, whig, re-elected.

17th district—Hastings, V. B. re-elected.

18th district—Leubuscher, V. B. re-elected.

19th district—Stokely, whig, vice Sreaninger, V. B.

LOUISIANA.

The two political parties in Louisiana recently held on different days conventions at Baton Rouge. The whig meeting took place first; the other party convened a few days afterwards. The New Orleans Picayune, a neutral paper, describes the Van Buren gathering; in its account we find this paragraph:

"Here permit us to pay a passing compliment to the generosity of the whigs. They neither set fire to, nor destroyed the camp equipments when it served their own purpose, but, when the temporary seats, tables, cook house, &c. to be used by their political opponents. Who says after this that party spirit has paralyzed all our kind and social feelings?" At the late Richmond whig convention the minutes of Van Buren's annual paper, described the entertainment of delegates. These incidents are pleasing. We like to record every one such that comes to our knowledge. We are all citizens of one country—brethren of Angle Saxon blood—republicans all. The sacred inheritance of freedom we all partake in alike, and owe allegiance to one constitution which guards that inheritance from harm. In the excitement produced by political differences it is right to remember these things; and if we must contend with one another about measures of government let it be as brothers and good patriots.

TENNESSEE.

The Baltimore Republican of the 23d inst. says:—We learn from the Nashville Union, that the gallant soldier, profound statesman and valuable citizen, ANDREW JACKSON, having for some years promised his family and friends who were in the East, Tennessee, that he would visit them when his health was restored, has now fulfilled his promise, to the great satisfaction and delight of the people of that section of the state. The people of the district prepared for his reception, and on the 8th inst. some 15,000 NEW YORKERS and NEW ENGLANDERS assembled there to receive him. A committee of citizens gave him a hearty welcome in an appropriate address, to which he replied at length in his eloquent and energetic manner. Gov. FOLK was present, and addressed the multitude in his most powerful manner for two hours and a half. Judge GAUNCEY also addressed them about the same time. The Union adds:—"the old fire of republicanism has taken its ancient run on the Mississippi of the Tennessee, and is spreading with the lightning's rapidity to the borders of the North and West."

BALTIMORE AND OHIO RAIL ROAD.

FOURTEENTH ANNUAL REPORT OF THE PRESIDENT AND DIRECTORS TO THE STOCKHOLDERS OF THE BALTIMORE AND OHIO RAIL ROAD COMPANY.

At a regular meeting of the stockholders, held pursuant to the charter, on the second Monday of October, 1840, in the city of Baltimore, the President and directors of the Baltimore and Ohio rail road company submitted the following report and statements of the affairs of the company:

First.—Of the main stem to its present termination at Harper's Ferry, and of the Washington branch.

The statement marked A, exhibits the affairs of the company on the 30th ultimo; and the revenue and expense of the main stem during the year ending on the same day are shown by the statement B. The statements C and D, exhibit the affairs of the Washington branch on the 30th ultimo, and also the revenue and expenses on the same road for the year, ending on that day.

The statements show a steady increase in the amount of trade and travel on the main stem, and a continued diminution in the cost of transportation. The latter, in consequence of the alteration in the inclined plane, and various other measures, completed and in progress, has been reduced, as compared with previous years, one cent per ton, per mile; and it will be seen that the entire expenses chargeable against the revenue since the 30th September, 1839, are \$43,529 80 less than they were in the preceding year.

At the end of the year 1839, the operations of the main stem, in connection with those of the Washington branch, left an excess over expenditure of \$68,590 70, and it will appear that for the year ending the 30th ultimo, the excess amounts to \$142,529 70, being about 35 per cent. upon the capital of \$400,000.

On the 30th of September, 1839, however, there were outstanding debts against the company—of which a considerable portion had been contracted prior to 1837, amounting, altogether, to \$114,125, of which were necessarily to be paid from the balance of 1839, and from the accruing revenue.

The excess of expenditure beyond the income prior to 1839; the heavy annual expense incident to the transportation over the inclined planes at Parr's Ridge; the dilapidated and ruinous condition of the road and of the moving power and machinery generally—requiring suddenly a large expenditure to prevent a total obstruction to the company's operations—the defective condition, and inadequate number of water stations, locomotives, vehicles and machinery, of all kinds, have been pointed out in the reports of the last year.

These embarrassments have engaged the constant attention of the board, and have only been obviated by the unavoidable application of the company's annual resources, to an amount, independent of the cost of re-construction, exceeding half a million of dollars.

Within the last three years nineteen and a half miles of the old track have been re-constructed with a heavy rail upon an improved plan, requiring an inconsiderable amount of expenditure. At Parr's Ridge have been altered, and adapted to the use of locomotives, and the location of the roads has been in many parts changed so as to avoid the most difficult and expensive contrivances.

Nearly the entire line of the main stem, which from the inadequacy of the company's resources, could not be re-constructed with the improved rail, has been readjusted and thoroughly renovated; the same improvement is now making of the remaining miles, for which abundant materials are already provided, and by the first of December next, the whole will be substantially renewed, and in a condition of greater efficiency and durability than at any previous period; construction, it must continue liable to heavier repairs than more improved roads.

The old water stations also have been reconstructed or repaired, and are now in good order. Six new stations have been constructed; and three others are constructing, of which two are nearly finished, and materials for the whole number are on hand.

The principal depots, and the engine houses at Mount Clare, have been refitted, and as far as practicable, adapted to the increased power and business of the line, and ample tools and fixtures, and machinery necessary for repairs generally have been provided.

In 1837, there were thirteen old locomotives; such of these as were capable of being repaired, have been thoroughly refitted, and in some instances entirely renewed, and eleven new engines for the use of the main stem have been purchased.

Most of the borthen, and all of the passenger cars have been thoroughly repaired, so as to adapt them to the increasing demands of the public, and a number of new cars of each description, costing together not less than \$50,000 have been constructed and are now in use. To complete the efficiency of the branch of the service, material alterations of the number of the old, and the construction of ten new borthen cars became necessary and may be expected to involve a further expenditure, during the year 1841, of nearly \$50,000. With this addition, and the present augmentation of passenger cars, and the facilities here enumerated, the amount of transporta-

tion may be increased at least one-fifth without additional expenditure.

Of the materials purchased during the period already mentioned, for the repairs of railway, and locomotives and tenders, of passenger and borthen cars—for the construction of borthen cars and for other purposes—the company have now on hand an amount valued at \$30,465.

It will appear also from the statements now submitted, that during the year ending on the 30th ult., the debts, shown by the last annual report to be then outstanding, amounting to \$114,125, have all been discharged; thereby relieving the revenue from a heavy annual charge of interest, and leaving no other accreted debt, than the amount borrowed from the banks of Baltimore, by the city commissioners of the banks.

Of this amount borrowed from the banks, there have been paid by the commissioners \$67,537 46, and arrangements are making by the same officers to discharge the balance as early as practicable.

After thus discharging its debts and augmenting the power and means of the company, by which its operations may be advantageously enlarged, and the expenses reduced, there remained on the 30th ult. a net surplus of \$51,578 36.

Of which the board have determined to distribute among the stockholders \$2 per share payable on and after the 16th November next, in such funds as the company have received for revenue.

The statement exhibiting the affairs of the Washington branch shows on that road an augmentation in the trade and travel, and also a diminution in the expenditure. Of the transportation of tonnage, the cost in the year in the cost has been equal to one cent per ton per mile.

During the last three years it also became necessary to incur considerable expenditure to readjust and improve the graduation of this road, by which the removal of a large quantity of earth from the deep cuts, by enlarging the ditches for more effectual drainage, and by ballasting with gravel those parts in which the bed consisted of tenacious clay, the entire line has been put in a better condition for the transportation of heavy loads of freight. The water stations also have undergone refitting and repairs necessary to render them efficient, and the passenger and tonnage depots at the city of Washington have been considerably improved.

Four new engines have been purchased for the use of this road; the passenger and borthen cars have been thoroughly repaired and improved, and the cost of the repairs and improvements, together with eleven thousand dollars have been expended. The present motive power, with a small additional expense for repairs and fuel, will enable the company to transport more than double the number of passengers that have been transported during the past year; though an increase in the transportation of tonnage would require a corresponding increase in the number of borthen cars.

On this road the materials on hand for repairs of railway, locomotives and tenders, and of passenger and borthen cars, are valued at \$5,298.

After these expenditures, the statement marked D, shows a net surplus on the 30th ult. of \$77,244 55, of which the board have determined to divide among the stockholders \$2 per share, payable on and after the 16th of November next, in such funds as the company have received for revenue.

The statement herewith submitted, it appears that, if the whole net revenue received from the Washington branch, could be divided among all the stockholders equally, the dividend for the year just to terminate, that this road being the only work of the company which may be regarded as profitable, its success fully realizes any reasonable expectation that may be entertained from rail roads judiciously constructed between desirable points.

Of the revenue from this road, however, the state is entitled, in preference to the other stockholders, to one-fifth part of that received for the transportation of passengers, and the balance only is liable to an equal division.

In this view it will appear that the Washington branch has contributed during the year to the treasury of the state, one-fifth of the money received from passengers, amounting to \$40,296 64, and also a dividend of four and a half per cent. or \$24,750, making a total of \$65,046 64, or equal to thirty-six per cent. upon the capital advanced by the state in this road. If to this be added the dividend from the purchase of the main stem, it will be seen that the state will derive an income during the year upon the capital by her invested in both roads, as at present constructed, of more than seven per cent.

The investment by the state being shown to be thus profitable, an appeal may confidently be made

to the public authorities to extend reasonable succor to the interests of the other stockholders, while at the same time it will advance their own, and enable the state the more readily to provide for the interest upon the public debt.

The inadequacy of the toll at present authorized upon some important articles, and especially upon that of flour, has been pointed out in previous reports, and in official statements to the legislature.

Of the whole transportation of the year, 42,383 tons or 392,419 barrels consisted of flour, being an increase of 10,000 barrels, the previous year of 125,386 barrels or 13,867 tons, and it may be safely assumed, that with all economy the company has been able to introduce into the management of their road, the cost of transporting this article is not defrayed by the rate of toll at present authorized, which is less than that allowed, and in most instances charged, upon other works, and in other states.

The ground on which, in the act of 1837, certain articles therein mentioned, and particularly flour, were exempted from the increased charge authorized by that act, is not perceived. Certain it is, that by the exemption any just or fair profit upon the employment of the state's capital, has been surrendered, and, in this branch of business, her revenue has been sacrificed. It can, however, be satisfactorily shown that the exempted articles may be placed upon an equal footing with the others, without being oppressive to the producer or manufacturer, and without prejudice to the trade of Baltimore.

SECOND.—As to the extension of the road from Harper's Ferry to Cumberland.

Since the last annual report nothing has occurred to disprove the wisdom of the board in the prosecution of this part of their work. The advantages of the location ultimately adopted have become more manifest, and no doubt is entertained of the adaptation of the road to high speed and heavy tonnage, by the use of the best engines. On the entire line the highest grade is found in the first thirty miles, and will not exceed forty feet; and in the remaining sixty-seven, the grades will not in any instance exceed 26 1/2 feet in the mile.

The elevations, generally, range at little less than a mile of radius, and although there are a few at something less than one thousand feet, these occur in every instance on a light grade.

The execution of the construction generally, in the execution of their work, has been satisfactory. Of the whole number of contracts, amounting to one hundred and fifty, it has been found necessary to relet only seven for neglect or misconduct; and in these contractors, the company have been able to effect without loss to the company. The entire force at present employed may be stated at sixteen hundred men and five hundred horses.

The general condition and progress of the graduation, masonry and bridging, are highly favorable. It has been the policy of the board to advance the points of difficulty with greater rapidity, and to proceed more moderately with the lighter parts, so as to restrict unnecessary expenditure in all.

Upon the important section at Harper's Ferry, the entire work is proceeding satisfactorily. The heavy cuttings through the north mountain, are considerably advanced and the deep embankments at the Chapman and Beck creeks, as well as the large bridges connected with them, are in a state of great forwardness. At the tunnel, at the Dog Gully, the heading or excavation of the roof has reached four hundred and forty feet in extent, being upwards of one mile from the mouth of the tunnel, and the cuttings in this section keep pace with the tunneling. Of the heading of the short tunnel of three hundred feet in length, at the Paw-Paw bends, more than a moiety is already completed.

At all the bridges upon the line, the masonry is advancing as rapidly as can be desired, and the materials for the superstructure are in preparation for erection in the ensuing summer.

The graduation of the road, nearly of the ninety-seven miles is already completed, and many sections will be completed within a few weeks. Of the smaller bridges eleven are finished.

Of the cost of graduation, masonry and bridging, a revised estimate has been made by the board in November, 1839, which fell considerably below the estimate originally submitted on the 14th February, 1838. The revised estimate, with five per cent. added for contingencies, amounting to \$1,641,180. In June, 1840, a further estimate was made, which, although it embraced some works on the Harper's Ferry section not included in the previous estimate, amounts in round numbers to \$1,602,000, less by \$40,000 than the revised estimate of Nov. 1839. It is believed that the actual cost will not exceed this last estimate.

The amount of work done on the 1st instant, was \$876,000, being more than one-half of the whole,

and leaving to be done, according to the estimate, an amount of \$725,000.

The amount of actual work done per month may be stated at \$75,000; at which rate the graduation, masonry and bridging, with the exception of some of the heavier sections and bridge superstructures, may be completed on or before the first of August, 1841, and (these last may also be finished in the month of January, 1842.

Should their resources allow the board to procure the iron and other materials in season to make sixty or seventy miles of railway in the course of the year 1841, and to prosecute the remaining thirty or forty miles in the spring of 1842, it will be practicable to finish the entire work and put the road in operation to Cumberland in the summer and autumn of that year.

The practicability of prosecuting the work with such despatch, will depend upon the ability of the city of Baltimore punctually to pay her subscription, or upon that of the company to dispose of the sterling bonds of the state upon terms which they may deem satisfactory.

The present advanced condition of the work has been accomplished: 1st. By the money borrowed from the banks, by the city commissioners of finance through the company's agency. 2d. By the company's orders authorising the transfer of city stock at its par value, in sum of one hundred dollars or upwards, as explained in the last annual report.— 3d. By the direct payment to contractors of city stock at its par value, under an agreement that it shall be sold by a mutual agent, and at prices to be fixed by the company, so as to prevent a depreciation in its value. And 4th. By the proceeds of sales of the five per cent. sterling bonds of the state.— Up to the present time the payments in city stock through the medium of orders authorising its transfer, have answered the purposes of the board, and have proved entirely satisfactory to the contractors; and, in most instances, to the proprietors of the right of way, and have received general encouragement from the community at large.

On the 26th ultimo, the payments made through this medium amounted to the sum of \$515,000; in orders to the commissioners of stock of the following denominations, viz: 100 orders of \$100 each; \$34,000 of five dollars; \$29,000 of three dollars; \$75,000 of two dollars, and \$354,000 of one dollar each. Of the whole amount, \$100,000 in payments, less thousand dollars in those of \$100 each have been funded.

Payments direct by the delivery of city stock, have been confined to the contractors upon a few of the most difficult sections, upon which it was deemed, both to the company and the contractors, to place an extra force, and amounted, in the whole, on the 30th ult. to \$128,577 47.

By these payments, the city has been enabled, so far, to comply with her engagements to the company, without any loss or sacrifice of the credit of her public securities has been preserved unimpaired, and the important work, so essential to her trade and prosperity, has been advanced to its present point, not only by the actual application of her stock at its par value, but with a large annual saving of interest, during the period the orders may remain unfunded.

The successful continuance of this system of payment until our public securities meet with a more ready sale, will enable the city, in future, punctually to discharge her obligations, and complete this great enterprise to Cumberland, without impairing the value of her stock, and with diminished taxation. It would seem, therefore, only reasonable that the city authorities, unless contrary to some acknowledged principle of public policy, should be procuring legislative sanction, if necessary, for the encouragement of this mode of payment.

In giving these orders in payment, the board entertain the opinion that they violate no existing law. The orders do not promise to pay money, or, indeed, are they, in any respect, promissory in their character. They confer an absolute authority for the transfer of city stock, and finally cancel the obligation, for which they are received in satisfaction. From the nature of the case, they cannot exceed in amount, the city subscription and the stock actually transferred to the commissioners in trust for the holders. They, in fact, represent city certificates, though in smaller denominations; and, in the requisite sums, may be found, and converted into coin or bank paper, at the pleasure of the holder. They are, therefore, not liable to the risk or any other objection to which irresponsible paper issues, professing to pay money, are exposed; and every citizen, liable to the payment of a city tax, has an immediate interest in maintaining their value.

We need the prompt utility of these orders cease after the redemption of specie payments. On the contrary, they would, in that event, if they

should be employed for such purpose, prove valuable auxiliaries in aiding the operations of the bank; they would, in no respect, impair the soundness of the regular currency, but might be advantageously maintained in general credit.

The present condition of the Baltimore and Ohio rail road company not only justifies the aid already contributed by the state and city to this branch of our public works, but should inspire renewed zeal in its prompt and vigorous prosecution. To encourage the efforts of the board for this purpose, by means which may push the work in advance of rival enterprise in other states, and, without disturbing the regular currency, prevent the sacrifice of our public securities, and exempt the people from taxation, would appear to be recommended by every principle of sound policy. On these grounds, the board confidently reply for support, no less upon the public authorities than the community at large.

Of the five per cent. sterling bonds of the state, delivered to the company in payment of the state's share, \$21,500 were sold in London by Messrs. Baring, Brothers & Co. in the months of January and February last, according to the company's limit at eighty per cent. of which the amount drawn for at the then rate of exchange, netted in Baltimore the sum of \$21,548 68, and the balance of these sales, less commissions, was applied to the payment of the interest which accrued on the 1st of July last. The remainder of the bonds are yet in the hands of Messrs. Baring, Brothers & Co. under the arrangement as heretofore announced, effected by the president with that house in October, 1839.

Up to this time, the board have not deemed it necessary or expedient, either to borrow or accept advances upon any portion of the bonds; nor have they changed the limits which at the time of the arrangement, they prescribed for their sale.

In a letter from Messrs. Baring, Brothers & Co. dated the 31st July last, the company is informed that "Maryland bonds are 82½ per cent." "The constant remittance," they observe, "from your side of the remaining bonds, altogether about \$2,200,000, which were pawned with banks and others in the United States, prevented an improvement in the market to any extent. They must now be pretty nearly realized here, and we may, therefore, hope for some rise, if the demand for American stocks continues; but the whole anxiety concerning European politics, has checked transactions for the present."

By order of the board,

LOUIS McLANE, president.

(A.)

The Baltimore and Ohio rail road company, October 1, 1840.

Dr.

Stock in the Washing- ton branch road,	\$1,032,600 00
Cost of road to Harper's Ferry,	\$3,465,048 79
Real estate and deposits, Locomotives, houses, mules, and harness, passenger and burden cars	226,156 98
	490,329 99
	4,215,535 64

Cost of road west of Harper's Ferry,	1,094,639 53
John I. Donahoon and Fielding Lucas, Jr., commissioners, for this amount of city six per cent. stock placed in their hands for the redemption of stock orders,	700,000 00
Baring Brothers, & Co. London,	3,181,005 11
City six per cent. stock on hand,	176,322 53
Bills receivable,	5,234 92

Expenses of stock cer- tificates of the state, to be refunded by the commissioner of loans,	1,711 40
Cash in the hands of disbursing officers,	1,379 88
Cash in hand,	109,526 43
	\$10,511,985 78

Cr.	
Loan at 6 per cent. for the purpose of tak- ing stock in Wash- ington road	1,000,000 00
Stock,	\$4,900,000 00
Less instalments un- paid	257 50
	3,999,742 50

Suspense account	126 21
Stock orders issued	515,000 00
Due the Washington branch road,	96,790 15
Loans from banks on city stock, on ac- count of the city of Baltimore,	874,962 84
City of Baltimore, State of Maryland five per cent. sterling bonds,	1,074,694 09
Premiums on sterling bills,	3,200,909 00
Revenue,	2,588 79
Less expenses, repairs, and interest,	553,469 00
	336,522 00
	*246,947 08

\$10,511,985 75

Office of the Balt. & Ohio rail road co. Oct. 1, 1840.

(B.)

Statement of the revenue and expenses of the Baltimore and Ohio rail road company, on account of the main stem of the road, for the year ending the 30th of September, 1840.

The amount received for the transportation of passengers, freight, and merchandise for the year ending the 30th of Sept. 1840, is

\$432,985 70

And the expenses for the same period are as follows, to wit:

For transportation, in- cluding fuel, salaries of superintendent, agents, conductors, &c. &c.	\$104,290 12
For repairs of the road, For repairs of depots and water stations,	63,463 72
For repairs of passen- ger cars,	11,790 75

For repairs of burthen cars,	19,800 14
For repairs of locomotives, For repairs of the Mo- netary bridge,	36,491 06
For office and incidental expenses, includ- ing salaries, house rent, &c.	1,896 59
	8,905 63

For interest on borrow- ed money,	5,005 30
Making	\$280,194 00

And showing the earnings of the road for the year to be

\$132,689 70

The interest paid during the year on account of the loan granted for the purchase of stock in the Washington branch road, amounts to

\$6,325 00

And the dividend to be received from said road,

46,467 00

The difference is

9,861 00

Showing the nett revenue for the year to be

\$142,825 70

Office of the Balt. and O. R. R. co. Oct. 1, 1840.

J. J. ATKINSON, secretary.

(C.)

Washington branch rail road, 1st October, 1840.

Dr.

Cost of road, real estate, engines and cars,	\$1,655,437 89
Cash in the hands of the disbursing officers,	4 60
Due by the Baltimore and Ohio rail road,	96,790 15
	\$1,752,232 55

Cr.	
Stock,	\$1,650,000 00
Annuity at 5 per cent.	23,000 00
Dividends unpaid,	8 00

*To this amount will be added the dividend from the Washington branch road due the main stem \$96,467, and make the nett revenue \$293,414.

so marked a preference to one portion of the people over the other be intended? Punctuality on the part of incorporated banks to fulfil their engagements is of more importance to the community than that of any individual traders, and their failure in performing their duty is attended with much more injurious consequences. If, then, there be no good reason for the distinction on the ground of public interests, most assuredly there can be none on that of claims to favor. The privilege of being exempted from the payment of taxes, and the limited liability of those who invest property in them, furnish, on the contrary, the strongest reasons against the exemption which is claimed in their behalf.

Whilst on every dollar so invested the stockholder has a right to lose two, and sometimes three times the amount, and whilst he is shielded from all personal responsibility in case of the failure of the bank to comply with its engagements, so the portion of the property of any other class of the community has such artificial value given to it by law, nor is it protected, in like manner, from the hazards of business; but, on the contrary, every dollar they possess is held subject to the claims of their creditors. These desirable privileges were granted under the expectation of advantages and facilities to the public to be derived from these institutions, not one of which can be realized if they fail to redeem their bills in specie when demanded. Whatever may be thought of their usefulness under other circumstances, all must admit that, if they cease to perform their duties, they become not only the sources of great mischief. The reasons therefore for giving to the billholders, and other creditors, whose confidence has been in some measure obtained under a sort of legislative guaranty, full and prompt remedy in case of their default, are stronger than in cases of ordinary debtors. Should a bankrupt law be passed which did not embrace corporations, having the right as creditors to avail themselves of its advantages, individuals who failed in promises in performing their contracts would, through their interference, be arrested in their business and have their property at once transferred to assignees. More than this, they might be involved in acts of bankruptcy by the failure of the banks themselves to perform their promises to them, or the others on whose punctuality their own depended. The injustice of the distinction to this view of the subject becomes strikingly clear, and I am wholly at a loss to know on what ground it could be upheld. This is a more specific example of the inequality of contingencies. Had there been a bankrupt law in existence for the last three or four years, thousands of our fellow citizens would have been subjected to its provisions by reason of the delays and difficulties they experienced in realizing the demands due them, resulting directly from the suspension of payments by the banks; whilst against the banks themselves, they, and their debtors, who held their notes, or other obligations, would have been comparatively remediless.

The states have certainly not been sparing in bestowing upon these institutions special privileges, and it has not been heard, as matter of complaint, that they have been too rigorous in enforcing a strict compliance with the conditions on which the grants were made. It is not easy to comprehend the extent to which this principle might be carried in exempting traders as well as bankers from responsibility to this remedy for a non-performance of their engagements and in enlarging the sphere of legislative privilege. The Legislature has been too lenient in the constant habit of incorporating manufacturing, and, in some forms, commercial companies also, each of whom become traders of the first class. If these companies, in addition to the particular advantages and personal immunities secured to them, are allowed to have their effects exempted from liability under bankrupt laws, the efficacy and value of the constitutional provision on the subject of bankruptcy may be effectually superseded, whilst those who are not possessed of sufficient influence to become the objects of legislative favor would remain subject to the utmost rigor of the laws that may be passed under it. While I would carefully abstain from interfering with the rights of these corporations, derived from state authority, I would not add to their privileges by exempting them altogether from the operation of a general bankrupt law, when such exemption would, in many cases, operate injuriously on individuals subject to its provisions. The corporations themselves, in my judgment, most unwisely, when they in turn upon an exemption which they would not want yet more distinctly the line of separation between their affairs and those of the community at large, and to gain still greater prominence to the superior advantages they enjoy over the rest of the fellow citizens. The constitutionality as well as the ex-

pediency of extending a bankrupt law to other classes of the community than bankers and traders have been vexed questions from the establishment of the federal government to the present day. The constitution has now been in operation for more than fifty years, and the sanction of congress to such a law, though frequently attempted, has never yet been obtained. Although the question of constitutionality could not for that reason have been settled by a judiciary exactly, it may be considered indirectly in deciding upon the constitutionality of state insolvent laws; and I am not aware that the supreme court, in the extended discussions upon the general subject, has ever even intimated an opinion as to the precise extent of the power of congress in the matter. We are, therefore, at this late day without even a legislative or judicial opinion upon this much agitated question, unless one can be reasonably inferred from the persevering refusal of congress to pass such a law.

There is not, perhaps, a single question growing out of our complex system of government, in respect to the settlement of which less advance has been made than this; and it must be admitted that there are few if any more complicated, or in respect to which the future more difficult to arrive at a satisfactory conclusion.

Objections to the power of congress to pass a voluntary bankrupt law, applicable to all classes of debtors, have been principally founded on the following considerations, viz:

1. No bankrupt law ever existing in the United States before the adoption of the constitution, it is assumed that its framers intended to confine the power given over the subject to bankruptcy as it was then understood to exist in the several states, and we have not the means of legal definitions, and the outlines of our judicial system.

2d. That bankrupt laws, understood in that sense, are such acts only as provide a compulsory, summary and comprehensive remedy to creditors against bankrupts and traders; and

3d. That there had existed in all the states, for years before, and down to the period of the adoption of the constitution, insolvent laws giving relief to insolvent debtors, of all descriptions, on their own petition, as well as against imprisonment for debt, as under certain circumstances against future liabilities for the debts themselves; that the broad construction of the federal constitution necessary to include bankrupt laws of the character now referred to, would be a complete and exclusive power to act upon the subject, independently of that of congress—a right which existed before the constitution, and which it is claimed was not intended to be surrendered by the states.

The advocates of the power, on the contrary, contend, in respect to the two first grounds of objection, that legislation on the subject of bankruptcy, to be wisely adapted to the objects in view, must vary with circumstances and keep pace with the changes which are every day taking place in the pursuits of man—either bringing them within or excluding them from the policy of a general bankrupt law; that it has so varied in England before and since the adoption of the federal constitution, and that it ought not to be supposed that the framers of that instrument designed to limit the power, when they gave it in such general terms, to the usages or legislation of a foreign country. In respect to the last objection, it is insisted that bankruptcy includes insolvency, and that it is not possible to have the one without the other.

Whatever may be the grounds for the legislation of the respective governments can be separated, and one branch of it allotted to the states and the other to the federal government; that all attempts which have been made by our ablest judges and statesmen to do so, have failed; and that it must therefore be held that the framers of the federal constitution meant to give congress power over the whole subject, leaving to the states only a subordinate action in regard to it, inasmuch as the intelligence of the people who would be, at the same time, represented in both systems, for such an exercise of the power conferred as would not interfere unawakened with those portions of it which had been, and could continue to be, more easily exerted by the states. Whatever may be thought of the consequences of these views, I am free to say that the able manner in which they have been presented in our courts of justice and elsewhere has given them greater weight in my own mind than I was disposed to allow them. I saty that they are, when I was called to act officially upon the subject.

But if ever the question of constitutional power is overcome, that of expediency still remains to be considered. The objection which is raised to legislation by congress upon this branch of the sub-

ject is founded on the assumption that the states are fully competent to afford all the relief in cases of this description that can be reasonably desired, and is that way evils believed to be inseparable from the extension of the federal power over it may be avoided. The correctness of this position is, of course, more or less dependent upon the extent of the law powers over the subject which the states possess, whilst congress abstains from acting in the matter. About this there has been for years considerable anxiety, and the feeling is not a little aggravated by apparently contradictory decisions by the courts. This arose from the use of general expressions by the judges which went beyond the case before the court, and were therefore not confined upon this point, and the binding character of them having been discovered, the matter is now placed by the supreme court of the United States upon a settled and simple footing.—As I understand it, and I believe there is no reason for contrariety of opinion upon the subject, it is that the states may, in the absence of federal legislation upon this branch of the subject, pass laws authorizing not only the discharge of debtors from imprisonment, but also from the debts themselves, provided the latter were contracted and to be executed in the state, before the contract was made, and entered into subsequently to the passage of the law. The debts and credits of bankers and merchants extend throughout the union, and thus present cases which could not be adequately provided for under an act which was limited to the discharge of the dealings of the other classes of which we are speaking. The instances of bona fide transactions between them in which adequate relief could not be provided by the state legislatures, under this circumstance, have been numerous, and the result, to the state which authorizes the contract, and furnishes the ordinary means of enforcing it, would in this way be reversed the right of granting such relief from the hardships which under peculiar circumstances have been wholly restricted only by the limitations before referred to.

These, with the right to exempt from imprisonment in all cases would still leave to state legislation the control and direction of the remedies to an extent under which much might be readily done for the relief of unfortunate debtors, and the danger of abandoning in practice the strict construction of the power of congress over the subject avoided.—The changes in the relations between the states and the general government, as those relations have been hitherto, have resulted from an accumulation of the whole ground by federal legislation would unavoidably be very considerable in respect to the extent of the patronage of each, and perhaps most prominent in the judicial branches of the respective governments. A large quantity of the business which has hitherto been done by the courts, and for which they seem to be the appropriate tribunals, would be transferred to the federal courts. It is at least very questionable whether such an alteration in established systems of judicature, would be wholesome in its political effect, or an improvement in the administration of justice.

There is, on the contrary, reason to apprehend that it would give occasion to numerous conflicts as to jurisdiction between the courts of the separate governments, cause delay in the proceedings and increase costs and litigation. The states have exercised the right to pass laws giving a liberal measure of relief to debtors, since the period of their first formation; these laws constitute an important part of the policy of their respective statutory codes, and their right to this branch of legislation is conceded to them upon the very principle of the distinction between the bankrupt and insolvent systems. To enter at this time upon the practical application of a different construction of the constitution was to have a tedious and obscure controversy founded on those proceedings by an interpretation which has hitherto had no explicit sanction from the national legislature or the national courts.

Neither would it be doing justice to the subject to pass lightly over the obvious sufficiency of applying to farmers, mechanics and other classes of our citizens, the prompt and rigorous proceedings authorized by bankrupt laws towards bankers and traders, hitherto almost the only objects of such laws; nor could such proceedings be much modified in that respect without defeating the ends of such enactments. The failure of debtors to satisfy the demands of creditors, at the time and in the manner specified by their contracts, has ever been regarded, under a bankrupt system, as an act of bankruptcy, and has been treated as such by the operation and agency of law, of all the states, to assignees for the benefit of their creditors. However proper such a procedure may be, in reference to bankers and traders, it would be to others oppressive and ruinous—it would greatly multiply

individual distress, and bring to public action, by a forced sale, not only a large amount of personal property, but a considerable portion of the real estate of the country. The evils of a bankrupt law, with such extended range, would, it is justly to be feared, more than counterbalance the benefits it might otherwise produce. I am not aware that any government has deemed it wise or safe to extend the operation of a bankrupt law to all these classes of its citizens or subjects. I am well aware that those latter objections are mightily obviated by making the operation of that part of the law voluntary only. But it well deserves to be remembered that such a law would be but the entering wedge—the first movement by congress in a new direction—and the power, which I am sure we can tell what might be the next.—The same construction of the constitution, which gives congress the right to pass a voluntary bankrupt law, applicable to farmers and mechanics, and other non-trading classes, concedes the right also to make it compulsory. As long as the debtor interest possesses a paramount consideration in the national legislature, such a law, would, perhaps, not be thought of, but it would not be difficult for the opposite interest, when in complete ascendancy, to make at least a plausible *expose* of the reasons why justice to creditors requires that the rule should be reciprocal. In this view of the subject were the opinions turned round, and the administration of the property of not extending the legislation of the general government to classes of cases which it might not be certain the constitution intended to embrace.

I was doubtless governed in so regarding the question, not so much by my own opinion of the propriety of restraining all legislation within those limits, but by a conviction that as bankrupt law has been generally passed, chiefly not for exclusive benefit, for the benefit of the creditor, and were penal in their character, they ought not to embrace persons who had not been regarded as coming within their scope; and also by the consideration that, so far as they tend to the relief of insolvent debtors from future liabilities, the surrender of their property, the state insolvent laws had already done much to attain that object without subjecting those who are not within the class of bankrupts and debtors to the rigor and severity of bankrupt enactments.

I forbear to do more on this occasion than suggest the grounds of some of the objections to a bankrupt law, under one of the aspects presented by the question. You are, I am sure, enabled to see to them in their full force, and bring to your view many others I have omitted to mention. My sincere desire is to carry, as far as can be constitutionally done and sound policy will admit, the humane principle of discharging the honest and unfortunate debtor from liabilities he cannot meet, securing at the same time to his creditors the full benefit of his present estate. The rule which I laid down for my own government, when the subject was under discussion, at the last session, was to keep my mind open to argument and conviction in regard to it, until it became my official duty to act, and then to approve or disapprove the bill presented for my consideration, according as its particular provisions should, in my best judgment, be found to conform to those principles, and be likely to accomplish those objects. Upon careful consideration of the subject, in all its bearings, I am led to believe that I shall be able to perform my duty in the matter by continuing to pursue the same course in future. I am, gentlemen, very respectfully, your obedient servant.

M. VAN BUREN.

To Messrs. S. L. Danfield, Wm. H. Brasher and others.

P. S. My opinions upon the same subject having been asked by others also, I have caused my reply to be at once published and copies sent to you.

LETTER OF MR. POINSETT.

Washington, Sept. 28, 1840.

DEAR SIR: I send herewith a letter addressed to my fellow citizens of Charleston, and beg that you will present it to them.

Having been assailed by opposition orators and letter writers from Maine to Georgia, I avail myself of the privilege secured to every citizen in this country of being heard in his own defence, and present before a tribunal whose jurisdiction I have always acknowledged, and to whose verdict I shall cheerfully submit. I have the honor to be, dear sir, faithfully yours,

Dr. Joseph Johnson, Charleston, S. C.

Washington, Sept. 26, 1840.

FELLOW CITIZENS: Shortly after I accepted the office I now hold, and when last I had the honor to

address you, I exhorted you to sacrifice all former loyalties on the altar of our common country, and to lend the aid of your talents and influence in support of those, who, equally with yourselves, are animated by an earnest desire to promote its happiness and prosperity, and to preserve its institutions and peace at home. I assured you that the administration, of which I formed a part, would never violate the principles of the constitution, nor suffer them to be violated, and that the peace and tranquillity, and interest of the south would be protected. And I pledged myself, should any of the great landmarks of democracy be disregarded, to be found one more in your ranks, ready to aid you in vindicating the rights of the people.

The period is arrived when I feel called upon to appeal to you to decide whether the assurances I then gave you have been fulfilled, or whether the allegations which have been so freely made against the administration are true. It is on its trial before you, not only upon general charges of alleged misconduct, which, if substantiated, would render it utterly unworthy your confidence and support; but also upon charges, more or less incoherent, and founded on facts of some of my own. Citizens of my own state, between some of whom and myself relations of personal friendship formerly existed, have felt themselves justified in arraigning us before you, and thereby, through the administration, of which I am a member, for acts of weakness and extravagance, and even for devising plans stigmatized as designed to subvert the liberties of the country.

Called upon by a committee of congress, at a moment when the administration was threatened to prepare for its defence, and to reorganize the militia, I submitted a plan for that purpose, which has been the fruitful theme of attack by the opponents of the administration. It is unnecessary to recapitulate the objections which have been urged against this measure. They are known to you all. But I will briefly explain its provisions, in order that you may judge how far these objections are valid and applicable. It is proposed to divide the militia into two classes, the one to be organized into companies, and the other into regiments, and to be stationed at convenient stations, in order that when turned out to drill, you should not have to march far, and never out of your own district, and only when on the borders of your own district, and when on the ground, be furnished with United States arms and ammunition, and be paid for the time you were so employed—which need not have exceeded ten days of every year for four years, after which you would have been exempt from militia duty, except in cases of actual invasion or insurrection. You were to have been commanded by officers of your own choice, as now, and if subjected to the rules and articles of war when in service, as you are under the present law, you were to be tried for all military offences by your own officers only—your neighbors and friends, from whom you have no injustice to apprehend. In this manner, the least evils to be feared by the opponents of the measure, to oppose the efforts of a democratic administration, and to bring discredit on them for the attempt to organize the militia. It is evident that the people would protect themselves, or pay soldiers to protect them, and it is equally obvious that they cannot be factually protect themselves, without being organized, nor would this duty upon others, without peril to their liberties. I have as much confidence in the brave, honest and strong arms of the mass of the people, and am willing to rely upon them for the defence of the country, whenever there is time to prepare for it; but if ever the thunder of the enemy's cannon shall be suddenly heard in any of our quarters, which are as all now too accessible and indefensible, they might be destroyed or captured before the forts could be garrisoned, or one blow be struck to defend them. Or if ever our southern frontiers shall be assailed by a pill more warlike than those of the Indians, a brave heart will be pierced, and many a strong arm will be paralyzed, before an efficient force could be collected, armed and organized, to protect their wives and children. It may be popular doctrine, but it is

neither wise nor safe to deceive the people on this subject, and leave them to the hazard of one day weeping their impudence in tears of blood.

There is no portion of our country so deeply interested in this measure as the south. The south must depend upon itself for protection, and there never was a period in the history of our government, when this portion of our common country was more loudly called upon, by imperious circumstances, to prepare for its self-preservation. Your enemies are arrayed against you, and are now in up in arms to deprive you of your property. The interest of nations, and the fanaticism of individuals, are united against you from without—while within your own bosom, men, blinded by party zeal, continue to fuel you into a false and false security, and strive to excite your suspicions against those faithful public servants who call upon you to prepare for the contest. To counteract the attempt of your friends to organize and arm you, and to enable you to present such an imposing front as may awe the fanatics who are seeking your destruction, they cry out "beware of executive influence," beware of "standing armies"—although they know full well, that standing armies are only necessary where the people are unarmed and unorganized, and that liberty is alone endangered by the supineness of its legitimate guardians. What, in fact, can be more absurd, or more insulting to the people, than to be told that the administration is arrayed against them, and that they are to be armed, and to be armed with arms, nor taught the use of them? What fear can there be that one-twentieth or one-tenth part of the militia of each state, composed of your own fellow citizens, of your own friends and relations, and of your own neighbors, should be so deprive you of your liberties? What danger is there that you yourselves will do so when your turn comes to assemble at your own neighboring depot, and have arms placed in your hands? Would you teach each other to be afraid of arms, as of a tyrant? Surely not. Why, then, should you be led to believe that your sons, or your brothers, or your neighbors, who have been brought up to cherish the same principles as yourselves, would seek to destroy institutions which are as dear to them as to you, and turn their arms against the country? The idea is as insulting to the people as it is preposterous.

But the prejudices of many among you have been roused by this plan, and persevering attempts are made to keep them alive, notwithstanding the president's distinct expression of the opinion and views entertained by him upon the whole subject: views which are as plain as day, and which have not yet enabled them to raise a plausible objection. With respect to the charge of extravagance, so loudly made by the opposition, and maintained by the most glaring representations and misstatements, I again refer you to the public accounts, and plead the facts as they are there recorded. They prove incontrovertibly that the real expenses of the government have not increased beyond what the augmentation of our population, and the extension of our commerce, and the rapid advancement of our settlements, absolutely required. Stripped of the extraordinary expenditures, which have resulted from circumstances beyond the control of the administration, the course of the government, instead of being marked by a wasteful and profligate extravagance, as its opponents would persuade you, has been distinguished by the most exact and rigid economy. The payment of the public debt, which forms a large item of expenditure, and which has been the cause of extravagance in former governments. Nor can that of the Indian trust fund, of which the government is the trustee, although that item serves to swell the general amount of expenditures; even the money required for the maintenance of the public lands, for the government, and exacted from their justice by the firmness and decision of the administration, is charged to its extravagance, because it not only recovered, but distributed these sums.

The payment ordered by congress, to liquidate the claim of Massachusetts, Connecticut and N. Carolina for their expenditures during the war, forms another item of the charge of extravagance. So too, the three per cent. and the two per cent. interest payable to the new state of California, and the nation for the public lands and lands passed years ago, which increases with the quantity of land sold every year. Duties refunded to merchants, which are, to a certain degree, an evidence of the liberal policy of the government, and which are, to a certain degree, an evidence of the liberality of the government, are added to the charge of extravagance. So that, in fact, if we had not paid any portion of the national debt, and left the treasury notes undredeemed; if we had not honestly executed our duty to the public, and had not been so busy buying them for the benefit of those tribes; if we had not sold any public lands, and had neglected to pay the new states the five per cent. due them upon the amount of sales; and if the commerce of the

country had been paralyzed, and the merchants failed to trade extensively, the government would, according to the reasoning of the opposition, have been administered most faithfully and economically—a reputation which would have been founded upon its bad faith and destructive policy.

These disbursements for the years 1836, '37 and '38, amount to \$23,182,145.41. To this item should be added the amount of appropriations for the payment of pensions, for the District of Columbia, survey of the coast, taking the census, exploring expeditions, the removal of Indians, which are all a temporary charge upon the treasury, and chargeable to the present administration; and those for durable and fire-proof buildings, for arming and equipping the militia, for the improvement of the navy, for roads, canals and breakwaters, and river and harbor improvements, under last administration, for arborifications and the purchase of lands from the Indian tribes, in order to free the individual states from the presence of this population, and to benefit essentially the whole union. All which charges, amounting in the aggregate to a large sum, must be considered as expenditures for the security of our common country, and for the benefit of posterity, and are not therefore properly chargeable upon the present administration, as they were authorized before its commencement. These deductions, including the expenses growing out of the operations upon our northern and eastern frontiers, to preserve our national faith with a neighboring and friendly nation, and those which have been incurred in protecting the southern portion of our country from encroachments, and bring the annual expenditures of these years to the moderate amount of \$13,000,000. One word as to the expenditures growing out of these wars, which have been a fruitful theme of accusation and reproach against the administration. The war of the Creeks and Seminoles originated in the perfidious and cruel conduct of those Indians. They not only refused to comply with their treaty stipulations, but attacked and destroyed the white settlements and butchered the inhabitants. The government, in the fulfilment of one of its most imperative duties, took all the measures in its power to protect the country which was exposed to these merciless savages.—The very limited regular force, and the want of proper organization of the militia, rendered those efforts more laborious than they otherwise would have been under other circumstances, and much more expensive.—The militia or volunteers cannot be brought to act on foot, the best I got this only description of forces suitable for finding and subduing the roving savages of Florida; and under the most economical and judicious supplying best of the coast, compared with that of the regular soldiers, is as six to one; that is to say, one mounted militiaman costs the government as much as six regular infantry; and yet the administration is blamed for not covering 40,000 square miles of territory with a force of cavalry, and sweeping the whole territory as with a net—an operation which would probably fail, and which would certainly require at least 50,000 men, and cost for our campaign of six months, not less than fourteen millions of dollars, without enumerating the interminable claims arising from the loss of horses, or the amount of pensions for wounds and disabilities.

To some extent this policy was pursued in 1837 and 1838, when double the force required by former generals who had commanded in Florida, was sent there and placed under an active and skillful and experienced commander. Volunteers were brought from Tennessee, Georgia and Missouri, men counted among the best and bravest of their citizens.—The recruits were well drilled, and the officers of the frontier. Every thing was done that zeal, courage, perseverance and endurance could effect; but still the war was not ended. The Indians ceased to concentrate their forces, and to resist the advance of the men. They retreated to the interior, and to the terrible banality that ever infected and devastated a country. Large columns of attack became unnecessary, and the large bodies of volunteers hitherto employed, were succeeded by detachments of regular troops, and a small force of militia was sent easily. The militia of Florida has been embodied to protect their own settlements, and the regular forces will be charged with the more active duty of breaking up the Indian camps, and of forcing these savages to sue for peace. This arrangement has reduced the expenditure of the Florida war from five millions a year to not more than two. Stories of the extravagant expenditures of government officers have been made up by insinuations and inference equally as unfair as false statements. It is said, for instance, "I remember that in 1839 a day, which is \$200,250 a year," leaving it to be inferred that government paid that sum for the hire of the boat; when in point of fact the boat was only taken

upon an emergency and for a few days; that wood was hired for the crews of the boats, and that it was growing abundantly, without stating the additional fact that these woods were occupied by Indians, and that it would have required a large escort to protect the woodcutters, and transportation to bring sawmills to perform this duty from some place where their presence was more needed. I mention these things only in justice to my predecessor. No such transaction has taken place under the present administration. It is equally due to the several commanders in Florida, to state, and I do it with the greatest satisfaction, that the Creeks and Florida wars, more Indians have been destroyed, captured and removed, than in all former wars against Indian tribes since the commencement of our government; and that this has been accomplished under the least hostile and discouraging circumstances.

Notwithstanding the existence of these wars, the administration, by its energetic efforts to produce economy in the public expenditure, has been enabled to effect a large reduction in the appropriations, and to save annually, if averaged, to not less than \$4,000,000.

I will close the observations which I have felt it my duty to make on the subject of the expenditures of the government, with an extract from a letter addressed by the president, on the 15th inst. to a senator of Tennessee, in reply to an interrogatory, whether, in his opinion, there could be any further reduction of the expenditures of the government, without detriment to the interests of the people.

"I do not doubt the practicability of a further reduction of the expenditures of the government, without detriment to the interests of the people; and it has been the object of my active and unceasing exertion to cause it to be made. The appropriations for the year 1837 were made before I came into office. My ordinary disbursements, without including those on the public debt, the post office, and the trust fund in charge of the government, had been largely increased before the commencement of my term, by appropriations for the removal of the Indians, for repelling Indian hostilities, and for the purchase of territory, which grew out of an overflowing treasury. Independent of the public debt and trusts, the gross expenditures of seventeen and eighteen millions in 1834 and 1835, had, by these causes, swelled to twenty-nine millions in 1836, and to thirty-one millions in 1837, and as before stated previous to the 4th of March of that year, raised the expenditure to the very large amount of thirty-three millions. I caused immediate and unremittent efforts to be made, throughout the public service, to reduce the expenditures to the least possible amount, and to so low a point as could be done consistently with the public interest; an object which I have the best reason to know was one of great solicitude on the part of my predecessor, though his efforts to accomplish it were greatly impeded by the want of uniformity in the mode of conducting the year 1838 in somewhat reducing the amount, notwithstanding the continuance of our Indian embarrassments, and the necessity for a longer time to make all such efforts completely successful. The results of 1839 were so, to the gratifying extent of a reduction of more than seven millions below the expenditures even of the preceding year. Of these facts and results congress was informed at the last session, and you may judge for yourself whether their accuracy has been in any way impeached.

"The estimates for 1840 were directed to be subjected to the severest scrutiny, and limited to the absolute requirements of the public service; and our best exertions have been made, throughout the year, to effect a still further reduction. They have, I believe, been so far improved, that I am enabled to state that the year 1840, when completed, will be the year 1838 in somewhat reducing the amount, notwithstanding the continuance of our Indian embarrassments, and the necessity for a longer time to make all such efforts completely successful. The results of 1839 were so, to the gratifying extent of a reduction of more than seven millions below the expenditures even of the preceding year. Of these facts and results congress was informed at the last session, and you may judge for yourself whether their accuracy has been in any way impeached.

1837 of more than eleven millions and a half—since 1838, of more than ten millions."

The president is charged with the intention of proposing direct taxation, because, by the provisions of an act of congress, introduced as amendments to the original bill by opposition members, the marshals and their assistants are required, in the progress of taking the census, to collect certain statistical information, which congress thought might prove useful and instructive. It will be apparent, on the slightest examination, that no measure of taxation could be adopted on these proceedings, as the marshals and their assistants are not required or taken down by the marshals. It is scarcely necessary to say that the inference that such was the intention of the president, or of any member of his administration, is unfounded.

In the case of *Heardman v. Hoar*, of the navy, which has been repeatedly alluded to in order to prejudice Mr. Van Buren in the south, it is sufficient to say that this officer was convicted of causing persons to be flogged contrary to law, not on a *vergo* testimony, but on the uncontradicted testimony of respectable and unimpeachable naval witnesses; and that the president would not have done his duty, as the law now stands, if he had refused to confirm the proceedings of the court, because negro testimony depending on other charges had been introduced, and which was the opinion of the court. That colored persons should be allowed to testify at all times in southern ports is the fault of the laws; and Mr. Van Buren desired that an act might be passed that should expressly prevent the testimony of negroes in civil cases, on a par with that of whites, and on a par with that of whites, which was proposed in congress, and failed only by the opposition of the very men who now are so clamorous in their censure of the president.

Some honorable gentlemen who have partaken of the president's hospitality, have thought it decorous and proper in rising from the table, to denounce his style of entertaining them. They talk of his palace, the regal splendor of his furniture, and the magnificence of his dinners. The house, which is vastly inferior in size and appearance to the palaces and country mansions of individuals in other countries, was built by order of congress, under the direction of general Washington; and the furniture spoken of was imported by Mr. Monroe, "gift upon gift" and all, and it must be admitted that it is quite so magnificent in its appearance as it was twenty years ago. I have dined with every republican president since the time of the elder Adams, and can perceive no difference in their style of living and that of Mr. Van Buren, except that his is the most simple.

I have thought it proper to treat all these subjects of attack upon the president, because they are relied upon almost altogether by his opponents. The great question of public policy, the vital principles of government, and the important interests of the country are slightly touched upon or kept entirely out of view. All these questions, principles and interests, have been practically developed by the conduct of Mr. Van Buren, for the last three years, and his opinions and sentiments in relation to them have been frequently and frankly avowed. The peace of the country has been honorably maintained, and its rights firmly vindicated; the rights of the states, as we understand them at the south, inviolably preserved, and our peculiar interests inflexibly protected.

The vexed question of Mexican claims, which threatened to involve our country in a war with our sister republic, is in a fair way to be adjusted, and our citizens who have suffered in their commercial interests there, are likely soon to be indemnified for their losses.

The long protracted question of our northeastern boundary, which so seriously menaced the peace of the country, has by the wisdom, moderation, and sagacity of the president, been placed in a train to be amicably settled. The British commissioners appointed by the government of Great Britain to make an *ex parte* survey and examination of the disputed boundary, contained such novel and startling statements, that the president deemed it expedient to appoint a commission on our part to examine the same ground, in the confident expectation that a more deliberate survey will correct the errors into which the British commissioners have, as we have seen, been led by too much precipitation. In the mean time, the negotiation for the joint commission permanently to adjust the boundary is in continued progress, and will probably be concluded before the meeting of congress. To do justice to the conduct of the executive throughout the whole of this business, and to give the people a correct conception of this question with which, as we have seen, the close of the session of 1839. At that period congress so fully impressed with the idea that

war might grow out of the delicate and embarrassing situation in which the two nations were placed, that they voluntarily and unanimously condescended to the president in the means of meeting the danger, if it should arise; and as a consideration which has excited a remarkable courtesy upon the abuse lavished upon Mr. Van Buren by his opponents, in and out of congress. It may not be improper to state here, as an instance of the unfair charges made by the opponents of the government to deceive the people, that the sum of one million of dollars, appropriated on that occasion, to be used by the president in defence of the country, at his discretion, not one cent of which was expended or drawn from the treasury, is put down in some of the statements made, the object to swell the apparent amount of annual appropriations and expenditures.

The conduct of our foreign relations has, in all former practical contests, been a fruitful theme of invective against the existing administration. They affect the whole country, its interests and honor, and the nation is at all times most sensitive with regard to them. The president cannot spend a dollar without a previous appropriation by congress; but may, by a single act of indiscretion, involve the country in its foreign affairs, and involve the peace of the country; and although the last four years have presented difficulties in our foreign relations, seldom if ever surpassed, we yet see the extraordinary spectacle of a presidential campaign carried on by unprejudiced severity, without either side being attacked against the conduct of the executive in this most important and delicate of his official duties, and that in which he, more than in any other, acts by himself.

In this former conduct you must look for his false course in all that concerns the rights of the south and the rights of the states. Mr. Van Buren regarded the national bank not only as unconstitutional, but as a fearful political engine, calculated to subjugate the whole union to a money power, and to foreign influence—to subject the weaker to the stronger class, and to expose all interests to unequal taxation, without any corresponding benefit, and possessing the power by its control over the currency and the prices of commodities, to depress or to inflate their nominal value, and to injure or to benefit political interests, of the corporation might direct. Influenced by these considerations, he declared uncompromising hostility to the national bank, and has encountered its powerful hostility in return.

In another measure of still greater importance to the south, and involving the peace of the union, Mr. Van Buren is found with the state rights party. The desire at one time so prevalent at the north, to secure to one species of industry an equal advantage over others, was defeated by his eloquent appeal to the justice and good feeling of his countrymen at Albany; and from that period the sound basis of the democracy of the north has gradually overcome a system of speculation so destructive to the south, and without injury to honest industry in any quarter, converted a monopoly of individuals into a simple revenue tax, leaving in the pockets of the tax payers countless millions. For this course of policy, by which you have been so largely benefited, Mr. Van Buren has encountered the opposition of the numerous and wealthy monopolists who are interested in fastening upon the country a high protective tariff. Connected with this subject, and entirely dependent upon it, is that of the national improvement of the great river system. Without this access of absorbing the surplus revenues resulting from a high tariff, it must have been reduced, and Mr. Van Buren is entitled to your gratitude, for quitting with general Jackson in measures which put an end to the system, and led to the reduction of the high duties which bore so oppressively upon the industry of the south.

The efforts of Georgia to remove the Cherokees, had been aided by the preceding administration, and the evacuation of the north suited to oppose this favorite measure of general Jackson. Nothing that their enmity and activity could devise, was left undone, to fasten this population upon Georgia, Tennessee and Alabama. Embassies were sent among the Cherokees to urge their taking to Texas; and John Ross and his adherents were encouraged in their contumacy, and even foreign influence invoked to put down the state laws and postpone the policy of the administration. During the whole of the preceding administration, the struggle, Mr. Van Buren co-operated with general Jackson to free the south from this Indian population, while those who are now his opponents, felt it in 1842 a time to devote a measure so important to such a small tribe, and to such only twenty consanguine and in its administration.

The last in the progress of attacks to be apprehended by the weaker portion of the union, is that which strikes at the slave property of the south; and at the domestic security and peace of its citizens. Colonies are formed at leisure and abroad to render the labor on which its prosperity depends, not only valueless, but dangerous to the existence of society; to exclude its products from general use, and substitute those of India in their stead; and to breed a spirit of discontent among the negroes, and encourage their escape from their masters by laws enacted, and upheld in violation of express provisions of the constitution. In every stage of this destructive policy, Mr. Van Buren has used his personal and political influence to stay its progress, and at this moment he stands in the breach, to defend all the ancient enemies of the south, and by the new foes, who have arisen on every side, and who strike directly at its prosperity and peace; and the south be so utterly regardless of its own interests as to lend its aid to raise this party to power, and abandon the democracy of the north, who actuated by a proper respect for their constitutional obligations, have hitherto supported them against the abolitionists?

General Harrison's principles and intentions cannot be as easily known; but those of the friends that surround him, and of the party that sustain him, are well understood. He receives the support of the abolitionists, and of the friends of a national bank, of a high protective tariff, of extensive schemes of internal improvement, of the assumption of state debts, and of the distribution of the public lands among the states, which would prove the most powerful means of establishing and continuing a high tariff of duties. He therefore stands committed to a course which abhors the slave property, against which the democracy of the union have struggled so manfully, and thus far successfully. The elections, as far as they have gone, display a fearful combination of fanaticism and moneyed interest in favor of this candidate; and the south, if faithful to its interest, is exposed to have imposed upon it a consolidated government, by the mistaken policy of its own misguided sons, appropriating its vast means to promote measures and execute projects inimical to the principles and directly opposed to the interests of that portion.

J. R. POINSETT.

LETTER FROM THE BISHOP OF CHARLESTON.

The following letter is in answer to an invitation to deliver a discourse on the violation of col. Johnson to Detroit, on the 25th of September.

Charleston, S. C. Sept. 17, 1840.

GENTLEMEN: I was yesterday honored with your invitation of August 26, to meet the vice president of the United States on the 25th instant, at Detroit.

The compliment which you pay him is one of those political movements from which I have kept aloof, though I am free to confess my opinion is, that the administration of which he forms so conspicuous a part, are acted for the benefit of our union, and does not deserve the vituperation with which it is assailed.

It may perhaps tend to show the spirit of some of its opponents, when so humble an individual as I am, and for so many years a citizen, though I must confess to the crime of having been born in a distant land, and of having voluntarily come hither, dare not express this simple opinion without being denounced in unmeasured terms, and the persons who have taken this course, and who have taken notice of it if it be discovered that from any cause there shall be found a majority in favor of Mr. Van Buren in any district where Catholics are numerous.

I have suffered insult and oppression under the penal code against my religion in Ireland, and I came hither flattering myself with the expectation that there existed at least freedom of thought, and liberty for any citizen to express his opinions that the public officers of the union were not guilty of that mal-administration which has induced them to their competitors. I have more than once been convinced of my mistake; and if my religion and its professors are to be made the victims of my imagination that in our republic, Catholics, like other citizens, had liberty of political opinions, expression and action, I would far prefer being again in my former position, for the Orangemen of Ireland is more easily compared to the insolence of those who here insult us by their expressions of kindness and conciliation, whilst their lives are lived with extermination while we sleep to be their slaves.

I am aware, gentlemen, that they who are thus disposed in our regard, do not form the American people, but I know that they are numerous and active, and I should regret that the power to work

their will. They would indeed begin with the Catholics, but others would soon feel the effects of their success.

I take the liberty of sending you a couple of papers which will show the occasion of my remarks.

I have the honor to be, gentlemen, with great respect, your obedient humble servant,

JOHN, bishop of Charleston.

TO THE SOCIETY OF FRIENDS IN THE UNITED STATES.

From the New York Eclectic Post.

It is the object of a state or political society where liberty prevails, to make the people's will the ruling principle of government. It is the purpose of a state or a religious society to secure to its members obedience to the will of God. And it is the aim of classes of people connected by similarity of circumstances, to aim at the temporal aggrandizement of their own order.

In every country, the principles of the state, the sect and the class—or the politics, religion and vocation of men, exert an influence on one another, and determine the general course of opinion. At all times some of these elements are in conflict, and it is generally where two of the most powerful are in opposition, that the contest for mastery, one over the other, that revolutions result.

Perhaps the most prominent classes which have been strayed against each other in modern or in any times, have been those of capital and labor, of persons and property.

In all the civilized governments of Europe, and of old, no political power was conceded to persons without property. And it was, as remarked in 1837, that the people of our country, the people of William Penn and his followers, to be the first of all the world to recognise the right of the person without property to be a citizen or a voter. In all the other colonial charters and state constitutions of the United States, the property qualification was required for electors and officers. Since then many of the states have abolished it, but several still retain that feature. It was from the state and colony of Pennsylvania that the framers of the federal constitution borrowed the present and practice of universal suffrage; and its primitive establishment in Pennsylvania was the effect not only of the peculiar tenets, but the very genius of the Quaker religion.

The evil of idleness, and the love of money, have long been topics of discourse with moralists and ministers. But the "Friends" reduced theory to practice, and cut off by their discipline the very objects of avarice. They expressly prohibit superfluity of apparel, of food, of furniture, and of habitation, and by thus rendering superfluous wealth useless, destroyed all motive for its accumulation. But William Penn and his brother colonists very naturally considered that if property were made indispensable to political privilege and honor, a very strong stimulus of avarice would still remain. They therefore wisely and religiously cut the connection between avarice and ambition. They divested mammon of the dignity of its robes of office, and left him to remain among men, as well as among the fallen angels, "the least erect of all the spirits that fell." How well have the conclusions of philosophy and the history of twenty centuries verified the holy oracle, "that the love of money is the root of all evil." Mammon has been the favorite of the pope, the prince, the king, the noble, the monarch, rather than Belial, prouder than Lucifer, nay, all the other vices seem at least to be rendering homage to avarice. Ambition, vanity and appetite, have all become its parasites. William Penn and his associates disapproved of all dangers out of the temple of liberty, as their great exemplar did out of the temple of religion. And by the constitution of the union and most of the states, avarice is no longer recognized as a constitutional, much less the supreme principle of government.

But although excluded from the constitution, the money power has been received into the legislature of the country. Money holders have been associated by law, endowed with protected continuity of estate, and surrounded with privileges and immunities. They have been authorized in contract debts, without being bound to the extent of their property to pay them, or subject to imprisonment for refusing. And they have the exclusive privilege of supplying the paper currency of the country, amounting commonly to about one hundred and forty millions, which is a standing loan from the people to them of that amount without interest, and with its attendant advantages is more than equal to the interest on all the loans of the United States. The banking capital of the union is nominally three

hundred and forty millions of dollars, and is held by less than two hundred thousand men, the most of it probably by about fifty thousand, many of whom are aliens and foreigners. These men, with this money, have been erected by legislative authority into a privileged order, with control over the currency, credit, commerce, property and labor of the republic. They lend four hundred and fifty millions of dollars, and have the power to establish or overthrow the fortunes of individuals, of classes, and sections of the country.

This is a power as great or greater than any privileged order has ever yet possessed under any government. This is a power which exceeds the aggregate of all the powers conferred by the people through the constitution on all their public agents who administer the government. This is a power able to govern or overthrow any government. This is a sovereign power. Let us consider how it has been exercised.

The leading and lauded maxim of the banker is to give facility to the business of the country; that is to give credit to commerce. This is the avowed principle, and standing basis of banking. It is the acknowledged maxim of the banker, and, indeed, its utility has not, that I know, been denied. But I now deny it. And I assert that commerce neither needs nor merits more credit or political favor than agriculture or manufactures. Commerce—and as it is in fact more fashionable and attractive, it requires less extraneous aid than either. Why then should three hundred and forty millions of capital be collected into masses, gifted with the power of multiplying themselves, and thus increasing the vicissitudes of mortality and of fortune, placed beyond the natural laws of our being and the obligations of civil society, with all attendant and resulting powers for the purpose of affording facilities

It is felt that commerce has no paramount claims over agriculture or manufactures, but is rather less entitled to public favor than either, how absurd must the policy appear of conferring that favor at their expense? And this is the very evil of our present banking system. Government lavishes its bounty upon the mercantile class, and the common circulation of the country. Every man, therefore who holds banking capital, realises his interests, not only on the stock he subscribed, but on about one-third of the amount more from circulation. The consequence is, and has been, that capital flows to agriculture and manufactures, with which no bounty is conferred by government, to go into banking and commerce.—Thus in the accumulation of the two most useful branches of our industry drawn off, to be wasted on the other. I say to be wasted. For as has been already remarked, the capital thus absorbed is fastidiously hoarded up, and the hard work of the farmer and artisan, and always scarce without government aid its full proportion of capital, the talent and population of the community. Nay, so seductive has been vocation to all who wish to evade the course of earning their bread by the sweat of their brow, that the competition and emulation of skill and skillful mercantile life is usually too great—is suicidal—in wasteful of mental and monetary energy. The addition of enormous credit and favor aggraves the morbid inflammatory action of mercantile pursuits, and brings to management and disorganization in the country, such as we have constantly beheld since our system was adopted.

It cannot be ascribed with reason, that the accumulation of credit in commerce, is the salutary and appropriate mode of applying it to agriculture and manufactures. That would be to reverse their actual and recognized order. Commerce is acknowledged to be the source of credit, and it is not this which would subject them to her, nor can it be maintained that our present system is equally favorable in its direct dispositions of credit to all in proportion to their wants. We have seen the importations of the country which directly result from mercantile operations, which constitute the basis of the progress of our banking system. Precisely at the moment when our bank circulation was the highest, our excess of imports was the highest—being sixty millions beyond the exports—the highest excess known for a long period; and in fact the excess of our imports was about three times our circulation.

It will not avail to contend that this was abuse and overaction of the banking system. It was overaction, and it is by overaction in all cases that the specific effect and tendency of all principles are tested. There was no overaction on agriculture; it is confessed—not was there any on manufactures; the present depression of those interests results from the mercantile revolution—not their own excesses.

And this nation, with the system is not accidental and casual, but uniform and inevitable. Banks must be in cities where commerce is carried on, and money must chiefly be in the hands of merchants, although the aggregate property of that class is not near so great as the farmers'. Except in the large cities, the merchants from their location and vocation must have control of the banks. And thus the welfare of the commonwealth is dependent on the will, the reason, and the fortunes of a few men, a small number of citizens, not selected for that purpose by the people, but left for the trust by any natural or conventional presumptions of virtue, talent, interest or sentiment beyond an equal number of the rest of the citizens. And this great power has been conferred by the people on a few individuals, and they have the privilege of a credit circulation. This money power of the country, thus created stronger than the political power, is given to those only who have a property qualification—to the man who can pay for the stock, and in a proportion to the amount of the stock owned. The government of the government of the country is now, therefore, no longer a government of persons as the constitution prescribes, but of property—not of men out of money. We have gone back, therefore, and are going back to the original position, and are now violating the fundamental declaration in our bills of rights. We have abrogated the doctrine of Wm. Penn. And not simply the political principle which he established, but a most important religious principle, vigorously enforced by the Quakers, and universally acknowledged by all the sects and moralists.

In our country, the merchants engaged in the import trade, comprehend, the greater part for wealth and number of all the vocations. And our import trade comprehends nearly all the luxuries and superfluities we use. The Quakers as a sect, and as individuals are opposed to the use of all these, as being too constant precepts and examples against them. But the Quakers are not the only aid in continuing not only the approbation of surplus capital and the whole credit of one hundred millions of circulation, but the credit and revenue of government, to a class, to be chiefly devoted to that trade—consolidating the surplus capital of the country, and the credit of one hundred millions of credit currency, with all the fiscal power of government, to promote the expansion of that business which is most flourishing when it carries the gratifications of vanity, of pride and of appetite to the cable doors the frontiers, and supplies them with the luxuries and superfluities of the people and their habits, are depraved at the expense of frequent revolutions and embarrassments, at the expense of additional toil and slavery, at the expense of nobler and holier purposes of human life, that must be sacrificed to sustain increased expense, extravagance and display in the republics. The Quakers are both industrious and antislavery, but cities of manners were deemed so essential to liberty as to be enforced by sumptuary laws. But in our Christian democracy, the mightiest powers of government are applied to the conservation and corruption of the present power of the ruling principle of political philosophy that virtue is the ruling principle of republics. In ours we have exalted avarice and vanity to the extreme away.

These considerations are of enough moment and magnitude to secure at least a serious attention to the principles of the great controversy now going on.

It is contended that the constitutional treasury law confers on the president the power of the purse, by giving him the custody of the public money.—Well, who ought to have it, then? Congress. But congress is not always in session, and who will keep the money then? The president. Congress is not an agent of congress more worthy of such a trust than the elect of three millions of voters? Besides, when congress is in session, some man must keep the keys of the treasury. Will he be ready to give the bank money, will he be ready to suspend the bank's suspensions, that they will always be ready to suspend their faith to the government to their interests? Political ambition may violate such a trust in our hands, but it will not in the hands of the president, and speculation have repeatedly done so—that is fact and history. But the objections made to the president's custody of the public moneys are insurmountable. The public deposits were removable by the president, and the president was not removable by the United States bank as well as the late state bank deposit law, and he holds his office at the will of the president. No party objected to the provision for prosperity, if not necessarily, was obvi-
ous to all.

I will not discuss the objection that the sub-treasury bill provides one currency for the people, another for government. Its absurdity is plain to every man of reason.

It is now almost four years since the banks possessed, in addition to their circulation and other privileges, the use of the public depositories of the U. States, and their paper was receivable in payment of public dues. By their infidelity to their duties to both government and the people, the connection between them and the general government has been dissolved. And, according to the independent treasury law, lately passed, the public money remains in the hands of collectors and receivers until paid out on appropriations of law.

The great contest now going on is to determine whether this separation of government from bank is to continue. The banks wish to repossess the public deposits. The merchants desire either that they should be restored to the local banks, or placed in a central bank, so that they may have the power to secure the use of the money. Is this the duty of the people? Is it the duty of a plain and frugal society to apply the additional stimulus of public money and public credit to the traffic of the vices; to promote designs of avarice and vanity, and to encourage the luxury of the few at the expense of the laborers, in domestic expenditure; and the support of Fashions, and the extravagance of the idle? Are not the hundred millions of credit in circulation now devoted in that manner, enough? Are not the effects sufficiently striking and instructive? No evil is more glaring than the sudden increase, in the last year, of domestic expenditure; and the support of Fashions, and the extravagance of the idle, in enforcing the regulations of its discipline amongst its members, on this subject. Costly and fashionable dresses and furniture, dwelling, and diet, have prevailed to an alarming extent amongst them; and the luxury of the few has been the cause of the seriously and secretly increasing poverty of the many. If the progress of this evil among themselves, they are allowed on to support politically a system of fiscal management that lends their own money and credit to its citizens to promote the purchase and sale, to encourage the luxury of the few, and the poverty and luxury amongst us. We have seen how deeply they resist the insidious progress of vice, with all the array of reason and religion. How can further opposition avail, when the political wisdom of the land has deliberately apply the aggregated industry of the whole country, collected by taxation, to increase the vice.

But it is contended that by increasing our proportion of metallic circulation, the prices of property and labor will fall. This idea is contrary to fact and to reason. Cuba has a currency purely metallic, and in no country are the prices higher. Texas has now the most exclusive paper currency; do laborers get better employment—do our products find a better market there than elsewhere? We all know that is not the case. There certainly are the principal causes of our money system, and the larger the proportion of specie would render it more stable and uniform. As for the regulation of the Bank of the United States, nothing could be more uncertain—the late bank was as irregular, almost, as any local bank; a new one must be governed either by the political power or the money power, of the country. The engine of party is the engine of party, with all its violence and viciousness. In both it is the creature of avarice and speculation, with all its depravity and revolution.

An expanded paper system, therefore, whether under the control of state or federal banks, is detrimental alike to the property, morals and liberty of the land. Frequent expansions and suspensions render the multiplication and violation of engagements habitual, and lend the sanction of custom to bad faith. The sanctity of truth itself, the great fundamental principle of society and religion, is invaded by the very position of the country as regards so fraudfully etc. This downward course accelerated when the paper system acquires control over the government, and stimulates its fiscal action, Tariff and internal improvement laws, which take the money of the country from industry, to be appropriated by power, and create a mighty current of money towards the treasury, from which it never returns, leaving the pockets left, all tend to the consolation of the idle, the encouragement of idleness, to corrupt, to enslave the body, to blight, to curdle, to corrupt, to enslave the soul, to madden the minds, the spirits, and persons of the people.

The society of Friends are solemnly bound, at this crisis, to assert, though the ballot box, the purity of their political principles, and protect themselves and their property, as well as their fellow citizens, from the triumph of a system of government against which they were led by William Penn, with a glory which has never been equaled by the sons of liberty, on our noblest battle field.

ROBERT BARCLAY.

CHRONICLE.

AMERICAN ANTIQUITIES. At a large meeting of the society of northern antiquaries at Copenhagen, a communication was read from Dr. Lund, now in the Brazil, respecting a very old large city, the buildings of which are of heavy stone, lately discovered in the vicinity of Bahia. Professor Schuk inferred from the attached specimens of inscriptions, that the city was founded by the Spaniards, during their residence in or occupation of the place. The signification of a figure, erected on an immense pillar, which stretches out its right arm and points with the forefinger to the north pole, appears to be singularly remarkable.

ARIZONA ELECTION. There is no opposition to Yell, (V. B.) for governor. For the congressmen we have returns from only 3 counties, which show an aggregate wing gain of 132, since the election of 1838, viz.

Congress, 1840.	Congress, 1838.
Coun. Forster, (W. J.)	Coun. (V. B.)
Phillips, 264	W. F. 170
St. Francis, 123	332
Crittenden, 45 maj.	81

435	619	306	693
425	434	306	317

Van Buren maj. now, 1840.

The vote in St. Francis county, is taken from the Globe. Other papers state Cross' majority at only 109, which, if correct, would make the big gain in the 3 counties 232. Mr. Cross' majority in the state in 1838, was 317.

ARMY. Troops for Florida.—The New York Commercial Advertiser states that two hundred and twenty-two recruits for the 3d infantry, under the command of lieut. J. Van Hurne, 3d infantry, were embarked on Monday on board the ship General Parkhill, for Pensacola, Florida, via Savannah. Lieut. Stephen, 3d infantry, lieut. Sturges, and Lieut. 7th infantry, and lieut. Longeneck, 8th infantry, were attached to the command.

BALTIMORE AND OHIO RAIL ROAD. A dividend has been declared of \$1 per share, and a dividend of 4 per cent. on the Washington branch.

BAYBOR. the population of is—white males 4,170; females, 4,332; colored males, 36; females, 45—total 8,611. The census of 1830 was 2,968; 1836, 7,497; and 1837, 9,534.

COTTON. At New Orleans, but few sales at the last quotations—holders are waiting for later news.

At Mobile 71 to 101 for old and new. The new crop thus far is uniform, and classes as strictly fair: 77½ bales arrived on the 21st inst.

From the second to the tenth of this month, there were received at New Orleans 15,777 bales of cotton, making that time 6,572 bales shipped to Liverpool, Havana and to different ports in the U. S. The whole stock on hand, not cleared on the 9th inst. was 29,521 bales.

The exports of cotton from New Orleans to Boston, during the last season, exceeded the exports to New York during the same period, in the ratio of 52,970 bales to 42,529 bales—being in value in the ratio of \$2,130,000 to \$1,850,000; being \$400,000 in favor of Boston, although the previous year we find the exports of cotton to New York exceed those to Boston by 12,013 bales or \$450,000.

DEATHS during the last week, in Baltimore 26 males, 20 females, of which 6 were colored, all free, and 1 died under 1 year of age.

EMIGRATION. It is stated in a recent French paper, that at the port of Bremen, Germans are constantly arriving from all parts of their country, to take passage for North America. The number of these emigrants is every day increasing; it last year amounted to nearly 120,000 persons, and this year, of which we have not yet reported, it has already reached 17,000. In consequence of this, the ship builders are constantly employed in building vessels capable of carrying a great many passengers, and vessels of this kind are hardly launched, before all the places for passengers are secured.

FLOUR at Baltimore for Genesee \$1 95 94; at Philadelphia, dull at 85; at Baltimore prices remain stationary at our last quotations. Inspections of last week 12 223 bbls. 806 half bbls. Sales were made of about 2,000 bbls. at about 85, but prices declined during the week; receiving prices may be quoted at 84½; at Georgetown, 84½; at Mobile, 86½ to 86; for western, 66½ for Baltimore; at New Orleans 81 and declining.

The New York Express of the 21st says: "The last arrivals from Europe have put an efficient check to shipments of both wheat and flour. The duty has advanced so high, that no more will go forward, until some change of price takes place."

GEORGIA RETURNS. Returns are received from all the counties except one, (Haller) and report states that it has given a U. S. majority of 40. This would have a wing majority on the congressional ticket of 3,990. The Legislature stands as follows:

Whigs.	V. B.
Seale, 41	41
House, 119	83
116	132

Whig majority on joint ballot 31, and a tie for a senator in vote, and two ties for representatives at Madison and Bullock counties.

GLOUCESTER, MASS. Population 3,399, there are 27 revolutionary pensioners; 61 persons between 60 and 70 years of age, of whom 45 are females—between 70 and 80, of whom 42 are females—between 80 and 90, of whom 16 are females; and 2 females between 90 and 100.

HERVEY COUNTY, VA. Population, free white males 3,000; females 2,931; free colored males 493, female 620; male slaves 3,187; females, 2,571. Total of whites 6,182; free colored 1,012; slaves 5,738; grand total 12,923.

IRON TRADE. It is stated by an English paper, that in consequence of the increase of the demand for U. S. States for rail road iron, there had been an advance of ten per cent. in the price of the article, made by the Staffordshire and the Iron trade. Orders had been given, in one week, to the enormous amount of 25,000 tons.

LEATHER. Massachusetts and Maine, manufacture leather, in value, exceeding \$14,000,000.

LONDON. The population of London is 1,621,661—Liverpool numbers 168,178; Leeds, 82,131; Sheffield, 71,729; and Birmingham 146,996.

MERRETT ALBY was born at Cavalla in 1769, and is now consequently 71 years of age.

METHODISTS IN CANADA. The Toronto Patriot states, it is rumored that the rev. Egerton Ryer is to be elevated to the rank of bishop, by the American Episcopal Methodist society.

MOBILE. The population of Mobile, as shown by the census taken in 1830, was 5,617, of whom females 2,616, free colored males 230, free colored females 230, male slaves 1,979, female slaves 1,075, making a grand total, including white and black, of 12,700. There are five academies and grammar schools, with 191 pupils. There are eight primary and common schools, with 115 pupils. The number of pupils at public charge are 206, number of white persons over 20 years of age who cannot read, 200.

MONEY MARKET.—New York. Within the last six days, says the N. Y. Herald of Wednesday, exchange on France has fallen, so as to render specie the best resource for the country. The balance of trade has been against us, and \$400,000 in gold has been shipped by the Havre packets, while \$600,000 have arrived here from the West Indies and South America, and \$300,000 in gold from England. The balance in favor of our country has been about \$100,000. The exchange on France has been about one-half of what it was in favor of France and against England—that is, the premium on French bills in London is about 20 per cent. above the par, and the same is the case with the exchange on France has been about one-half of what it was in favor of shipping coin from this side. And this operation is but temporary in regard to France, and is of no great importance as long as the influx of the precious metals, from other quarters, exceeds the demand from that quarter.

From the same source we take the following official details of the import and export of gold and silver coins for a series of years, with the average import and export of metal since 1824; and also the annexed result.

Imports and exports of gold and silver coins from 1825 to 1840.

	Silver coin.		Gold coin.	
	Import.	Export.	Import.	Export.
1825	\$5,222,661	8,470,524	374,257	316,672
1826	5,740,129	3,423,295	562,518	434,555
1827	6,618,007	5,139,155	1,019,295	880,304
1828	6,216,438	6,565,804	723,570	928,344
1829	7,409,429	3,126,941	706,028	935,102
1830	6,285,475	2,121,555	765,478	474,876
1831	6,677,433	5,531,520	765,388	629,365
1832	4,484,107	3,331,417	614,658	630,850
1833	6,104,676	1,722,196	563,535	495,890
1834	6,285,475	1,352,822	723,570	928,344
1835	10,040,965	1,422,498	1,866,738	625,679
1836	5,870,699	3,624,196	2,518,725	275,910
1837	7,409,390	2,736,914	1,895,264	1,528,633
1838	6,069,390	2,292,242	1,414,139	740,383
1839	2,091,915	3,969,035	1,065,040	2,543,665
Av. fr.	7,238,981	3,191,243	1,146,410	1,025,364

"This table presents the fact that the yearly import of silver coin has exceeded the export nearly 5,000,000 dollars, while that of gold coin has been but \$2,000,000; and that the amount of \$8,000,000 in gold, in 1839, in favor of silver. There are, however, other factors connected with the import of gold, of which \$10,000,000 has been a forced import, in accordance with the regular movement of trade. Soon after the passage of the gold bill, the president ordered home the proceeds of the French and Pennsylvania treaties to the amount of \$8,000,000 in gold, at the same time the United States bank borrowed 1,200,000 in London, which was brought home in gold; and in consequence of a forced report of gold, a large sum made by some brokers in Wall street, on a speculation. If these recollections had not been forced in gold, it is highly probable that one half, or 80,000,000 would have been imported in silver, which would have reduced the amount to one-fourth that of silver."

"The event of a war in Europe will increase the value of gold, that being more in demand than silver,

because for military purposes it is more portable, and as gold is standard in England, it will undoubtedly by create a scarcity of money; but not so in France, as silver is the standard there. In this country, both gold and silver are the standards, and if the price of gold rises, it must be paid for in goods at low prices, and will be as profitable an article of export as cotton at high prices, or any other produce. At this moment, when Europe scarcely any other, and to drain the metals, claims must be presented against the country. Under these circumstances, to import gold into Europe from this country, a large amount of commodities must be given in exchange, and a loss of amount received hereafter, on its export. The operation, therefore, cannot be profitable, and is no cause for alarm."

THE MUSICAL FESTIVAL at Birmingham last month, produced \$12,000—say \$67,000.

NEW BRUNSWICK, N. J. Population in that part of the city which lies south of Albany street, in North Brunswick township, there are white males 1,663; white females, 1,953; male slaves 3,566; female slaves 194; total, 3,777.

In that part of the city which lies north of Albany street, in Franklin township, there are white males 646; white females 674; black males 123; black females 112. Total, 1,657. Making in all, 5,434.

NEWSPAPERS. The number published in Mexico is fifteen, all of a very small size. The price 25 to 30 p. per annum.

PETERBURG TRADE. There have been 35 arrivals, and 25 departures of steamers since the 1st of January, and this day in the channel is reported at 2 feet, 6 inches. [Fitt. American of the 12th.

REMNON, VA. The population of 6,433 white males; 5,283 white females; 550 free colored males; 1,968 free colored females; 1,953 male slaves; 3,566 female slaves. Total, 10,719; white, 9,434 colored. Grand total 20,152.

RUSSIA. The population of Russia in 1838, was 35,377,200—including the army and navy, the wandering tribes, Poland and Finland, the number of inhabitants is 62,500,000.

SAR CAROLINA ELECTION. Thomas D. Saurer, (whig), is elected in the Kershaw district.

STEAMBOATS. The boiler of the Galderace, exploded as she was about to leave Toronto, on the 13th instant—two men seriously scalded.

Iron steamboats. The experiment made by the projector of the Valley Forge, was so satisfactory that another iron boat was launched at Louisville on the 9th inst.

The steamer Brilliant, with upwards of 1,000 bales of cotton, a few days since ran against a snag in the Mississippi, and sunk, having but her cabin above water. So few were lost, but the boat and cargo are recovered almost at a total loss.

STOCKS. The report that arrangements had been effected by the United States bank of Pennsylvania, which would enable that institution to resume specie payments, on or before the 16th of January next, occasioned the price of its stock to advance on the 16th instant, 31 per cent. in New York, say from 63½ to 66½; it has subsided again, however, to 61½ at present.

TEMPERANCE. Forty-one keepers of places where spirituous liquors were sold, in Cincinnati, signed a pledge not to keep their bars open on the day of election.

Nearly a fourth part of the revenue of Russia is derived from the sale of spirits, it being a government monopoly. It is computed that \$2 million gallons of brandy alone are drunk by the peasantry of that empire.

TOBACCO. has been in brisk demand at Baltimore during the week, at former prices, say from 4 to 86 for common; and 87 to 104 for No 1 to 113.

Tobacco inspections at Virginia, for the year ending 30th September, 1840.

	lbs.	In warehouses.
Richmond, passed and refused,	20,735	10,750 bbls.
Yorkburg, " "	14,123	996
Lynchburg, " "	13,613	1,779 "
Farmville, " "	4,552	142 "
Richmond, " "	2,710	97 "
Danville, " "	927	75 "
Albion, " "	821	30 "
Tyler, " "	500	95 "
Warrenton, " "	301	16 "
Union, " "	100	16 "

Total, 55,934 12,829 bbls. [Complur.

WEATHER. The Quebec Gazette of the 12th says: The first frost in this vicinity, materially affecting cultivated plants, was observed on the mornings of the 9th and 10th inst.

WHEAT. Prices remain without a material variation, but the last European news has lowered the demand considerably.

At Baltimore, 90 to 91 00 for Maryland red—Pennsylvania 91 to 91 00 for 1840 and 91 00 for 1841. No quotations above these sums—but diminish from these according to the convenience of getting to market.

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Neither the preliminary nor final examination of the seventeen officers arrested in words more than a slight notice. The answer of two of the principals, on the first day of the trial, betrayed so ferocious a spirit that, better advised, they explained and retracted the next; pretending that "the emotion which they felt at the sight of so imposing an assembly as the court, changed their ideas and language." The establishment of the paper called *Le Capitole* with the money and for the ends of Louis, made part of the testimony, and one of the prisoners related that he was attached to the paper "solely for the purpose of writing on the eastern question." His task was to sound the alarm, to excite the French nation to furious war with England, the residence of the prince.

On the 30th, the pleadings of counsel being expected—the diplomatic box and the galleries were filled. The attorney general addressed the court at length, with this sufficient exordium:

"After what has taken place here, you will permit me to observe that I have very little to do. Neither the conduct, nor the justice and the projects of the prisoners have been denied. Every thing has been avowed, every thing acknowledged. Proclamations, calling for the overthrow of the government, have been distributed; orders and decrees have been published. They cannot be denied. As to the acts of the prisoners, they have been proved."

He recapitulated the evidence, and dwelt upon the contemptible nature and weakness of the means employed; on the preposterous ambition and puerile conduct of the prince, and the general feeling of the country against his pretensions and measures. Berryer, the renowned champion of Bourbon legitimacy, the ablest of French rhetoricians, followed the public prosecutor, with his characteristic skill in reference to a French audience and public, and a choice of political topics and of declamatory illustration that agitated the peers to the end of the sitting, five o'clock. He contended for the legitimacy of the Bonaparte family on the principles and acknowledgments of the present government. His main aim was to produce the impression that there could be no other genuine, or efficient, or salutary legitimacy for France, than that of the elder branch of the Bourbons, to whose cause he is confessedly devoted. To excite the new excitement and attempt of Napoleon Louis, he explained in the laziest manner, the topics of the translation of Napoleon's remains, and the London quadruple treaty of the 14th July last. This passage of the harangue is so remarkable, historically as well as rhetorically, that I offer it to you in the original, adding Galignani's imperfect abridgement and my own conclusion:

[Galignani's abridgement.]

"The present ministry was formed at a time when great political questions were agitated. This ministry blamed the timidity of its predecessors; the nation was growing under the influence of the concessions made to foreign powers. It accused the government of the loss of the influence of France in Spain, and of having left that country under the influence of England. What did the ministry do? It invoked the memory of him who carried his sword from the extremity of Portugal to the banks of the Baltic; it has opened the tomb of the hero; it has touched his formidable arms, and has extended its hand to deposit them on his tomb. This is what the ministry has done. You are now going to judge the prince without taking into account the feelings which such appeals have revived in his breast. Be men, gentlemen, and judge as men; and, before you judge, remember what has been done under a prince who once asked as a favor to be permitted to fight against the emperor [Napoleon]. Under this prince, gentlemen, a minister has said that Napoleon was the legitimate sovereign of the country. What! after having heard these words—this appeal to the great name which he bears—to the glory which he has won, the emperor (could he) say you have his heart dead to feeling, and could you expect that this ardent young man would not cry, 'I will carry this great name to the frontiers to avenge France, and carry into neighboring states the terror of our name!' The emperor (could he) say I am mine; these arms were bequeathed to me by the warrior; no other than myself shall place them on the tomb of the warrior. I will go. I will lead the funeral procession, and I will say to France, 'you will hear me.' [Great sensation.] Be courageous enough to hear the truth. If the act which the government calls upon you to condemn be a crime, it was the government which inspired it by the principles which it has proclaimed, by the acts which it has gloried in. If he said that success is the basis of moral law, listen to me. I would tell you to say—'you whom we know—whether, if he had triumphed, you would have denied his rights, and refused to associate yourself with his power?' [Profound sensation.] Judges and legislators, you respect the

law, well, then, open the code, and what do you see there? Death! death for the offense you have committed! Death! oh, no, you will not pronounce that verdict, you cannot. You cannot, at the same time, attach the name of Napoleon to a glorious tomb, and upon the scaffold! You will, then, pronounce a political verdict, and will reason and weigh the mind of the judge and decide his conduct. That would not be indulgence. You can pronounce another punishment—perpetual imprisonment, for instance. A punishment of infamy! [Sensation]—a sentence of infamy upon the name of Napoleon! [Sensation.] Oh, no, you cannot. You will not forget you are men; and you will remember that France, which has its eyes upon you, desires, above all things, respect for its feelings. You pronounce an infamous punishment against the nephew of the man to whom you owe every thing. You turn against the family of your benefactor, for benefits which he conferred upon you! Marshals, dukes, barons, who made you what you are! You will say, your exploits, your services. Be it so; but it is to the magnanimity of the empire, and its liberty alone, that you owe, nearly all of you, the right of sitting in this assembly. [Great agitation.] Gentlemen, you have to pronounce on a question which is purely political; you are not judges, you are politicians. You will then send the accused again into exile; exile in the position which the law has created for him. Let the law be executed, and his exile recommence. Any other condemnation would be natural in presence of the obligations which are imposed upon you, and above all, with the reminiscence of your own lives."

NATIONAL AFFAIRS.

APPOINTMENT BY THE PRESIDENT. S. H. Page, assistant commissioner for the revenue for the port of Pontchartrain in the state of Louisiana, vice Benjamin Jones Sloan, deceased.

THE PRESIDENTIAL ELECTION. The present presidential term expires on the 3d of March next. The election of the 29th electors, to whom the people of this union entrust the choice of their chief and second executive officers, whose duties and authority will commence or be renewed on the 4th of March next, began yesterday, on which day Pennsylvania electors met at 10 o'clock, and the contest—Of course we have not yet heard the result.

If there ever was any expectation that the body of electors should exercise a latitude of discretion in the selection of president and vice president, the electors of the 29th electors, to whom the people of this union entrust the choice of their chief and second executive officers, whose duties and authority will commence or be renewed on the 4th of March next, began yesterday, on which day Pennsylvania electors met at 10 o'clock, and the contest—Of course we have not yet heard the result. If there ever was any expectation that the body of electors should exercise a latitude of discretion in the selection of president and vice president, the electors of the 29th electors, to whom the people of this union entrust the choice of their chief and second executive officers, whose duties and authority will commence or be renewed on the 4th of March next, began yesterday, on which day Pennsylvania electors met at 10 o'clock, and the contest—Of course we have not yet heard the result.

It is less than two weeks from this date, as will be seen from the following table, the whole of the electors (except those of South Carolina) will have assembled, and the electors will be called upon to perform the duties of their appointment. It is less than two weeks from this date, as will be seen from the following table, the whole of the electors (except those of South Carolina) will have assembled, and the electors will be called upon to perform the duties of their appointment. It is less than two weeks from this date, as will be seen from the following table, the whole of the electors (except those of South Carolina) will have assembled, and the electors will be called upon to perform the duties of their appointment.

The following schedule shows the date of the presidential elections in the different states, with the number of electors to which each state is entitled.

States.	Date of election.	No. of electors.
Pennsylvania,	October 30	30
Ohio,	" 31	23
Connecticut,	November 2	8
Rhode Island,	" 2	4
Maine,	" 2	7
New Hampshire,	" 2	7
Massachusetts,	" 2	11
Maryland,	" 2	10
Missouri,	" 2	4
Illinois,	" 2	6
Arkansas,	" 2	3
Georgia,	" 2	9
Florida,	" 2	3
Kentucky,	" 2	15
Michigan,	" 2 and 3	4
New York,	" 2 and 4	32
Louisiana,	" 3	15
Texas,	" 3	15
New Jersey,	" 3 and 4	8
Mississippi,	" 3 and 4	4
Massachusetts,	" 9	14
Alabama,	" 9	7
Texas,	" 10	10
Delaware,	" 10	3
North Carolina,	" 12	15
S. Carolina, after 23d,	by the legislature	11

Total, 294

Equal to the number of senators and representatives in congress to which the several states are entitled. All are elected by general ticket, except eleven in South Carolina.

In New York city, Brooklyn and Williamsburgh, the election commences and ends on the 4th. In the rest of the state it commences on the 2d and continues three days.

In New York, Massachusetts, Delaware and Mississippi, the state elections are held simultaneously with those for federal electors. Also, in New Haven district, Connecticut, a member of the present congress is to be elected in place of Judge Storrs, resigned.

TRADE AND COMMERCE.

Island trade with Mexico. Some account of the state of Chihuahua, one of the interior departments of Mexico, was recently communicated in a letter from a merchant of that country published in the *Washington Globe*. Chihuahua is rich in silver mines. During a period of four years, from 1827 to 1832, a single mine situated on the great chain of mountains to the east of the city of Chihuahua produced more than eleven millions of dollars in silver. But this was a rare product. At present from two to three and a half millions are obtained annually from the mines of this district, the greater portions of them being paralyzed on account of the very high price of quicksilver. A large proportion of the precious metal thus yielded is shipped from the ports of Matatlan and Guaymas, on the Pacific ocean, in exchange for goods brought from England; the rest is exported by the way of Matamoros or some other port on the Gulf of Mexico.

There are six chief mining towns in the department of Chihuahua, in which there are upwards of four hundred shafts of mines; the few that are now worked employ from 12,000 to 15,000 workmen. Their duration is said to be incalculable, and as the country is explored more and more, new mines are discovered. It is the opinion of the writer that the application of steam power to the working of the mines would greatly facilitate operations and render the business more profitable. The system of large companies, it is thought, would also be an important improvement in the mode of conducting the business at present, the mines are mostly in the hands of men of limited means who are not able to undertake a large system of arrangements.

With regard to the trade of that region some useful information is given, going to show that by an inter-reliance from the state of Arkansas to Chihuahua, the mining districts of that department might be better supplied with goods than from the ports of the Pacific. The annual consumption of Chihuahua does not fall short of three millions; the supplies come mostly from England, although the nearest seaport on the Pacific is six hundred miles distant, and the transportation is over a difficult country. The writer gives an account of an expedition which he undertook with two other merchants in April, 1839, with a caravan of five hundred men, and a train of mules, from Chihuahua to the frontier of Arkansas. He says:

"Without any track whatever, and trusting solely to chart and compass, with which we were provided, we expected to encounter some obstacles to the

passage of carriages, and were prepared with iron instruments for the purpose of removing them.—We feared that we should meet with water only at great distances and that we and our animals would suffer greatly from thirst. What was our surprise, however, and with what pleasure did we see the road level, firm and covered with pasture, with streams at distances of two, three and four miles, and regularly supplied with fountains.—Thus, air, our new route is the best and shortest that we could desire between the two countries.—We traveled generally from one water course to another, where we passed the night, apprehending that we might not meet another at a suitable distance. The greater part of our stages were from 10 to miles, and a few of 15. Accordingly we observed that from Chihuahua to where we reached Reel, about 50 miles on the other side of Fort Coffee, cannot exceed six hundred miles, and, consequently, eight hundred miles to Fort Smith or Vao Buren, on the Arkansas. If the government of the United States would grant the drawback on the merchandise which is exported by the new route, I have no doubt that the whole commerce of Chihuahua, in all its extension, would be made through that part of the United States; because they might be incorporated as far as Fort del Norte (a place of entry) in 40 or 45 days in wagons, at less expense than from Matamoros and from the ports of the Gulf of California on mules. However, I am of the opinion that a great part of what is consumed by the states of Durango and Tamaulipas, not less than four or five millions could be furnished them by the new road, at moderate prices, than that which they now obtain them through the same channel as Chihuahua, at second hand, loaded with large commissions, freights and great delays. So that this trade might assume an importance worthy of great consideration.

The cotton cloths imported into Mexico are equal in value to one-half the value of all the imported merchandise used in that country; and it is stated that a preference would always be given to the cotton fabrics of the United States on account of their superiority to the United States. This good would constitute an important article of the inland trade. But in the opinion of the writer a drawback is necessary on commodities thus imported into Mexico, without which the traffic would not flourish to any thing like the extent which it now enjoys.

[Baltimore American.]

Importations of sperm and whale oil. The editor of the Nantucket Inquirer of Wednesday gives a valuable compendium of the American whaler-fishery, comprehending alphabetical lists of all the ships and other square rigged vessels engaged in that pursuit from the various ports in the United States; the dates of the last adventuring to the port, or other places on the globe, at which each vessel was known to be; and the quantity of oil, estimated in barrels, obtained by each respectively. We take from the Inquirer's table the amount of oil imported into the United States in the month of September, viz:

	Bbls. sperm.	Bbls. whale.
To N. Bedford, 5 ships,	6,700	2,300
" Edgartown, 1 ship,	708	2,200
" Nantucket, 1 ship, 1 schr.	2,200	100
" Stonington, 1 ship,	600	2,000
" Fall River, 1 do,	340	1,900
" Salem, 1 do,	380	1,430
" Bristol, 1 brig,	169	
" Sag Harbor, 1 ship,	300	1,700
" Provincetown, 2 ships,	1,900	2,000
" Hudson, 1 ship,	300	1,200
" New York, 1 ship,	230	2,350

Total No. of bbls. 12,350 13,760
Gallons whale oil 306,270 gallons sperm, and 433,440 gallons whale oil.

Importation of shoes. The amount of shoes, slippers, boots, and booties, imported the last few years, (the importations being chiefly from France, where the average price of labor will not vary but a little from a sixpence per day).

	\$35,618
1831,	19,148
1832,	65,703
1833,	80,971
1834,	85,000
1835,	103,301

\$433,671

Making in those six years the amount of \$433,671 paid by the citizens of the United States, principally to France, for the article of boots and shoes. It is the duty of December next, the duties will be reduced to 10 per centum on the present year the importation of shoes will be vastly greater than any preceding year; indeed, it is said, by those

conversant with the whole subject, that at the present rate of duties, the importers can undersell our own manufacturers, at the present prices they have to pay for stock and labor. One ship has arrived at New Orleans the present season with \$600,000 worth of shoes.

In connection with the above, it may be well to give a copy of an invoice of shoes we have now in our possession. It was made out in Paris, and we copy verbatim from the original invoice as passed through the custom house. In carrying out the price per pair, allowance is made for the six per cent. discount given on the bill. The Lynn prices for the same article are annexed:

Paris prices.		Lynn prices.	
250 prs. blk. morocco slippers	46 fr. per doz.		\$1 60
280 " " " lacs	45 " "		1 00
220 " " " kid	45 " "		1 00
250 " " " "	49 " "		1 00

It should be borne in mind that the shoes designated by the above invoice are a very superior article, purchased for the retail trade of Boston and New York. Shoes made here at prices varying from 75 to 90 cents, can be bought of the same quality in Paris from 42 to 60 cents—the ratio of the above. In 1823-3, the duty comes down to 20 per cent. on the cost. Then take the above invoice for an example, the average price in France would be 66 cents per pair. At an ad valorem tariff of 20 per cent. the duty would be 13 cents, making the cost 79 cents. The freight and insurance from Havre to Boston is less than from Boston to New Orleans; so that the Lynn manufacturer would find a difference of twenty-six cents against him in the market of the latter city. That is the "plain freeman" of the matter.

[Lynn Freeman.]

CADETS ADMITTED INTO THE MILITARY ACADEMY IN 1840.

Maine—John Chandler, jr. Thomas R. J. Wells, James O. McIntire, Josiah H. Carlisle—4.
New Hampshire—Joseph Smith—1.

Massachusetts—George Wainwright, B. Franklin Kawks, Amos Spofford, Henry Loring—4.
Pennsylvania—Robert Daron, John C. Peck—2.
Rhode Island—J. Hamilton Creighton, Asher R. Eddy—2.

New York—Abram B. Lincoln, Floyd T. Floyd, Amos B. Miller, William J. Gourley, Robert McNamee, Cornelius A. Runkle, John P. Hatch, Charles H. Marvin, James H. Chapman, Joseph Miner, Joseph H. Whittelsey, Delos B. Sackett, George H. Harmon, William C. Dubois, Daniel M. Frost, Daniel D. Cooke—16.

New Jersey—Edgar Fitz Randolph—1.
Virginia—Samuel Able, Chas. Mahon, Winfield S. Hancock, James Foster, James S. Woods, Alexander Hays, Wesley H. Slack—7.

Delaware—William Read—1.
Maryland—Phineas Horwitz, F. J. Thomas—2.
Indiana—William T. Barwell, W. C. Stepien, John W. Ross, Edmund C. Fitzgibb, Annetus R. Shands, Thomas J. Peyton—6.
North Carolina—Joel F. Hill, Richard A. Porter, Littleton W. Coleman, George W. Hawkins, Samuel Winborn, James D. Parke, William McKerrill—7.

South Carolina—Oliver P. Hamilton, Geo. Butler, Archibald L. Campbell, Angus B. Heorgan, Samuel L. Root—5.

Georgia—James Carmack, James R. Gage, Levi J. Myers, Stephen E. Hubbard—4.
Kentucky—Augustus Cook, Thomas J. Curd, Hiram Sandford, John J. C. Bibb, Samuel Gill, Simon B. Buckner—6.

Tennessee—Joseph C. Allen, Calvin H. Walker, John Y. Bicknell, Wiley H. Hale, Thomas D. Eldridge—7.

Ohio—Jesse W. Shepard, John Trevitt, Joseph McElvaine, Rankin Dilworth, George Casady, Jos. F. Dillon—6.

Louisiana—Daniel F. Townsend—1.
Tennessee—John H. Hager—1.
Mississippi—Richard A. Howard—1.
Florida—George G. Barkley—1.
District of Columbia—Alfred Pleasanton—1.

[Army and Navy Chron.]

THE ARMY.

A detachment of 150 U. S. recruits for the 2d regiment of infantry, arrived here yesterday in the ship John Cunningham from New York. Their destination is Florida.

Presented to 2d infantry, commands this detachment, and the following officers accompany him: lieuts. Tilden and Bacon, 2d infantry; lieut. John

son, 3d infantry; and lieuts. Sherman and Field, 5d artillery.

Capt. W. Fulton, and lieuts. Sibley and Thayer, 2d regiment dragoons, with 150 dragoons, arrived yesterday in the ship Charles from Baltimore, and are destined for Florida.

Two full companies of the 8th regiment, U. S. infantry arrived here yesterday from New York en route for Fort King, via St. Augustine. They will depart this morning for St. Augustine in the steamer Charleston, capt. Donald.

Col. W. J. Worth, commanding, assistant surgeon Cuyler, assistant surgeon Van Buren, 1st lieut. and adjutant J. T. Sprague, 1st lieut.arkin Smith, 1st lieut. Lucius O'Brien, A. A. quarter master, 1st lieut. Wm. C. Browne, 2d lieut. William B. Hayward, 2d lieut. Grafton D. Hanson, 2d lieutenant W. Jones, 2d lieut. Macdonald, 1st lieut. Folsom, lieut. Benham, of the engineering corps.

The detachment has had an agreeable voyage from New York, and seem anxious for their campaign.

A detachment of 209 U. States troops from Madison barracks, belonging to the 5th infantry, lieut. J. Smith commanding, passed through Orwego on Friday last, on their way to join their regiment in Florida. They are expected in sail from N. York on the 10th instant. [Savannah Geor. of 11d.]

THE NAVY.

Norfolk, October 24. The frigate Macedonian and sloop-of-war Coocord left New York on the 27th instant, and anchored in Lynnhaven bay on the 28th. The Macedonian will remain here since come up and anchored off the naval hospital.

These ships are a part of the West India squadron under the command of capt. Jessa Wilkinson, who will host his broad pennant on board the Macedonian, and will remain four days for the West India station. Captain Shubrick, now in command, will remain and take charge of the Gosport navy yard, to the command of which he has been appointed in the place of com. Warrington, who takes his seat at the navy board.

We learn that commander C. K. Stribling has been detached from the United States rendezvous at this station, and received orders for the navy yard, Washington.

We also learn that lieut. John L. Saunders has been ordered to the Macedonian as first lieutenant. We understand that commodore Downs has been released from the command of the East India squadron, if two ships can be called a squadron, in consequence of ill health, and that he will be succeeded by capt. Thos. Maitland. [Balt. Jour.]

Commodore John D. Sloat has been ordered to the command of the naval station at Portsmouth, in the place of com. Crane, who retires on leave of absence.

The American squadron in the Mediterranean was reported at Spezzia about the 15th August, and was expected at Leghorn.

U. S. ship Brandywine was at Toulon, 11th ult. at well.

United States sloop-of-war Preble, capt. Breece, arrived at Portland on Monday, from the bay of Fundy.

The French are now building fourteen 100 gun ships, nine of 90 guns, and 20 frigates.

STATES OF THE UNION.

MAINE.

Popular vote. The governor and council of Maine have counted and declared the vote in Maine for members of congress, given at the time of the late governor's election. The whole number of whig votes given in the state, including 20 scattering, was 45,347; the whole number of Van Buren votes, including 198 scattering, is 45,110, making a whig majority of 237, and a nett whig gain of 6,734 votes compared with the election of 1839.

MASSACHUSETTS.

Lunatic hospital, Worcester. There is at present 210 patients in this institution—more than should be there with the accommodations, since 224 rooms are not enough for the comfortable convenience of so many insane people. Applications are continually made for the admission of lunatics; and owing to the limited number of apartments, they cannot be received. This state of things appeals strongly to the sympathies and humanity of the legislature of Massachusetts. An immediate attention should be given to it when the general court convenes. Another wing must be erected, or those which are now already too full, must be extended. With the faithful manner in which this noble charity has been conducted since its organization, no one at all conversant with the principles upon which it was founded can find fault.

It is a pattern institution—commended alike by our own citizens and strangers. It matters not

what it may cost to increase facilities—they must be bad. Appeals of the strongest character are made out for entrance without Dr. Woodward is compelled to reject, solely because there is not an unoccupied place remaining. The necessity of the case, therefore, is the strongest of all arguments, but we hope no parsimonious system of public economy will be allowed to retard the progress of humanity in the section of New England that professes to sympathize with the unfortunate in all the relations of life. *[Medical and Surgical Journal.]*

The house of industry farm at South Boston, consists of 30 acres. The produce from it last year was valued at \$5,200. The present autumn there is growing on this farm a large crop of white turnips, estimated at 3,000 bushels as a second crop, a large crop having preceded.

Combination among the Boston coal dealers. The Boston Times says—We have been informed, that, within a few days, the coal dealers had a meeting, and agreed to raise the price of coal, simultaneously half a dollar a ton. The price was raised accordingly. There was no other cause for this than the unscrupulous avarice of the dealers, and no other excuse than that afforded by the coming on of cold weather. There is no failure in the supply. The mining has not ceased, either by any means, or the destruction of workmen. Ships have not been sunk with coal cargoes, nor has navigation been impeded. Our wharves are fully loaded; the wharves promises fairly; the depots of the miners have tens of thousands of tons, and the Pennsylvania road is all favorable, now and in prospect, for low prices of coal. Yet an advance of half a dollar per ton is put upon anthracite coal!

RHODE ISLAND.

Banks of Rhode Island. The following is a statement of the condition of the Rhode Island banks to the 15th instant:

Liabilities.	Resources.
Capital, \$9,073,863	Loans, \$11,432,101
Circulation, 1,602,822	Deposits, \$29,207
Due other banks, 454,092	Bills on other b'ks, 311,531
Profits, 425,470	Due from banks, 763,083
Deposits unpaid, 18,098	Stocks, 151,694
Deposits on hand, 464,707	Treasury, &c., 328,029
Do not on int'n, 834,371	

Total bills, \$12,853,113. Total res'n, \$13,952,112. Since September 7th, the circulation of these banks has increased \$69,344 25; and the specie has been reduced \$8,908 51.

NEW YORK.

The city of New York, on last dates, was in a state of excitement, induced by the charge, on the side of the Van Buren party, of alleged frauds said to have been committed by the whigs during the election of 1838, in that city, and by the imputations on the other party of a conspiracy of the leaders of the Van Buren party, producing at the very eve of an election an *ex parte* exhibit of foul accusations, against their political opponents, to effect the pending election.

The *Oracles*. Another detachment of Onondago, about two hundred in number, passed through Buffalo, N. Y. a few days ago, on their way to Kettle Creek, in Canada, where they have selected their future homes.

The New York state loan for the enlargement of the Erie canal, for the Genesee Valley canal and for the Black River canal, to the amount \$1,500,000, has been taken at the rate of 91 dollars for each hundred dollars, of the New York real stock, payable in 1856, by the following banks:

Mechanics' & Farmers' Bank, Albany,	\$600,000
New York state loan,	800,000
City Bank, Albany,	100,000
Central Bank,	100,000
Commercial bank,	100,000

\$1,500,000.

NEW JERSEY.

Princeton college. The annual commencement of Princeton college, N. J., took place some time since. Graduates 76. This is the largest that ever graduated at Nassau Hall. Thirty-eight alumni were admitted to the degree of A. M. in course.

PENNSYLVANIA.

Resumption of specie payments. The Philadelphia papers state that arrangements have been concluded between the United States bank and other banks of that city, with collateral arrangements with eastern banks, which will enable the banks of Philadelphia to resume specie payments on or before the 15th of January next.

Extraordinary fraud. An act has been brought to light which is connected with one of the most iniquitous frauds ever practiced in this country in reference to elections. The matter is undergoing judicial inquiry, and we therefore give the report as it now current.

Our readers are aware that the *loco foco* vote in the city and county of Philadelphia was large, by the thousands, and that any one of the thousands of that party, believed it would be no man, for instance, thought that there were as many Van Buren voters in this city and county, by several thousands, as there were Van Buren voters received last Tuesday. The error, and the progress of the fraud, drawn to the naturalization proceedings, to illustrate the subject. The following discovery, we learn, has been made: In the book of the proper officer of the court, wherein are registered the names of the persons who have been admitted to citizenship to become citizens, leaves had been inserted this year in the record of the year 1838, and the names of many persons registered as declaring their intention, and the name of the former clerk of the office for the year, and the court having been induced to believe that these several entries were really made in 1838, granted the papers of naturalization. This high-handed fraud, striking at the purity of courts and elections, has been brought to the notice of judges King, and will be carefully sifted.

[Phila. U. S. Gaz.]

This case, founded upon a rule granted by the court of general sessions on Monday last, and returnable this morning, upon a number of individuals by their counsel, who had obtained their naturalization should not be vacated, came before the court yesterday morning, judges Barton, Conrad and Doran being present. Two witnesses were examined with reference to the service of a notice of the respondents, the respondents and the court having been induced to believe that these several entries were really made in 1838, granted the papers of naturalization. This high-handed fraud, striking at the purity of courts and elections, has been brought to the notice of judges King, and will be carefully sifted.

The court then adjourned, and the grand jury proceeded to the consideration of the case.

Court of common pleas, October 24, 1840. Before judges King, Randall and Jones. The rule granted on application of William B. Reed, esq. upon a writ of habeas corpus, to show cause why their certificates of declaration to become citizens of the U. S. States, should not be cancelled; and upon several others, to show cause why their certificates of naturalization should not be vacated, returnable this morning at 10 o'clock, was called up for consideration. When Mr. Reed for the relators stated for consideration that he had nothing to offer in evidence but the book of record, in the office of the clerk. Judge King stated he had just been informed, that the book was in the hands of the grand jury. Mr. Reed did not wish to press the rule only for the purpose of securing an early administration of justice, and if the books were not attainable, if the court was satisfied with the examination previously made of the books, he would not press the rule. The court then adjourned until Tuesday next at 10 o'clock, when the court will hold a special session for the trial of this case only.

Immediately after this case was disposed of, Charles Taylor, esq. made application for an order upon the court, for the delivery of a copy of the list of voters at the

late election of the 7th ward Northern Liberties to be taken. He read the affidavit of Henry S. Rose, grand juror in last circuit upon the preliminary return in copy, and that he stated as such copies were in his office. Mr. Taylor stated that the return judge of the ward had informed him that the returns to that office had been made as provided by law, and further stated that he was expected to have had his affidavit of the fact, before he made the application, but was disappointed. The prothonotary stated to the court that no such returns had been made. The court took for granted the statement of the prothonotary, and it was accordingly ordered by a series of Mr. Taylor for the return judge, nothing further was done; the case resting there for the production of the affidavit of the return judge, which Mr. Taylor said he hoped to get before the court adjourned. Judge King said that the refusal of a copy, upon the payment of fees in such or similar cases, was a violation of official duty. The court seemed to entertain the opinion that there was an error in the return, and that the papers had been left at some other office.

Census. The following has been ascertained by the recent census to be the number of inhabitants of the respective wards named, and of the district of the Northern Liberties, and it was accordingly ordered by a series of Mr. Taylor for the return judge, nothing further was done; the case resting there for the production of the affidavit of the return judge, which Mr. Taylor said he hoped to get before the court adjourned. Judge King said that the refusal of a copy, upon the payment of fees in such or similar cases, was a violation of official duty. The court seemed to entertain the opinion that there was an error in the return, and that the papers had been left at some other office.

City—Upper Delaware ward 5,783, Lower Delaware 6,597, High street 6,320.

Kensington—1st ward 3,814, 2d do. 8,599, 4th do. 4,358.

Northern Liberties—1st ward 2,391, 2d do. 2,162, 3d do. 4,663, 4th do. 3,948, 5th do. 6,305, 6th do. 6,245, 7th do. 6,773—Making a total in Northern Liberties of 34,487.

MARYLAND.

Resignation and appointment. Cornelius McLean, esq. has resigned his place as secretary of state, and James Murray, esq. of Annapolis, has been appointed to the vacancy, by the governor. Mr. McLean has been appointed auditor in the court of chancery, and will remain permanently in Annapolis.

[Balt. Sun.]

An indictment has been found by the grand jury of Baltimore city, against J. B. Jervis, the late assistant constable of the city, for a conspiracy to obtain illegal votes to vote at the recent election. Jervis has been arrested, and committed, and held in the sum of \$2,000 to answer to the indictment.

Death of the hon. John S. Spence. We sincerely regret to learn the decease of the hon. JOHN S. SPENCE, senator in congress from the state of Maryland, who died at his residence in the city of Baltimore on Thursday last. The United States Gazette, which announces this event, remarks most justly that Mr. Spence was a gentleman of enlarged views, of estimable character, and respected in all the relations of life. He will be extensively felt.

VIRGINIA.

The Yorktown wig convention. This meeting took place on the 19th inst. the anniversary of the surrender of Cornwallis, and on the spot where that glorious triumph was achieved. The Norfolk Herald of Wednesday says:

Delegations were present from all parts of lower Virginia, and at 11 o'clock the procession, consisting of about two thousand, with music and flying banners, was formed in front of the court house. First came the invited guests; then the chivalrous company of "Williamsburg guards" in full uniform, and lastly the different delegations. Crowds of ladies from the surrounding country filled the windows and doors at the procession, and, as they passed, and their presence and by their smiles, followed the occurrences of the day. All was life and enthusiasm, such as Old York has never witnessed since the revolutionary period, and the day will be remembered as a glorious triumph was achieved. The Norfolk Herald of Wednesday says:

The following are the names of the gentlemen appointed as officers of the convention:

President—HENRY A. WIRE.

Vice president—Peyton R. Nelson, Miers W. Fisher, Wm. G. Young, John M. Green.

Secretaries—Moree Bowens, John Jarvis, Thomas T. Cropper, Dr. Henry Seibel, John Sample, Ceres J. Jones.

Mr. Wire in taking the chair, addressed the people in his usual style of impressive eloquence. He was followed by the hon. John Sergeant, of Philadelphia, judge Upshur, of Virginia, Mr. Wallis, of Baltimore, and gen. Leslie Couper, of Kentucky. The two gentlemen, each made a speech in the afternoon. The speeches of both are specimens of having been highly interesting and eloquent. The convention adjourned in the evening to meet again at Washington on the 4th of March 1841.

After the adjournment, William McLeod, who, it will be remembered, left our city about two years since, after committing some forgeries, and for whom the governor issued a proclamation, offering a reward for his apprehension, was arrested a few days since at Albemarle. He is now on his way to be locked in jail to await his trial. *[Richmond Compiler.]*

SOUTH CAROLINA.

The mails. There was no exception yesterday, to the failure of the mails. The Wilmington boat arrived without a mail, and we are indebted to a passenger for the news as far as Baltimore, who brought a single paper. There are now due three Boston letters and two New York letters, and three and three newspaper mails from the North.

The complaints of the press and the remonstrances of the chamber of commerce have been disregarded by the department. We propose therefore a public meeting, to exert an agency to the postmaster general, to plead in person the cause of our merchants whose interests are thus shamefully sacrificed, and their fortunes perilled. The point of failure is Weldon.

[*Charleston Mercury*, Oct. 24.

GEORGIA.

Severe rebuke. We copy from the last *Macon Messenger*, the following just rebuke to Mr. Forsyth, who has been for some time loading the mails with franked packages of Extra Globes and other loco-foco documents addressed to the clerks of courts and the justices of the inferior courts in various counties.

[*Augusta Chronicle*.

Georgia: Lee county. Inferior court, adjourned term, 1840. It appearing in the court that one JOHN FORTNEY has sent on to this court, for the purpose of making them parties to postmaster general, certain packages of vile and seditious papers, to wit: one package of "Extra Globes," one package of "Addresses to the slave holding states, by the democratic members of congress, and one package of "Addresses to the people of Georgia," and that said papers are false and infamous in their nature, and tend to subvert truth, to defraud the people, to deceive the ignorant, and to make the honest voters as corrupt as the administration from which they emanate; and the clerk of courts declining to pander to the views of a corrupt administration, or be made the tool of a party, as is the afore-said John Forsyth: It is therefore ordered, that the sheriff of this county do take the aforesaid papers, and between the hours of ten and three this day, in a fire to be made for that purpose, and in the public square, or some other public and eminent place, that he burn and consume the same, utterly and entirely; and that copies of this order be sent to Amos Kendall, ex-postmaster general, and the aforesaid John Forsyth, by the same to be published in the *Columbian Enquirer* and *Georgia Messenger*.

A true extract from the minutes, Oct. 8, 1840.

ASHLEY PHILLIPS, clerk.

Returns complete. The following is the aggregate vote of the several candidates for congress in all the counties of the state. They are from official returns to the governor, except three; and those are received from private sources, no doubt correct. In the senate we have 48, the Van Buren party 44—and a tie in Coweta.

Our majority is about 30.

AGGREGATE VOTE.

Whig.	Administration.	
Alford,	Black,	35,496
Dawson,	Campbell,	35,379
Foster,	Colquitt,	35,562
Gamble,	Cooper,	35,569
Harberham,	Hillyer,	35,359
King,	Iverson,	35,311
Merritwell,	Lumpkin,	35,117
McCall,	Patterson,	35,291
Warren,	Pooler,	35,362

MILLIDGEVILLE RECORDER.

The whole number of votes polled is 75,000; the largest vote ever given in the state. *Van Buren* majority over Cooper, (the highest Van Buren candidate) is 4,930. The average majority of one ticket over the other is 2,905.

ALABAMA.

Mobile. All the lowest estimate, there are between two and three hundred houses building in Mobile, and some of the most magnificent kind. Cullum's hotel is going up almost by magic; the bank is nearly finished; a new theatre is under way; on Dauphin street there is almost a continuous range of houses rising for three squares; and in all parts of the city the hammer of the busy workman is heard cheering the ear of the desponding, and giving indications of a return to a solid and stable prosperity.

LOUISIANA.

The hon. Rice Garland arrived at Opelousas, and has taken his seat as one of the judges of the supreme court of Louisiana.

Van Buren convention at Baton Rouge. The Courier says that the Baton Rouge democratic convention was one of the largest popular gatherings ever held in Louisiana. The number present was estimated at about 4,000. 2,240 were counted in the procession.

Baton Rouge penitentiary. Our visit to this institution on Monday last was but brief and hasty. Our

truly and well beloved doctor Dines was the first whom we visited. He was pegging away at red brogans in the shoemakers' shop. What a falling off was there! The cambrie ruffles had vanished, the watch chains had disappeared, the soap lock had fallen off, and the iron ring had disappeared. He was dressed in the uniform of the penitentiary, a coarse cotton jacket and trousers, coarsely plaited straw hat, and a pair of brogans, of his own make probably. Each of the convicts wears an iron ring round his wrist, to which is attached a small bell, which reaches to the waist, and is then fastened by a bell that extends round the body. The only mark of former aristocratic arrogance by which he was distinguished was a small plain gold ring on the third finger of the left hand, a memento perhaps of some "Cawline," who through all his misfortunes clung to him.

Doctor O'Neill, known also in this city, who was condemned for cheating his washer woman, was making shoes in the same shop, and was in the room. So, also, was a young man of the name of Arnold, who had figured for a brief period as a merchant here, and who was condemned last spring to five years imprisonment for taking, under false pretences, two pipes of brandy from Mr. Blache, auctioneer; or in other words for stealing them. McLaughlin, who was found guilty of picking Mr. Gregory Byrne's pocket in the public square on the eighth of January last, we also saw. McLaughlin, we understood at the time of his trial, was somewhat notorious as a northern swindler in Philadelphia as such he was particularly known. On Monday he was working at the cabinet business, and at what we conceived to be the critical branch of it; he was finishing off a large claw foot for a cabinet, and it was towards the noon in which the unfortunate Mrs. Doyle, the heroine of the Girod street tragedy is. She works in the laundry, which is situated somewhat apart from the place where the other prisoners are. She is the only white woman in the penitentiary.

[*N. O. Picayune*.] The cession of the Louisiana territory was made by France to the United States in 1803, during the presidency of Mr. Jefferson and the first consulate of Napoleon. The country, including the city of New Orleans, had belonged originally to Spain, but was ceded to France by a secret treaty, a short time before the negotiations were opened on the part of the United States with the French republic. We find in the *Crescent City*—a new paper recently started in New Orleans—an account of the negotiations accompanying the purchase and reception of authority among the several governments concerned.

As soon as the ratifications were exchanged, Mr. Pichon, the charge d'affaires of France at Washington, sent orders to Mr. Laussat at New Orleans, to hold a conference with Messrs. De Salcedo and Casa Calvo, the commissioners of the king of Spain, on the subject of the cession of Louisiana to the United States. Accordingly, on the morning of the 30th November, 1803, the Spanish troops were drawn up in front of the city hall.

The French and Spanish commissioners came there, followed by a procession of the merchants and inhabitants of their respective nations. Three chairs were arranged in the council chamber, and Salcedo occupied the middle one. Laussat presided, and after the decree of the 15th October, 1802, by which the king of Spain ordered his representative to deliver the colony to the French plenipotentiary. Mr. Laussat produced at the same time the authority of the first consul to take possession of the country in his own name, and to receive the French troops. After the reading of these acts, the Spanish governor, leaving his seat, delivered him the keys of the city, and the marquis de Casa Calvo announced "that the Louisianians who should not declare that they wished to remain under the Spanish authority, were absolved from their oath of fidelity to the Catholic king." At a signal, given by the firing of cannon, the Spanish colors were lowered and the French hoisted.

The French sovereignty lasted from the 30th November to the 15th December, 1803, when the American troops were introduced, and the American Governor Wilkinson advanced with the United States troops to the left bank of the Mississippi, and established his camp on the 18th December, 1803, within a half league of New Orleans. As soon as this took place, the Spanish troops immediately embarked and sailed for Havana.

On the 20th December, the day fixed for the delivery of the province to the United States, Laussat, accompanied by a numerous retinue, went to the city hall. At the same moment the American troops were introduced, and the American Governor Wilkinson and general Wilkinson were received in form in the city hall, and were placed on either side of M. Laussat. The treaty of cession, the respective powers of the commissioners,

and the certificate of the exchange of ratifications were read.

Laussat then pronounced these words: "In conformity with the treaty, I put the United States in possession of Louisiana and its dependencies. The citizens and inhabitants who wish to remain here and obey the laws of the United States, shall be rewarded from the oath of fidelity to the French republic." Mr. Claiborne, exercising the powers of governor general and intendant of the province of Louisiana, delivered a congratulatory discourse, addressed to the Louisianians. "The cession," said he, "assures to you and your descendants the inheritance of liberty, perpetual laws, and magistrates whom you will elect yourselves." These formalities having fulfilled, Mr. Claiborne then declared that the authority of the United States was established, and the public officers were duly installed in the exercise of their several functions.

Since the period of the cession New Orleans has increased with great rapidity, and the Mississippi, instead of forming the western boundary of the union, rolls between organized states lying on both sides. The importance of the great acquisition obtained by the treaty of 1803 may be estimated by any one who will consider, even without regarding the intrinsic value of the territory itself, that it would be the condition of not only New Orleans and the mouth of the Mississippi were now in the possession of a foreign power.

The right of navigating the Mississippi was contended for by Great Britain in 1803, and was the last war—so little did that nation know of the progressive landiness of this republic. The Mississippi seems to have been regarded then by England pretty much as the Oregon or Columbia is now—that is, as a large river flowing through unhabited regions, for the most part, and needing chiefly as a forcing facilities for the fur trade. The claim to a free navigation of the Mississippi by any foreign power at this day would appear as preposterous as a claim on our part to the free navigation of the Thames. Yet it is not without the least of the services which Henry Clay has rendered to his country, that he repelled the pretensions of the British commissioners at Ghent to that privilege.

The astonishing increase of the trade of the Mississippi since the cession of 1803 would give forth statistics, some criterion by which to judge of the unexampled growth of this country in wealth, productiveness and national substance. The introduction of steam power has had a great deal to do with the increase of that trade—and on the way of aiding in the development of resources which belong to the country. What the aspect of the great west will be fifty years hence, it is not in the power of human imagination to prefigure. [Amr.]

Another land slide at Plaquemine. The terrible Gulf of the 17th inst. says, "About six acres of levee on the east side of the public road in front of the town of Plaquemine, has been carried away by another slide of earth. The slide began about two hundred feet from the former one, so that there will be at least fifteen acres of levee to be made to preserve the town and a great part of the parish on the right bank of the river from the danger of an overflowing. This second disaster took place on Friday last, and the ground still continues to settle. There now remains of the whole front of the town but a small portion, when the next slide, and if that slides, there will be no steamboat landing until high water."

KENTUCKY.

Mr. Guthrie, the Van Buren senator from the Louisville district, has resigned his seat.

Camp Woodford. The military encampment at Versailles, composed of the following companies—capt. Wm. Bradford's Lexington artillery, captain Wm. B. Blackbarr's Versailles artillery, capt. G. L. Postelwell's Lexington artillery, and captain J. Lockwood's Frankfort light infantry—and all under the command of col. A. G. Hodges, was terminated on the morning of the 10th, and the various companies returned to their respective homes. We have heard but one voice of reproach in connection with it in which it was conducted. All praise is rendering it as having been conducted with great decorum, as exhibiting great skill and proficiency in drill and discipline, and being in every respect creditable to the Kentucky volunteers. The manner in which the commanding officer discharged his duties, and the kindness and hospitality of the citizens of Versailles and Woodford county, are fully spoken of in the following correspondence which has been sent to us, with the request that we would publish it in the Commonwealth.

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Camp Woodford, Oct. 10, 1840.

this morning. The satisfaction that was then evident in the countenance of each officer and soldier belonging to the encampment, and the regret at starting with you as the officers composing your military family, renders it almost unnecessary, on our part, to assure you of their entire satisfaction with you as a commander. It is only left to us to return you their sincere thanks for the able and skillful manner in which you conducted the encampment, and the firm, though kind treatment they received at your hands during its continuance, and the great instruction they received both in camp duty and in the art of the soldier, and assure you, that Camp Woodford will long be cherished in their memories as the scene of much pleasure and instruction.

Permit us, through you, to tender to our commander-in-chief, his excellency, governor Letcher, and to general Dudley, and the other military gentlemen in their company, our sincere thanks for their kindness, in visiting our camp and reviewing the troops on the 5th, assuring them that their presence added no little to our military pride, acting, as it did, as the greatest stimulus to our future exertions in improvement as citizen soldiers.

To the brilliant concurrence of ladies who visited us on that occasion, and to the incomparable exertions to express our gratitude; suffice it to say, that we felt more than proud at receiving their approbation. To the citizens of Versailles and Woodford county, who so kindly furnished the camp with everything necessary to render our sojourn both comfortable and agreeable, we return our thanks, and can only say that, on this occasion as on many others, old Woodford has nobly sustained herself. To Mr. Dirck and col. Barr, of Versailles, who kindly furnished the troops with the eligible situation for an encampment and parade ground, and for their exertions to render the troops comfortable—while in encampment, we return our sincere thanks.

And now, sir, in conclusion, permit us to say that we hope to meet you again at no distant day on a similar occasion. Yours, with respect and esteem,
W. B. BLACKBURN, Jr. capt. v. A.
G. L. POSTELHOLD, capt. L. O. I.
E. W. THEOBALD, Ist Lieut. L. A.

Col. A. G. Hodges, Frankfort, Ky.

Frankfort, Oct. 11, 1840.
To Messrs. W. B. Blackburn, capt. F. A. G. W. Postelhold, capt. L. O. I., E. W. Theobald, 1st Lieut. L. A.

GENTLEMEN: I have received your very flattering communication, dated "Camp Woodford, Oct. 10th," and for so much of it as is personal to myself, I return you my sincere thanks. Nor can I let the present opportunity pass, without declaring to you that the admirable manner in which the men had been drilled and instructed before their assembly at the encampment, and the uniformly correct conduct and willingness of the officers, non-commissioned officers and men, to submit to whatever discipline was enjoined whilst there, I was chiefly indebted for my ability to discharge the duties devolved upon me, in the manner which has been so fortunate as to meet with your approbation.

I am cordially united with you in the expressions of gratitude to the citizens of Versailles and Woodford county, for the interest taken by them in our military exercises, and for the many evidences of kindness and friendship we received from them.

Permit me, gentlemen, to thank you again for the favorable estimate you have been pleased to place upon such services as it was in my power to render, and through you to express to the citizen soldiers whom you represent, my great gratification at the manner in which they conducted themselves while at Camp Woodford, and to assure you and them that I will always remember with delight the acquaintances and friendships made there. Very respectfully, your obedient servant,
A. G. HODGES.

Caution to stage proprietors and drivers. The Frankfort (Ky.) Commonwealth states that in the fall of 1838, the stage was driven by Messrs. E. P. Johnson & Co. and the opposition line owned by Messrs. McNair & Weaver, came in contact on the turnpike road near Shelbyville, by which the mail line was upset and several passengers had their limbs fractured. One of the passengers injured was Mr. Isaac Laughlin, the driver of the mail line, who had the misfortune to have one foot and ankle crushed to pieces, by which he has been made a cripple for life. He sued McNair & Weaver, and the case was tried in the circuit court, and there tried the last week, when a verdict of \$2,000 was given.

ONTO.

List of members of the legislature.

SENATORS.
Ashblaba, Kc.—Benj. Russell.
Adams, Kc.—John Glover.*
Athens, Kc.—Sim. Nash.*
Alen, Kc.—G. B. Way, John F. Hinkle.
Amoset, Kc.—Thomas Shannon.*
Brown, Kc.—David Uiter.*
Clinton, Kc.—Thos. Patterson.*
Cuyahoga, Kc.—Richard Lord.*
Columbiana, Kc.—Jos. Thompson.*
Crawford, Kc.—Jos. M. Scott.*
Erie, Kc.—Jas. M. Root.*
Franklin, Kc.—Alexander Waddell.
Fairfield, Kc.—Sam. Spangler, Jas. L. Greene.*
Greene, Kc.—Isaac S. Perkins.
Guernsey, Kc.—Wm. Scott.*
Holmes, Kc.—Benj. Ream.
Hocking, Kc.—John Hough.*
Hamilton, Kc.—Jas. Faran.* S. W. Holmes.
Hardin, Kc.—John E. Hunt.*
Jefferson, Kc.—Jas. M. Root.*
Lorain, Kc.—J. S. Carpenter.
Licking, Kc.—B. B. Taylor.
Logan, Kc.—Joseph Vance.*
Muskumung, Kc.—Jos. Berrell.
Montgomery, Kc.—Jos. Berrell.
Miami, Kc.—Wm. S. Thomas.
Morgan, Kc.—Isaac Humphreys.*
Marion, Kc.—Jos. H. Goldman.
Noble, Kc.—Elisha N. Still.
Preble, Kc.—Rolt. Haythorne.
Richland, Kc.—Wm. McLaughlin.*
Stark, Kc.—Jacob Hostetter.
Seneca, Kc.—John Goodwin.
Tuscarawas, Kc.—John C. Moore, Jos. Scott.*
Wayne, Kc.—Y. H. Harris.
*Elected 1839.

REPRESENTATIVES.

Ashblaba, Kc.—R. W. Griswold.
Adams, Kc.—Hingham, Fayette—James Carothers.
David Reese, James Smith.
Athens, Meigs, Kc.—A. V. Forbes.
Belmont, Kc.—Jos. Koontz, C. W. Irish.
Butler, Kc.—Dunn, J. B. King.
Brown, Kc.—Clement, Clinton.—R. W. Clarke, G.
Dunham, R. B. Harlan.
Champaign, Logan, Union.—Wm. C. Lawrence.
Clark, Madison, Kc.—A. Zeland, S. M. Weaver.
Crawford, Kc.—J. M. Jenkins, C. M. Allen.
Carroll, Jefferson, R. Marsh, John Shober.
Concoction.—Joseph Burns.
Cuyahoga, Kc.—J. Johnson, J. H. Vincent.
Crawford, Marion, Delaware.—Em. Moore, Jos. Scott.*
Dark, Miami, Mercer, Shelby.—H. Bell, J. Hamilton, John Brown.
Franklin, Kc.—James C. Reynolds.
Fairfield, Kc.—H. B. Brough.
Greene, Kc.—Jas. M. Scott.*
Guernsey.—William Israel.
Gallia, Lawrence, Scioto.—Daniel Young.
Greene, Kc.—Seabury Ford.
Hamilton, Kc.—T. Carpenter, J. M. Cochran, J. R. Retes.
Holmes, Tuscarawas.—James Hockberry.
Harrison.—Josiah Scott.
Huron, Erie.—Elex. Cook.
Hocking, Ross, Pike, Jackson.—J. T. Worthington, J. Kayler, John Sisson.
Know, N. Spindle, D. S. McGuden.
Licking.—N. Spindle, D. S. McGuden.
Lorain, Medina, Kc.—A. Bliss.
Lorain, Kc.—J. E. Patten soldier.
Montgomery.—Dar. Lammie.
Monroe.—Wm. Johnson.
Muskumung.—J. Pollock, John Watkins.
Morgan.—D. Bledford, sen. Perry.—James V. Wilson.
Pickaway.—Elian Florence.
Portage.—J. Streeter, H. Giddings.
Preble.—Jos. S. Hovekins.
Richland, Kc.—J. M. Rickett.
Sandusky, Kc.—M. McAnelly, M. E. Wood.
Stark.—J. L. Smith, E. Ruffenparger.
Summit.—H. G. Weser.
Tuscarawas.—Peter Allen, Josiah Robins.
Warren, Kc.—John Probst, Jr.
Washington.—Arina Agat.
Wayne.—Thos. Shreve.

The names of city members in italic.

RECAPITULATION.

	W'g.	F. B.
Senate,	14	22
House,	51	21
	65	43

In the month of September, about one hundred and fifty thousand barrels of flour, or its equivalent in wheat, were exported from Cleveland, Ohio.—

The whole state, according to the Cincinnati Chronicle, will export during the present season, something like one million of barrels of flour, or its equivalent in wheat.

Cheese in Ohio. We find in the Cincinnati Daily Chronicle, a very interesting article on the subject of cheese, its consumption and the extent of its manufacture in the west. In the year 1833, the gentlemen of Portage county, Ohio, commenced supplying the river towns with this article by bringing to Cincinnati in a skiff about 1,500 lbs. cheese. From this small beginning, the business has increased to what is now a considerable trade. The last year, there were between 200 and 300 tons per annum, three-fourths of which is sold in Cincinnati, the balance at Louisville and other towns down the river.

In the single township of Aurora, in Portage co., Ohio, there have been between 250 and 300 tons of cheese yearly, for the last ten years, which has netted the farmers about 6 cents per lb. one year with another.

The amount of western reserve cheese sold in Cincinnati yearly is estimated at between 800 and 900 tons, for the last six years, and is increasing annually. The price has generally ranged from 7 to 9 cents, and has been as high (in the autumn of 1835) as 12 1/2 cents. It has never been so low before, as at present, 6 1/2 cts. for ten years past.

The Episcopal church in Ohio. We have been favored with the twenty-third annual report of the Protestant Episcopal church in the diocese of Ohio. From it, we learn that the church is in a highly flourishing condition, and we glean the following statistics—churches, 53; baptisms in the year, 363; communicants added, 481; died or removed, 185; total number present, 2,132; confirmed, 122; married, 15; funerals, 292; Sunday school scholars, 1,362; contributions for benevolent objects, \$2,484 3/4.

(Phila. Inquirer.

ILLINOIS.

The state bank. The St. Louis Bulletin of a late date, announces that the Bank of Illinois has made arrangements, by which it will be able to realize a large amount of funds and resume specie payments. The editor adds: "the Shawneetown bank has no doubt, converted into specie, its investments, and no difficulty need be apprehended in the prompt payment of all liabilities, on the part of either of the institutions. The knowledge of these measures of the bank should relieve the public mind from all anxiety, and the public mind has been indulged. We have never entertained a doubt of their disposition and ability to do justice to the public, and we are now satisfied that their situation is such as to command the confidence of the community."

MISSOURI.

Darnes convicted. William P. Darnes, who killed A. J. Davis, the editor of the St. Louis Argus, in a political quarrel, has been tried, convicted and sentenced to twelve months imprisonment in the penitentiary.

FLORIDA.

We have received the annexed letter, which, though not so late as accounts previously received, presents some details, and, upon the whole, such a discouraging aspect of affairs in that peninsula, and of the mode of managing the war, as should be made public. [N. Y. Amer.

St. Augustine, Sept. 22, 1840.

The Florida war, which, like the eternal Vesuvius, is never quite at rest, has recently assumed an aspect more sanguinary than usual. Not a spot of ground in the interior of East Florida, from the northern boundary to the southern Key, is free from danger, except those portions of the territory which are protected by the immediate vicinity of troops. Scarcely does the express arrive upon Tallahassee to Florida, but the way bill exhibits some bary endorsement of recent murder.—Although a cordon of posts has been established on the mail route across the peninsula, yet the intervening hamlets afford the Indians ample opportunity to attack the traveller with impunity, by an exact sufficiency of numbers to hold them in awe. From the frequent and almost simultaneous attacks in quarters remote from each other it would seem that they were far more numerous than has hitherto been supposed.

"We hear of them supplying themselves with ammunition at the Keys,—driving off cattle from the neighborhood of Micapony—firing on the express riders in the vicinity of Pensacola—and almost in the same breath they are seen and carrying off before them in the district of the Oklawaha. The accounts which are pouring in of the merciless destruction of human life in that district, are such as are calculated to make the cheek grow pale."

It is well known that, for several years past, the Oklawaha swamp has been a grand lurking place for the enemy. Some two years since, general

Taylor caused two forts to be established near the swamp, on the banks of the St. Mary's and Suwanee, both of which rivers have their sources in that vast reservoir.

Fort Green was the name of the station on the Suwanee; that on the St. Mary was called Fort Moniac. These stations were established for the purpose of protecting the settlers in the vicinity from the Indians of the Oklawaha, who were in the habit, occasionally, of making sallies therefrom, to destroy the lives of the inhabitants and injury of the crops.

Owing, however, as it was said, to the disappearance of the Indians from that quarter, these stations were abandoned in the early part of August last.

It does not appear whether the Indians were advised of the abandonment of the forts or not; but it is certain that a large body of the enemy appeared, not three weeks afterwards, within twenty miles of Gilmer, in the contemplation of the whole district. They commenced their work of destruction by setting fire to the house of a Mr. Green, part of whose family they destroyed, and Mr. Green himself had his leg fractured while rescuing the remainder from the flames. Following the course of the Suwanee, the Indians proceeded in the direction of Fort Gilmer, near which *five* families were murdered in cold blood. Passing thence towards the head waters of the St. Mary, they attacked Fort Moniac, where a few families had congregated for mutual preservation. The number of them, and burned the United States' buildings to the ground. From this point they spread themselves along the St. Mary's, attacking indiscriminately every plantation which they passed. Frequently the whole family was massacred, and sometimes a portion which was saved. Sometimes the father escaped—and sometimes it was the mother, pressing her infant to her bosom as she fled before the foe. In one family, residing near the south prong of the St. Mary's, it is stated that five children were encircled put to the knife. But the detail is too shocking to dwell upon!

Death may come to the young aspirant for glory—it is his expectancy; and to the man of toil and years—it is his reward; but when, with a foul and bloody sword, the invader enters the peaceful and less bosoms which make merry the household hearth, the heart sickens to contemplate the work of the destroyer, and the mind involuntarily questions "why such things should be!"

It is the duty of the troops in Florida doubtless had the right to make such disposal of the United States forces as, in his opinion, was most conducive to the interests of the service. If, in the exercise of this prerogative the frontier of Georgia was left in danger, why did not the governor of that State cause a levy of militia to be made to meet them at its southern border when the storm was heard rumbling in the distance—ere the tempest fell so cruelly upon those who were powerless to resist it? Where slept the chivalric spirit of the gallant Floyd, that it did not prompt him, on the withdrawal of the regulars and the demoralized of the remaining troops, to rush single handed to the protection of "his old hunting ground?" Did he not know the condition of the district which he formerly commanded? Did he not know that Indian signs were numerous in that quarter and that the last of the defenders had vanished? Lieut. Whitfield, of his own Georgia militia could have enlightened him in regard to the facts. He could have told him, as he informed others previous to his discharge from Fort Clinch, that the Indians were "making a great headway—so much as, that he did not deem it prudent with his small force, to pursue the trail."

Troops *new* rendered desolate and lonely. They were left to bury the dead. Let them search among the silent habitations of Gilmer, and the shattered ruins of Moniac for the ashes of the Cruisers—the Johnstons—the Hogans—the Davises—the Patricks and other families, and deposit them in a grave. Let them re-inter the hastily covered remains of the unfortunate Rutlers, and the daughter who was butchered in his arms, seeking in vain, in the hour of peril, by the side of her father, that protection which had been withheld by her country. These individuals, if they have lost their lives by placing their confidence on the prospect of protection by troops, at least *deserve* at the hands of troops—a decent burial.

Savannah, Oct. 21. We have received from a friend in Florida the following important information in relation to the Florida war. From the

source it comes from, it may be relied on as correct. It was brought by the steamer *Charleston*, which arrived at Savannah on the 20th instant:

Palmist, (No.) Oct. 17. Gen. Armistead has responded to the expectations for the present, in consequence of an agreement between him and the Seminole chief to hold a "talk" on the 20th inst, at which time the chief says he is willing to make a treaty of peace, which he says shall not be "spoiled" as the other treaties have been. No one here has any confidence in him or his boasts, yet you know heaven is always better to us than our fears, and some good may grow out of it.

WISCONSIN.

Internal improvement in Wisconsin. The Milwaukee and Kickapoo River canal has been commenced, and a large number of hands are now employed just above Milwaukee.

By a late number of the Milwaukee Sentinel, says the Buffalo Advertiser, we learn that business of every kind was brisk, and the prospects of the town never better. The mercantile community had in a measure adopted the cash system, and although money was not abundant, still sufficient was in circulation to answer all legitimate purposes. Many stores and other buildings have been erected during the present season.

MISCELLANEOUS ARTICLES.

"CORNWALLIS" AT WALTHAM. On Monday the anniversary of the surrender of Yorktown was celebrated in Waltham, according to the usual custom. A square redoubt had been erected upon Prospect Hill, which surmounted by a British ensign, and defended by a company of artillery, was during the whole morning watched by the eyes of the colored troops of the neighborhood. A detachment of some 100 men, of all tribes and nations, if one might judge from the variety of their ornaments and their hideous paints, skulking in the woods about the fort, assisted in the proceedings. The foremost from the concentration in the plain below of a force which seemed to be—to judge from the appearance of the clothing, arms and equipments—a re-creation of a part of the old continental army, it became evident that this redoubt was to hold the enemy, and to be the point of attack.

This expectation *now* began to be realized. A body of the continental infantry, assisted by a small but efficient park of field artillery, after a slight contest, succeeded in carrying one of the advanced positions of the enemy, and to the foot of the rising ground. This breastwork, composed mostly of brushwood and other combustible materials, was burned by the attacking force to prevent it from again falling into the hands of the British, when, after some very active skirmishing, in which a very severe contest between the Indians and the party of riflemen was especially interesting, and at the time important, they were obliged to retire for want of ammunition.

This was fortunately at hand, and when the beleaguered party saw their determined assistants retire, it was only in preparation for a more force and concentrated attack. The ammunition which had been so opportunely brought up was hastily distributed. The troops partook of a hasty meal, as they held their position in the line, and re-embarked with this support and by mutual pledges and animated by some heart-stirring appeals from their distinguished officers, they showed the greatest anxiety to be again led to the assault. The attack was conducted by generals Washington and Lafayette and the Earl of Cornwallis, in person, and with the aid, with eager interest by the collected women, children and aged of the neighborhood, whom the sound of firing had collected together. The beleaguered were aware that this was to be a final struggle, and that the issue would be seen our lot to witness either a heavy and well-ordered firing, and such energy and determination both in attack and defence, as followed the attempt upon the remaining breastwork. The cannon from the fort were brought to defend this outwork, and the artillery of the continental army was brought to bear directly upon it. For half an hour the firing was incessant. The officers of the invading force, urging on their men with the greatest disregard of danger, even riding to and fro between the two fires, won for themselves the proud honor that a soldier may gain. The breastwork was carried and turned, its surviving defenders, however, escaped under cover of the cannon from the redoubt and well directed fire from the Indians, who had secured themselves in the edge of the adjacent forest.

The general was now at hand—the artillery of the continentals was directed at the fort still, in some instances over the very heads of the advancing squadrons, and served with the most praiseworthy rapidity and skill. The infantry advanced firing,

and were already closing almost around the fort, when a white flag appeared from one of the bastions, and the officers exerted themselves to stop the firing. A mounted officer from the fort with a flag of truce was admitted to general Washington, and after a slight consultation the terms of capitulation were mutually signed. In a few moments the British ensign was dropped from the flag-staff of the redoubt, and the stars and stripes were proudly waving in its stead. The *defenders*—such of them as were left—were graciously allowed to their lives, to the terms, being looked upon by their former foes apparently as brave men who had done their best in their cause.

We are led to remark upon the apparent dejection of Lord Cornwallis himself and his two immediate aids. These representatives of British gold and British influence seemed to feel that gilt red coats and ruffled shirts were but a theatre show, beside the rugged dress and accoutrements of their hasty conquerors. But persons of few feelings evidently was none, and victors and vanquished seemed to unite amicably in the closing ceremonies of the day. We understand that his lordship rode the very horse that was killed under him on the same occasion, fifty-nine years ago, and the remains of the departed were graciously attended to their final "with all the honors," and on the arrival of an early twilight all was completed, and another day added to the history of our country—a day which will never be forgotten by any who participated in its dangers or witnessed its triumphs.

AN INTERESTING ARTICLE.

MR. SYMMES—Sir: In your valuable paper of the 5th inst. is the following obituary notice of the wife of Judge Symmes:

"*Mother of Mrs. Harrison.* Died recently at Stockbridge, Massachusetts, at the advanced age of 92, Mrs. Susana Symmes, daughter of William Livingston, formerly governor of New Jersey, and widow of John Symmes, who was the founder of the city of Cincinnati, Ohio. Mrs. Symmes was the mother of the lady of general W. H. Harrison, of North Bend, Ohio."

If the fact stated in the above extract was occasioned by an error which occurs in my history of Long Island, it is a more proper for me to correct the mistake which appears therein, and I am now enabled from more recent information to say, that John Clevins Symmes, father of Mrs. Harrison, was the mother of Anna Tuttil, wife of Henry Southold, L. Island. Judge Symmes is believed to be the son of the rev. Mr. Symmes, minister of old Aquabogus, Southold; and possessed the farm (a little east of Riverhead line) now owned by Ezekiah Skidmore. Mr. Symmes married Anna, daughter of Henry Tuttil, of Southold, in the year 1772. Hannah, another daughter of Henry Tuttil, was the wife of major Isaac Reeve, of Southold, and mother of the late Isaac Tuttil Reeve, of Queen's county, the latter was of course a cousin of Mrs. Harrison. In 1775, or thereabouts, Mr. Symmes removed to New Jersey, and lived at a place called Flat Brook, about one mile from the Delaware river, where his daughter Anna, now Mrs. Harrison, was born in 1776. His daughter Mary, a year older than Mrs. Harrison, married William Short, of Virginia, where she died. Mrs. Symmes died when her daughter Anna was about two years old, and she was then sent to her grandfather, Henry Tuttil, where she remained till she was grown up, being in the meantime sent to be educated at the Clinton academy in East Hampton, L. I. In 1777, in relation to the year 1777, in 1777 appointed associate judge of the supreme court of New Jersey. Judge Symmes soon after married a Miss Henry, who died in a few years thereafter without issue, and for his third wife, married Miss Susan Livingston, daughter of William Livingston, esq. afterwards governor of New Jersey. She was of course a sister to William Livingston, esq. former surrogate of Kings county, hon. Brockholst Livingston, esq. late judge of the supreme court of this state, and associate judge of the supreme court of the United States, and who died in 1825. By this last wife, Judge Symmes had no children, and after his death she removed to West Stockbridge, Massachusetts, where she lately died. In 1780, Judge Symmes removed with a number of associates to the north west territory, and was made a district judge of the United States for that territory. He soon after commenced the settlement of Cincinnati, nearly on the former site of Fort Washington. He carried his daughter to that country when she was a young girl, and she was married in the year 1785, she married William Henry Harrison, then about 22 years of age, who had been aid to gen. Anthony Wayne, in his famous expedition against the Indians, and who for his good conduct was made a lieutenant. Mrs. Harrison is the

mother of eight children. Their eldest son, John Cleves Symmes Harrison, a child of the heroic and ever-loving mother, died in 1861, having been killed in the war. His father, George, was a member of the 101st Infantry, which was the only Canadian unit to fight in the war. He was killed in the battle of the Marston, where he was the only Canadian to be killed. His father, George, was a member of the 101st Infantry, which was the only Canadian unit to fight in the war. He was killed in the battle of the Marston, where he was the only Canadian to be killed. His father, George, was a member of the 101st Infantry, which was the only Canadian unit to fight in the war. He was killed in the battle of the Marston, where he was the only Canadian to be killed.

It must be a gratifying reflection for the inhabitants of this island, and of Suffolk county in particular, that one of their fellow citizens is allied in marriage to the distinguished individual, destined beyond all reasonable doubt, to fill the most important and honorable station in the power of a great and happy people to bestow. Yours &c.
WILLIAM C. THOMPSON

BENJ. F. THOMPSON

Hempstead, Oct. 7, 1940.

(Long Island Star.

A LOG CABIN LETTER. We give below the letter addressed by gov. Seward to the Westchester county committee in reply to their invitation to him to attend the log cabin dedication at North Castle, on the 24th instant. It is one of the most eloquent and touching productions we have ever read, and cannot fail to awaken the sympathies of every honest heart.

[N. Y. Star. 1844.]

[N. Y. Star.
Albany, Sept. 11, 1840.

GENTLEMEN: Your letter of the 25th ultimo, in
 viling me to join the citizens of Westchester county
 in destating a log cabin at North Castle, on the
 24th inst. was duly received. I am pvenred from
 accepting the invitation by engagements which
 call me into the western part of the state. I wish
 nevertheless, that it were in my power to visit
 Westchester. I have recollections which can never
 leave me, of the hospitality of her citizens, and
 there is abundant evidence that the patriotism of her
 sons has not declined since the days when three
 call her incorruptible whigs spored the bribe of Bri-
 tish gold, and saved their country from Arnold's
 treason.

I should, with great pleasure too, bear my part in dedicating the log cabin. The structure is p

—*the author.* "Auntie is scarce one among us of American birth, whatever may be his condition in life, who, if required to trace his genealogy, would not find his ancestors in the log cabin. While one or two, at most, trace a generation. The emigrant who seeks a asylum here from the storms of the old world may meet a cold reception in paved city, but if he follows where the spirit of adventure lead, he will always find in the log cabin a generous welcome."

One of the most man-crushed to the time when only log cabins graced the site of almost every city, town and village in the land, and wherever the humble structure is now found, it gives promise of a farm, a village, or it may be a capital. When the log cabin is found in the valley, or on the hill, or on the hill side, it is certain that the church and the school house will soon appear. As soon as the paternal farm is found atop some hill for an increasing family, the enterprising sons begin to build a school house, a temple and a bazaar. They fall beneath their sturdy arms, and the children from their log cabins gives notice to the settlers, that new emigrants have arrived among them. When property forsakes, and kind, familiar friends forget us because we are poor, the best invites us to build a log cabin. The log cabin is the cradle of patriotism and valor. When the Indian foe hung upon our western borders, and the British upon our Atlantic and northern frontiers, and Harrison, Scott and Jackson called to the rescue, it was the log cabin, the log cabin, and their riders rode toward the battle of Tippecanoe, Chippewa and New Orleans.

In childhood I attended my father in his visits as a physician to the halls of the rich and log cabins of the poor—I saw the offices of affection performed with equal assiduity in both. Health restored gladdened as many hearts, and bereavement produced as bitter tears, in the one as in the other. In maturer years I have visited the marble dwellings in our country cities, and have been a guest in the log cabins of Cayuga and Chautauque. I confess that in the latter I found always the most cordial greeting and largest welcome. I can be as welcome, too, that while no condition, high or low, exempts us from the cares, the disappointments and

the sorrows of life, and while faith, hope and charity withhold their consolations from those who cherish them, their choicest influences will be bestowed on those who humble abode. Let us honor the log cabin, and let us take care that wherever the unpretending structure is found, no matter what may be the birthplace or condition of its occupants, the schoolhouse be erected near it, and its rustic shelves arrayed with the cheap volumes of the Sunday school and common school libraries, and we may then be assured that luxury and ambition can never undermine the foundation of the republic. I am, with great respect and esteem, your friend and fellow citizen.

WILLIAM H. SEWARD.

J. A. Hamilton, Munson J. Lockwood and Wm. I. Bowron, exgrs. committee.

JOHN ADAMS. Letters of Mrs. Adams, the wife of John Adams. With an introductory memoir, by her grandson, Charles Francis Adams.

John Adams, the second president of the United States, died at the age of ninety, in the ancient seat of his family in Massachusetts, on the 4th of October, July 26, a half century from the day on which he affixed his signature to the Declaration of American Independence. Eight years before his death, after a union of fifty years, bereaved of his wife, he wrote the illustrations which adorn this volume, to that great day of his heroic adventures. The work before us is a small selection from her letters. Prefixed to them is a memoir of him, which, while it is a beautiful specimen of a good, valuable illustration to the contents of

Mr. Agali Adams was the second daughter of the rev. William Smith, the congregational clergyman of Weymouth, a village on the coast of Massachusetts Bay, bordering upon Quincy, and which twelve miles from Boston. Her education, it is when they were in the country, was provided in the colony by the instruction of females, her opportunity for intellectual culture were only such as could be found in private reading, and the society of her male friends. "I was never sent to any school," she says to one of her correspondents, "but writing education never came to me, except in a few rare instances, my father dancing." In her twentieth year, in October 1764, she was married to Mr. John Adams. He was a young lawyer of rising reputation; but, as she were her high destinies in this union forerunners anticipated that it appeared to her as if she were ranked between the millstone and the anvil, and the legal adviser yet been known to run smooth.

"The father Mrs. Adams," we quote from the memoir, "was a pious man, with something of that vein of humor, not uncommon among the clergy of New England, which ordinarily found such a field for its exercise in the pulpit." He was called Mr. Smith. He was the father of three daughters, all of them women of uncommon force of intellect, although the fortunes of two of them confined its influence to a sphere much more limited than that of the third. The eldest daughter, Hester, was the wife of Dr. Smith, that upon the marriage of his eldest daughter [Mary] he preached to his people from the text in the forty-second verse of the tenth chapter of Luke. And Mary has chosen her husband from among those who were her teachers. Two years elapsed and his second daughter, Elizabeth, married John Adams, the subject of this notice, was about to marry John Adams, then a lawyer in good practice, when some disapprobation of the match appears to have mani-

There are many still living, who can remember how ardent they remained, even down to the time of the adoption of the present federal constitution; and the fact that the Convention of 1840, will show that they have not quite disappeared, to this day. Besides this, the family of Mr. Adams, the son of a small farmer of the middle class in Braintree, was thought scarcely good enough to match with the minister's daughter, and indeed, she was thought scarcely light enough to color the picture.

It is probable that Mr. Smith, as made aware of the opinions expressed among his people; for he is said, immediately after the marriage took place, to have replied to them with a sermon, the text which, in evident allusion to the objection against lawyers, was drawn from Luke vi. 53. For John the Baptist said, "Ye shall not drink wine, and ye shall not be naked;" and he was drinking wine, and

The first ten years of Mr. Adams' married life were passed in tranquil domestic happiness. In

August, 1774, her husband, entering on that course of distinguished public service, which occupied him for nearly thirty years, repaired, as a delegate into Massachusetts, to the general congress, while she remained at home, the center of the social life of the city of Boston and its neighborhood, a part of the early period of the revolutionary struggle. The winter of 1777-8, having made in the interim a few short visits to his family during the recesses of the congress, Mr. Adams sailed for Europe, and the congress, to negotiate a treaty with the continental powers, remained abroad during the war, with the exception of a few weeks in the autumn of the following year. In 1784, having been sent to London to negotiate a treaty of commerce, Mr. Adams joined him there, and was introduced at court, in the diplomatic circles. Mr. Adams returned from Europe on the adoption of the federal constitution, and having been elected vice president of the congress, first at New York, and then at Philadelphia. When, with the inauguration of the federal party in 1801, he was appointed in the presidency, he retired to his family at his early home. The social propriety, which regulated his few years of public administration, had been so long a habit, that he was unable to withdraw from the revolution to public duties, and in the retirement of his declining years the seat of his independence, and of a modest, but liberal and cultivated life. Mr. Adams lived long enough to be employed to assist in the preparation of the history of the union. [North

John Adams has just been published in the form of a book, the editor of the Boston Daily Advertiser two or three specimens. They are the work of his grandson, Charles Francis Adams, and are a very interesting memoir. We have read them with a sincere interest which pertains to such subjects as the sympathies, the fears and the hopes of the patriots who were chiefly instrumental in securing the national independence. Mrs. Adams is a worthy companion of one among the patriots in every vicissitude of his glory and of his adversity. This letter was written at the day after the battle of Bunker's Hill. There is no despondency, although at that period only the first signs of ultimate triumph of the Americans were visible.

aring be-
spiri-
aries. It is addressed to her husband.
[Phil. Nat.
Sunday, 18th June,

... day, perhaps
depends. My bursting blood
I have just heard, that our dear friend
Warren has more, but fell gloriously fighting
his country; saying, better to die honorably in the
field than ignominiously hang upon the gallows.
Great is our loss. He has distinguished himself in
every engagement, by his courage and fortitude, by
animating the soldiers, and leading them on by his
own example. A particular account of these dread-
ful, but I hope glorious days, will be transmitted to
you, no doubt, in the exact manner.

"The race is not to the swift nor the battle to the strong; but the God of Israel is he that giveth strength and power to his people. Trust in him at all times ye people, pour out your hearts before him. God is a refuge for us." *Charlestown is laid in ashes. The battle began upon our entrenchments upon Bunker's Hill, Saturday morning about three o'clock, and has not ceased yet, and it is now three o'clock.*

o'clock, Sabbath afternoon.

It is expected that they will come out over the Neck to night, and a dreadful battle must ensue.— Almighty God, cover the heads of our countrymen, and be as a shield to our dear friends! How many have fallen we know not. The constant roar of the cannon is so distressing, that we cannot eat, drink or sleep. May we be supported and sustained in the dreadful conflict. I shall tarry here till the thought assuage by my friends, and then I have secured myself a retreat at your brother's, who has kindly offered me a part of his house. I cannot compose myself to write at present, I will add more as I hear further.

Tuesday afternoon.

I have been so much agitated, that I have not been able to write since Sabbath day. When I say that ten thousand reports are passing, vague and uncerain as the wind, I believe I speak the truth. I am not able to give you any authentic account of last Saturday, but you will not be destitute of intelligence. Colonel Palmer has just sent me word, that he has an opportunity of conveyance. Incorrect as this account will be, it shall go. I ardently pray that you may be supported through the arduous task you have before you. I wish I could contradict the report of the doctor's death; but it is a lamentable fact.

that of any other nation in Europe or America—yet will be able to form an idea of the wisdom as well as the benefits of the Mayville veto. Whilst the energies and virtuous influences of large national debts, the United States are wholly free from any such responsibility, unless, indeed, their liability to redeem a small amount of treasury notes, issued for the accommodation of those who were indebted to the government, and for the redemption of which it already possesses the means, can be so regarded.

I am not in favor of giving the public lands to the new states in which they lie. The policy which ought in my opinion to be pursued in regard to the disposition of the public lands, set forth in the following terms in my annual message to congress in 1837:

"The disposition of the public lands is one of the most important trusts confided to congress. The practicability of retaining the title and control of such extensive domains in the general government, and at the same time admitting the territories embracing them into the federal union as coequal with the original states, was seriously doubted by many of our wisest statesmen. All feared that they would become a source of discord, and many carried their apprehensions so far as to see in them the seeds of a future dissolution of the confederacy. But happily our experience has already been sufficient to quiet, in a great degree, all such fears. The proposition, at one time assumed, that the admission of new states into the union on the same footing with the original states, was incompatible with a right of soil in the U. States, and operated as a surrender thereof, notwithstanding the terms of the compact by which their admission was to be regulated—has been wisely abandoned. Whether in the new or the old states, all now agree that the right of soil to the public lands remains in the federal government, and that these lands constitute a common property to be disposed of for the common benefit of all the states, old and new. Acquiescence in this just principle by the people of the new states, has naturally promoted a disposition to adopt the most liberal policy in the sale of the public lands. A policy which should be limited to the mere object of selling the lands for the greatest possible sum of money, without regard to higher considerations, finds but few advocates. On the contrary, it is generally conceded, that whilst this mode of disposal is adopted by the government, the great object of the president was, yet its leading object ought to be the early settlement and cultivation of the lands sold; and that it should discountenance, if it cannot prevent, the accumulation of large tracts in the same hands, which must necessarily retard the growth of the new states, or entail upon them a dependent tenantry, and its attendant evils.

"A question embracing such important interest, and so well calculated to enlist the feelings of the people in every quarter of the union, has very naturally given rise to numerous plans for the improvement of the existing system. The distinctive features of the policy that has hitherto prevailed, are, to dispose of the public lands at moderate prices, thus enabling a greater number to enter into competition for their purchase, and accomplishing a double object of promoting their rapid settlement by the purchasers, and at the same time increasing the receipts of the treasury; to sell for cash, thereby preventing the disturbing influence of a large mass of private citizens indebted to the government, which would have a voice in controlling them; to sell to market no faster than good lands are supposed to be wanted for improvements, thereby preventing the accumulation of large tracts in few hands; and to apply the proceeds of the sales to the general purchase of the lands, and to the payment of the amount to be raised from the people of the states by taxation, and giving each state its portion of the benefits to be derived from this common fund in a manner the most quiet, and at the same time, perhaps the most equitable, that can be devised. These provisions, with occasional enactments in behalf of special interests deemed entitled to the favor of the government, have, in their execution, produced results as beneficial upon the whole as could reasonably be expected in a matter so complicated, and so exciting. Upwards of seventy millions of acres have been sold, the greater part of which is believed to have been purchased by actual settlers.

The population of the new states and territories created out of the public domain, increased between 1810 and 1830 from less than fifty thousand to upwards of two millions three hundred thousand souls, constituting, at the latter period, about one-fifth of the whole people of the United States. The increase since cannot be accurately known, but the whole may now be estimated at upwards of three millions, and half millions of souls; composing nine states,

the representatives of which constitute above one-third of the senate, and over one-sixth of the house of representatives of the United States.

"Thus has been formed a body of free and independent landholders, with a rapidly unequalled in the history of mankind; and this great result has been produced without leaving any thing for future adjustment between the government and its citizens. The system under which so much has been accomplished, can be continually improved, and occasional modifications, to correct abuses, and adapt it to changes of circumstances, may, I think, be safely trusted for the future. There is, in the management of such extensive interests, much virtue in stability, and although great and obvious improvements should not be neglected, change should never be made without the fullest examination, and the clearest demonstration of their practical utility. In the history of the past we have an assurance that this safe rule of action will not be departed from in relation to the public lands; nor is it believed that any necessity exists for interfering with the fundamental principles of the system, or that the public mind, even in the new states, is desirous of any radical alterations. On the contrary, the general disposition appears to be to make such changes as will be salutary only as will the more effectually carry out the original policy of filling our new states and territories with an industrious and independent population.

"Can you ask whether I recognize the right of the citizens of the United States to petition congress for the abolition of slavery in the District of Columbia, and to have their petitions respectfully received, referred to a proper committee and reported upon?

"The constitution of the United States secures to each house of congress the right to determine 'the rules of its proceedings.' Under no circumstances can it be appraised of, can it become the duty or the right of the executive to interfere with the doing of this respect. The question propounded by you does not, therefore, apply in any sense to the duties of the office of president. I have, however, no hesitation to say that, in my judgment, the two houses of congress were fully justified in the course they pursued in the subject of abolition petitions. The details of the measures which they from time to time adopted, may not have been the best that could have been devised, or such even as they themselves would have preferred under other circumstances. But the general policy, in regard to the best course to be pursued, among those who are united in the object, and amid the excitements of the moment, it would be extraordinary indeed, if the results of their action had been precisely such as cool and sober reflection would have suggested as the wisest and best. They for several years received those petitions, and referred them to appropriate committees, as was done with petitions on other subjects. On at least one occasion the house of representatives referred the subject to a numerous committee, with instructions to report at large upon the whole subject, and the house upon the coming in of the report decided against the prayer of the petitioners with great unanimity. In the senate the same subject was acted upon with equal solemnity, and decided also against the prayer of the petitioners by a nearly unanimous vote. It was only after it had become obvious that the sole object which was hoped to be accomplished by most of the petitions was to make an instrument of congress to introduce a species of agitation, by means of which the public mind had already been excited and disturbed, and which might in its consequences reach to a dissolution of the union itself, that the two houses took measures for such a disposition of the petitions as would prevent injurious consequences to the government, and to the quietude of the public interests intrusted to their care. In the senate this was accomplished by a motion in each case to lay the petition, and every motion that was made upon it, on the table; whilst motion in the house was to refer the petition to a select committee of representatives, by a general resolution applicable to all, the same result was obtained.

Your only remaining question is, 'whether I am in favor of sustaining the banking institutions of this country, and maintaining a mixed currency of gold and silver and bank paper, or of an exclusive metallic currency?'

"The information to be derived from the archives of your own state, and from repeated and formal avowals of opinion on my part, as well before as since, will abundantly establish the propriety of the course to be adopted upon this subject. I entered your state legislature in 1812, and left it in 1820. There has been no period of equal extent in which the passion for banking was stronger, or during which the influence of its impetus, and its progress, and the banking capital of the state was more extensive.

Satisfied of the unsoundness of the principles upon which the institutions of that day were founded, and convinced that instead of affording to the community a sound circulating medium and to business useful facilities, they would operate injuriously in both respects, I made (with a single exception connected with the war, and which has been repeatedly explained), throughout the whole of those eight years, an active, vigorous and unvarying opposition to the increase of such institutions. I was also strenuously in my efforts to place the subject of banking which would take from them the character of monopolies, and produce, as I hoped, better practical results. Recalled to the service of the state eight years afterwards, and finding that the disposition in favor of the then existing system of banking had, as I apprehended, acquired too strong a hold upon the public mind, and that the system had become too extensively interwoven with business transactions, to be wholly changed, I employed the brief period of my administration of the state government in inducing the legislature to protect the bill holders and the community at large against loss from bank failures, by the establishment of the safety fund system.

"How much my measure was desired and misrepresented at the time, and in what relation to it I now feel even by those whose sense of duty forced them to oppose its adoption, I need not inform you. An expression of my opinions of and disposition towards the banks having been called for by a communication addressed to me by the candidate for the presidency, they were at that time thus given:

"I have an abiding reliance on the intelligence and virtue of the people. Temporary inconvenience may be caused by policy or fraud of these institutions, but the remedy will soon be applied. A people like those of the states composing this confederacy, will not long stand by and see the currency of their respective states corrupted, the value of property undervalued, and all their interests damaged, by the imprudence or cupidity of these corporations, without finding and enforcing an effectual, and at the same time a constitutional remedy. These observations do not proceed from a desire to deal harshly with state banks. Although I have always been opposed to their increase, I would nevertheless pursue towards the existing institutions a just and liberal course—protecting them in the rightful enjoyment of the privileges which have been granted to them, and extending to them the good will and consideration which should be discharged with fidelity the delicate and important public trusts with which they have been invested. But all experience having shown that there is no delegated power more liable to abuse than that which is vested in the management of these institutions, I would be astute in watching the course of the banks, and vigilant and prompt in arresting the slightest aspiration on their part to follow a bad example, by seeking to become the masters when they were designed to be the servants of the people."

Raised by the favorable consideration of my countrymen to the head of the federal government, my official relation to the state banks was so far changed as to restrict my action in regard to them to such points only as were properly required by their connection with the administration of the federal government or with the legislation of congress.

In my first annual message, December, 1837, they were thus spoken of:

"The discontinuance of the use of state banks for fiscal purposes ought not to be regarded as a measure of hostility to such institutions. Banks, properly established and conducted, are highly useful to the business of the country, and will doubtless continue to exist in the states, so long as they conform to their laws and are found to be safe and beneficial. How the state should be elevated, what privileges they should enjoy, under what responsibilities they should act, and to what restrictions they should be subject, are questions which, as I observed on a previous occasion, belong to the states to decide. Upon these rights, or the exercise of them, the general government has no more to interfere to encroach. Its duty toward them is well performed when it refrains from legislating for their especial benefit, because such legislation would violate the spirit of the constitution, and be unjust to other interests; when it takes no steps to diminish their usefulness, but so manages its own affairs as to make it the interest of those institutions to strengthen and improve their condition for the security and benefit of the community at large. They have no right to insist upon the support of the present government, nor on the use of the public money for their own benefit. The object of the measure under consideration is to avoid, for the future, a compulsory connection of this kind. It proposes to place the general government, in regard to the

essential points of the collection, safe keeping, and transfer of the public money, in a situation which shall relieve it from all dependence on the will of irresponsible individuals or corporations, to withdraw these moneys from the use of private trade, and confide them to agents constitutionally selected and controlled by law; to abstain from improper interference with the industry of the people, and to withhold inducements to luxury and extravagance, on the part of individuals; to give stability to the concerns of the treasury; to preserve the measures of the government from the unavoidable reproaches that flow from such a connection, and the banks themselves from the imputation of avarice; to secure participation in the political conflicts of the day, from which they will otherwise find it difficult to escape."

In my next message, December, 1838, they were adverted to in the following language:—
"It will not, I am sure be deemed out of place for me here to remark, that the declaration of my views in opposition to the policy of employing banks as depositories of the government funds, cannot be justly construed as indicative of hostility, official personal, to these institutions; or to repeat in this form, and in connection with this subject, opinions which I have uniformly entertained, and on all proper occasions expressed. Though always opposed to their creation in the form of exclusive privileges, and as a state monopoly, aiming by appropriate legislation to secure the community against the consequences of their occasional mismanagement, I have yet ever wished to see them protected in the exercise of rights conferred by law, and in promoting the utility, where properly managed, in promoting the interests of trade, and, through that channel, the other interests of the community. To the general government they present themselves merely as state institutions, having no necessary connection with its legislation or its administration. Like other state establishments, they may be used or not, in conducting the affairs of the government, as public policy and the general interests of the union may seem to require."

And to my last message, the following view of the subject was taken:

"In a country so commercial as ours, banks of some form will probably always exist; but this serves only to render it the more incumbent on us, notwithstanding the discouragements which we have in our respective states, to mitigate the evils they produce—to take from them, as rapidly as the obligations of public faith, and a careful consideration of the immediate interests of the community will permit, the unjust character of monopoly—to check, so far as may be practicable, by prudent legislation, those temptations of interest, and those opportunities for their dangerous indulgence, which beset them on every side, and to confine them strictly to the performance of their paramount duty, that of aiding the operations of commerce, rather than consulting their own exclusive advantage. These, and other salutary reforms may, it is believed, be accomplished without the violation of any of the great principles of the social compact, the observance of which is indispensable to its existence, or interference in any way with the useful and profitable employment of real capital."

"Institutions so framed have existed, and still exist elsewhere, giving to commercial intercourse all necessary facilities, without infusing or depreciating the currency, or accomplishing any of the evils which are accomplished by their legitimate ends, they have gained the surest guarantee for their protection and encouragement in the good will of the community. Among a people so just as ours the same results could not fail to follow. The direct supervision of the banks belongs, from the nature of our government, to the states who authorize them. It is to their legislatures that the people must mainly look for action on that subject. But as the connection between the government and the payment of its revenue has also a powerful though less immediate influence upon them, it becomes our duty to see that a proper direction is given to it. While the keeping of the public revenue in a separate and independent treasury, by collecting it to gold and silver, will have a salutary influence on the system of paper credit with which all banks are connected, and thus aid those that are sound and well managed, it will at the same time sensibly check such as are otherwise, by at once withdrawing the means of extravagance afforded by the public funds, and restraining them from excessive issues of notes which they would be constantly called upon to redeem."

My official course as president has been, and will continue to be, regulated by the uniform opinion which I have thus repeatedly expressed. I pursued the laws which forbade the receipt of their irredeemable, and consequently depreciated, notes in

payment of public duties to be faithfully executed; I recommended to congress a gradual discontinuance, also, of the receipt of their notes in the collection of the revenues of the United States, and the substitution of gold and silver; and the discontinuance of the use of banks as depositories of the public money; and the substitution of an independent treasury. I have likewise suggested for the consideration of congress, the propriety of placing these upon the same footing as other debtors, by subjecting them to the provisions of a bankrupt law—not for the purpose of depriving them of privileges secured by state law, but to enable the holders of their bills to collect the same good and true money, and to charge the liabilities they were under, according to those laws. My reasons for these respective positions are before the people of the United States, who will, I should not, appreciate them according to their deserts, and that is what I am desirous to do."

The constitution of the United States prevents any thing but gold and silver from being made a legal tender in the states. No attempt to change the constitution in this respect, will, I trust, ever be made; successfully I am confident it cannot be made. But it does not follow that nothing but gold and silver should be employed in making the exchanges, and in transacting business between man and man. A portion of the circulating medium used for these purposes will have to be composed of bank paper, unless its circulation is prohibited by law. There are few, if any, who would object that those who have capital should employ it, and the credit it gives them in facilitating the exchanges of the country, in making and supporting which, all should have reasonable advantage to themselves, and afford security to the community; whilst all should protest against permitting those who have it not to practice banking under the sanction of law, as a contrivance to secure to themselves a living out of the labor of others, and also against giving to the business of banking, in any form, undue advantages over the other pursuits of life. The question before the country in relation to this subject are not, whether the business of banking shall be permitted, but how it shall be authorized, and upon what terms it shall be carried on, questions which it is the province of the people and the governments of the states to decide for themselves. Wherever these are so arranged as to secure the interest and rights of the whole community, and to prevent the issue of any forced currency of gold and silver, and bank paper of which you speak. What should be the proportions of each, cannot be reduced to any precise rule. No one who is at all disposed to consider the subject dispassionately, can, I should suppose, after all the experience we have had, entertain a moment's doubt that the value of property—the steady employment and adequate compensation of labor—the security and success of all regular employments, and the consequent prosperity of the country, are all essentially dependent upon the possession of a stable currency, and that the currency is every where more or less stable in proportion to the greater or less infusion of the precious metals. It is therefore the dictate of sound policy as well as justice to extend, and not to divide or multiply contrivances to diminish, that portion of our circulating medium that is to consist of gold and silver. This should be done as far as may be found practicable, and as consistent with convenience. There are few subjects, in respect to which more erroneous opinions prevail, and in which the public mind has so much trouble to examine minutely into the matter, than in regard to the amount of what is usually denominated currency, (including in the term gold and silver, and bank paper), employed in or necessary to the support of the business of the country. No one, who lifts the matter fully, can fail to be struck with the prevailing misapprehensions on this subject. The business of the country in which money is actually used, bears but a small proportion to the whole of our expenditures. The money is not employed, are, first, the foreign trade, almost the whole of which branch of business, immense as it may be, is carried on partly by an exchange of commodities, but principally by bills of exchange drawn on the results of our exports; and secondly, the circulation of capital abroad. It seldom happens that what is usually called money is employed in these transactions; and when it does happen, it is only in very limited amounts. The same remark is applicable to the whole of the trade and commerce of our own country. Those engaged in it do not ordinarily employ money to discharge the liabilities that grow out of it, but do so by draft and domestic bills of exchange, drawn from place to place upon funds previously accumulated, or which are to accumulate, from the transaction of the productions of the country and other sources.—So too in regard to large dealings in our cities: we all know how seldom it is that money is actually em-

ployed in them. With very limited exceptions, they are affected by exchanges, checks, transfers of credit, &c. &c. This is the manner of conducting the more important commercial transactions, even where a paper currency most abundantly, and it would be still more generally resorted to, from motives of convenience, in proportion as coin shall have been made to constitute an increased portion of the circulating medium. It is so also in a great degree with large sales of property, real as well as personal. Strife out these and other business transactions, standing upon the same footing, which might be named, and it would be seen how little is left to the use of the whole of the transactions of society for which the use of money is necessary or to which it is ordinarily employed. The disparity between the whole dealings of the country, the debts which are made and paid, and the money actually employed in them, will be still more apparent when the average amount of what is termed currency in the United States is contrasted with the average amount of the business transactions of the country. The amount of specie at this time in the United States may, it is supposed, be fairly set at \$80,000,000 dollars, and of paper in circulation at \$90,000,000. Of the specie, not far from \$35,000,000 is in the vaults of the banks. Add the residue to the bank notes in circulation, and the whole amount of the circulating medium of the United States is, at this time, \$125,000,000.

Who can estimate the gross amount of the business transactions of the country, even for the present year, or say how many hundred, or perhaps even thousands of millions of dollars, are paid by ourselves any idea of its vast amount, which may be regarded, as even an approach to accuracy—compare it with the amount of the circulating medium, and you will then be able to make some estimate of the immense amount of business which is transacted without the use of money, either metallic or paper. At present, it will be seen that owing to contractions by the banks, the specie in the country, although out all in circulation, is nearly equal to two thirds of the whole circulating medium of the United States.

I have alluded to the last topic only for the purpose of removing, to some extent at least, the groundless alarm which the measures for infusing a larger proportion of coin into our currency seem to have excited in the public mind. I have only an argument in favor of an exclusive metallic currency. My own views in relation to the policy of increasing the quantity of coin in our circulating medium were thus given in my letter to the hon. Sherrod Williams:

"That gold and silver should constitute a much greater proportion of the circulating medium of the country than they now do, is a position which few are disposed to deny. How great the increase, and how rapidly it ought to be effected, are questions to regard to which I have no opinion, and which may refer to time arise amongst men having the same general object in view. No beneficial reform in the affairs of the world was ever accomplished, in which similar diversities of opinion were not found among its advocates. But it is a consolation to know the embarrassments arising from that source have been overcome, and may be again. To protect the working classes (who, generally speaking, have no control over a paper currency, and derive no profit from bank stock) against the loss arising from a forced currency, and to secure a metallic currency sufficient at least for all minor dealings—including the payment of labor, the most important as well as the most pressing use there is for money—to furnish a more substantial specie basis for that part of the currency, and to secure the confidence of the whole community from loss in consequence of any sudden withdrawal of confidence—should be my first object, as it is our imperative duty. I am, gentlemen, very respectfully yours obedient servant, Wm. M. Sweet, Jr. To Messrs. E. D. Sweet, Edward Merritt, James Shields, Henry Meritt, John M. Goring, John Wood, Wm. M. Sweet, Jr. T. Nichols, A. S. Meritt."

The above correspondence appeared in the Globe of October 17th, and was credited by it to the "Poughkeepsie (N. Y.) Telegraph," with the caption, "correspondence between the president and a number of the principal opponents of Fishkill." The letters of these "political opponents" is dated "Franklinville, Dutchess county, New York, June 8, 1840;" and the following letter from the same gentlemen has appeared in the Poughkeepsie Eagle of October 17.

"Franklinville, Oct. 14, 1840.
"Messrs. Editors: In the Telegraph of this day appears a letter which purports to be from Mr. Van Buren, in answer to one sent to him by the

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ployed in them. With very limited exceptions, they are affected by exchanges, checks, transfers of credit, &c. &c.

This is the manner of conducting the more important commercial transactions, even where a paper currency most abundantly, and it would be still more generally resorted to, from motives of convenience, in proportion as coin shall have been made to constitute an increased portion of the circulating medium.

It is so also in a great degree with large sales of property, real as well as personal. Strife out these and other business transactions, standing upon the same footing, which might be named, and it would be seen how little is left to the use of the whole of the transactions of society for which the use of money is necessary or to which it is ordinarily employed.

The disparity between the whole dealings of the country, the debts which are made and paid, and the money actually employed in them, will be still more apparent when the average amount of what is termed currency in the United States is contrasted with the average amount of the business transactions of the country.

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To protect the working classes (who, generally speaking, have no control over a paper currency, and derive no profit from bank stock) against the loss arising from a forced currency, and to secure a metallic currency sufficient at least for all minor dealings—including the payment of labor, the most important as well as the most pressing use there is for money—to furnish a more substantial specie basis for that part of the currency, and to secure the confidence of the whole community from loss in consequence of any sudden withdrawal of confidence—should be my first object, as it is our imperative duty.

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undersigned on the 8th of June last, and it appears to have been directed to us, but we have never received any such letter, nor ever heard of it, until we saw it this day in the Telegraph. Mr. Van Buren says in this letter that he sends us some pamphlets, on the subject of abolition and a protective tariff, neither of which have we seen. We call upon the editor of the Telegraph to let us know how he came by our correspondence? And what business he or any other person had with it before it was received by him, (for it has become of the pamphlets forwarded to us with the latter) We also call upon him to explain the whole of this mysterious business. If the letter is genuine, and was forwarded to us through the post office, it is purporting to have come from the bottom of the letter it is directed to us, some one of Mr. Van Buren's faithful postmasters must have been very unfaithful in the discharge of his duties.

—Yours, &c.
E. D. SWETT, EDWARD MERRITT,
A. S. MERIER, JAS. SHIELDS,
HENRY MERIER, JOHN M. GORING,
W. M. MERIER, JOHN WOOD,
J. T. NICHOLS, WM. S. SWETT."

PROCEEDINGS OF THE AUBURN CONVENTION.

At a convention of democratic republican delegates from the several counties of the state of New York, convened at the village of Auburn on the first day of October, 1840, pursuant to the call of the state central committee.

The hon. Richard Keese, of Clinton county, president of the last democratic republican state convention, called the meeting to order, and nominated general James TALLMADGE, president pro tempore of the convention, who was the chosen person.

On motion of Herman M. Romey, esq., of Ulster county, Henry W. Hicks, of the city of New York, and Robert Halghi, of the county of Monroe, were appointed secretaries pro tem.

The proceedings of the convention were opened by an address in the Throne of Grace, by the rev. Mr. Latrobe, of the Baptist church.

On motion of John L. Graham, esq. of New York, it was

Resolved, That a committee of eight, to consist of one from each senatorial district, be appointed by the president, to prepare an organization and report officers for the convention.

The president appointed John L. Graham, of the first district; Charles H. Bellows, of the second district; Daniel L. Deane, of the third district; James M. Cook, of the fourth district; Remond Hart, of the fifth district; Daniel Gray, of the sixth district; Sherman Beardsley, of the seventh district; Lewis Eaton, of the eighth district, such committee.

The committee retired to perform the duty assigned to them, and upon their return to the convention, reported, by Mr. John L. Graham, their chairman:

General PIERRE VAN COERTLANDT, (a Jeffersonian slector of president and vice president in 1800), of the county of Westchester, for president of the convention.

Vice presidents—Gideon Lee, Charles A. Clinton, P. S. Titus, Abraham Goetichs, Ebenzer Lonsberry, Ambrose Baker, Alexander C. Gibson, Wm. H. Angell, George D. Ruggles, Marcia Ozden, John Cooper, Jr., Wm. K. Strong, Russell B. Johnson, John B. Macy, Clark Robinson, Wm. A. Windsor, Chester Groswood, John Cray, Chasney Humfrey, Walter Cunningham, Jos. Strafford, Dower D. Williamson, Edward E. Maurice, Wm. L. Morr, John Campbell, Levi Smith, John M. Van Buren, John Seaman, Russell Case, Levi Cook, Wm. Whitely, David S. Lyon, John B. Bori, Edilbham H. Warner and John G. Kohr.

Secretaries—John C. Bergh, William Cully, Jas. Cunningham, John Ransom, Curtis, Constant Cook, John H. Cheddell, Mortimer De Mott, John S. Ganss, Richard H. Winslow, Philip H. Perry, Lewis K. Faulkner.

The report was unanimously adopted, and the president was conducted to the chair.

On taking the chair, gen. Van Coertlandt returned his thanks to the convention, and addressed them with great earnestness and force upon the subjects which had brought them together.

On motion of Edward Sanford, esq. of New York, it was

Resolved, That a committee of eight, to consist of one from each senatorial district be appointed by the president, to draft resolutions and an address, expressive of the sense of the convention.

The president appointed Edward Sanford, of the first district; Paraclete Potter, of the second district; Daniel Gardner, of the third district; Richard Keese, of the fourth district; Wm. McCulloch, of the fifth district; Levi Hubbell, of the sixth district; Samuel J. Bays, of the seventh district; Sherman Stevens, of the eighth district, such committee.

The hon. Herman M. Romey, of Ulster, then addressed the convention in an eloquent and impressive speech. After which the convention took a recess, to re-assemble in the grove at half past one o'clock.

Half past one, P. M.—The convention having assembled to the number of several thousands, the venerable president called the meeting to order, and introduced Mr. Bernard Cover, of Brooklyn, who favored the people with a patriotic song.

Mr. John L. Graham then introduced the hon. N. P. Tallmadge to the convention, who addressed them in a speech, and concluded by introducing the hon. Wm. C. Rives, of Virginia, who was received with the most enthusiastic applause.

Mr. Rives addressed the convention for four hours, and at the conclusion of his remarks, William K. Strong, esq. introduced to the convention, the hon. Hugh S. Legare, of South Carolina.

Mr. Legare addressed the convention for two hours and a half; and when he concluded, Joseph Hoxie, esq. came forward, at the call of the people, and favored them with a song.

Edward Sanford, esq. from the committee appointed for the purpose, reported the following resolutions and addresses to the people, which were unanimously adopted:

1. Resolved, That we regard the support of the "state governments in all their rights as the most important administrations for our domestic control," that the most bulwarks against anti-republican tendencies, "that the recommendation of a corrupt law applicable to the chartered institutions of the states, is a direct attempt to strip the states of the power of chartering banks, and an undisguised attempt to deprive the people of the means of securing, internal improvement, and religious associations, under the absolute control of the federal government.

2. Resolved, That we regard "as a jealous care of the right of election by the people, as a mild and safe corrective of abuses which are lapped by the sword of revolution where peaceable remedies are unprovided," that the interference of the federal officers with the elections of the people, and their bold efforts to direct and govern, or to overawe and intimidate in voting, and we regard as an insupportable abuse, dangerous to liberty, and threatening to convert the right of suffrage into an engine of the most fierce and unrelenting despotism.

3. Resolved, That we regard this government, as founded on the people for their own benefit; that by its constitution the will of the people is the supreme law; that the people are the sole and safe depositors of all power, principles and opinions, which are to direct the government; that we avow independence of mind, freedom of thought, freedom of discussion, freedom in voting, and we prize and we prize our hostility to despotism and tyranny in any shape, whether ruling with a dictatorial and imperious sway by a single autocrat, or by directing and controlling a strict party organization, with bitter and persecuting intolerance.

4. Resolved, That we regard an "absolute acquiescence in the will of the majority as the vital principle of republics, from which is no appeal but to force, the vital principle and immediate parent of despotism"—that the president of the United States, in his open disregard of the clearly expressed will of the majority, and in his attempt to overrule and adjust the decisions of the people through the ballot box has attempted to establish and maintain an executive independence at war with the principles of our government, and directly vitiating the liberty of the people.

5. Resolved, That we regard "the preservation of the general government in its whole constitutional vigor as the sheet anchor of our peace at home and safety abroad," but will not submit to any encroachment upon the rights of the states, or of the people. That the president of the United States, in claiming to be a component part of the national legislature, in dictating his measures to the representatives elected in voting, and in procuring their subservency by his executive power, in the hands of the people, and, only, by himself, and procuring all citizens from participation in or dealing with the government who do not subscribe to his measures, has insulted and degraded the powers of the executive, and laboriously endeavored to establish a consolidated government.

6. Resolved, That the examples of twenty-two despotic governments of Europe, furnish no models for the imitation of unchanged democratic republicanism; that we maintain the necessity of Washington, Jefferson, Madison and Jackson, in relation to the collection, safe-keeping and disbursement of the public revenue, against all the crowned heads of the old world and against all heads ambitious of a crown in the new.

7. Resolved, That we believe our fathers in have rightly understood the work of their own hands—that under the close constitution which they framed for us and the wise and patriotic administration of the government enjoyed down to the elevation of the present incumbent, the United States of America presented the most free, the most prosperous, the most fully employed, the best paid and the most happy people on the face of the earth—that with the introduction of that legitimate offspring of despotism, the sub-treasury scheme, we have witnessed a blighting, withering change; distress, suffering and want have overspread the land—government has abandoned the high duties which it owes to the people, and their general desolation has ended in the bankruptcy of the nation.

8. Resolved, That we regard the sub-treasury law, as we did the project in 1834, during the administration of general Jackson, as disorganizing and revolutionary, subversive of the fundamental principles of our government and of its entire practice; as enlarging the powers of the executive, placing in his hands the means of corruption, and exposing the public treasures to be plundered by an hundred hands, where one could not before reach it—that principles never change, and what constitutes democracy then, constitutes it now.

9. Resolved, That we regard "as well disciplined and our best reliance in peace, and for the first movements in war, our regular army," may relieve them," and we are irrevocably opposed to the project of president Van Buren, to raise a standing army of two hundred thousand men, and place it under the control of the federal executive.

10. Resolved, That the administration of the federal government, after having attempted the accomplishment of the ruinous change from a paper to a metallic currency, reduced the wages of labor and the price of property to the lowest standard of value, and thereby given rise to a debt contracted under the paper currency an overwhelming magnitude, have added to this gigantic injustice, their refusal to exercise the powers solely vested in that government, to pass an uniform bankrupt law; and thus retaining in the victims of the folly of the administration under an oppressive and oppressive bondage, paralyzing their energies and demoralizing the people.

11. Resolved, That in WILLIAM HENRY HARRISON, of Ohio, and JOHN TYLER, of Virginia, we recognize the true democratic republican candidates for the offices of president and vice president of the United States; that we deem it our duty to effect a restoration of the good old republican government, administered by Jefferson, Madison and Jackson, and of the sovereignty, prosperity and happiness of the people.

12. Resolved, That we cordially concur in the nomination of WILLIAM HENRY SEWARD, for governor, and LUTHER BRADISH for lieutenant governor of this state; that in their administration of the state government they have exhibited the great Jeffersonian requisites of honesty, capacity and fidelity to the constitution, and proved worthy of the high trusts reposed in them by the people.

13. Resolved, That a central state committee, to consist of seven persons, be appointed by the president, to call a future convention, and to take such measures as they may deem necessary to effect a thorough reorganization of the democratic republican party.

14. Resolved, That the proceedings of this convention be signed by the officers, and that they be made known in all the newspapers in this state, opposed to the re-election of Martin Van Buren.

The president then appointed Wm. H. Hicks, John Lorimer Graham, Edward Sanford, Paraclete Potter, James Gibbons, Sherman Bradley and John B. Macy, the central state committee.

The convention then adjourned, without day.

To the democratic republican electors of the state of New York, who, with us, were supporters of Andrew Jackson and Martin Van Buren.

Friends and fellow citizens: We address you under the most solemn circumstances. We have reached a crisis which ought to alarm the most confident, and arouse the most indignant. Our common country is bleeding at every pore, she looks to you for succor. Her prosperity is trodden down—her institutions are threatened—the balance of her constitution has been disturbed—the sovereignty of the states has been annihilated—the federal head has usurped powers which lead to the most dangerous results, and must, if not speedily arrested and restored, end in the overthrow of the republic!

The truth upon which these grave statements are made, need in us to be distinctly placed before an intelligent and free people, to meet the emergency of action and indignant opposition. Denunciation would be unworthy the cause we expose, and

elevation itself could not unfold the deep and broad extent of our accumulated wrongs and dangers.

Let facts announce the rightful steps which have been taken. We present them to you in the simplest form which our language permits.

Martin Van Buren, in his high official station, as president of these United States, has proposed to apply a bankrupt law to the chartered institutions of the states.

He has claimed to be a component part of the legislation.

He has overthrown the liberal and magnanimous policy of the democratic republican party, and introduced in its stead all the subservience and discipline of a camp.

He has applied an indiscriminate rule of proscription to every man that dared to dissent from the executive mandate.

He has violated the wholesome instructions of Mr. Jefferson, which forbid the interference of federal officers in our local elections.

He has taught public functionaries of every description, that the bread of themselves and their families depend upon upholding him and his political power.

He has cherished and encouraged such interference, in its widest and most violent form, and introduced through his minions an odious and intolerable reign of terror.

He has endeavored, through his partisans in the senate of the United States, to legalize this unconstitutional procedure.

He has made the purchasing of supplies for the public service from a citizen not upholding his domination an offence against government.

He has prostituted the dignity of the government, and outraged its principles, by calling persons charged with such offences to answer before a court of martial law.

He adopted this vile measure, not the requisition of a political committee, organized in the support of his own re-election, at Baltimore.

He has made corruption a weapon of his warfare against the people, and retained in office notorious public defrauders, with full knowledge of their use of the people's money.

He has rendered our political organization more complicated and expensive, and caused it to be so, here, that in leaving to labor the smallest portion of its earnings on which it can subsist, government itself shall consume the residuum of what it was intended to guard.

He has created new offices, and quartered upon us large bodies of officeholders, to outvote public opinion, and "take from the mouth of labor the bread it has earned."

He has advanced centralism, consolidation and absolute power in the executive, while professing to maintain a democratic ascendancy.

He has abandoned the wise system of revenue and finance introduced by Washington and his great associates, and substituted instead thereof, the example of twenty-two despotic states.

He has declared the course of government to have been wrong from the commencement; thereby arrogating to himself superior wisdom to the able statesmen who framed the constitution, and who have heretofore administered it, and exhibited a settled plan to overthrow a policy which has raised us to a degree of prosperity, wealth and greatness, far surpassing any other nation on the globe.

He has, by a series of measures, as unjust as they have been oppressive, produced an artificial fluctuation in the value of money, thereby dragging to the verge of ruin, the whole of our entire debtor class of the people, and augmenting in the same ratio the wealth of the whole and entire creditor class; thus violating the duties of a just and equitable administration, creating a general public and private bankruptcy, and diffusing misery through all classes to the extent exceeding the evils of any other catastrophe, civil or military, which has occurred in modern times.

He has broken in upon the business habits of the people, he has disordered the currency of the country, he has disarranged all care over or obligation to it—he has prostrated commerce—he has depressed agriculture—he has almost ruined our manufactures—he has reduced the wages of labor—he has assailed the credit system, and the chartered institutions of the states, and the state's themselves, and produced a public calamity at home which has extended over the whole world.

He has arranged the conduct of the states in regard to their sovereign acts, and attempted to bring them to the bar of the federal government for prosecuting their schemes of internal improvement.

He has viewed the people as belonging to the government, and fatigued congress into a compliance with his will, by passing an act rejected and most obnoxious law.

He has procured the passage of the sub-treasury bill, by force of his executive power and influence against the wishes and interest of the people, and thereby placed the treasures of the nation at the foot of the gallows.

He has proclaimed the act which thus dispossessed the people a "second declaration of independence!" The first declaration was of the independence of the people; their executive has now declared himself independent thereof!

He has declared "that communities are apt to look to government too much," and that the people of our country are especially "prone to do so."

He has separated the government from the people, put upon the great holders a special privilege of receiving their dues in gold and silver only, at the expense of the people, who pay them.

He has proposed and carried out the measures of a party in the city of New York, who, in 1829, declared themselves hostile to all banks, all charters, all priories, or authorities of religious teachers; against the existence of wealth, against the laws of inheritance, by which property is transmitted to posterity, and declared their intentions to elect man "who from consanguinity of feeling will be disposed to do all they can to afford a remedy."

He has taken to his confidence the men who avowed these sentiments as their objects of political action; he has elevated them to important and responsible public trusts, and given predominance to that faction, in whose hands there would be neither safety to the public institutions, nor protection to private property and personal liberty.

He maintains in public employment, and gives his official countenance and sanction to men and journals proclaiming "uncompromising hostility to the whole banking system," that "the system must be destroyed; that every fibre of the system must be marked as an enemy to his race;" "that as we have abolished hereditary monarchy and hereditary nobility, we must complete the work by abolishing hereditary property!"

He has declared that had the extension of the banking system been foreseen, it would probably have been guarded against by the framers of the constitution, and that the same policy, which led to the interdiction of bills of credit by the states, would also have interdicted their issues as a currency in any other state.

He has refused to acquiesce in or obey the will of the majority, as expressed through the ballot boxes, impeaching the purity and questioned the intelligence of the people who rejected his administration; he has said he will take his stand during his official term, "in spite of all lamentations here or elsewhere."

He has made a question of policy recommended by himself, the only touchstone of the democratic republican faith, thus establishing a new measure of political conscience, fluctuating and unstable.

He has, through the pestilential press of the administration, countenanced and sanctioned unmeasured and atrocious calumnies and abuse against an illustrious citizen, whom the people have prized as a rival candidate, thereby betraying a temper and spirit altogether incompatible with the elevated station which he fills.

And, finally, when the power was first placed in his hands to legalize his usurped control over the public moneys he strongly recommended the plan of his secretary of war, of embodying two hundred thousand of the young men of the country to be in the employ of the federal government and under the control of the president.

With these momentous facts before us, we may safely say that the man who, in his original draft of the Declaration of Independence, that "future ages will scarcely believe that the hardness of one man adventured, within the short compass of four years only, to lay a foundation so broad and so unimagined, for tyranny over a people, fostered and fixed in principle from freedom."

Under these appalling circumstances, we conjure you fellow democratic republicans, to unite your efforts with ours to stay the march of despotism, to rescue the constitution and to bring back the government to its primitive purity.

We have been organized as a political party in support of what Mr. Jefferson termed the "essential principles" of our government. We have pointed out to you the acts of Mr. Van Buren, which depart from and violate those principles. Let us remember that the last of these republican institutions is committed to us! If we falter in their support; if we suffer ourselves to be drawn from the ground which we originally occupied; we peril our sacred trust, and jeopard the holy cause of freedom and self-government.

Fortunately for the American people, that God, who in our darkest periods of gloom and danger al-

ways came to our relief, again extends to us his providential care. He has, in his infinite goodness, reserved for us an ark of safety. He has preserved for us a citizen, beloved for his private virtues, exalted for his public services, prolonged in life, and more than rich in all physical and mental powers. A man who sees and feels all the abuses which have taken place; who has the wisdom, the patriotism, integrity and fidelity to men and country; who, taking his military and civil services into consideration, deserves the gratitude of his country more than any man now living—this man is William Henry Harrison.

Let us, fellow democratic republicans, imitate the Roman people, the virtuous and best days of their commonwealth; let us take, general Harrison, like another Cincinnatus, from his plough—or, if his enemies will have it so, from his log cabin! He will save our country, arrest the agitating arm of government, which now shakes all our social and business relations, and restore the happiness and prosperity of our people.

Fellow democratic republicans! the eyes of the civilized world are upon us. The friends of our free institutions look on the present contest with an intense anxiety. Their last hope is in us: to us they must look in the language of the revered James Madison, "to posterity the rich legacy of freedom left to us by the statesmen and warriors of our revolution." The advocates of a monarchy and aristocracy still hope and believe that there is a hidden effort in this country; that in the language of the revered James Madison, "the great foundation for it." They care not on whose brow it may be placed, if he who wears it be affiliated with them. Let the great western republic be changed to an elective or a limited monarchy, and the labors of the revolution, and the objects of that revolution will be known and remembered only in the pages of history.

In approaching the discharge of our elective franchise, and the close of this great struggle for supremacy between the people and their executive, we are reminded in the language of the revered James Madison, "it is a contest which appeals for its support to every motive that can animate an uncorrupted and enlightened people; to the love of country, to the pride of liberty, to an emulation of the glorious founders of our republic, to a sense of the violation of its violated attributes; and to the sacred obligation of transmitting, entire, to future generations, that precious patrimony of national rights and independence which is held in trust by the present, from the goodness of Divine Providence."

THE HOOD CARR.

To the people of the United States. I take the liberty of addressing myself to you, my fellow citizens of every section of the country, because the subject of which I am about to treat is one which has caused a deep sensation through the land, and in the great importance to be fully and fairly understood, in order that impartial justice may be done to Mr. Van Buren, on the one hand, and that you may be enabled to act understandingly, on the other, for, with as deep seated and unmitigated opposition to the measures of Mr. Van Buren's administration, and to the means by which he acquired and now proposes to perpetuate his power, as any man can entertain, I desire to do him the most ample justice, which, in my judgment, is the best manner of doing it.

The circumstances connected with the trial of Lieut. Hoos have excited so deep an interest in the public mind as to engage the time and the exertions of the press and public speakers from one extreme to the other, and to excite a party among us, to defend and the other to condemn the sanction given by the president to the reception of negro testimony. The subject has been one of so much discussion, in various forms, as to have become somewhat hackneyed, and I have been tempted, in its interest, not to have abated—at all events the efforts of the friends of the president to excuse his conduct seem to have increased as the time approaches when the people will be called upon to pass their sentence of approval or reprobation, and in this end we have seen the most shameful misrepresentations, the most unfounded assertions, and the most untenable deductions presented to the public view that ever were presented to an intelligent people.

I do not propose to go into a lengthy and tedious reply to all that has been urged by those who are hired for the purpose of preparing defenses for the president; but some facts of an interesting character have recently come to my knowledge, which I deem it my duty to lay before the public. Society has had the kindness to send me, in pamphlet form, one of a series of letters that have been addressed to me by the late postmaster gene-

nal and press editor of the *Extra Globe*, which is the fi-
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And this is said in the face of the published proceedings of the court, the original manuscript copy of which had been in my possession, and was returned to the department on the day preceding the introduction of the subject to congress, by which it appeared that the testimony was not only verbally and distinctly called to the fact, and his interference solicited, on the ground that negro testimony had been received by the court—in the face of the impotent defects set up by the president for his recognition of such testimony as admissible—to the fact that the president had been informed of this, and the attorney general, attempting to sustain that decision of the president—and in the face of what that truth-loving and truth-telling corruptor of public and private morality knew to be the facts of the case; and this creature, who thus undertakes, as a part of his official duty, to misrepresent the events facts, to blot out: truth, defame the characters of all honorable men, and to teach political wisdom and honesty to the people, again indulges in the round assertion that it has been the usage of the government to receive such testimony from the

The same assertion has been made by the president, in substance, repeated by the secretary of the navy, reiterated by the attorneys and all the newspapers of the day in the employment of government, and public speakers who are now and hope to be in its employment hereafter.

They have the records before them. The president, the secretary, editors and all, have been challenged and defied to show, from the records, that such has been the usage. It has been denied over and over again, and I beg leave to ask, once more, why do they withhold the evidence that would exculpate the president from all blame, with all their exertions to extricate him from what they feel to be a most perplexing difficulty, and rely upon broad, unrestrained and unfounded assertion?

Why, every man of common intelligence who is not blinded and besotted by party attachments and political prejudices must answer: it is because they have no such proof to offer. It is false, as if it were not false, they would produce the records to sustain their assertions, and relieve themselves, at all events, of suspicion, and what must otherwise result in conviction of falsehood.

Now I challenge a denial of the following facts from any man who does not stand already convicted before the country of uttering and publishing what he knew at the time to be an unblushing falsehood—for such a man is very capable of doing the same thing again, and therefore no confidence is to be reposed in his statements:

1st. That in records of the departments have been searched in order to find the cases that would sustain the practice as alleged; that in the navy department, the only case that has been found was that of a sailor named John H. Hayes, of Philadelphia about the year 1827, in which David T. Rusty (a negro) appeared as a witness; which case was approved by Mr. J. Q. Adams, who is charged by the whole administration party to be an abolitionist; that the trial was held in a state where such testimony is not admitted; that the case was decided by a few courts of the state, that no appeal was made to Mr. Adams, no complaint made, and interference solicited; that when gen. Jackson came into office, on a representation of the facts being made to him, he ordered an investigation of the United States senate as 2d lieutenant of marines; that gen. Hayes of South Carolina, as chairman of the committee on naval affairs, resisted the nomination on the ground that he had been cashiered; and that, on a representation of the fact that negro testimony had been admitted in the case of John H. Hayes, he withdrew his objection, and the nomination was unanimously sustained by the senate.

21y. That in the war department, the only case that has been found was that of cadet Drake, which case, so far from being presented by the officers of government as a precedent which would justify the course of the president, has been carefully withheld from public view, and when demanded by the hon-

William D. Merriek, a senator from Maryland, and the honorable Edward Stanly a representative from North Carolina, in the name of four hundred and fifty thousand people whose representatives they were, that the secretary peremptorily, and in violation of all right and propriety, refused to exhibit the public records of the country, which are subject to the examination of the humblest citizen in the community.

See the following letter from Messrs. Merrick and Stephens:

[Here follows the letter of Messrs. Merrick and Stanly, which appeared in the National Intelligencer of October 3.]

The reason for withholding from the gentlemen, in utter disregard of the duty of the secretary, the rights of the people, and the usage of the department, the information they sought to obtain, may be gathered from the following, which is a copy of a letter from major John H. Eaton, formerly secretary of war, and who acted in that capacity at the time of the trial of cadet Drake, and who set aside the decision of the court, expressly on the ground that negro testimony was inadmissible, although the offence was committed, and the trial held at West Point, in the state of New York, where, in the common law courts, such evidence might have been received:

Washington, 2d Sept. 1840.

DEAR SIR: I reply to you hastily; the case to which you refer I well recollect, and the following are the circumstances:

Some persons, Mr. Drake, perhaps, was brought before a court martial at West Point, of which major Hitchcock was judge advocate. The record showed that some free negro had been treated ill; sensible persons had been employed to take care of him, and he hired to depart. He was absent at the trial, when the court determined that his statement at the time should be received as evidence; and it was received, and the case was decided in favor of the negro. A man from Kentucky, was also dismissed for contumacy, because he would not reveal the confidential conversation of his roommate.

I reversed the decision of the court, on the ground, that the law of evidence did not require the confession, and more especially in the case before me for consideration, where it was more hearsay testimony. Mr. Crittenden I also reinstated, because I held his conduct in not revealing the secrets of his associates to be a justifiable one, and I reversed the decision, and so declared in my reversal of the proceedings.

If you have any object for making me the inquiry, I beg you to ask the secretary of war for a copy of my decision. He can have no objection to afford it, and I am quite confident it will sustain what I state to you. Your friend,

J. H. EATON.

Here, then, is a solution of the mystery hanging

over cadet Drake's case; and in the letter is to be found the reason for the rule said to have been adopted by the department, when they refused to exhibit the papers to Messrs. Merrick and Stanly. If there was such a rule, it does not appear to have been the practice formerly, as major Eaton, who had occupied the situation for many years, would not thus have requested his friend to call on the secretary of war for a copy of his decision, which he states he could have no objection to afford.

What man, after this, either through the public prints or in the presence of the people, will pay so little regard to candor and truth, as to undertake to justify the president on the ground of practice and usage, when the only case that has been found in one department was immediately condemned and redressed by general Jackson and the senate of the United States and the only case found in the other was promptly set aside by the secretary of war, and the president above and the present secretary himself now refuses to publish or exhibit, or make any statement of the case in the representatives of the people who have demanded it?

Let us go a step further, and ascertain if the position I have heretofore taken in regard to the legal question of competency was correct, or otherwise. Mr. President, Mr. Attorney General, Mr. District Attorney, Mr. Kendall, Mr. Blair, Mr. Ritchie and the other members of the cabinet, have all, on this day, say, the law regulating courts martial "ought to prohibit the reception of such testimony, and, therefore, the president had no right to interfere." I have taken the ground which has been harshly assailed, and that, although that law was not on the subject, yet that the president had no right to interfere, in 1780, which settled the principle that ought to have been applied in this case, and that was, that the laws of the several states, except where the constitution, statutes, or treaties of the United States shall otherwise require or provide, shall be regarded as rules of the common law of the United States, in cases where they apply.

Now, in order to sustain this opinion, let me advert to an official opinion given by the hon. John Macpherson Berrien, then attorney general of the United States, (which will be found on record in the navy department), to the secretary of the navy, in the year 1830, which fully establishes the position I have assumed, and I will then leave the world to decide which is most to be relied on, upon a legal question, the former attorney general or the gentleman who now occupies his place:

Office of the attorney gen. of the U. S. 4th June, 1830.

Six: In answer to your inquiry whether it would be competent for an officer of the navy under arrest, and the department to dispense with the attendance of witnesses, and by common consent to take depositions to be used on the trial, to be objected to by the officer preferring the charges, I have to state that, in my opinion, such depositions would not be competent evidence.

The 37th article of the rules for the better government of the navy, and the 74th article of the rules and articles for the government of the army, seem to contemplate, exclusively, the examination of witnesses in criminal cases. The latter code, in the latter code, by providing, under certain restrictions, and in cases not capital, that depositions may be taken, negatives their allowance in other cases; and the former, by requiring that the testimony of a witness, that, without it, such testimony would not be competent even in these minor cases. English writers on the subject insist upon the propriety, in trials of capital crimes, of the examination of witnesses according to the rules of evidence established in the common law courts of criminal jurisdiction, and these would not authorise the course proposed in the case of a military execution. I am, respectively, your obedient servant,

JNO. MACPHERSON BEBRIEN.

To the secretary of the navy.
So that, according to the opinion of Mr. Berrien even in the absence of the law of 1789 which I have quoted above, and according to the English writers on the subject, Mr. Van Buren could, if he had felt as much solicitude upon the subject of southern feelings and northern principles as he professed, have applied that rule or principle as established by law for the regulation of all the common law courts of the United States civil or criminal.

But let me assure, if Mr. Van Buren's sensibility sustained any such shock at the idea of having an officer of the navy dismissed and dishonored upon the testimony of the prosecutor's own servants—who, by the way, were not even sworn—has given testimony as long as they were in a state of servitude; if he thought the law "as it stands ought to be altered, but that he could not alter it," if he entertained the feelings common to all southern gentlemen, and if he was not a hypocrite, he would be bestowed upon him, of a northern man with southern feelings, who did not he recommend that plan to the consideration of congress, if he deemed it necessary and expedient! The constitution of his country would be required to be changed in his hands. He made his decision about the 12th Dec. 1839—his message was sent in to congress about the 21st or 22d—congress sat until the 31st July, and we never hear of this outrageous law, which would have been voted for, and which he had not the power to alter, until after the people had gotten hold of that as well as his army bill.

Suppose, instead of a poor and computatively friendless young man, who only awaited the opportunity to fight his way to distinction, and to defend the honor of his country, it had happened that the accused, arrested, arraigned, tried, convicted, disordered and dismissed from the service of his country, upon the testimony of two negroes, whose testimony had been admitted as legal, because they had enlisted in the public service of the creek, and clean up the country, were Van Buren, Peabody, Key, Gripe, and Blair and Ritchies would it have taken to arrest the tide of public indignation and resentment that would have rolled on until it overwhelmed all that dared to raise a voice in defence of the foul and dis-

And will the public voice excuse those men for daring to exercise their petty tyranny over one of the junior officers of our gallant navy, because he has no powerful friends to sustain his cause, and that, too, at the expense of a principle held sacred by every southern man, the violation of which no of his defenders in the south would submit to in his own case? Maryland, Virginia, North Carolina, Georgia, Mississippi, Louisiana, Tennessee and Kentucky will answer in a voice of thunder, that will awaken the inhabitants of the palace to a sense of the wrongs they have practiced on the hard and generous people. JOHN M. BOTT.

October 9, 1840.

CHRONICLE.

THE APPRAISAL. In pursuance of a decree of the circuit court, this famous vessel, together with her cargo, was, on Thursday last, sold by auction, under the direction of the marshal of the district at Charleston in this city. An appraisal was had of vessels and cargo when the goods were first landed. We understand that the amount of that appraisal was about six thousand six hundred dollars, and that the gross value will amount to within four or five hundred dollars of that sum.

The vessel was valued by the appraisers at \$600, and she only \$245. The cargo consisted of fifty tons burden, built in Cuba, and said to be old. Her sails are all worn to shreds, and a large expenditure would be necessary to render her sea worthy.

WRECKED REPUBLICANS.

ARIZONA CITY. The population is as follows: white males 507; white females 308—whites 1,715. Male slaves 176; female slaves 318—slaves 494. Free colored males 249; free colored females 241—free colored 490—total colored 1,080. Grand total 2,795.

BRITISH POST OFFICE. We have been favored by captain Joseph C. Delano, of the packet ship Patrick Henry, with a sheet which he prepared for his acquaintance, showing the operation of the new British post office system. From it we select the following items:

Letters not exceeding half an ounce in weight may be sent through the kingdom for one penny, and may be sent by post for a greater weight. The rates are double if the postage is not paid in advance.

Letters to and from the United States, if sent by packet, twelve times, and if by private ship, six times, at the above rates. This applies to Cunard's line, and includes the inland postage.

Letters from foreign ports for the continent (except France) must be paid in England, or they will be opened and returned.

Newspapers from foreign places, by packets or private ships, pay 2s. each, and for this are sent to any part of England.

British newspapers pass through the mails free.

JOUR. COM.

BRITISH EXPORTS. The statement made by Sir R. Peel in the last debate of the house laws respecting trade, comparing the year 1833 with 1839, showed that the declared value of cotton exported in 1838 was £16,713,000, while in 1839 it was £17,694,000. The exports of linen manufactures had increased from 2,730,000, in 1835, to £3,420,000, in 1839. The export of silk manufactures had increased from £777,000 to \$65,000, and the woollen manufactures from 5,765,000 in 1839, to £5,207,000 in 1839. Comparing the amount of all the exports of perfectly woven fabric, it appeared the total was in 1835, 26,107,000 and in 1839, 29,254,000. Lord Palmerston showed that the gross official value of all exports had increased from £23,000,000 in 1835, to £33,000,000 in 1839, and that there was an addition also for the same period of £1,000,000 in the value of our imports. The consumption of British manufactures has not therefore diminished so much, but unfortunately the prices of manufacturing have fallen to such a degree that no profit is made. This is the point sturred over by the corn law.

BECKER HILL MONUMENT. The treasurer of the association acknowledges the receipt of \$10,000 as a donation from Amos Lawrence. This gentleman is a brother of the late distinguished representative from Boston.

THE BUCKTON ACT. The Liverpool Mail says that no tailor can recover for a coat unless it has been buttoned or buttoned down of the same material as the coat. The act was made for the protection of the Birmingham trade.

ENTREPRENEUR. A heavy shock of an earthquake was felt at Brooklyn, Conn. on Tuesday evening last, 30th inst. A gentleman from that town describes the shock as much more severe than that which was experienced in that and other parts of the state a few weeks since.

FALLING STARS. The pupils at the observatory at Peru carefully watched the number of meteors during the nights of the 9th and 10th of Aug. Until midnight they did not exceed 15 per hour, but after midnight they were observed on ordinary nights; but at 2 o'clock, Mr. May was counted thirty-five in one hour. The greater proportion fell almost parallel to the Milky way, which at that time extended from the zenith to the west a little inclined to the south.

EXCAVATING MACHINE. New inventions. The Albany Argus gives an account of a machine invented by Mr. E. Jackson, of Albany, called the grading wheel, by which the process of carving and depositing earth is greatly facilitated. The revolving power is brought into practical and easy application—the loaded ear passing down one inclined plane, while the rotating or "grading" wheel is passing on the other. There are two parallel planes started from the place of excavation to the place of deposit—so adjusted as to allow the ear to receive its load at a single turn of the wheel, and to deposit it at the bottom of the plane, and return—and so on ad infinitum. The whole process is under perfect control, and easy, and economical management. It may be adapted also, by the use of the power of water, to the clearing of the river and by articles from upper stores. Mr. Jackson has also invented a rail road car, self propelled by a power concentrated within the wheel, so constructed as

to wind themselves at intervals whilst in the act of traversing. The principle of the machine is the power of gravitation, but the mode of applying it is a secret with the inventor. The machines are patented at Steamboat House, Albany, N. Y. Post.

EXTENSION. A small vessel of about a hundred tons burthen, is being fitted up near the foot of Main street, by four or five young men, for an excursion of five years to the upper lakes. Mr. William Kennedy of Steuben House, Albany, is the proprietor. On Monday for Lake Huron, where they will spend the winter trapping, fishing and hunting. Thence in the spring they intend to cruise in the Gulf of Mexico, and Lake of the Woods. This is a novel enterprise, and we wish them fairwells, a pleasant voyage and abundant success. [Buffalo Tattler.

FOOD. It is estimated that there are upwards of 6,000 acres of ground cultivated for gardens in twelve miles of London, giving employment to 30,000 persons in winter, and 60,000 in summer. The total value of cattle sold annually at Smithfield, is £2,500,000. A million of pounds a year is expended for fruits and vegetables. 1,000,000 of quarts were consumed—four-fifths of it in bread, being 64,000,000 of quart-loaves. Of butter there is consumed 11,000,000, and of cheese 12,000,000. The total value of poultry is supposed to be \$1,250,000 for poultry £70 or £200,000. The consumption of game depends on the fruitfulness of the season—rabbits are in great demand. One hundred and thirty thousand, for a considerable portion of the year, sells 14,000 a week, and employs from 150 to 300 men and women to hawk them about. [Cincinnati Gas.

GREAT BRITAIN. The grand total capital represented by all property in Great Britain is estimated at £2,620,000,000. The value of all lands, public property is £104,000,000. The value of lands, parks, canals, rail roads, mines, houses, timber, forests, is supposed to be £2,345,000,000. The value of all furniture, apparel, plate, specie, money in bankers, savings' banks, &c. estimated at £580,000,000. The national debt is about £764,000,000.

LEAD. The receipts of lead at St. Louis, during the week ending the 19th instant, amount to 55,000 gallons. Freight from St. Louis were high, but owners had no alternative except to yield to the demands of the steamboats, or to keep the lead over the winter.

MACHINICAL CENTER. It is stated in the Philadelphia Ledger that there is now on exhibition at the Franklin Institute in that city a large and perfect telescope, the whole of which is the work of a black man, who earns his "daily bread" as a stereoscope on the wharves. It is said to be the only one of its kind, when the glazing labors of the day were over. Not only the external machinery is his, but the materials of the glasses and lenses were prepared entirely by the ingenious black.

THE METHODISTS IN CANADA. The Methodists in Canada now consist of nearly a hundred thousand souls. They have sprung up in a few years from very small beginnings, and under many disadvantages. It is not many years since the Quebec society, the only Methodist preacher in Lower Canada, was incarcerated several months in the Quebec jail for libel; and in Upper Canada, there were only a few wandering preachers. They have now numerous churches, churches; a college of their own; and many able and respectable preachers.

MORMONS. Letter day mints. The Liverpool Chronicle says—"The New York packet ship North America, captain Lowber, sailed on Tuesday week, with 190 cabin passengers and 300 in the steerage." The whole of the steerage passengers belong to a sect called 'Letter Day Saints,' and bound for Quincy, in the state of Illinois. The borders of the Mississippi river, a settlement has been provided for them by the state of Illinois. The whole of the passengers of their sect, who have purchased a large tract of land in Michigan. We understand that upwards of 2,000 are intended to embark on Friday next at New York locality. A great portion of those who sailed in the North America are members of the total abstinence society, and are from Leicesterville and Herfordshire. They are to reside in the respectable house of Fitzgibb and Grimshaw, of this town.

NEW ORLEANS POPULATION. The number of white males in New Orleans exceeds the number of white females 10,222. The number of colored females exceeds the number of colored males 6,222.

PROVIDENCE CITY TAX FOR 1840. \$65,000. This tax is assessed on a valuation over \$17,000,000, being at the rate of 37 cents and 8 mills on each \$100 valuation.

REVOLUTIONARY PATRIOTS. Seventy of the surviving veterans of '76, in Connecticut, attended a mass meeting at Norwalk, Monday next, to celebrate their return of 85, 86, 87, 88 and 89 years.

Revolutionary patriot gone. Died in this city, on Saturday morning last, Mr. William H. Burdett, an aged veteran of the American Revolution, and one of the celebrated sea party, and was a revolutionary pioneer. He was present at the lecture given by the famous John Jay on the subject of the Revolution, and was overboard, a few years since, at the Masonic Temple. He died of old age, under the infirmities of which he was supported by the gospel he had publicly professed. [Boston Trav.

THE ROPE WALK at the United States navy yard in Charleston, is said to be the most perfect establishment of the kind in the world. It is a 1,300 feet long, 60 feet wide, and 10 feet high, and is built of iron. The work is done with an enormous steam engine, by which the hatching, dressing, spinning and sinning every other operation in making a rope or cable, is done. About 100 men are employed in hatching and dressing machines, are in one room, in operation by steam. By the spinning of hemp in a machine, a more even thread and consequent saving of time is effected. At this rope walk, we understand the principal rigging for the navy is or can be made.

SAFETY VALVE TO STEAM BOILERS. At the last meeting of the society of arts and manufactures, a new safety valve, called the "McClure," for a mercantile purpose, which answers the double purpose of an indicator of steam pressure and a safety valve for steam boilers. The novelty of the invention consists in the employment of a mercurial tube as a safe-valve for the steam; these tubes having hitherto been used only as indicators of pressure, and of a length sufficient to allow the steam to escape, and to a certain degree of pressure without giving any other notice of the fact than what may be observed by the eye. As the action of Mr. McClure's safety-valve depends on a purely physical principle, viz. the action of the steam on the surface of the static pressure of mercury without a mechanical construction of any kind, it affords a free vent for the steam when its pressure exceeds a limit, corresponding to the length of the mercurial tube, and is regulated according to the strength of the boiler. [London Adm.

SAVINGS BANKS. An official return to the British parliament shows that the whole number of depositors in savings banks, in November, 1839, was 743,236; and that the amount deposited in them was upwards of twenty-two millions pounds sterling.

STOWING. Notwithstanding the activity of the public officers to suppress it, smuggling continues to be practised on the northern frontier to a great extent. Marshal Best recently seized another lot of goods, which were supposed to be run in without first paying the duties. The quantity of goods now under condemnation is large. The sale of goods in this city last week, viz. the 24th inst., was a violation of the new law, we are told, amounted to \$60,000 or \$70,000. [San.

STEAM NAVIGATION. The greatest achievement, perhaps, of the present day is the successful application of steam to ocean navigation. The success of this enterprise, in some measure in our commercial interests. Half the space between us and Europe is now destroyed permanently. It is a very pleasant, in a sense, a new opening of hands. It were less so perhaps in times of commotion and mid-war's alarms. Politically considered, some will think it were better to have two Atlantic oceans, than to have one, which would annihilate the old one. The nearer we approach each other, the greater our danger of getting intermingled and involved in each other's troubles. However, there is no stopping this space-annihilating progress; we must fall in and make what good we can out of it. One thing it were well to consider, that the steam navigation is not always to be a mere freight-carrying or pleasure-seeking intercourse. These same 600 horse power contrivances can do other work than carry loads and sails and the like from land to land—they may suddenly become the mercenary of war, floating battle fields, flying aristocrats with a vengeance; and, whenever this may happen, the whole field and circumstances of war must be changed. The fate of nations will be cast, not on Waterloo fields, but on the ocean; not by glittering masses of infantry, but by dingy steam engine men driving about their war machine, light as gnomes with 500 horse power, and Terkiss' engines. [Pittsburgh.

MR. WENTLEY returned yesterday from his visit to the south, in good health, and we believe is about to set out on his promised visit to New Hampshire. The Hillsborough county meeting, which he has engaged to attend, is to be held at Farmington, on Monday next. [Boston Daily Adm.

WHALE FISHERIES. The correspondent of the London Shipping and Mercantile Gazette, writes from Peterhead, 8th inst.—"The whaling fleet, of Kirkcaldy, from Peterhead, sailed yesterday, but forebore clean, with intelligence of the complete failure of the fishery this season, and the loss of the whale ship Hecla. The whaling fleet, of the United Kingdom, heard from between July 9 and September 10, there were only six fish; of seven vessels heard from in September, one only had a fish." [Pittsburgh.

WHITE LEAD was formerly manufactured at Pittsburgh, sufficient to supply the whole country. Now, immense quantities are made in the city of New York. Near Hudson, a new establishment has just been put in operation, by which the most beautiful white lead is manufactured by machinery. The principal feature in the improved process of manufacturing, consists in oxydizing the lead in large iron cylinders, the remaining process being the same as that of the old process. The pig lead, the pure white article is produced in a finished state in less than 18 hours, its beauty is unequalled, as well as the cost being reduced. [Troy Mail.

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REMITTANCES BY MAIL.—"A prospectus may enclose money in a letter to the publisher of a newspaper, to pay the subscription of a third person, and thank the letter, if written by himself."—*Amos Kendall*.
Some of our subscribers may not be aware that they may save the postage on subscription money, by requesting the postmaster where they reside to frank their letters containing such money, he being able to satisfy himself before a letter is sealed, that it contains nothing but what relates to the subscription. [*Am. Farmer.*]

FOREIGN ARRIVES.

The steamer **BRITANNIA** arrived at Boston on the 3d instant, having left Liverpool on the 20th ult.

The allied forces are acting with energy in Syria. Accounts from Alexandria are to the 3d October. Beyrout had been evacuated after being nearly destroyed by the allies, who remained in possession of Tafia, D'Jehal, Kaffia and Tripoli. In addition to 11 British ships previously on the coast, a squadron of 5 ships from Lisbon, of which two were three deckers, subsequently passed Malta to join the fleet of Sir R. Stopford. They had besides nine steamers, several frigates, and smaller vessels.

An Athens journal states that it had proposed to King Otho, of Greece, to become party to the treaty of the four powers.

The Turkish government had issued a formal declaration deposing Mehmet Ali. The Paris correspondent of the New York Courier on the 7th, writes that the French government has in consequence addressed a declaration to the foreign powers, parties to the treaty of July, to the effect that "the deposal of Mehmet Ali must not be inferred, and that any attempt by them to give effect to it, on the part of the Sultan, would be viewed by France as a declaration of war."

The *Monitor* of the 8th contains a royal ordinance, convoking the French chambers for the 25th of October. The same correspondent says—"This proceeding is by one part of the public as indicating the determination of the government to go to war. By another, it is regarded pacifically, the well known moderation of the chambers justifying a belief that nothing so calamitous as war will be sanctioned by them. For myself, I still rely on the king's love of peace, and I admit that extremely have gone so far that it will be found extremely difficult to restrain the population."

GREAT BRITAIN.

The weather continued favorable to the harvest, and grain continued to fall. Duty on wheat 21s. 2d. per quarter. On flour 13s. 0 1/2d. per bush.

Cotton. The aspect of political affairs had produced an unfavorable effect on the cotton market. There had been a decline in prices on all American descriptions of fully 1/4d. for the last fortnight.

Money affairs. The bank of England advanced Oct. 15, gives at the average of weekly liabilities for the quarter ending Oct. 13, circulation, £7,231,000; deposits, £6,782,000; liabilities, £2,239,000.

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securities, £22,782,000; bullion, 4,145,000; assets, £24,927,000.

The return of the British revenue for the quarter ending October 10, give an amount of £12,111,230 for the receipts of the quarter, which is a decrease of £53,007, compared with the corresponding quarter of the preceding year. Of the decrease £28,000 is in the income of the post office, £115,120 in the customs, and £196,910 in the excise. The receipts of the year to the same date were £44,665,785, being a decrease of £670,550 from the produce of the preceding year, of which deficiency £638,000 was in the post office.

At the final close of the election of lord mayor of London, the votes were for alderman Price 2,741. Johnson 2,713, and Harner 2,294. The two first were accordingly returned to the court of aldermen, from whom Thomas Johnson, esq., great strength and cooper, was chosen to fill the office of lord mayor for the ensuing year. He was invested with the office, Oct. 8.

FRANCE.

Attempt to assassinate the king of France. On the evening of the 13th, at 6 o'clock, a musket shot was fired at the king, as he was passing along the quay of the Tuilleries, on his return from Paris to St. Cloud. He was not hurt, nor was any one of his attendants. The assassin was arrested, on examination gave his name, Marius Etienne Dumortier, 32 years of age, born at Marseilles, by profession a conspirator, and on further interrogation he declared that he lived by his labor. In answer to the inquiry he had accomplished, he said he was the only accomplice, that he wished to kill the greatest tyrant of ancient or modern times—that he repented only of not having succeeded. The court of peers was convoked on the same day, and ordered to proceed immediately with the trial of the assassin.

A letter received from Louis adds that the musket was so heavily loaded that it burst, and three fingers were torn from the hand of the assassin.

Prince Louis Napoleon and his companions, had been found guilty by the court of peers and sentenced to perpetual imprisonment, were removed from the Luxembourg, one portion to the citadel of Ham, and the other to that of Blaye. The prince was said to have taken his condemnation very quietly, merely observing that he had one satisfaction left—namely, that of remaining in France, and that the word "perpetual" was long since expunged from the French vocabulary, at least as respected political offenders. General Montholon, on the contrary, was assailed by his sentence, having throughout the proceedings indulged a hope of being acquitted, from his personal acquaintance and intimacy with the greater number of his judges. His disappointment was such that he took to his bed, and, being indisposed, was unable to follow his companions to the place of their captivity. Colonel Parguin also felt his condemnation most keenly. Lieutenant Alembicq escaped being sentenced to death by a majority of four votes.

HOLLAND.

King William's proclamation of abdication appeared October 4. A Brussels paper says that the countess of Flanders has just left her residence at home, and has had all the furniture and other things which she left in Holland brought to that city. We believe she is now at the Chateau d'Oultremont. The Journal des Flandres affirms that she has never ceased regularly to receive letters from King William, and that she has long been in Germany, subsequent to the marriage, it is possible the king may come and reside at Tervuren.

The ceremony of the abdication of the king took place October 8, at the Chateau of Loon, with great solemnity. In the presence of the prince of Orange, now William IV, his other members of the family, the great functionaries of the state, &c. The proclamation issued by the king on this occasion is noticed above. By another proclamation, of the same date, the new sovereign inaugurated his reign, and he said he will exert in the footsteps of his father. By a second proclamation the new king confirms all the ratifications, civil, military and naval. William II. was expected at Hague on Thursday.

On Thursday evening day public prayers were to be offered up to beg the Most High to afford strength and wisdom to the new sovereign to rule over the dutches of the Netherlands.

It is asserted in a letter from Amsterdam, addressed to the "Commerciant," that since the abdication of William I, deficit of 62,000,000 florins (15,600,000 francs) has been found in the public accounts.

CHINA.

The reports from England of the destruction of the forts at Foua Tigora, by the British fleet is at least doubtful. By the arrival of the ship Delhi, captain Crocker, at New York, which left Wampoa on the 3d, and Macao on the 5th June, we learn that the British fleet had not then arrived, though he met a steamer of war two days after leaving, bound to China.

The accounts via England are dated Bombay July 23d—the China date not given.

There is no later news from China. The overland mail arrived Oct. 6, bringing Bombay dates to Aug. 28, but nothing from China later than the beginning of June. The report, therefore, of the reception of news at Bombay of the bombardment and destruction of the Bogus, as we thought apparent, was unfounded.

THE TREATY OF THE FOUR POWERS.

The *Observer* of Brussels publishes a French translation of a note on the affairs of the east addressed on the 31st of August by the secretary of state for foreign affairs to Mr. Henry Lytton Bulwer, her Britannic majesty's minister plenipotentiary at Paris, in the absence of his excellency earl Granville. This document was officially communicated to the French government, and subsequently printed and transmitted to the allied courts. [*London Times, Oct. 3.*]

"*Foreign Editor, August 31, 1840.*"

"Sir: Various circumstances have prevented me from sooner transmitting to you, and through you to the French government, some observations which her majesty's government is desirous of making upon the memorandum delivered to me on the 24th of July by the French ambassador at this court, in reply to the memorandum which I had delivered to his excellency on the 17th of that month; but I now proceed to do so.

"Her majesty's government observed, with great satisfaction, the friendly tone of the French memorandum, and the assurances which it contains of the earnest desire of France to maintain peace, and to uphold the balance of power in Europe. The memorandum of the 17th July was conceived in a spirit of equal friendliness towards France; and her majesty's government is as anxious as that of France can be to preserve the peace of Europe, and to prevent any derangement of the existing balance of power.

"Her majesty's government also saw with much pleasure the declarations which the French memorandum contains that France wishes to act in concert with the other four powers in regard to the affairs of the Levant; that she has never been actuated in these matters by any other motive than a desire to preserve peace; and that in the judgment she has formed upon the propositions which have been made to her she has never been influenced by any selfish interests of her own, being, in fact, as disinterested as any other power can be in the affairs of the Levant.

"The sentiments of her majesty's government upon these points are in all respects similar to, and corresponding with those of the government of France. For, in the first place, in the whole course of the negotiations which have been going on upon these matters during more than 12 months it has invariably been the anxious desire of the British government that a concert should be established between the five powers, and that all the five should agree in a common course of conduct; and her majesty's government feels that it can refer for proofs of this desire to the various propositions which from time to time have been made to the government of France; and which are alluded to in the French memorandum; and, in the next place, her majesty's government can safely affirm that no power in Europe can be less influenced than Great Britain is by any selfish views, or by any desire or expectation of exclusive advantage, so as to selfishly seek out the settlement of the affairs of the Levant. On the contrary, the interest of Great Britain in those affairs is identified with that of Europe at large, and

lies in the maintenance of the integrity and independence of the Ottoman empire, as a security for the preservation of peace, and as an essential element in the general balance of power.

"In these principles the French government has declared its full concurrence, and it would stand in concurrence upon many occasions, but especially in marshal Soult's despatch of the 27th of July, 1839, which was communicated officially to the four powers; in the collective note of the 27th of July, 1839; and in the speech of the king of the French to his chamber, in December, 1839.

"In these documents the French government declared its determination to maintain the integrity and independence of the Ottoman empire under its present dynasty, as an essential element of the balance of power, and as a security for the preservation of peace; and it also asserted in marshal Soult's despatch its resolution to oppose, by all its means of action and influence, every combination which might be hostile to the maintenance of that integrity and independence.

"The governments of Great Britain and of France are, therefore, perfectly agreed as to the objects at which their policy in regard to the affairs of the Levant ought to aim, and as to the fundamental principles by which that policy ought to be guided, and the only difference which exists between the two governments is a difference of opinion as to what means are best calculated to attain the common end—a point upon which, as the French memorandum observes, various opinions may naturally be entertained.

"Upon this point there has, indeed, arisen a considerable difference of opinion between the two governments—a difference which seems to have become wider and more confirmed in proportion as the two governments have thus fully explained their respective views, and which, for the present, has prevented the two governments from co-operating together for the attainment of their common object.

"On the one hand, her majesty's government has at all times declared its opinion, that it would be impossible to maintain the integrity of the Turkish empire, and to uphold the independence of the sultan's throne, if Mehmet Ali were to be left in the occupation of Syria. Her majesty's government has stated that it considered that the military power of Asiatic Turkey, and that if Mehmet Ali were to continue to occupy that province, in addition to Egypt, he would be able at all times to menace Bagdad to the south, Diarbekir and Erzerum to the east, and Konial, Brussa and Constantinople to the north; and that, if Mehmet Ali were to remain in the occupation of Syria, he would be enabled to revolt against his sovereign would soon prompt him again to take up arms for further encroachment; and that for this purpose he would always keep a large army on foot; that, if he were to be left in the hands, must see the danger by which he would constantly be threatened, and must be obliged also to remain armed; that thus the sultan and Mehmet Ali would continue to maintain large armies to watch each other, that collision must inevitably arise out of mutual suspicion and alarm, even if there were no intentional aggression on either side; that any such collision would necessarily lead to foreign interference in the interior of the Turkish empire, and that such interference so occasioned would produce the most serious differences between the powers of Europe.

"But her majesty's government has pointed out a danger still greater than this, as a probable, if not certain, consequence of the continued occupation of Syria by Mehmet Ali; and that is, that the sultan, relying in his military strength, and fired of his political condition of a subject, should execute the intention which he frankly informed the powers of Europe two years ago he would never abandon, and should declare himself independent. Such a declaration on his part would be an undeniable detriment to the Ottoman empire; and yet that dismemberment might happen under circumstances which would render it more difficult for the powers of Europe to co-operate together, in order to compel the pasha to retract such a declaration, than it is for them now to combine, in order to force him to evacuate Syria.

"Her majesty's government, therefore, has invariably contended with all these powers who wish to preserve the integrity of the Turkish empire, and to uphold the independence of the sultan's throne, ought to unite to assist the sultan in re-establishing his direct authority in Syria.

"The French government on the other hand, has argued that Mehmet Ali, if once secured in the permanent occupation of Egypt, would remain the faithful subject, and would become the firmest support of the sultan; that the sultan could not govern Syria if he got it back again; and that

the military and financial resources of that province would be more available for the sultan's defence when in the hands of Mehmet Ali than if they were restored to the hands of the sultan himself, that implicit reliance might be placed upon Mehmet Ali's assurances, and his further ambitious views, and in his protestations of devoted fidelity to his sovereign; that the pasha is an old man, and that at his death, in spite of any hereditary grant made to his family, the whole of his acquired power would revert to the sultan, because all possessions in Mahometan countries are the property of the sultan, and may, as a practical nothing more than likeholds.

"The French government, moreover, contended that Mehmet Ali would never of his own accord consent to evacuate Syria, and that his only means of compelling the powers of Europe to employ to compel him would be either naval operations, which would be insufficient, or land operations, which would be dangerous; that naval operations would not expel the Egyptians from Syria, and would only provoke Mehmet Ali to make an attack upon Constantinople; and that the measures which must be resorted to in such a case to defend the capital, but still more any land operations by troops of the allied powers to expel Mehmet Ali's army from Syria, would be more fatal to the independence of the Turkish empire than the measures which would be taken which such proceedings might be intended to remedy.

"To this her majesty's government replied, that no reliance could be placed on Mehmet Ali's present protestations; that ambition is insatiable, and only ceremonies by subjects, and that to give Mehmet Ali the power to encroach, and still to leave him his reach objects to cover, would be to sow the certain seeds of future collisions; that Syria is not further from Constantinople than many well-administered provinces of other empires are from the capital, and that if governed from Constantinople as easily as from Alexandria; and that it is impossible that the resources of that province could be as useful to the sultan, when in the hands of a chief who might at any time turn those resources against the sultan, as they would be if in the hands of a chief at the disposal and command of the sultan himself; that Ibrahim, having an army under his orders, has means to secure his own succession, at Mehmet Ali's death, to any authority which Mehmet might die possessed of; and that it would not be in the power of the powers to induce Mehmet to make an ostensible arrangement with Mehmet Ali, with a secret and reserved intention of breaking that arrangement on the very first occasion on which it might become applicable to events.

"The French government, however, still retained its position, and declined to be a party to any arrangement which included the employment of coercive measures against Mehmet Ali.

"But the French memorandum states that, in the last circumstances no positive proposition has been made to France upon which she was called upon to explain herself; and that, consequently, the determination which England communicated to her in the memorandum of the 17th of July, no doubt in the name of the four powers, must not be imputed to refusal which France has not made. This passage renders it necessary for me shortly to recapitulate to you the general course of the negotiation.

"The original opinion entertained by her majesty's government, and which was made known in June, 1839, to the other four powers, France included, was, that the only arrangement between the sultan and Mehmet Ali which could be permanent peace in the Levant would be that which should confine Mehmet Ali's delegated authority to Egypt alone, and should re-establish the direct authority of the sultan in the whole of Syria, as well as in Candia and the holy cities; thus interposing the sultan between the sultan's power and the province to be administered by the pasha; and her majesty's government proposed that, as a compensation for the evacuation of Syria, Mehmet Ali should receive the assurance that his male descendants should succeed him as governors of Egypt under the sultan.

"To this proposal the French government objected, saying, that such an arrangement would undoubtedly be the best if there were the means to carry it into effect, but that Mehmet Ali would resist it, and that any use of force which might be employed to compel him to accept it would produce consequences which would be more dangerous to the peace of Europe and to the independence of the pasha than the present state of things between the sultan and Mehmet Ali could be. But, that, if the powers were to insist upon Mehmet Ali to agree to the British plan, yet for a considerable time afterwards it had no plan of its own to propose.

"However, in September, 1839, count Sebastiani, the French ambassador at the court of London, proposed that a line should be drawn east and west, from the sea somewhere near Heyourt to the desert near Damascus, and that all to the south of that line should be administered by Mehmet Ali, and all to the north of that line should be the direct authority of the sultan; and the French ambassador gave her majesty's government to understand that if such an arrangement were agreed to by the five powers, France would, in case of need, unite with the other four in the employment of coercive measures to compel Mehmet Ali to submit to it.

"But I pointed out to count Sebastiani that such an arrangement would be liable, though in a somewhat less degree, to all the objections which apply to the present relative position of the two parties, and therefore could not be agreed to by her majesty's government; and I observed that it appeared to be inconsistent that France should be willing to employ coercive measures against Mehmet Ali to compel him to submit to this arrangement, which would evidently be inadequate and insufficient for its professed purpose, and yet that France should refuse to employ coercive measures to compel Mehmet Ali to consent to the arrangement proposed by her majesty's government, which even France herself admitted to be more forcible in execution, be complete and effectual for its purpose.

"To this count Sebastiani replied, that the objection felt by the French government to employ coercive measures against Mehmet Ali was founded upon the ground of moderation; and that those objections would be removed if the French government were able to show to the public and to the chambers that it had procured for Mehmet Ali the best terms which could be obtained for him, and that he had refused to accept those terms.

"The French government then adopted by her majesty's government, the French government, on the 27th of September, 1839, communicated officially its own plan, which was, that Mehmet Ali should be made hereditary governor of Egypt, and of the whole of Syria, and governor for life of Candia, giving up nothing but Arabia, and the province of Adana. The French government, however, did not say that it knew that Mehmet Ali would consent even to this arrangement; nor did it declare that it would refuse to accept it, France would join in coercive measures to compel Mehmet Ali to accept it.

"To this plan of course her majesty's government could not consent, because it would be even more objectionable than the present state of things; inasmuch as by giving Mehmet Ali a legal and hereditary right to the province of Candia, which he now only occupies by force, it would once be a virtual, and would at no distant time lead to a real, dismemberment of that empire. But her majesty's government, in order to prove its avowed desire to come to an understanding with France on these matters, stated that it would waive all well-founded objections to any extension of Mehmet Ali's authority beyond Egypt, and would join with the French government in recommending to the sultan to give to Mehmet Ali in addition to the pashalik of Egypt, the administration of the lower part of Syria, bounded to the north by a line drawn from Cape Carat to the southern end of lake Tiberias, and to the eastward by the Jordan, the western shore of the Dead Sea, and by a line thence down to the gulf of Akaba; provided that France would engage to co-operate with the four powers in coercive measures, if Mehmet Ali should refuse this offer.

"This proposal, however, was declined by the French government, and that government now declared that it could not, nor co-operate in any coercive measures against Mehmet Ali, and that it did not therefore be a party to any arrangement to which Mehmet Ali should not spontaneously consent.

"During the time that this discussion had been going on with France, a separate negotiation had been carried on between Great Britain and Russia, with every detail and step of which, however, the French government was regularly made acquainted. The negotiation with France was suspended in order to make way for this project, first by an expected, and afterwards by an actual change of ministry in France. But in the beginning of May, the baron de Neumann and myself determined, on the part of our respective governments, to make one more attempt to bring France to an agreement with the other four powers; and we resolved to submit to the French government, through M. Guizot, another proposition for an arrangement between the sultan and Mehmet Ali.

"The objection which had been urged by the French government to the adoption of this proposal was, that, although it would give Mehmet Ali the strongest defensive position extending from mount Carmel to mount Tabor, it would deprive him of the fortress of

Acce. In order to foreclose this objection to the negotiation and myself proposed to leave the frontier boundary of that part of Syria which should be administered by the pasha should be drawn from cape Nakhora to the northern end of lake Tiberias, so as to include within its limits the fortress of Acre; and that the eastern boundary should run down along the eastern base of lake Tiberias, and thence, as before proposed, to the gulf of Akaba. But we said that the government of this lower part of Syria could only be given to Mehmet Ali for his life, and that neither England nor Austria could consent to relinquish the principle of hereditary tenure to Mehmet Ali in regard to any part whatever of Syria; and I stated, moreover to M. Guizot, that this proposal was the utmost extent to which we could go in the way of concession, in order to obtain the co-operation of the French; and that it was, therefore, our last offer.

"The baron de Neuhaus and myself made this communication to M. Guizot separately; baron de Neuhaus on one day and I upon the next. M. Guizot told me he would report to his government the proposition I had made, and the statements which I had made him, and would let me know their reply whenever he should receive it.

"Soon afterwards, the plenipotentiaries of Austria, Prussia and Russia stated to me, that they had resolved to decline the present government, instead of deciding upon this proposition; they had transmitted it to Alexandria for the decision of Mehmet Ali. That this was placing the four powers in negotiation, not with France, but with Mehmet Ali. That, besides the delay which would be thereby occasioned, this was what their respective courts neither intended to do, nor could consent to do; and that the French government had thus placed the plenipotentiaries in a very embarrassing situation. I replied that I agreed with them in all their objections to the step which they respectively took; but that I was not prepared to give up the French government to have taken; but that M. Guizot had said nothing to me as to any reference made, or to be made, to Mehmet Ali. That the French government was then much occupied by parliament and might actually require some time to give us its answer to our proposals; some great practical inconvenience could arise from some trifling delay in this matter. Toward the end of June, I think it was on the 27th of that month, M. Guizot came to me, and read to me, from a letter addressed to him by M. de Talleyrand, the answer of the French government to our proposal. This answer was a positive refusal. M. Talleyrand stated, 'That the French government knew for certain that Mehmet Ali would not consent to any division of Syria, unless compelled thereto by force; that France could not co-operate in the employment of force against Mehmet Ali for such a purpose; and therefore, France could not be a party to the proposed arrangement.'

"France having thus refused the ultimatum of the British government, it became necessary for the plenipotentiaries of the four powers to consider what course their governments should then pursue. "The position of the five governments was this: All five had declared their conviction that it is essential for the balance of power, and for the preservation of the peace of Europe, that the integrity and independence of the Turkish empire under its present dynasty should be maintained; and all five had pledged themselves to employ all their means to the utmost to maintain to the last, its integrity and independence. But France, on the one hand, contended that the best way to maintain the independence and integrity of the Turkish empire was to leave the sultan to the mercy of Mehmet Ali; and on the other hand, to maintain the integrity of the Turkish empire, it was necessary to insist upon which Mehmet Ali might determine to insist upon as a *vincere non potest*; while the four powers, on the other hand, considered that the further continuance of the present state of military occupation of Syria by the provisions by Mehmet Ali, would be destructive of the integrity of the empire, and fatal to its independence. They thought therefore, that it was necessary to confine Mehmet Ali within narrower limits.

"France, after nearly two months' deliberation, had not only refused to agree to the plan proposed by the four powers as an ultimatum of concession on their part, but had again declared that she could be no party to any arrangement to which Mehmet Ali should not of his own accord, and without coercion, consent. The four powers, therefore, had no other alternative, but either to accept the principle of settlement pressed upon them by France, and which consisted in recommending to the sultan entire submission to the demands of Mehmet Ali; or to insist upon their own principle, which was, that Mehmet Ali should be compelled to submit to an arrangement consistent in its form with the rights of the sultan, and compatible in its substance with

the integrity of the Turkish empire. By the first of these, the co-operation of France would have been obtained; by the second course, that co-operation must be foregone.

"The earnest desire of the four powers for the co-operation of France had been sufficiently manifested by the persevering efforts they had made to obtain it, during many months of negotiation. They well knew its value, not only in regard to the particular object at present in view, but with reference to the general and permanent interests of Europe; but that which they wanted, and that which they valued, was the co-operation of France for the purposes of peace; for the attainment of future security to Europe; for the practical execution of principles, which all the five powers had concurred in declaring. They valued the co-operation of France, not for its own sake alone, nor for the advantage and convenience of the moment, but for the good it was to accomplish, and for the future consequences that were to result from it. They were anxious to co-operate with France in doing good; but they were not prepared to co-operate with France in doing evil. Therefore, believing as they did, that the policy recommended by France was injudicious, was unjust towards the sultan, was pregnant with future dangers to Europe, was at variance with the public engagements of the five powers, and inconsistent with the principles which the five powers had deliberately professed, the four powers felt that they could not make the sacrifice which was required at their hands as the price of the co-operation of France; it, indeed, that can be called co-operation which was to consist in letting events take their own course. Unable, therefore, to adopt the views of France, the four powers determined to carry into execution their own.

"But this determination had been unforeseen, and had its probability been concealed from France, she would have been able to prevent the negotiation, and as early as October last, that she desired to the French ambassador at this court, that our desire to remain united with France with these matters must have a limit; that we were anxious to go forward with France, but that we were not prepared to stand still with France; and that if France could not find the means of coming to a common understanding with the four powers, she must not be surprised if the four powers were to come to an understanding together, and were to act without her. On the contrary, M. de Sebastiani replied, that we should do so, and that he would foretell the result. That we should try to accomplish our own arrangement without the participation of France, and that we should find our means insufficient; that France would remain a perfectly quiet and passive spectator of events; that after a year, or a year and a half, of unsuccessful efforts, we should acknowledge that we had failed, and should then address ourselves to France; and that France, as friendly as our failure as she had been before our attempt, would offer to assist us to a good end. This would probably persuade us then, to agree to things, which we declined to consent to now.

"Similar intimations were also made to M. Guizot, as to the course which the four powers would probably pursue, if they should be unable to come to an agreement with France. Therefore the French government having declined the ultimatum of the four powers, and having, in declining it, again laid down a principle of conduct which it knew that the four powers would not admit, it was clear that no settlement ought to be made between the sultan and his subject, except upon such conditions as the subject might choose spontaneously to accept, or in other words, to dictate; the French government was then prepared to see, that the four powers, in determining so to do, could not justly be represented as separating themselves from France, or as excluding France from the settlement of a great European affair. On the contrary, it was clearly proved, that the French government was for it. For it was France who had laid down for herself a principle of action, which rendered her co-operation with the other four powers impossible.

"And here, without wishing to indulge in controversial observations on the part, I feel it indispensably necessary to remark that this voluntary separation of France from the four powers was not merely evinced by the course of the negotiations in London, but, unless her majesty's government has been greatly misinformed, it has taken place in a still more decided manner by the course of the negotiations at Constantinople.

"The five powers had, by the collective note which was presented to the Porte on the 27th of July, 1839, by their representatives at Constantinople, declared to the sultan that the union was assured; and they had requested him to abstain from any direct negotiation with Mehmet Ali, and to

make no arrangement with the pasha without the concurrence of the five powers. And yet, her majesty's government have since been so disposed, that for many months past the French representatives at Constantinople has, with the matters to which that note referred, distinctly separated France from the other four powers, and has earnestly and repeatedly pressed upon the Porte to negotiate directly with Mehmet Ali, and to make no arrangement with the pasha, not only without the concurrence of the other four powers, but under the single mediation of France, and according to the particular views of the French government. If in France, therefore, that has been the settled policy of the four powers, and that the four powers that have separated themselves from France.

"With respect to the course pursued by Great Britain, the French government must admit that the views and opinions of her majesty's government upon the affairs of the Levant have never, from the commencement of these negotiations, varied in the slightest degree, except in as far as her majesty's government has offered to modify these views and opinions for the purpose of obtaining the co-operation of France; and those views and opinions have at all times been frankly and unreservedly explained to the French government, and have been earnestly and constantly pressed upon that government by arguments which, to her majesty's government, appeared to be of the most forcible and convincing nature.

"In the early stages of the negotiation, the declarations of principles made by the government of France, led her majesty's government to imagine that the two governments could not but agree as to the means of carrying the common principles into execution. If the intentions and opinions of the French government upon the means of execution differed, even to the outset of the negotiations, from those of the British government, then France has no right to represent, as an unexpected schism between England and France, a difference which the French government knew all along to exist. If the intentions and opinions of the French government as to the means of execution have undergone a change since the negotiations began, then France has no right to impute to Great Britain a divergence of policy, which arises from a change on the part of France, and not from a change on the part of Great Britain. But in any case, when four out of the five powers bound themselves agreed upon one course and the fifth had no objection to that course, and that course entirely different, it could not reasonably be expected that the four should, in deference to the fifth, give up opinions in which they were daily more and more confirmed, and which related to a matter of vital importance to the great and permanent interests of Europe.

"But as France still holds to the general principles which she declared at the outset, and still affirms that she considers the maintenance of the integrity and independence of the Turkish empire under its present dynasty necessary for the preservation of the balance of power, and for the security of peace; as France has never denied that the arrangement which the four powers intend to effect between the sultan and the pasha, would, if it could be executed, be the most complete and the best, as the objections of France have applied not to the end in view, but to the means by which that end is to be accomplished, her opinion being that the end was good, but the means insufficient or dangerous, her objection is founded upon a recurrence of the same from France from the other four powers, which her majesty's government most deeply regret, cannot be of long duration.

"For when the four shall, in conjunction with the sultan, have been about to see an arrangement between the Porte and its subject as may be compatible with the integrity of the Ottoman empire, and with the future peace of Europe, there will no longer remain any point of difference between France and the allies, and there can then be nothing to prevent France from entering into the same engagements in such further engagements for the future as may appear to be necessary, in order to give due stability to the good effects of the interposition of the four powers in favor of the sultan, and to secure the Ottoman empire from a recurrence of danger.

"Her majesty's government will look forward with eagerness to the moment when France will thus be at liberty again to take her place in the union of the five powers, and her majesty's government views that the port of that moment will be hastened by the full exertion of the moral influence of France. Although the French government has, for reasons of its own, declined to take part in measures of coercion against Mehmet Ali, surely that government cannot object to employ its own persuasion to induce the sultan to submit to the arrangements which are to be proposed to him; and it is obvious, that there are many topics which

might be urged, and many prudent considerations which might be pressed upon the pasha with more effect by France, as a neutral power, taking no part in those affairs, than by the four powers, who are actively engaged in executing the measures of coercion.

"But be this as it may, her majesty's government feels confident that Europe will acknowledge the integrity of purposes which has actuated the four powers on this occasion; for their object is disinterested and just. They look to reap no selfish advantage from the engagements which they have contracted; they seek to establish no exclusive influence, and to make no territorial acquisition; and the ends they aim at must be as beneficial to France as to themselves, because, like themselves, it is interested in the maintenance of the balance of power, and in the preservation of general peace.

"You will transmit officially to M. Thiers a copy of this despatch. "I am, &c.,

"PALMERSTON."

NATIONAL AFFAIRS.

CONSULS. The president of the United States has recognised John Rudolf Muller, as consul of Saxony for the port of New York.

William Kruger, consul of Lubeck, for the same port.

John H. Van Cooth, consul of Hanover, for the port of Charleston.

Franklin H. Delano, consul of the republic of Chili for the city and state of New York.

PRESIDENTIAL ELECTION.

We shall furnish the readers of the Register, in brief terms, with the results, so far as they are ascertained at the time we put it to press, reserving the regular statements until there can be more dependence placed upon their authenticity.

The following states have chosen electors as designated.

	Harrison.	Van Buren.
Maryland, . . .	10	
Ohio, . . .	21	
Connecticut, . .	5	
Rhode Island, . .	4	
N. Hampshire, . .		7
New Jersey, . .	8	

MAINE. 7

The following comprise the only returns received that can be depended upon—they show an aggregate whig gain of 203 votes since the September election.

	September.	November.
Fairfield, Kent.	V. B. Har.	4,437
Cumberland 13 towns	1,434, 2,298	4,056
Lincoln 5 towns	685, 3,370	685, 1,258
York 13 towns	3,816, 3,294	4,094, 3,133

NEW HAMPSHIRE.

Returns are received from 121 towns, which give a Van Buren majority of 3,316, and showing a Van Buren gain of 2,121 since the election of 1835, at which election the Van Buren majority in the state was 2,951.

RHODE ISLAND.

Returns from the whole state except two towns, give a Harrison majority of 1,976, in a vote of 8,390.

CONNECTICUT.

The returns from all but five or six towns are received, and show a whig majority thus far, of 6,328, being a whig gain of 1,745 over the election of last April.

Extra congressional election.

There was a vacancy in the New Haven and Middlesex congressional district, to fill which, an election was held on the same day with their election for electors. Mr. Starrs, (now judge), was elected from this district by a majority of 134—and Wm. F. Boardman, (whig), is now elected by a majority of 1,056, being a whig gain of 922 votes in the district.

NEW YORK.

The Van Buren electoral ticket has a majority of from 1,100 to 1,400 votes in the city of N. York, according to the differing accounts.

The returns from the river counties so far as received are not as favorable in the aggregate to the whigs as the preceding election.

PENNSYLVANIA.

It is ascertained that about 270,000 votes have been taken in the state, and the result is exceedingly doubtful, each party claiming to have succeeded, and yet neither of them pretending to more than four or five hundred majority.

The reported returns vary sufficiently to leave every body in suspense.

NEW JERSEY.

The Harrison electors are elected by a majority of about two thousand votes. There was an in-

crease of whig strength in each county in which a contest was made in October.

MARYLAND.

It appears that every city and county in the state has given a more favorable vote to the whig electoral ticket than was given for delegates at the October election. Baltimore city has given a Van Buren majority of 31, Baltimore county a Van Buren majority of 679, and Carroll county a Van Buren majority of 78. Every other city and county in the state has given majorities for the Harrison ticket.

Western Shore.

	V. B. maj.	Harrison maj.
Baltimore city	31	Annapolis city 66
Baltimore county	679	St. Mary's county 310
Carroll	73	Calvert 169
	738	Prince George's 400
		Anna Arundel 154
		Montgomery 331
		Frederick 347
		Washington 197
		Allegany 157
		Hartford 101

Aggregate whig majorities Western Shore 2,773
Deduct Van Buren majorities . 788

Whig majority Western Shore 1,985

Eastern Shore.

Cecil county	135
Kent	205
Carolina	131
Talbot	67
Queen Anne's	117
Dorchester	542
Somerset	633
Worcester	800

Aggregate whig majority on E. Shore . 2,650

Total whig majority in the state 4,635

VIRGINIA.

We have returns from 74 counties, which at the election in 1836, gave a Van Buren majority of over 1,500 votes—and now give a Harrison majority of about 1,800. The 41 counties to be heard from, in 1836, gave Van Buren a majority of 3,505.

OHIO.

This state is giving a very large majority for the Harrison electoral ticket. So far as we have received returns, the whigs gain in almost every county since the October election.

THE ARMY.

A letter from Union city, Michigan, dated Sept. 19, states that the Pottawatomies, who have been ordered by the government to be removed beyond the Mississippi, manifest great reluctance at leaving the state. They say that the treaty, under which the government is acting, by which their lands were exchanged for lands beyond the Mississippi, was made by a few unauthorized chiefs, who were cheated by the whites while they were drunk. General Brady, with about two hundred regulars, and one hundred horsemen, are quartered at Marshall, from whence they have been making various excursions through the forest in pursuit of the Indians. They are secured without bloodshed, and contrails to remove them have already been taken.

Troops. A company of one hundred dragoons under the command of major Graham and lieutenant Hallam arrived at St. Louis on the 19th inst., from Pittsburg. Their destination is Fort Leavenworth.

Preservation of the seal in Florida. We are happy to announce that the secretary of war has required the navy department to order the commander of the West India squadron, to provide for the protection of Key West and the Florida Keys generally.

And also to send out boat expeditions into the bays and inlets of the coast, to seek out any parties of Indians who may be hovering about the shores.

Vessels will be kept on the coast, to cut off any chances of communication by which supplies may be furnished them from abroad.

Two entire and fresh regiments of United States troops are already ordered to Florida.

The governor is authorized to raise two hundred horsemen, in addition to those already in the field, which will make the mounted force under Gen. Rid 1,200 strong.

The governor is also authorized to raise 500 foot for the same brigade.

Physicians when required are to be received as surgeons to the volunteers, under the rules which govern the regular force.

An officer is appointed for Mobile, and another for East Florida, to examine the accounts of expenditures of the volunteer service for the past season.

(St. Augustine Herald.)

THE NAVY.

Yesterday, commodore Jesse Wilkinson hoisted his broad pennant on board the U. S. Frigate Macedonia, the flag ship of the West India squadron—and commodore Shubrick, previously in command of the Macedonia, having assumed the command of this navy yard and station, hoisted his flag on board the Delaware 74, capt. Skinner. The usual salutes were then exchanged.

(New York Herald, Oct. 29.)

Captain Esbly, of the *Wasp*, has succeeded in raising the bulk of the old frigate New York, which has been sunk in the Potomac for a number of years, and has removed it to his ship yard.

Commander John H. Aulick, for some time past on duty at the Washington navy yard, having been ordered to sea, in command of the Yorktown sloop of war, commander C. K. Stirling succeeds him at the navy yard.

The steam frigate. As much desire is apparent in the city to know something definite in regard to the progress to completion of this vessel; we, with the laudable desire of allaying such curiosity, wended our way some days ago to the scene of operations, the navy yard. As we neared the building containing the vessel, the busy hum, and cheerful sounds of industry broke pleasantly on our ear—mixed and blended came the sounds of the grating saw, the file and the chisel, the clatter of the hammer, and the strokes of the axe, as each of the busy multitude engaged on the vessel, plied his separate avocation. Having entered the building we turned our admiring gaze towards the huge vessel whose enormous proportions were spread out before us. Having walked down the large space in order to see fully to view her beautiful modelled shape; we, mindful of the cravings of our readers, turned our attention to obtain the requisite information, and by the kindness of some of the gentlemen connected with the yard, we are enabled to lay forth the following particulars.

The frigate is built in the best and most durable manner of live oak obtained from the southern part of Georgia, and weighing 80 pounds to the square foot. The frame of the hull is supported in the strongest manner with live oak knees, &c. and in regard to bolts and fastenings of every kind, nothing so perfect has been employed. The hull is decked, the space between them being a little more than six feet, and in the centre of the vessel is a large space for the reception of the engines, at each end of which there is an iron plate bulk head or screen drawn complete across the vessel for the purpose (in case of a leak) of keeping the water in one part of the vessel, and also to guard against accidents from the fires of the engines. They are at this time planky the upper deck, and the whole vessel is in such a state forward as to be ready when the engines ready she could be launched in two months. She will be rigged in the same manner as a ship and will require as her complement two hundred men. Her ordnance will consist of forty two pounders and two bombs in three ten inch shells—and when in full sailing order her burthen will be 1,700 tons. Her weight is estimated at 500 tons. She is nearly as long as the steam ship President and one foot wider. In her hold is constructed a repository capable of containing 800 tons of anthracite coal by which the engines are to be worked. In regard to the principal dimensions, we have obtained the following:

Length of the hull counter to night rails	128
Extreme length of figure head	214
Extreme breadth	40
Depth in hold	23 6

She will be ready for sailing in a few days. Taken as she is, the vessel is a splendid specimen of the skill of our artisans. No one should neglect to view so noble a testimony to the already high character which Philadelphia has attained for ship building.

Leave the scene of busy industry, we wended our way to another and yet more noisy scene—the engine and foundry establishment of Messrs. Merrick & Towne, who are busily engaged in making the machinery for the frigate. Having obtained permission we wandered through the large establishment, which is filled with workmen, who in pursuit of their several occupations made noise enough to have awakened the seven sleepers. In the first room we entered a number of workmen were engaged in filing and polishing various parts of the huge engines. The main centre pin for the lever beam weighing about 500 pounds was in the process of being turned on a very large lathe. The steam chamber, specimen of great skill in casting brass, was of a very intricate shape and cast in a single piece, are very nearly finished—a huge cylinder more than 6 feet in diameter and at least 12 feet high was being bored—this machine for boring is of a new con-

struction, the body to be bored being placed upright instead of being laid down as is usual—the circle of the bore is more true, it having been found that by the old method the bore was not exactly circular. We also observed a very neat machine for making screws—all the workmen in this room were engaged on articles for the frigates, and the beautiful finish on the brass and steel work is deserving of all praise. In the next room are a large number of lugs for the blast of which is derived from a large fan-wheel driven by a steam engine. A small vertical trip hammer, capable of lagging a bar 6 inches square, was in operation as we entered and was rapidly reducing to shape a large mass of glowing iron.

The foundry next attracted our attention. The mould of one of the frames of the engine was very nearly ready for casting—outside the door was a frame which had been lately taken from the mould. It weighs about 12 tons and is of a beautiful Gothic pattern. The castings which we saw are very heavy and very accurate, and the success which has attended Messrs. M. & T. in their efforts thus far, is great evidence of skill and superior workmanship—a large number of castings varying in weight from one to twelve tons are in process of finishing here.

The next place to which we bent our steps was to the boiler room, where are four large copper boilers now nearly finished. At the upper part of the building one of the engines is being put up together. The following are the dimensions of some of its parts:

	Feet.	Inches.
Diameter of cylinder,	6	4
Length of stroke,	7	4
Bed plate weight 14 tons,	length	29 2
Bed plate weight 14 tons,	length	7 4
Main shaft of wrought iron,	diameter	5 8
iron,	length	25 8
Paddle, wheels entirely of wrought iron,	diameter	29 8
of wrought iron,	the bucket	10 0
Weight of steam cylinder 8 tons, weight of bed plate 14 tons and 3,600 pounds of metal used in the melting.		

These engines are of the kind usually known as the English marine engines. The cylinders are placed vertically, with two lever beams, one on each side, working on rollers rising from the bed plate and connected over the cylinder with the connecting rod by side links.

The Gothic pattern which has been adopted is very handsome and appropriate—they were commenced in January of this year and will be finished in the spring of 1841.

We view with gratified feelings these substantial monuments of the skill and industry of the mechanics of our city. Our city has long held an enviable reputation for manufactures, and each succeeding year seems to add to it. The light and intelligence is shedding her cheering beams around our artisans, and on the daily, nay hourly improvements which they exhibit, Philadelphia holds her proud and honest fame.

[U. S. Gaz.

STATES OF THE UNION.

MAINE.

Congressional election. The Kennebec Journal says: "The governor and council have ordered another election in the Hancock and Washington districts, to be held on Monday, the 2nd day of November; (the day of the presidential election), but have not ordered an election in the Oxford district."

The legislature adjourned on the 22d ult. having been five weeks in session, employed extensively in revising the new code of laws.

This revision of the laws was committed by the legislature to three commissioners, who made a report at the last session of a revised code, in which the substance of all the laws previously enacted, and embodied in about a thousand chapters, was condensed into 178 chapters. This report was referred by the legislature to a joint committee of seven members from the senate and seventeen from the house, to sit in the recess, and to report at an adjourned session. This committee sat 56 days, during which they revised the revision, made numerous alterations and amendments, and reported them to the legislature at their recent session. The legislature has now acted finally upon the subject, and ordered the new code to be published, under the direction of commissioners.

Before separating, a vote of thanks to the speaker of the house, moved by Mr. Eben^r Everett, of Brunswick, one of the commissioners who reported the revised code, passed unanimously.

The choice of a United States senator was left for the next legislature.

Election. Official votes for members of congress, including senators; furnished by our correspondent at Augusta. [Portland Adv.

	Whig.		Adm.
Cumberland:			
Fessenden	5,794	Smith	5,639
Scattergood			26
York:			
Goodeenow	4,516	Clifford	5,428
Scattergood	3		3
Lincoln:			
Roadall	5,730	Sewall	4,769
Scattergood	5		35
Kneaser & Somerset:			
Evans	7,450	Hubbard	4,450
Scattergood	4		2
Hancock & Washington:			
Noyes	4,792	Lowell	4,562
Scattergood	1	Wheeler	293
Penobscot & Somerset:			
Allen	7,738	Hamblin	7,115
Scattergood	3	H. Ingalls	126
Oxford:			
Long	5,283	Littlefield	4,737
Scattergood	1	Paris	1,963
Waldo:			
Kingsbury	3,965	Marshall	5,503
Thorndike	79		
Scattergood	9		8
	45,347		45,110
	46,110		

Whig majority 257
VERMONT.

In the house of representatives of Vermont, on the 23d instant, the treasurer reported that the amount of the school fund, including interest up to October 19th, 1840, is \$119,135.51. This report was made in consequence of an application to loan \$20,000 to the university of Vermont.

The legislature of Vermont adjourned on Thursday last after a session of twenty-three days. Previous to the adjournment a joint resolution to choose an agent to settle the concerns of the old Vermont state bank was passed. A resolution instructing the Vermont delegation in congress to prevent the transportation of the mail on the Sabbath, was rejected. The resolution to loan \$20,000 to the University of Vermont was rejected. On the New Jersey case the reports of the committee concluded with resolutions strongly condemnatory of the course of congress. The resolutions were adopted, 100 to 15. The report of the committee relative to business concerns of the country, attributing a large share of the financial troubles of the country since 1836 to the reduction of the tariff, and concluding with resolutions in favor of the protection of domestic industry, which were adopted unanimously.

RHODE ISLAND.

The legislature of Rhode Island met in grand committee on Thursday last, for the purpose of electing a United States senator for six years from the 4th March next. Upon the first ballot—

The whole number of votes was	81
Necessary to a choice,	41
Of which James F. Simmons received	55
Samuel Y. Atwell,	21
Tristan Burgess,	5

Majority for Simmons, 29
NEW JERSEY.

Legislature of New Jersey and go. Pennington's message. The legislature of New Jersey assembled at Trenton on the 27th instant. All the members were present excepting a councillorman from Monmouth. Joseph Porter, esq. of Gloucester, was elected vice president of council, (the governor is ex-officio president, and almost every thing else) and R. E. Hooper, of Princeton, secretary.

In the house, John Emily, esq. of Burlington, was chosen speaker, and Samuel Prior, jr. of Salem, clerk.

Governor's message.
To the legislative council and
general assembly of the State of N. Jersey.

Gentlemen: You are met at a time of great political excitement throughout the country. At no former period have we witnessed a feeling so deep and prevailing. This feeling obviously has its foundation in a settled conviction, that the national government is not administered in a manner agreeable to the wants of the people or for the general welfare. It is in vain to ascribe the mighty movements of the people to sudden impulse or extraneous influence. They are prompted only by an enlightened purpose to effect a change in the policy and measures of the administration; and in a govern-

ment resting entirely on the popular will, every good citizen must yield a ready obedience when that will is fairly and constitutionally expressed.

In the issue of this great struggle, New Jersey has a deep interest. Her citizens have a common destiny with the rest of the Union, but every share in common burden, they intend also to share in common privileges. Firmly attached to the forms of government under which it has pleased a benign Providence to cast their lot, they will be the last to withhold due obedience to it, so long as they are permitted to enjoy those equal rights which a proper self-respect demands. Recent occurrences have, indeed, awakened a feeling in the breasts of the great body of the people of this state, which a sense of wrong, deep wrong, indicted upon them an apology, must always inspire.

The present house of representatives of the United States has denied to New Jersey a right which has never before been denied to any member of this union, and which, under the constitution, could never have been denied to her. The right of common union, according to her own laws, members to represent her in that body. This right is vital to the very existence of the federal government, and if its exercise be denied to any one of the states, no congress can be constitutionally organized. The attempt to extend the enormity of this measure by charging the state authorities with a violation of their trust, is an unworthy subterfuge. What has congress to do with your state officers? Are not the people of the state competent to pass judgment on their own officers? Must the interference of strangers who have no regard to her laws and her institutions? If there be any question on that subject, let it be settled between those officers and their constituents. It is sufficient to command the respect of congress that the right of common union, according to the laws of the state, is in force agreeable to the laws of the state. That this proceeding was a violation of all principle and usage, cannot be made more manifest than by the fact that it is the first instance of the kind to be found in the parliamentary history of the country since its origin. During the three weeks in which this question was debated, no precedent, either in the records of this or any other country, could be furnished to justify it. I shall not again enter upon a defence of the course pursued by the grantors of the state. That proceeding has been fully explained on former occasions, and it has twice received the sanction of the people of the state. Further to discuss it would be an insult to that expression of public opinion from which there is no appeal. But I go beyond this point. We are not to suppose that the state exist in reality, or be feigned for party purposes on that question, congress cannot, within the legitimate exercise of its authority, go behind the seal of the state. They must recognize that, or there shall be no return, without members from the state at all. After that is recognized, and the members take their seats, then, for the first time, the subject is under the control and direction of the house. It has uniformly been so held in the house of representatives heretofore, and it must and will be so held hereafter.

The New Jersey case will, in all after times, be considered an invasion of the rights of one of the sovereign states of the union, for the purpose of securing the power of a party. Fortunately for the country it was not the effect to open the eyes of the people to the actual condition of their government, and taught them the danger of confiding their interests to men who have lived too long in the sunshine of executive patronage. The subsequent action of congress in placing individuals without warrant, without members from the state, and that too while the commissioned members were absent under the authority of the committee, taking testimony to substantiate their claims, and the final decision of the house by a state party, without members from the state, so much as looking at the evidence, presents a scene of violence and wrong wholly without precedent or apology. If the treatment which New Jersey has suffered had been received at the hands of a foreign power, we must have been the inevitable consequence. But she has been wounded in the bosom of her friends—and a resort to force must have involved not only foes but friends. She has looked to peaceful remedies, and made her appeal to the justice and patriotism of the country, and all the signs of the times give unerring indication that the appeal has not been in vain. A great principle had been invaded which affected alike all the states and all the people of the states, and it was eminently proper that their attention should be called to it in a manner adapted to secure their most deliberate consideration.

The subject, I am happy to say, has awakened a lively interest throughout the country. Nor has it

been confined to any party. Many of the friends of the administration have disapproved the whole proceedings at Washington. Indeed, all men who look beyond the present struggle, and have a desire to see peace and order prevail, cannot but view it as revolutionary and subversive of the very foundations of representative government. Several of the state legislatures, with a spirit worthy of enlightened freemen, have boldly denounced the measure as an infringement of the rights of the states, and declared their determination to exert every influence with us. The popular indignation has been expressed in many places and by large assemblies of the people in various parts of the union, but I recur with special regard to the very foundation of fifty thousand of the intelligent freemen of New England recently assembled on Banker Hill. "We protest," says the declaration put forth on that occasion, "against the conduct of the house of representatives in the case of the New Jersey election. This is not a local, but a general question. In the union of the states, on whatever link the blow of injustice or usurpation falls, it is felt and ought to be felt throughout the whole chain. The cause of New Jersey in the cause of free state, and every state is therefore bound to vindicate it."

But while we duly appreciate these grateful expressions of sympathy, let me remind you, gentlemen, that we have a solemn duty to perform. To us as citizens of New Jersey we are committed in a special manner the vindication of her rights, and it becomes every Jerseyman to embrace the only mode prescribed by the constitution to express his honest indignation and assert the sovereignty of his state. The citizen who could passively consent to see the seal of his state, which is the emblem of her sovereignty, prostrated in the dust, may justly be pronounced unworthy to enjoy the protection which it ensures. It is gratifying to believe that those who have thus violated our rights are likely to be deprived of the power to inflict further wounds on the union, but should a like encroachment be attempted under any administration of this government, it will become the duty of the legislature to convene an assembly of the people to consider measures of security and protection.

We cannot shut our eyes to the fact that the tendency of public administration of this government, is to weaken the power and influence of the states and to increase that of the president and the national administration. The power of regulating the militia has always been conceded to the states, until the recent attempt to procure an act of congress for organizing a body of 200,000 men. We are indebted to our fellow citizens of the south for the blow which this project received at the outset. Whether it shall be revived or not will depend on the power of those who originated it. The militia should be exclusively regulated by the states. The feelings of the people in relation to the subject are widely different in different portions of the union. With us a scrupulous regard is due to the rights of conscience, to secure which our ancestors first came to these shores. The bankrupt bill, with a clause affecting state corporations, can have no other design than that of bringing all state institutions under the immediate control of the federal government. It is of very little consequence that the state may incorporate companies, if the national legislature may shut them up. The three great projects so lately introduced—the treasury, a bankrupt law, with the power of reorganizing state corporations, and the militia bill, are all calculated to accumulate power in the national executive and to embarrass or prostrate the rights of the states. Let the people of this country watch with a jealous eye every attempt to remove power from the hands of their own representatives in the legislature (their neighbors and friends who are directly responsible to them for their acts), to strangers removed from their influence, and who may disregard their wishes and wants with impunity.

I herewith transmit for your consideration the resolutions and address of the citizens of Georgetown, in the District of Columbia, agreeably to their request, on the subject of their retrocession to the state of Maryland; also a renunciation of the citizens of the entire District, in convention, stating their grievances, and their complaints, and with good cause, that they have no representation in congress, whilst they are subject to its legislation. The immediate ground of complaint, however, is the refusal of congress to re-charter the banks in the District, which is essential for the business operations of the people, and particularly so as no objections were urged to the banks themselves. It will be impossible, in my opinion, for our fellow citizens in the District to remain in their present condition. They are oppressed, and I earnestly hope the legislature will render them all the

assistance in its power towards the accomplishment of the object they have in view.

I also present for your consideration, the resolutions of the legislature of the state of Connecticut on the subject of the protective policy. They express an earnest desire that the labor of our countrymen should be protected by a judicious policy and legislation of foreign governments. I trust the occasion will be thought a proper one to express the sentiments of this state upon that subject. The course of affairs in the circumstances of the country, however, indicate the importance of an early attention to it. New Jersey ever has and I trust ever will continue to give her countenance and support to that settled policy of the government.

I also transmit the resolutions of the legislatures of the states of Connecticut, New York and Kentucky, on the subject of the national domain, all of which regard it as the common property of all the states. I present them from respect to those states, though the subject has recently been acted on by the legislature of this state, and will be observed in our views correspond with the resolutions now submitted.

The resolutions of the legislature of the state of Maine, respecting the northeastern boundary, are also submitted for your consideration, with full confidence that New Jersey will ever be ready to render her sister states every practicable aid against encroachments from whatever quarter, whether foreign or domestic.

The treasurer will furnish you at an early day with a statement of the condition of the treasury. By that statement it will be seen that the ordinary expenses of the state last year for the support of government, were less by rising \$10,000 than the preceding year, owing in part to the short session of the legislature. It has been the policy of the legislature for the last three years to raise no more by tax than was necessary, with the other receipts of the treasury, to meet the current expenses of the state. There is a debt now to be perceived by recurring to the statement of the treasurer last year, due from the state to the school fund, arising principally for money used in building the state prison, and borrowed during the year 1838. The legislature omitted to levy a tax to carry that debt should be gradually liquidated and I hope you will make provision for it accordingly. The school fund has been considerably increased during the past year by the proceeds of the sales of public lands. I believe it is a prudent policy to be carried to that account, so that after deducting the sum of \$30,000 appropriated by law annually for the purposes of education, there remain a fund not varying much from \$320,000. The tax for the last year on the Mercantile and Banking company, amounting to \$5,000 has not been paid. The company assign as a reason for declining to pay it, that the capital is not employed for banking purposes but has been expended on the canal. As an discretion was conceded to the treasury by the legislature, he pursued under my advice, the course pointed out by law for collecting the same. It has ever been the frugal policy of the state to manage its finances with strict regard to its current necessities to avoid extravagant appropriations and embarrassing obligations. And it is certainly an act of congratulation that we are at this moment comparatively free from debt, without bonds in the market. I believe it is a prudent policy to meet such difficulties which so much oppress some of our sister states—the course pursued by your immediate predecessors on this subject will, I have no doubt, be followed.

In March, 1839, I was authorized by a joint resolution of the legislature, to appoint commissioners to ascertain, as accurately as practicable, the number, age, sex and condition of the lunatics of this state, and the best means for their relief; and if the erection of a state asylum should be deemed the best remedy, to ascertain its necessary cost, and the best location for it, with any other facts material for definite action on the subject. Commissioners were appointed soon after the passage of the resolution, who took upon themselves the task of making the investigation, and they have made a full report. The report was delayed by unavoidable causes until just at the close of last session, so that no action could be had at that time. It has since been published in pamphlet form and circulated generally throughout the state. The number of lunatics is ascertained to be 253, and the number of insane days is ascertained to be 10,000. The wretchedness of their condition should excite the liveliest interest. They are our fellow beings, suffering under an insupportable degree of Providence, in many cases without any fault of their own. Unhappily, it was believed that no asylum could be erected, but that the best remedy, but experience has fully

proved the ability of man, by kind offices, and by extending to them the blessings of an asylum, in all cases to ameliorate their condition, and in many to restore them to reason and usefulness in society. During the last summer I availed myself of an opportunity of visiting the asylum at the insane at Worcester, and was deeply impressed with the benefits of that noble and well conducted institution, reared by the wisdom and liberality of the commonwealth of Massachusetts. I trust your attention to this subject will be such that New Jersey will not remain behind her sister states in works of benevolence and charity.

At the institutions in New York and Philadelphia, in consequence of the size and age of the inmates, are at this time fifteen persons supported at the expense of the state, and nine persons at the institution for the blind.

The report of the trustees of the school fund will be presented during the session. It will embody every thing important to be suggested on that subject. Our institutions, our property, the peace and good order of society, in fact, all our dearest rights depend upon popular intelligence and virtue. The education of the masses is, therefore, the primary object of legislation. The people all vote and they will regulate the movements of government. Our people, as a body, are disposed to do right and will secure good results when reason and intelligence prevail.

The great interests of agriculture should not be overlooked. This is, after all, the fundamental interest of society, and holds the highest rank among all considerations of commerce and manufactures more or less rest upon it. The cultivation of the soil, among the most delightful as well as honorable pursuits of life, has claims to encouragement. In this state we are peculiarly an agricultural people, and it pains were taken to introduce among our farmers, the improvements which modern discovery is bringing to light, and to hold out those rewards for honorable competition, so indispensable to rouse the energy and patriotism of the farmer, and to secure our position, as a people, would be greatly advanced. Experience has sufficiently shown that the prosperity of the farmer is not to be judged by the number of his acres, but by the facility and skill with which he cultivates them. It is, therefore, awakening to this subject abroad, and I hope to see a corresponding spirit with us. The final report on the geology of this state, by professor Rogers, is completed. I have been furnished with the volume, and I believe it will be a valuable addition to our knowledge. I hope no pains will be spared to give this volume a general circulation. It will answer little purpose, unless it be put within the reach of the people. The subject being the country according to the wishes of many of the people of the state, by making an agricultural survey. I believe that a respectable agent might be procured at this time, possessing great experience, acquired from the same employment in other states.

I enclose a report of the commissioners of pilotage for New Jersey. Serious complaints were urged a few years since, whether with just reason or not it is not of my purpose here to enquire, in reference to the pilotage of the harbor of New York, and the loss of the *Nexoro* with a hundred souls, from the want of a pilot, finally aroused public attention to the subject. The number of pilots employed was judged to be inadequate to the wants of the harbor, and it was alleged that in the absence of competition, there was a want of energy among them. Congress, by the act of 1839, authorized the appointment of commissioners of pilotage, who were to be situated upon the waters which formed the boundary between two states, to employ any pilot duly licensed under the laws of either state. Under a law of this state, passed the same year, with the act of congress, commissioners of pilotage were appointed, most of whom have a practical knowledge of the subject, having themselves been commanders of vessels. They organized a company of pilots for this state, whose intelligence, services, and fidelity to high commendation, and the gratuitous services of the commissioners who appointed them. At the last session of congress, an unsuccessful attempt was made to repeal the act of 1839, and the commissioners of pilotage were then they could be made it might be resisted by every friend of humanity. Competition should be encouraged, and I cannot believe that the country will ever consent again to an exclusive privilege in this subject, which is held either upon citizens of New York or New Jersey.

The report of the quarter master general, showing the number and condition of the arms, equipments and camp equipment belonging to the state, according to the act of 1839, is also transmitted. I visited to visit the arsenal that you may the bet-

ter appreciate the care necessary for their preservation.

We also enclose a report from the keeper of the state prison. Experience serves to show the wisdom of the system of solitary imprisonment which we have adopted. It possesses at least the advantage over that which it supersedes—that it precludes any intercourse among the prisoners, and thereby prevents the hardened criminal from contaminating those less accustomed to crime; but it should be borne in mind that the punishment is severe. It affects the health, and I fear in some instances, the minds of the prisoners. As the object of this punishment is not to improve, or reason of health, but, if possible, to reclaim the criminal and deter others from the commission of crime, it should always be tempered with mercy. The time for which many are sentenced has always appeared to me too long. Solitary confinement for five years is equal to ten years imprisonment under the old system. There are some who were sentenced under the former system, now undergoing the severe punishment of the present. The applications for pardon have become from these causes, more numerous and more importunate, and it is necessary to exercise some reason upon the pardoning power. Some modification in the penal code might I think be made to advantage. The frequent exercise of the pardoning power is attended with danger to the public peace, and the necessity for its exercise should, if possible be avoided. Some improvement in the mode of heating the prison, and some remedy for

the dampness which affects the health of the prisoners is indispensably demanded.

The embarrassment of the times and the diffusion of a more liberal spirit among men, have drawn public attention to the subject of imprisonment for debt. It is, I know, a delicate and difficult question. In several of the states it has been abolished altogether, and our present law renders it a mere form. The benefit of the insolvent law is so readily obtained that it affords to the creditor very slender protection. It may embarrass for a time an honest debtor, but will not oblige the fraudulent bankrupt to give up his property. My own opinion has ever been that for debt alone in the absence of all fraud, creditors should not have the power to deprive a citizen of his personal liberty. Should you think it expedient to modify the present law on this subject, it will be your incumbent duty to afford the creditor other and more summary facilities for obtaining his just demands from the property of his debtor.

Alterations in the constitution of government under which a people have lived long and happily, should be made with caution and jealousy. That of New Jersey is among the oldest written constitutions to the world. It was adopted on the 23 day of July, 1776, and is, therefore, two days older than the Declaration of Independence. It contains at least one feature which I think might be advantageously changed. I refer to the provision which makes the offices of chancellor and governor in the same person. The increase of business to the court of chan-

cery has been so great that it now requires the whole attention of the chancellor, and the nature of his duties calls for permanency in the office. Under the present constitution, as it now stands, no man ever has, or ever can, fill the office of governor, unless educated to the profession of the law, and it would be no surprising circumstance if others of our fellow citizens should feel a just pride to fill the highest office of the life of the people of their state.

I make this suggestion from no personal considerations, but because experience has satisfied me of its fitness and propriety. If a party question should be made of it, I would not favor a change, for I hold it to be an undeniable principle that no people alter their constitution which is to stand through all parties by any party vote.

Permit me in conclusion to express my deep sense of obligation for the kindness and confidence which the people of New Jersey have ever manifested towards me, and which has been so signally exhibited in the recent election. I feel that I have been enabled to fill a station always arduous and responsible, and especially so in a season of great political excitement. I have known no other path of duty than to stand by the rights of the state, and to be governed and guided by the wisdom of the people. May Providence in whose hands are the destinies of nations as well as individuals, perpetuate the blessings of freedom to them and to their children.

WM. PENNINGTON.

Yinton, October 27, 1840.

PENNSYLVANIA.										MISSOURI.									
Election returns.										Election returns. The following returns of the late election, are from the official list of the secretary of state.									
1840.					1839.					1838.					V. B. W. V. B. W. V. B. W.				
Congress.					Governor.					President.					V. B. W. V. B. W. V. B. W.				
V. B. Har.					Porter. Ritner.					V. B. Har.					V. B. W. V. B. W. V. B. W.				
Adams,	1,550	2,119	1,535	3,310	1,186	1,520				Converse,									
Alastrong,	1,478	1,169	1,281	1,510	1,528	1,014				Andrain	156	146	155	140	154	154	141	142	
Arnegang,	4,287	6,831	4,505	6,038	3,074	3,622				Barry	409	57	406	44	412	402	33	38	
Beaver,	1,821	2,527	1,981	2,457	1,075	2,077				Beeson	406	111	409	103	413	410	106	102	
Bedford,	2,692	2,692	2,692	2,692	2,692	2,692				Buchanan	919	183	935	167	938	910	158	191	
Berk's,	4,083									Calary	691	89	671	89	688	671	89	422	
Bradford,	2,743	2,411	2,420	2,219	1,462	1,531				C. Girardeau	822	518	822	499	817	819	499	499	
Bucks,	4,389	4,411	4,553	4,147	3,081	3,289				Carroll	204	156	211	135	214	214	129	137	
Butler,	1,966	1,973	1,653	1,760	1,400	1,166				Clark	378	233	379	211	382	381	210	210	
Cambria,	858	697	844	762	458	554				Clay	520	615	513	613	508	514	606	605	
Centre,	2,269	1,466	1,466	1,467	1,809	1,809				Clendenen	272	134	246	126	261	261	130	145	
Chester,	4,824	5,449	4,527	4,971	3,277	3,921				Clark	230	243	250	236	234	238	240	233	
Cleaveland,	744	466	792	474	499	248				Clark	227	238	232	229	233	230	231	251	
Clioeto,	700	552		New county.						Cooper	723	787	719	783	721	719	781	782	
Columbia,	2,493	1,295	2,616	1,088	1,631	553				Calwell	135	74	136	75	131	133	74	77	
Crawford,	2,610	2,175	2,304	1,937	1,614	1,232				Davis	255	147	255	128	253	258	120	125	
Dauphin,	2,626	2,440	2,743	2,316	1,894	1,696				Franklin	572	490	535	427	575	575	426	422	
Clarion,	1,329	610		New county.						Ganacande	441	174	467	159	475	462	159	137	
Dauphin,	2,138	2,651	2,165	2,343	1,372	1,993				Greene	462	129	469	105	470	460	107	107	
Delaware,	1,369	1,968	1,768	1,731	1,630	1,224				Howard	892	785	891	777	894	898	768	769	
Erie,	1,846	2,146	1,665	2,747	1,312	2,134				Jackson	776	335	735	318	759	750	332	335	
Fayette,	2,891	2,827	2,788	1,984	2,102	1,747				Jefferson	867	307	866	302	867	866	302	303	
Franklin,	3,334	3,334	3,334	3,334	2,153	2,973				Johnson	139	187	139	187	139	187	139	187	
Greene,	1,803	1,159	1,510	1,438	1,159	1,438				Lafayette	412	467	412	465	419	411	561	465	
Huntingdon,	2,291	2,570	2,761	3,687	1,340	2,628				Lewis	532	495	542	460	537	634	466	465	
Indiana,	936	1,411	1,262	1,723	692	1,469				Livingston	411	277	384	247	406	403	238	237	
Jefferson,	806	303	591	421	241	229				Linton	597	487	597	487	601	601	487	478	
Juniata,	1,024	1,774	1,049	863	627	598				Linn	217	77	210	56	219	216	55	56	
Lancaster,	6,394	6,394	6,394	6,394	6,394	6,394				Macdon	203	133	203	133	203	203	133	133	
Lebanon,	1,324	1,874	1,153	2,228	1,168	1,497				Mario	563	840	560	826	565	558	825	825	
Lbigh,	2,289	1,966	2,160	2,249	1,987	1,784				Macon	458	395	459	243	464	456	231	282	
Luzerne,	3,697	2,664	3,132	2,592	2,068	1,415				Mozere	618	760	613	747	614	612	742	748	
Lycomio,	1,780	1,366	2,541	2,146	1,705	938				Montgomery	230	843	229	842	229	229	842	842	
McKean,	3,751	211	219	127	150	85				Morgan	450	166	451	113	451	447	116	114	
Mercer,	2,887	2,887	2,887	2,887	2,887	2,887				Muller	28	28	28	28	28	28	28	28	
Mouror,	796	132	1,223	966	796	166				New Madrid	171	375	165	376	169	165	363	245	
Montgomery,	4,507	3,704	4,538	3,748	3,416	2,409				Newton	532	119	534	119	530	532	114	114	
Millin,	1,254	1,174	1,277	1,109	917	748				Perry	364	813	363	811	363	363	811	811	
Northumberland,	1,914	1,326	2,144	1,161	1,421	721				Pettis	257	188	266	119	262	263	117	147	
Northampton,	3,016	2,145	3,631	2,566	2,738	1,420				Pike	767	761	770	755	773	771	753	756	
Philadelphia,	12,619	10,943	12,619	10,943	12,619	10,943				Pike	1,613	1,613	1,613	1,613	1,613	1,613	1,613	1,613	
Philadelphia co.	12,619	10,943	12,619	10,943	12,619	10,943				Folk	804	198	804	164	786	779	169	169	
Perry,	1,681	828	1,916	883	1,107	475				Pulaski	617	515	566	106	609	607	108	110	
Pike,	407	95	526	117	334	50				Randolph	490	542	485	529	488	517	538		
Potter,	1,075	118	276	68	162	62				Ralls	403	448	397	448	403	398	443	445	
Sasquehanna,	3,866	1,365	1,580	1,264	1,145	856				Roy	687	399	689	395	692	699	392	395	
Schuyler,	2,010	1,418	2,271	1,598	1,388	571				Ruffey	323	181	323	181	323	323	181	181	
Somerset,	1,819	2,070	2,070	2,070	2,070	2,070				Rives	359	265	373	217	358	349	246	250	
Tioga,	1,526	822	1,448	594	1,027	400				St. Francis	296	235	297	229	296	295	225	224	
Union,	1,444	2,311	1,595	2,268	1,143	1,328				St. George's	251	250	250	253	254	254	246	249	
Venango,	1,007	679	1,765	828	967	600				St. Charles	607	640	568	637	510	509	600	638	
Warren,	922	835	700	843	498	251				St. Louis	1,611	2,392	1,611	2,850	1,611	1,611	2,368	2,378	
Washington,	1,228	2,332	1,231	4,561	2,815	2,878				Saline	1,611	1,611	1,611	1,611	1,611	1,611	1,611	1,611	
Westmoreland,	1,829	608	1,062	538	724	340				Scott	507	233	493	214	514	508	205	205	
Washington,	3,712	4,945	3,461	3,525	2,445	2,503				Stebby	217	238	214	236	213	214	233	236	
York,	8,711	8,248	4,196	3,257	2,736	2,603				Stoddard	309	51	274	57	261	153	000	000	
										Taney	252	20	253	16	264	248	000	000	
139,392	125,747	133,550	126,029	91,175	87,111					Van Buren	436	185	422	167	421	408	156	178	
123,717		126,029		87,111						Washington	548	583	546	532	549	549	546	546	
V. B. maj.	4,615	V. B. maj.	7,521	V. B. maj.	4,364					Warre	342	31	338	30	342	342	28	28	

GEORGIA.

lection returns.

YAS. BEHEN.

COUNTIES

<i>Applying, . . .</i>	115	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Baker, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Baldwin, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Babb, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Bryan, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Bullock, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Burke, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Butts, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Candler, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Campbell, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Carroll, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Cass, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Chatham, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Chattanooga, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Cherokee, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Clark, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Cobb, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Columbia, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Covatta, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Crawford, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Dade, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Decatur, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>DeKalb, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Dooley, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Early, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Effingham, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Elbert, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Emanuel, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Fayette, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Floyd, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Forrest, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Franklin, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Gilmer, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Glynn, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Greene, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Gwinnett, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Heberburn, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Hall, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Hancock, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Harris, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115
<i>Heard, . . .</i>	315	<i>Black,</i>	289	115	<i>Black,</i>	289	115

Henry, . . .	779	765	618	779	765	618	779	765	618
Houston, . . .	618	779	765	618	779	765	618	779	765
Irwin, . . .	618	779	765	618	779	765	618	779	765
Jackson, . . .	618	779	765	618	779	765	618	779	765
Jasper, . . .	618	779	765	618	779	765	618	779	765
Jefferson, . . .	618	779	765	618	779	765	618	779	765
Jones, . . .	618	779	765	618	779	765	618	779	765
Laurens, . . .	618	779	765	618	779	765	618	779	765
Lee, . . .	618	779	765	618	779	765	618	779	765
Liberty, . . .	618	779	765	618	779	765	618	779	765
Lincoln, . . .	618	779	765	618	779	765	618	779	765
Lowndes, . . .	618	779	765	618	779	765	618	779	765
Lumpkin, . . .	618	779	765	618	779	765	618	779	765
Macon, . . .	618	779	765	618	779	765	618	779	765
Madison, . . .	618	779	765	618	779	765	618	779	765
Marion, . . .	618	779	765	618	779	765	618	779	765
McIntosh, . . .	618	779	765	618	779	765	618	779	765
Meriwether, . . .	618	779	765	618	779	765	618	779	765
Monroe, . . .	618	779	765	618	779	765	618	779	765
Montgomery, . . .	618	779	765	618	779	765	618	779	765
Morgan, . . .	618	779	765	618	779	765	618	779	765
Murray, . . .	618	779	765	618	779	765	618	779	765
Muscogee, . . .	618	779	765	618	779	765	618	779	765
Newton, . . .	618	779	765	618	779	765	618	779	765
Oglethorpe, . . .	618	779	765	618	779	765	618	779	765
Paulding, . . .	618	779	765	618	779	765	618	779	765
Pike, . . .	618	779	765	618	779	765	618	779	765
Polk, . . .	618	779	765	618	779	765	618	779	765
Putnam, . . .	618	779	765	618	779	765	618	779	765
Ralston, . . .	618	779	765	618	779	765	618	779	765
Randolph, . . .	618	779	765	618	779	765	618	779	765
Richmond, . . .	618	779	765	618	779	765	618	779	765
Stevens, . . .	618	779	765	618	779	765	618	779	765
Swain, . . .	618	779	765	618	779	765	618	779	765
Sumter, . . .	618	779	765	618	779	765	618	779	765
Talbott, . . .	618	779	765	618	779	765	618	779	765
Taliferro, . . .	618	779	765	618	779	765	618	779	765
Tattnall, . . .	618	779	765	618	779	765	618	779	765
Telfair, . . .	618	779	765	618	779	765	618	779	765
Thomas, . . .	618	779	765	618	779	765	618	779	765
Troup, . . .	618	779	765	618	779	765	618	779	765
Twiggs, . . .	618	779	765	618	779	765	618	779	765
Union, . . .	618	779	765	618	779	765	618	779	765
Upson, . . .	618	779	765	618	779	765	618	779	765

Walker, . . .	697	572
Walton, . . .	841	593
Ware, . . .	54	572
Warren, . . .	377	572
Washington, . . .	621	572
Wayne, . . .	2	572
Wilkes, . . .	54	572
Wilson, . . .	377	572
Wilkison, . . .	377	572
<i>Members of the legislature.</i>		
The first named is the senator. Those marked with * are whigs.		
Anpling—Robson; Johnson.		
Baker—Holmes; Kraton.		
Baldwin—Williams;* Hammond, McCombs.		
Bibb—Bulloke,* Brown,* Chappell,* Howard.		
Bryan-Sol Smith; Linder.*		
Bullock—Coner, lie.		
Burke—Harris,* Evans,* Carswell,* Mulkey.*		
Butts—Lindsay; Lawson, Sanders.		
Canden—Hopkins; Dulour, Atkinson.		
Campbell—Camp; Beavers, Carlton.		
Carroll—Bogges; Aspy, Rogers.		
Cass—Hamlin; Henson, Pitts.		
Cobb—Gans; May, Morris.		
Chatham—Gardy; Anderson, Millen, Stone, Stiles.		
Cherokee—McConnell; Ford, Hunter.		
Clarke—Vincent;* Moore,* Richardson,* Strond.*		
Columbus—Stinson;* Robertson,* Burt.*		
Coweta—lie, Bell,* Cook,* Lee.		
Crawts—Kirkpatrick; Crutchfield, Turner.		
Chattooga—Cameron; Ellis.		
Dade—Rainey; Tanner.		
Declarat—O'Neal,* Chester,* Ilines.*		
DeKalb—Diamond; Murphy, Palmer, Collier.		
Doody—Graham; Potter, Farnell.		
Early—Spethig; Wilson, Sheffield.		
Effingham—Walthrow,* McGahan.*		
Elbert—Christie,* Gault,* Warren,* Pak.*		
Emmett—Swain; Sumner.		
Fayette—Heffin; Brown, Dixon.		
Floyd—Watery; Liddle, Shropshire.		
Franklin—Morris; Anderson, Mitchell, Jones.		
Forsyth—Hammond; Green, Ewen.		
Gilmer—Christiny; Pate.		
Greene—Stocks,* Daniel,* Rea,* Credite.*		
Gwinnett—Loveless; Read, Pilman,* Martin.*		
Glynn—Dart,* King.*		
Habersham—Kinley; Sanford, Barclay, Wales.*		
Hamon—Hooper,* Thompson, Roberts.		
Hancock—Gondez,* Thomas,* Indeson,* Hitchcock.*		
Harris—Kennon; Jones,* Osborne,* Williams.*		
Henry—Cox,* Davis,* Dodson,* Bentley.*		
Houston—Holter,* Wadsworth,* Dryan,* Brown.*		
Hard—Cross,* Dawson, Johnson.*		
Irwinn—Young; McDuffe.		
Jackson—Mays; Chandler, McCillen, Webb.		
Jasper—Glover,* White,* Preston,* Robinson.		
Jones—Stapleton,* Bigham,* Catennah,*		
Sims—Goldardt,* Harnden,* Low,* Franks,*		
Laurens—Wright,* Robinson,* Ashley.*		
Lee—Jones,* Foad.*		
Liberty—Spencer,* Maxwell,* Harrington.*		
Louwens—Knight,* Caldwell,* Sermons.*		
Macon—Moore,* Haecma,* Hardy,*		
Lumpkin—McAfee; Guthrie, Hibbert.		
Macon—Bryan,* Whigham,* Greene.*		
Montgomery—Creach,* McCrimmon.*		
Madiion—Colburn; Whitworth,* Nash,* lie.		
Nelson—McDonald; Stewart,* Leile.		
Nettowith—Reever; Towles, Dark, Reeves,*		
Monroe—Roid,* Black,* Jordan,* O'Snal,* Jones*		
Morgan—Floyd,* Foster,* Mattin,* Mann.*		
Morris—Boyle,* Holcom,* Moris,*		
Muscouge—Calhoun,* Flournoy,* Chipley,* Alexander,* Sapp.*		
Newton—Williamton; Reynolds,* Loyall,* Harde-		
man.*		
Oglethorpe—Thomas,* Crawford,* Hubbard,* Da-		
venport.*		
Paulding—Jones,* Pryor.*		
Pike—Adams; Neal, White, Greene.		
Putnam—Griggs,* Slaw,* Harrison,* Lynch.*		
Polaski—Eostwick; Whitfield, Boote.		
Ramsey—Henley;		
Randolph—Graves; Harrison, Hendry.		
Richmond—Miller; Crawford,* Jerkins,* Rhodes.*		
Servisen—Conner; Moultrie, Hotchkiss.		
Stewart—Byrd,* De-Laune,* West,* Boynton.*		
Taliaferro—Tombler,* McCall,* Crawford.*		
Tattal—Strickland,* Mann.*		

Thomas—Blackbeard,* Daniel,* McMillan.*
 Talbot—Seward,* Dixon,* Willis,* Emanuel.*
 Talfer—Harris,* Stephens,* Chapman.*
 Tellar—Frier,* McCull.*
 Troup—Bearsley,* Darden,* Caughtricht,* Taylor,* Johnson.*
 Twigg—Smith; Fitzpatrick, Tarver.
 Union—Jawson,* Whitham.*
 Walton—Goode,* Trayler,* Meadows,* Walker.*
 Upton—Echols; Stroud, Harrison, Moon.
 Warren—Harris,* Andersen,* May,* Darden.*
 Washington—Warthen,* Long,* Flournoy,* Belcher.*
 Wayne—Wiggins,* Bryan.*
 Wilkes—Anderson,* Toombs,* Wingfield,* Wooten.*
 Wilkinson—Beall; Murphy, Hatcher.
 Will—Strickland; Smith, Dickson.
 Walker—Thompson; Smith, Dickson.

Popular vote. For the satisfaction of our friends at a distance, we insert a correct table of majorities for governor at our late election. It may be relied upon as nearly correct, although the returns from some of the counties are not official.

(Ohio State Jour.)		1840.		1838.	
		Carroll, Maj. Gen.	Stanton, Maj. Gen.	Carroll, Maj. Gen.	Stanton, Maj. Gen.
Adams,	215	689	1,062		
Allen,	114	543	602		
Athens,	607	1,046	732		
Ashtabula,	2,630	2,648	738		
Butler,	1,184	1,459	2,918		
Calhoun,	389	2,221	2,670		
Brown,	132	1,190	1,847		
Clark,	62	1,435	1,492		
Clermont,	332	1,603	2,006		
Columbiana,	201	2,799	3,519		
Coshocton,	274	1,232	1,840		
Champaign,	731	1,412	1,940		
Clark,	1,344	1,597	762		
Clint,	751	1,013	939		
Crawford,	223	626	948		
Cuyahoga,	1,066	2,430	1,731		
Delaware,	625	1,668	1,668		
Darke,	155	754	893		
Erie,	193				
Franklin,	875	2,009	1,672		
Fairfield,	990	1,633	2,717		
Fayette,	319	761	744		
Gallia,	764	889	939		
Greene,	1,000	1,545	1,031		
Geauga,	1,349	2,330	1,554		
Grovesey,	291	1,938	2,090		
Harrison,	191	1,157	1,788		
Hardin,	135	251	98		
Henry,	6	168	98		
Highland,	147	1,115	1,649		
Holmes,	765	772	1,438		
Huron,	886	2,366	2,366		
Hamilton,	21	4,366	4,717		
Hancock,	21	407	805	829	
Hocking,	271	298	784		
Jackson,	40	492	649		
Jefferson,	33	1,563	2,372		
Knott,	466	1,922	2,643		
Lake,	406	763	461		
Lawrence,	512	762	316		
Lake,	1,110				
Licking,	227	2,133	3,162		
Logan,	653	1,210	750		
Lorain,	519	1,592	1,625		
Marion,	120	936	924		
Meigs,	544	869	337		
Miami,	913	1,641	1,101		
Monroe,	945	418	1,420		
Morgan,	962	159	1,350		
Muskingum,	1,294	3,174	2,332		
Medina,	315	1,643	1,293		
Nadison,	568	695	507		
Mercer,	788	276	413		
Montgomery,	157	2,548	2,737		
Ottawa,	83				
Pike,	85	451	591		
Potomac,	184	227	361		
Perry,	685	928	1,718		
Pickaway,	356	1,592	1,712		
Portage,	356	1,592	1,712		
Preble,	878	1,761	1,195		
Paulding,	50				
Richland,	1,413	1,852	2,363		
Ross,	672	2,314	2,926		
Summit,	810				
Tipton,	631	880	603		
Stark,	535	2,217	3,177		
Seneca,	161	959	1,172		

Shelby,	111	721	813
Standing,	91	75	75
Trumbull,	616	91	3,356
Tuscarawas,	364	1,644	1,631
Union,	326	614	468
Vanwert,	33	84	57
Vander,	131	63	58
Warren,	612	1,713	1,019
Washington,	467	1,384	1,264
Wayne,	778	1,841	3,057
Williams,	15	233	300
		102,136	107,881

FLORIDA.

Tallahassee, October 20.
 More Indian depredations. A party of Indians showed themselves at col. Gamble's plantation at Welauene, in Jefferson county, on Saturday last. They fired upon a negro man, second in the band, who effected his escape. They took a negro woman, and forced her to accompany them. But being surprised by meeting a party of whites, they fled precipitately, and the woman effected her escape. The humpbacks were some few miles distant. They fired upon a negro man, second in the band, who effected his escape. They took a negro woman, and forced her to accompany them. But being surprised by meeting a party of whites, they fled precipitately, and the woman effected her escape. The humpbacks were some few miles distant.

Voting by force of arms. In nearly every precinct in Middle Florida troops under the command of the bold brigadier, and the civil magistrates, were sent up to the polls to vote. The brigadier himself was present, attended one of the precincts in Jefferson county, with all the forces he could muster. They were all withdrawn from the protection of the settlements, for the purpose of storming the polls. The same night, the Indians attacked a settlement in the same county, some ten miles off, fired upon Mr. Manning, as he stood in the door of his house, but fortunately missed him. He together with his family fled through the back door and escaped. The house was plundered and provision, clothing and money, and much property carried off. Had the troops under the orders of the civil magistrates, who to himself a candidate for a seat in the senate, were principally distributed through the counties of Leon and Gadsden. In some precincts they were permitted to vote, in others they were driven from the polls. The people were generally indignant at the insult offered to their rights.

We are informed that at the precinct at Chattahoochee, in Gadsden county, about 60 of them marched on the voters being charged with the intention of taking forcible possession of the ballot boxes, and threatened to vote as much as they pleased—whether the judges liked it or not! Though few in number, the people of Chattahoochee, proved a match for the number of the major's troops. It is said that in this company, they have not ten guns in the camp that will shoot. Five Indians might run the whole of them, and take their baggage. In fact it has never been contemplated that they would have any success in operating against Indians—they were raised to carry the elections, and assist the local forces in maintaining themselves in office. They have neither arms nor ammunition, discipline, or respect for their leaders—humpbacks, officers and men.

Tallahassee Star Oct. 20.
 Indian murders and depredations are going on with increased activity throughout Florida. The humpbacks have opened the campaign, not against the Indians, but in electioneering for office for the tall bags of their concern. Since the brilliant display on capital square of the 29th ult. no evidence of the whereabouts of the brigadier has been seen in these parts. His army of 1,500 men make but an exceeding small trail, through the prairies or hammocks. Not the tap of the drum or the report of their rifles, has yet started the Indian from his work of robbery and murder. But the truth is, the humpbacks are much taller men, and soon marcher in the neighborhood of groves, and in civil rows, than they do in the hammocks, or the presence of Indians.

Tallahassee Star, Sept. 22.
 Why has not governor Reid made some disposition of his 1,500 men, who are to give peace to the country, and put the frontier in a better state of security? so that Washington county may have some of their services? Another dreadful murder occurred on the Escambia river, in that county, on the 10th inst. The enemy entered the house of Mr. Jones at 10 o'clock in the day, plundered and murdered his dwelling, after murdering his wife and an infant in her arms. The St. Joseph's Times justly asks, where are the 1,500 men raised for the protection of Florida? If these men were employed constantly on the look out for the enemy, they might perhaps have been successful.

A delegation of Indian chiefs. The ship *Hudson*, was to have sailed from New Orleans on the 17th inst. for Tampa Bay, having on board a delega-

tion of Seminole Indians, mostly influential chiefs of those who emigrated some time since, who are now on their way to Florida, under the charge of capt. John Page, of the army, with the object of dissuading their brethren, who still persist in carrying on the war in that country, of their erroneous ideas of the new bounty assigned them in the west, and of inducing them, if possible, to lay down their arms and emigrate also. They are quite sanguine of success, and so far as their own relatives and friends are concerned, very much so. The H. had on board for Tampa Bay, a detachment of the 3d regiment U. S. infantry, composed of 200 humpbacks commanded by maj. W. G. Belknap, which arrived at New Orleans on the 17th from Fort Smith, Arkansas.

Troops for Florida. A part of the 8th regiment United States infantry arrived at St. Augustine about the 17th. The regiment, in full strength, is to concentrate at Tampa Bay, under colonial Worth, 150 dragoons under the command of captain Fulton, and lieutenants Sibley and Thayer, and 140 infantry, with lieutenants Penrose, Fielder and Smith, also arrived at St. Augustine. The armistice entered into on 30 days, by *American* and gen. Armand, is confirmed. *John* and his followers were to be in the 20th to hold the city, which will probably be attended before its close by the deposition of chiefs which left New Orleans for Tampa Bay on the 23d.

The St. Augustine News learns that brigadier general Atkinson was stricken with palsy, and says there is but little probability of his ever being able again to take the field.

MISCELLANEOUS ARTICLES.

GENERAL HARRISON ON DUELING.

North River, Nov. 7, 1838.
 You ask my opinion "of the code of honor which decides controversies by a resort to the duel." I comply with your request, and would do so more readily, if I could suppose that any thing I could say would have any influence in inducing you to avoid a practice which is the cause of so much individual distress, and violates so many obligations of the most sacred character.

The arguments which may be used against dueling are so obvious, and have been so often urged by persons much more competent to do them justice than I am, that I shall content myself with giving you what may be termed my experience in matters of this kind. And as this certainly does not exhibit the practice in a very flattering light, it may perhaps, have a better effect than any other mode of treating the subject that I can adopt.

I believe that there were more duels in the northwestern army, between the years of 1791 and 1795, inclusive, than ever took place in the same length of time, and among so small a body of men as composed the continental army of the army, either in America or any other country, at about the same times. I became an officer in a first mentioned year, at so early an age, that it is not wonderful that I implicitly adopted the opinions of the older officers, most of whom were veterans of the revolution, upon this as well as upon other subjects connected with my conduct and duty in the profession I had chosen. I believed, therefore, in common with the larger proportion of the officers, that no brave man would decline a challenge, nor refrain from giving one, whenever he considered the rights or feelings had been trespassed upon. I remain confident that I was not altogether free from the opinion that even honor might be acquired by a well thought duel. Fortunately, however, before I was engaged in a duel, either as principal or second, which terminated fatally to any one, I became conversant with all the opinions on the subject were founded in error, and some of them more so than that which depicted the situation of the successful duellist as either honorable or desirable. It could not be honorable, because the greater portion of that class of men had no good opinion of an individual confessedly upon him were opposed to it. And I had the best evidence to believe that in the grave of the fallen duellist was frequently buried the peace and happiness of the survivor, the act which deprived the one of existence, threw a thorn in the bosom of the other, which would continue to rankle and fester there to the end of his days. The conviction that such was the case with men of good feelings and principles, was produced by my witnessing the mental sufferings of an intimate and valued friend, by whom a duel was just about to fall. Several years had elapsed from the date of this affair before I became acquainted with him.

We were soon after associated in the general staff of the army, and for the greater part of two years we shared the same quarters, and were often in the same pallet. I had therefore the opportunity of seeing the agony he often felt when his mind recurred

not have been more careful of the public good, or more resolute in maintaining the republican principle free from all innovations of faith, whether threatened by open or secret influences.

This, my fellow citizens, is a great and momentous crisis in our national affairs in which our dearest rights as freemen are deeply concerned. The presidential election is near at hand, which will decide the fate of our republican system; whether it will be perpetuated on the great principle laid down in our written constitution, or changed to a great consolidated government in which the rights of the states will be destroyed, the confederation frozen under foot, our glorious constitution and your constitutional liberty lost forever. Its destiny is in your hands, the hands of the sovereign people—and at the polls on the 3d of November you decide this all important question, for weal or for woe. If you cast your votes for that wretched tyrant Martin Van Buren, your republican system is perpetuated and placed upon a durable foundation.—Cast your votes for general Harrison, the chosen candidate of the apostate republicans, the abolitionists, and the Hartford convention federalists, and your constitutional liberties are perhaps gone forever, and may and like that of ancient republics.

Then I say to you, go to the polls like independent voters, bearing in your minds the blood, the treasure, the days of toil, the sweat and watchfulness it cost your revolutionary fathers to procure and bequeath to you the invaluable boon of those blessings of liberty which we enjoy; and which every obligation we owe to posterity binds us to hand down to them unimpaired. Then, fellow citizens, I say to you, go to the polls on the 3d of November next, with that independent spirit with which your revolutionary fathers fought and conquered—go, I say, looking steadfastly at the stars and stripes on the banners of your country's glory, under which your revolutionary fathers fought and conquered, and give your votes like free men, as you are to that man whom you believe to be a pure, undeviating and well tried republican, and your liberty is safe. You thereby snatch the republican system from that peril that awaits it, and to which it is now brought by the combination of a united front of apostate republicans, abolitionists and Hartford convention federalists, leagued together for the purpose of destroying your constitutional government, and raise upon its ruins and your liberties, a great consolidated government, based upon the principles of monarchy, power of England and America, and make the laboring and producing classes of our country, "the wretches of wood and drawers of water" for their own aggrandisement. Remember, my fellow citizens, the fate of ancient Rome. Remember that by corruption and the combined corrupt factions she lost her liberty. Then I say again to you if you vote for the candidate of this combined and corrupt faction, whose candidate is silent and will not answer any questions you ask him, and in which your inalienable rights are deeply concerned, you seal the fate of your constitutional freedom. I say again, fellow citizens, remember the fate of ancient Rome, and vote for no candidate who will not tell you with the frankness of an independent freeman the principles upon which he is elected, he will administer to your government.

That man deserves to be a slave who would vote for a man candidate where his liberty is at stake. Can a freeman who values his right vote for any man who when asked for his principles, insults you with the reply, "I will answer no questions coming either from friend or foe." I answer for you that none worthy to be free can do this.

I thank you gentlemen for your kind attention, and can only add an expression of my regret, that the feebleness of my health, gives me so little opportunity to justice to the important object of your assembling on this occasion.

RARE CAUSE OF ALARM. We have been in the office of the secretary of state to see communications from the world's convention of abolitionists, and the seal of the British and foreign aid society, one of them franked by S. M. Gates, a whig member of congress from New York, and both addressed to his excellency James K. Polk, governor of the state of Tennessee. They are incendiary, or would be any where before the public. We have permission, however, to publish the letter of the governor in reply to Gates, which is as follows:

Nashville, (Tn.) Oct. 2, 1840.

To the hon. S. M. Gates, member of congress from the state of New York:

Sir: I have received through the post office a communication, under your official frank as a member of congress, containing certain proceedings of a body of men styled the world's convention of the friends of the negro, assembled from various parts of the world, convened for the purpose of

promoting the immediate, entire and universal abolition of slavery and the slave trade." This convention, it appears, was held at London in the month of June last. The envelope covering the communication, which comes to me under your frank, is post marked at the city of New York—is sealed with a stamp, bearing a pictorial representation of a person in an immodest attitude, and encircled with the words, "British and foreign anti-slavery society." The communication itself contains an "appeal to the governor of Tennessee to employ all the influence and power with which Divine Providence has entrusted him to secure immediate and unconditional liberty to the slave."

The fact is indisputable that you have lent your official frank to this self-styled "world's" convention of abolitionists, as a means of enabling them to send their infamous publications in manuscript through the United States, to mail free of expense, and the presumption, therefore, is, that you countenance and approve the proceedings which you aid them to circulate. In a postscript to the communication bearing your frank, I am requested to acknowledge its receipt in a letter addressed to the "president of the convention at London." This request I shall disregard. I cannot recognize, by any act of mine, official or otherwise, the right of foreigners to make an attempt in itself so impertinent and impudently to interfere with the domestic institutions of this state. But you, sir, are an American citizen, and by the part you have borne have made yourself equally criminal and responsible with the foreign agitators and fanatics with whose proceedings you have identified yourself. We do not feel for the official station which you occupy, I am free to declare, that I should treat the part which you have borne in this dark transaction with the scorn and contempt which I entertain for the proceedings themselves, and which I am sure all patriotic citizens, ardently attached to the union, and desiring its preservation, will pronounce upon your conduct.

It is to be regretted that the affected and hypocritical philanthropy of British and other foreign abolitionists, with whom your official frank is so freely used, had not been reserved for the suffering subjects of their own dominions, whose unrelenting toil even in seasons of profound peace is in many instances scarcely rewarded with the means of procuring wholesome food and decent raiment. The foreigner, in extension of his crime, may plead ignorance of our form of government, but from you, sir, his American aid-r and abetter, no such plea is admissible. He may be actuated by a desire to produce inequality in the heart of a rival nation, but your inequality have you, sir, to lend your official privilege as a member of congress to aid him in an attempt to produce anarchy and confusion in one of the constituent sovereignties of your own government! Have you seriously reflected upon the dangers of the crusade in which you are engaged—a crusade in alliance with foreigners, which not only threatens the peace and harmony of the union, but may endanger its existence if the wicked agitation to which you give your countenance is persisted in. Are you so deliberately reckless of consequences as to be so ready to lend the aid of your official privilege to countenance and abet foreigners in proceedings calculated, if not designed, to excite sectional jealousies and heart burnings—to divide the states by geographical lines to array one set of men against another; and that, too at the imminent peril of producing domestic intestine, and a servile war? Have you yet to be informed that slavery existed in the colonies long before independence was achieved! Have you yet to learn that at the adoption of the constitution, the adjustment of the slave question prevented one of the chief difficulties to the formation of the union which had to be encountered—and that it was ultimately settled upon principles of mutual concession and compromise! Would you disturb the fundamental compact upon which the union of the states rests! But I will not argue the question. It is not one which is debatable.

It is matter of sincere regret that any American citizen should be guilty of such high treason to the first principles upon which the union of the states is based. Your official frank covering these proceedings stands up in judgment against you, as a witness whose testimony is not to be impeached. The only further notice which I shall take of these notorious proceedings is to inform foreigners, with whom they are associated, will be exposed to the indignant reprobation of the people of Tennessee.

JAMES K. POLK.

THE HON. WILLIAM C. RIVES, of VIRGINIA, AND THE GREAT CONSERVATIVE CONVENTION AT AUBURN—THE JOURNEY UP THE NORTH RIVER—THE SCENES AND THE INCIDENTS—ARRIVAL AT ALEANY—BREAKFAST WITH GOVERNOR SEWARD—LOCO FOCO CONVENTION AT SYRACUSE—ARRIVAL AT AUBURN—THE LATTER—DISCUSSION OF THE MEETING—THE SPECTACLES, &c. &c.

From the New York Herald, Oct. 3.

The great meeting of conservatives at Auburn on Thursday last will long be remembered in the annals of the political history of this state. It was a glorious affair from its commencement to its close, and was attended by about 6,000 of the most influential persons in the state, of whom about 300 were of the fairer and better portion of our nation.

Mr. Rives, Mr. Legare, Mr. N. P. Tallmadge, general Tallmadge, general Pierre Van Courtlandt, general Starkweather, colonel Graham, Judge Sanford and many other distinguished gentlemen, forming the delegation, left New York in that splendid boat the De Wilt Clinton, captain Roe, at 5 P. M. on Tuesday. At the dock Mr. Rives made a speech. On leaving the wharf the boat went round the North Carolina, and gave three cheers; in passing the Russell Glover, the steamer passengers groaned out "hard cider." A fine band of music was on board, and numerous flags, pennants and banners displayed all over the boat. A large cannon was placed on the fore-castle and was discharged some dozen times going up the river.

Sky rockets, and blue fires, and red fire and gunpowder, and champagne celebrated through the night. All the way up the river the enthusiasm was tremendous. Accustomed as they had been to the warm and ardent temperament of the Old Dominion and South Carolina, Mr. Rives, and Mr. Legare, expressed their astonishment at the demonstration made by the multitudes on shore at every point where the boat stopped to take on delegates. At Grassy point, Verplanck's, Caldwell's, West Point, Fishkill, Newburg, Poughkeepsie, Kingston, Hudson and all the towns along the line of the north river, the people in thousands were waiting on the wharves, with hands of music, and loaded cannons; and they rent the air with shouts in honor of "William C. Rives" and "Old Virginia never die."

At Newburgh, and on the heights and wharf at Poughkeepsie, the scenes were peculiarly imposing; lit up as the sleeping towns were by the fire rockets. It is impossible to describe the singularly pleasing and striking effect of the whole scene. None but an eye witness could form the truest idea of its grandeur and sublimity. On board the boat all was pleasurable excitement. The band played some 200 or 300 different national airs and beautiful melodies.—Capt. Roe liberally furnished abundance of first rate champagne;

"The night drive on w' songs and clatter," and about a dozen Tippecanoe songs were sung, of which the following was the most prominent and popular:

THE NEW WHIG SONG.

TIPPECANOE AND TYLER, TOO.

Tune—"Little Boy's Tail."

What has caused this great commotion, motion, motion,

Our country through?

—It is the ball is rolling on.

Tippecanoe, &c.

For Tippecanoe and Tyler too.—Tippecanoe and Tyler too.

Van is a good up man,

And with them we'll beat little Van,

Like the rushing of mighty waters, waters, waters,

On it will go,

And its course we'll clear the way

For Tippecanoe, &c.

See the loco standard tottering, tottering, tottering,

Down it must go,

And in its place we'll rear the flag

Of Tippecanoe, &c.

Have you heard from old Kentucky, truck, truck,

Go—old Kentucky is the tune

Seventeen thousand is the tune

For Tippecanoe, &c.

Have you heard from old Vermont, mount, mount,

All honest and true,

The Green Mountain is rolling the ball

For Tippecanoe, &c.

Don't you hear from every quarter, quarter, quarter,

Good news and true,

That swift the ball is rolling on

For Tippecanoe, &c.

The New York boys turned out in thousands, thousands, thousands,

Not long ago,

And at Unick they set their seals
To Tippecanoe, &c.
Now you hear the Van-Jacks talking, talking,
Things look quite blue,
For all the world seems riding round
For Tippecanoe, &c.
Let them talk about hard cider, cider,
And log cabins too,
'Twill only help to set the ball
For Tippecanoe, &c.
The lath-string hangs outside the door, door, door,
And is never pulled through,
For it never was the custom of
Old Tippecanoe, &c.
He always has his table set, set,
For all honest and true,
And invites them in to take a drink
With Tippecanoe, &c.

See the spoilsman and log-treasurers, treasurers,
For all in a stew,
For they know they stand no chance,
With Tippecanoe, &c.

Little Mary's days are number'd, number'd, number'd,
Ours he must go,
And in the chair we'll place the good
Old Tippecanoe, &c.

Now who shall we have for our governor, governor, governor,
Who, tell me now,
Let's have Bill Seward for he's a team
For Tippecanoe and Tyler too—Tippecanoe and Tyler too,
And with them we'll beat little Van, Van,
Van as a used up man,
And with them we'll beat little Van,

Oh have you heard the news from Maine, Maine,
Maine,
All honest and true?
One thousand for Kent, and seven thousand gain
For Tippecanoe, &c.

The beautiful girls, God bless their souls, souls, souls,
The country through,
Will all to a man do all they can,
For Tippecanoe, &c.

Of one other song which was sung, this following
verse was loudly applauded:

"Old Tip he wears a homespun suit,
He has no ruffled shirt-waist
But Mat he has the golden ring,
And he's a little swart-waist."

On reaching Albany at six on Wednesday morning, thousands of the citizens there were on the wharf to welcome the hon. William C. Rives, and bare again the air was rent with shouts. The delegation marched in procession to congress hall—whence Mr. Rives, Mr. Legare, general Starkweather, Judge Sanford, colonel Graham, the reporters of the "New York Herald," were invited to breakfast at the governor's house, where his excellency took one end of the table and the honorable the secretary of state the other. As this was somewhat in the nature of a private entertainment, of course we cannot give what passed, other than to say that on the health of the governor being drank, he rose, responded in a neat and very brief speech, and in proposing the health of the hon. Wm. C. Rives, observed that Virginia had not yet learnt unkindness to her sons, and that New York had not learnt to be unfaithful to herself. Mr. Rives responded by simply giving as a toast, "New York and Virginia," which will be found in the side by side in the press in 1836. The hon. the secretary of state then gave "Mr. Legare of South Carolina; that man must be ignorant of the political history of his country, who is not conversant with the merits of Mr. Legare."—Mr. Legare, by giving a speedy restoration of the good old republican times, liberty and law within the states; the constitution of the union between them."

At 9 o'clock the delegation left Albany for Auburn. All along the line of rail road, the greatest enthusiasm prevailed; the ladies waved white handkerchiefs, the men shouted, and all classes ran down to the cars to see, to speak to, and to shake hands with Mr. Rives and Mr. Legare, although the rain descended in torrents the whole day. At Syracuse the conservatives came in contact with a fragment of the loco loco convention, which met that day to the number of 8 or 10,000, but were dispersed and dispirited by the rain. The delegation reached Auburn about midnight, and the greater part of them were fit up all night, on seeing the crowded state of the place. Here at Syracuse the night was spent in singing Tippecanoe songs, and shouting and huzzing.

At 11 o'clock on Thursday morning, the convention met at the Baptist chapel. General Tallmadge was appointed president pro tem.; Mr. Romeyn, of

Ulster county, made a good and appropriate speech, pointing out the propriety and beauty of the address of ladies at these meetings. Gen. Pierre Van Courtlandt (one of Jefferson's electors) was chosen president of the convention, and the meeting adjourned to a good dinner, at the American hotel, which was washed down with champagne, and the convention met again on the green in front of the theological seminary at half past 1.

This assembly is situated at one extremity of the village, on a beautiful knoll of rising ground, with a very large green before it. At the extremity of the green, and facing the college, a large platform was erected for the revolutionary soldiers, (many of whom were there), the officers of the meeting, the speakers and the reporters. About 40 long benches were constructed out of rough planks for the ladies, all of which were filled with some of the most lovely women in the country. All the trees around the green were filled, and in every widow of the college there were dozens of young ladies, all anxious to see and to hear Mr. Rives and Mr. Legare. There must have been at half past 1 o'clock, not less than 5,000 persons present. Many of them were there at 1 o'clock.

The meeting was called to order by Mr. Jno. L. Graham, who stated that Mr. N. P. Tallmadge would introduce Mr. Rives to the meeting. This was received with nine cheers. A song was sung by Mr. Covert, and Mr. N. P. Tallmadge rose and said: Fellow citizens, the Spirit has been in our midst since the field. (Cheers) At 1838, when we assembled at Syracuse, there were representatives but from thirty-five counties. In 1839, when we assembled, there were representatives from almost every county in the state. Now, we are assembled with reference to the rights of the counties, but in one mighty mass from all parts, to answer to the call of the conservatives convention. (Cheers.)

And I ask you, fellow citizens, why do the people gather here, as we now see them do, in mighty masses all over the country? Has an invasion of our country taken place by a foreign foe? Has an insurrection broken out within our own borders? No, alas! but the people have assembled with a firm determination to put down domestic tyranny, to give more to you than that of your longings for more destructive of all comforts, than an insurrection, and more desolating and blasting in its effects, than even the strife of a civil war.

We have assembled to discuss those principles of government—principles which have been subverted to the purpose of the present administration. We have assembled as our revolutionary fathers did, to discuss the merits of the stamp act, and the tea tax; and have assembled to present those principles of our fathers which should be heeded. I have risen here to present to you our distinguished fellow citizens from another state.

We have seen the effects of some of the measures of the administration at Washington, and it is high time, my fellow citizens, that the Argon stable there was cleaned. Argon, king of Elie, you know, kept a large number of oxen for nine years in his stable, without having it cleaned out; and it was one of the labors of Hercules to cleanse it. The Argon stable at Washington has had a number of animals in it for nearly 12 years, without being cleaned out. (Laughter and loud cheering.) Well, my friends, Hercules performed his immense task, by turning the river Alpheus through it, and this current has thoroughly cleaned it. Now, if the great current of public opinion (that is rushing all over the land) through the Argon stable at Washington, and we'll not only clear out the litter and filth, but we'll clear out the cattle along with it. (Immense cheering and laughter.)

But I have not chosen to speak, but to introduce to you a man who stood up for the defence of his country, in the very worst of times; in the times that tried men's souls. (Loud cheering.) I have risen to introduce to you, that noble work of God, an honest man. (Cheers.) One who stood up in his place on the floor of the senate, and declared in the presence of the minions of executive power, that he had a country to serve, as well as a party to obey! (Immense cheering.) I have the honor to introduce to you the honorable William C. Rives, of Virginia.

Here a voice in the crowd called out, "nine cheers for old Virginia," and nine cheers were given.

Then, Wm. C. Rives then came forward, and was received with tumultuous shouts of welcome. He spoke as follows:

Mr. President and fellow citizens of the state of New York: I am most proud and happy to have the opportunity of meeting so large and imposing an assembly of my brother freemen of New York,

and to have the privilege of mingling with you around the old republican council fires of the unchanged democracy of the north. I have long wished, my friends, to come among you—to have the opportunity of conversing with you face to face on the great interests of our common country, as in my conscience believe they were never exposed to more imminent hazard than at this moment—to come among you to rekindle anew my soul at the altar of your ardent patriotism, and to warm my heart and strengthen my resolutions with the flame of your self-devotion and courage which your state presents to the love and the admiration of the whole union. Yes, fellow citizens, I well recollect that crisis in the destiny of our country, when a small Spartan band, to which my household fire has already made allusion, presented themselves in the breach, to sacrifice themselves, if needful, in vindication of the liberties and the rights of the American people. (Great applause.) And how can you who led the honor to be among the humblest of that noble band—how can he otherwise feel—how can he feel any other sentiment than that of honest exultation, when he sees that mustard seed, the smallest of all seeds, planted in the soil of American gratitude, has sprung up, and now becomes a great tree, so that the birds of the air may seek its shade? Fellow citizens, if I did ever aspire—and I do not aspire—to any reward for any humble exertions of mine in that glorious cause, to see this glorious congregation of citizens gathered to hear them say, "well done, ye faithful and faithful ye brave," the reward I have ever enjoyed, or ever hope to possess. Fellow citizens, we are in the midst of a great struggle of adverse and contending elements, into the issue of which, I do most solemnly believe, the safety of our institutions which have been derived from our ancestors, vitally depends. When before, in the life time of the oldest here present, since the hour which commensated the revolutionary struggle, have we seen the public mind of America so deeply agitated from one end of this continent to the other? The fountains of the mighty deep, as it were, are broken up from their foundation, and this mighty nation of fifteen millions of freemen, is organized into a standing "committee of safety." Is it not curious, my friends, to see, to know "what is and what is not" over the common interest of us all. Aye, my friends, what means this unwonted attendance of the fairer and better portion of our common nature, (alluding to the great attendance of ladies), but that their sacred aims and desires are so deeply agitated, and that their religion and religion of this land, and every thing that is dear to human affection, is threatened by the tide of demoralization now so ripe at Washington, and which has from thence spread, and is sweeping over our land, and that public liberty, which has been the shield and safe guard of all those blessings, is threatened with imminent destruction? It is in vain for any advocate of power here or elsewhere to speak of excitement such as this, as factious or factitious. Once, said a statesman in England, he knew not how to draw up a bill of indictment against a whole nation of people, and I say no man is authorized, in reference to the display of majesty here to-day, to speak of us this day, and of this anxious universal agitation of the public mind, as the result of a factious excitement. No, no, my friends, the great issue of '76 is come forward again. I say it fearlessly, and if you will do me the honor to accompany me in the remarks which I propose to submit to you this evening, I doubt not you will hold me justified in the course I have taken. I say that the course of the present administration has been a standing war on the great interests of our country, and a flagrant conspiracy against the rights and liberties of the American people. (Applause.) I say fellow citizens, I beg you to understand, under the allusion which I make, that I mean not my own blood. I speak under a full sense of the sacred obligation which a free representative of the people ought to feel, when he dissembles with his fellow citizens, on the interests of their common country, and that I do not mean you, that I mean nothing this declaration, I have but uttered the "words of truth and soberness," then, fellow citizens, the failure may be attributed to the feebleness of the advocate, and not to a defect in the truth and justice of the cause. My friends, I know you will, a large majority of you whom I have the honor to address this day, I supported honestly and heartily, the election of Mr. Van Buren to the presidency of the United States. (Numerous voices in the crowd cried out, "well done, ye faithful and faithful ye brave.") I expected from this large assembly, to know you still; and I did so too, and for precisely the same reasons that you supported him—because I reposed faith and confidence in those professions of his democracy which he made more eloquently and more bravely than Martin Van Buren. But I also

day, and to whom I may make a friendly editorial-
ary appeal—what did Andrew Jackson say in his first
inaugural address to congress? Did he not tell us
that he deemed it the first and the highest duties
prescribed by the voice of the people, in the
exercise of his official authority, to repress all
those abuses that brought the executive in con-
flict with the free exercise of the right of suffrage?
And what did Jefferson say in his letter in reply
to an application of gov. McKim, that Jackson
thought to be the true and honest principle, and
for the future he would be president of the U.
States, and he pledged himself that if any federal
officer dependent on the pleasure of the national
executive, should attempt to influence or control the
free exercise of the right of suffrage, he would
would immediately and ignominiously dismiss him
from office. [Cheers.] And how did he redeem all
[loud cheers.] He was not a man of words only,
but showed his faith by works. And he has been
the benefactor of his country as his presence has
to notify the officers of the national government to
forbear, either directly or indirectly, all interference
with the elective franchise, under the penalty of dis-
missal from office. And what has he on the
subject of the rights of the people, as his
federal agent, but to suppress and smother the great
constitutional privileges of the people, by patronage
and every other sort of corrupt means?" [Loud and

And how has Mr. Van Buren, the follower in the footsteps of general Jackson, acted on these doctrines? Has he respected this vital attribute of popular sovereignty? On the contrary, has he not encouraged their officiousness in seeking to take from the people themselves the great vital privilege of choosing their own representatives without interference and dictation, and subject not to the control or dictation of the executive?

Look at this memorable report of Mr. Wall, senator of the United States, which was sustained by a party majority, and pushed on by party discipline—*“I have been told by a party in the United States—how has it acted upon them? My friends, my New York Republican friends, look at the scene exhibited before me, and I will tell you how it has acted upon the house of New York! Have not a responsible committee of the house of representatives of the United States, acting under the responsibility of their oath to the United States, been charged with the duty of interference with the popular right of suffrage in every department of that custom house? Every one of these fungi of executive patronage has been laid under contribution, and selling to the magnitude of the evil, have sold to the public the right of suffrage, the great right of popular suffrage; some \$30, some \$100, some \$150. And when the executive of the United States was called upon to interdict this, did he not say, ‘Well, I will not do it!’—and then he turned the reverse. Has he issued a circular? has he done so? No, he never has; and as long as he remains in power he never will. For no more gratifying result can he expect than to see the people of the United States sell themselves with the elections to keep up this party dynasty.”*

["Cheers"]. What have we seen? An Inferior subscriber at Washington, under the nose of the president, devoting his whole time in and out of office, writing articles for newspapers, to instruct the *dear people* how to bestow their suffrages to uphold this dynasty. And Mr. Van Buren, instead of discountenancing this thing, has encouraged it! There was the memorable interference in the crisis of the Virginia election on which Mr. Van Buren thought that his fate depended. There was an haughty and imperious "superior" who "stuffed" the individual before you, for the purpose of inducing the people of that ancient and honorable commonwealth, to give their suffrages so as best to sustain Mr. Van Buren in power.

But the people of Virginia, true to Virginia, wherever attempts were made to overawe their honest confidence, they rebuked them. Yet what did Mr. Van Buren do? Did he leave the insolent official mortal in miserable obscurity? He, who was filling up the columns of *Ruchie's* "Enquirer" with abuse of your humble servant—who was only an inferior before (here N. P. Tallmadge cried out "a clerk in the treasury department,") to increase this interference; he was taken up, and to a \$4,000 fellowship, in some obscure department, where he lived and died, without the slightest fortune.

Mr. Martin Van Buren, he was promoted to the high and dignified office of under secretary of state. (Cries of "a shame shame!")

Fellow citizens need I recall your attention to another instance without parallel, of a government, pretending to a decent regard for popular opinion, in the case exhibited of Amos Kendall, your late postmaster general of the United States, laying down his office as confidential adviser of the press

dent in the privy council, and become a writer for a miserable party press? [Here a stentorian voice from the crowd cried out, "and all for one dollar!" Laughter].

Yes, all for one dollar! And not one only; for knowing full well that he and his master have so impoverished the people of this great nation, that very few are able to pay a dollar. And if not "club," and give us a quarter a piece! For this one thing useful, in the eyes of this administration is to subscribe to the "*Extra Globe*."

Well, what do you see? One of those public servants, availing himself of the confidence which his situation gave him, growing up into familiarity with the various deputy postmasters, writing letters, which were virtual commands, calling upon their true fealty to the party to procure subscribers for the paper, and so forth. But, my dear friends, my republican friends! Why, that our farmers and mechanics must have as "the one thing needful," the Extra Globe. You may do without tea and sugar, and the comforts of life to which you have been accustomed from childhood, but the one thing needful, without which you cannot do, is to subscribe a dollar, or two dollars, to the Extra Globe. It will support the administration of Martin Van Buren. [Laughter and cheers.]

Now, have you seen the rebuke with which a high-minded president would have visited instinctively any interference with such vital privileges?—That to bring it to the test of Marlinus Van Buren's admission, is this not another attempt to annihilate the vital principles of democracy, and to wrest from the people those precious privileges of choosing their own representatives, and submit that privilege to the control of the president of the United States himself? Is this republicanism, or is it despotism and tyranny, eye, and inonarchy itself? [Loud cheers, and cries of "it is!"]

My friends, I have not time to dwell on all those things; but there is one more demonstrated act of this administration, which I cannot in justice to this occasion, omit to notice—I mean the attempt of the president of the United States, through his secretary of war, after having obtained possession of the public purse, to obtain unlimited control over these sound institutions of our country, (rich countries), to take the sword in time of peace from the constitution, and place it in the hands of that too in the pnyg grasp of your executive magistracy. In this republican democracy, or is it despotism? "Cheer, and cries 'he can't' use a sword, d—n him."

How does this square with Mr. Van Buren's definition of republicanism? I know a miserable attempt has been made, fellow citizens, to quibble Mr. Van Buren out of this measure; *but all in vain!* He is the legitimate responsible author of this extraordinary conspiracy, which has risen up in these latter days of degeneracy—which has risen up in this free, republican government of America, to crush the liberties of the people.

Heed it," he told you, reading, intelligent, reflecting, because as you are, you are the lineaments of the bold and daring plan of military usurpation, to control the constitutional power over the militia of the states, in time of peace, which the constitution has reserved to the states themselves? I recall it. I allude to the annual report of the secretary of war, Mr. Polignett, which was under the eyes of the president, when he submitted his message to congress, in which he said, "I cannot too strongly recommend the plan to the representatives of the people of the United States in congress assembled."¹

Now, let me look at that report of Mr. Polignett's, and I meant to confine myself to his original communication made to Mr. Martin Van Buren himself, and not to the report of the report of the report of his message to congress. And what was it but to annihilate all state sovereignty, and to centre it in the president; to lay off these twenty six independent states, and to make the United States a military despotism, in imitation of the military despotism of the Persian monarchy, for is it that we must consider, yes, a proposition, without regard to state guards, and state militia, and state troops, and state armaments, eight or ten military districts, (I think it first of all was the proposition), and to organize the militia, as they called it, in each district, so that you would have had 120,000 men in each of these *unions* in accordance with him, and that would be the United States. They were to be disciplined by the officers of the regular army; they were to be drilled and drilled and drilled, and drilled, and drilled, and drilled and disciplined wherever and whenever the secretary of war or the president should call them into service; and further, they were to be in the pay of the president, and to be subject to his orders, and to his constitution, subject to articles of war, and necessarily

subject to martial law in the time of peace! [Cries of "shame!"]

What! in the pay and service of the United States, drilled and trained by the officers of the regular army, subject to the rules and articles of war in time of peace, and yet they insult a free people by telling them that this is a militia force! [Cries of "Shame!"]

There *can* be those who for party elegance may be induced to surrender their liberties and dearest rights on the altar of party despotism; but even those who revolt and rebel as it deserves, such an insult to their intelligence and self-respect is an insupportable one. No, *no*, my friends, of the republicans of New York, or the republican sons of Virginia, or any one of our cherished sister states of this republican union, but knows too well the mischiefs which would ensue, if such a course were pursued. It is—so intended and purposed to carve out from the militia of this sovereign state, a standing federal army in the pay of the United States, under the command of the president, in a time of peace, to be subject to the arbitrary will of the president, and to be subject to the rules and articles of war and to all the sanguinary rigor of the martial code. (Here a voice in the crowd, cried out "heaven forbid!" to make himself first consul! Napoleon took!)

You will be reminded by your own recollection of Mr. Martin Van Buren, what a mild, smooth, affable, smiling—what a polite man he is—(Laughter.) I never wielded a sword when his country called for his services—and in he is suspected of such a daring attempt of military usurpation? Gentlemen, you have not read human nature as I have read it, if you have not interpreted that humility "as young and old ambition's ladder" too. (Applause.) Look at Cromwell! Was, not his usurpation in the name, and avowedly for the benefit of the dear people? Look at Bonaparte!

When he hurried out the council of five hundred, he did not do it in the name of equality, and for the sake of the dear people! And I set up Mr. Van Buren against all the men of other times in reverence for the dear people! Gentlemen! I have called for the attention of what Cromwell has done, and I told you that Cromwell has become a little retractory; he could not depend upon them for the purposes of despolitic power, and therefore, he wanted to make a lodgment on the people! What did he do? Precisely what Mr. Van Buren has attempted to do. He created a standing army, and he made it dependent upon the executive; they would be more dependent upon the executive than your regular army. (He has taken that, as he takes all his projects, from Europe). Yes, my friends, he has taken them from all the old rotten despots of Europe, and even from the piratical despots of Cuba, the land of the sub-treasury and the land of Cuba too. (Immense cheering and roars of laughter).

Mr. Rives commenced speaking at ten minutes past two, and finished at thirteen minutes to six o'clock.

After Mr. Rives closed his speech, there were loud cries of "Legare! Legare!" As it was now nearly dark, Mr. L. begged to be excused. "No excuse," shouted the people. "My friends," said Mr. L. "I shall not do myself justice." Cries of "Yes, yes."

Mr. L. "Well, then, I shall have to speak in the dark."

The crowd. "Very well; we'll stay and hear you."

Lights were then brought and placed in the trees, and Mr. Legare then spoke from six o'clock until half past eight. Mr. L. was very happy, fervid and eloquent.

Joe Hoxie then sang the song given above, with this verse added impromptu by one of the reporters for the Herald:

"And now nine cheers for Rives and his friend—friend—friend!

And their states, too!
They'll help us soon the times to mend—
For Tippecanoe and Tyler too!
For Tippecanoe and Tyler too!
And with them we'll beat little Van—Van—Van—
Van is a weed-up man!

This verse was responded to by "nine cheers for the Old Dominion." These were given. Judge Sandford then read a long address and several standing resolutions. These were put by the venerable president, and carried. Joe Hoize then sang the song of "Up Salt River," and the meeting adjourned about 9½ o'clock at night, peacefully and quietly, and several of the ladies remained till the last moment.

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FOREIGN ARTICLES.

ENGLAND.

The London Sun says that, at Marseilles, France, a rabble had assembled and grossly insulted the English and Russian consuls in their respective dwellings. It is said they were strangers to the town.

destructive fire in London. On Sunday, October 18, about eleven o'clock at night, the extensive manufactory of Messrs. Slaughter, Brown, engineers, in Summer street, Bankside, Southwark, was found to be in flames. The firemen of the different divisions were soon upon the ground, and commenced their operations, their utmost endeavors could only confine the fire to the stack of buildings (covering half an acre of ground) which formed the establishment, after several hours hard work, the fire was subdued, but not until it had completely destroyed the buildings. As the firemen were preparing to return home, another alarm was sounded, and on proceeding to the spot, a far more destructive fire than the preceding was found to be raging in the lumber yard of the Messrs. Rosings, extensive timber merchants and proprietors of the steam saw mills, Bankside, and within a hundred yards of the scene of the other conflagration. The spectacle at one time was magnificent, a number of piles of timber forty feet high being at the same time enveloped in flames. While the fire was raging above, it made its way to the arches beneath, in which the most valuable timbers are kept, most of which were destroyed. The loss of the Messrs. Rosings, is very extensive.

An extensive fire has also raged in Manchester, destroying before it was subdued, the extensive cotton and wool warehouse of Mr. John Shawcross, in Halfmoon street, the cotton warehouses of Mr. Mitchell, and Messrs. Hilton, paper makers. The loss is estimated at \$150,000.

FRANCE.

The attack on the king of France. The following account of this affair is copied from a late French paper:

"Darnes, the assassin, said, on his examination, that the carbine with which he fired at his majesty was loaded with five bullets and eight buck shots. This fully accounts for the bursting of the barrel, and the circular direction taken by the charge, to which it is probably due that the Emperor, the king of the king, queen and madame Adelaide were waving. In fact, the barrel burst with such violence that it produced nearly the same effect as the explosion of a shell. One of the footmen, named Grus, was struck on the right leg. The wound is not serious, and

it has not been ascertained whether it arose from one of the projectiles or a fragment of the barrel. It is also not known whether the wound is in the hand of the optional horse guard, M. Bertolacci. The middle of the right side of the king's carriage, the rail and one of the springs were struck. The carriage was brought back from St. Cloud yesterday morning for examination by the magistrats. The surgeons who were appointed to dress the wounded hand of Darnes on Thursday evening, inspected it again yesterday morning, and amputated three of his fingers. They thought it likely that a further operation would be necessary. The following are particulars as to the person, habits and life of the assassin—Darnes is a little man, of forbidding countenance, and somewhat deformed. His forehead is low, and gives to his countenance a vulgar aspect. He wears his beard cut to a point, and his mustache of a light yellow tint and very short. On being asked what use he intended to make of the pistols and poniard found upon him, he replied that he carried them for the purpose of defending himself. Fortunately he was so stunned and confused by the explosion of the carbine and his wound, and surprised by the promptitude with which he was seized, that he had neither time nor self-possession to make use of these arms.

A search was made at his lodging, which consists of a small room which he has occupied for about six months past. Before this time he lived in the Rue Trévise, and was expelled for bad conduct. At his lodging in the Rue de Paradis there was found a great number of papers, nearly all copies of pamphlets and revolutionary proclamations, in his own and written. Among them were copies of a republic of Saint-Just, and of a speech delivered to refute the proclamations of prince Louis Bonaparte. Besides these papers, there were a great many others covered with notes on the most celebrated republicans of antiquity. Several passports of different kinds were also found. Darnes had, apparently, a servant, a porter, and a froster. Some time before he committed this attempt, Darnes went into a wine shop and drank a glass of wine. He then went on towards the Quai des Tuilleries, and there he fired upon the Emperor. He was immediately arrested by the police, and the barrel of the carbine, which was not found immediately after the attempt, has been discovered in one of the trenches of the Place de la Concorde, and some of the fragments were found near the parapet of the Quai.

SPAIN.

Spanish refugees in France. A curious case has arisen in the dependence of the thirty thousand Spanish Carlist refugees on the French treasury.—These heroes of the high road, who hate the French, and whose cause the government has so long labored to put down, must be fed; will not work; cannot be murdered; accept readily French support; and thus, the defeat of their cause imposes a fresh tax of six millions of dollars on France. We have news of fresh discussions in the government of Spain, resolutions of ministers, rivalry of generals; which may engender another civil contest, and send across the Pyrenees swarms of refugees of new denominations, all destitute, and vastly more eager than grateful for French aid.

The accounts, received yesterday, of the summary execution of many of the Carlist officers and soldiers, and women accused as spies, excite horror, notwithstanding the plea that extreme severity will alone accomplish the subduing of the surviving bands of Don Carlos, the costly prisoner, who has been, since the 15th of September last, safe and comfortably at Bourges.

Espartero. The number of *La Revue des Deux Mondes*, for the 15th ult. contains an authentic and ample biography of Espartero, which exhibits an extraordinary career and heterogeneous character. He was born at a small village in La Mancha, in the year 1792; his father a wheelwright or wagoner; he received from his elder brother, who became a Franciscan friar, a clerical education; in 1818, he enlisted as a private against the French, he afterwards went through a course in the military school in the island of Leon, which he entered by the favor of an old Andalusian marchioness; he left that school a sub-lieutenant; embarked in Mutillo's expedition to South America; rose to the rank of sig-

nalized his valor in many engagements; was twice severely wounded; acquired a large fortune by gambling, in which he was the keenest and luckiest of the whole expedition. On his return in 1824 a colonel, he was quickly invested with the rank of brigadier; he carried off the only child and heiress of a rich proprietor of Andalusia; commanded a regiment several years at Majorca; his wife, now the dutchess of Victoria, is unrivaled for beauty and manners and influence at court. The titles of the wagoner's son exceed in number and sound those of any duke of the old Spanish regime. It is probable that it will soon be necessary to proclaim him dictator in all the forms and attributes. The destinies of Spain, says the review, are at the mercy of a soldier of fortune. The old order of society is destroyed; the new one a mere embryo; the prestige of royalty, worked by queen Christina, a woman of intellect and intrepidity, and the military force wielded by the patriotic and judicious will of an Espartero, are the only remaining elements of real government—the only securities against total anarchy, in that Spain which, so few years ago, was fanatically monarchical and ecclesiastical beyond any other example of modern times.

AFRICA.

The following account of the pay, dress and equipment of the regular troops of Abd-el-Kader is given by the *Constitutionnel*:

"The uniform of the infantry is composed of a jacket of gray serge without ornament, with a hood, a waistcoat of blue serge, pantaloons of the same, and a red cap. Every three months each soldier is supplied with a linen shirt and a pair of shoes of yellow leather. To this dress he adds, at his own expense, a bourgeois and a hawk. The equipment consists of a cartridge-box of morocco leather, suspended by a strap over the left shoulder, and attached to a belt. Each soldier has a musket and bayonet, and some have pistols and a sabre in the belt; but these latter are furnished by the Government. Every soldier receives daily a pound and a half of bread cake, and a pound of coarse flour, with which he prepares his couscouscous. Twice a week a soldier is given to every twenty men. The troops, however, find more considerable resources in the negroes. The pay is from four to six boujoux per month. The sub-lieutenants have 8 boujoux, the lieutenants 12, and the agha only 36. The sub-lieutenants are distinguished by an embroidered sash on each shoulder; the lieutenants have two sashes crossed. The officers have also a silver ring on the third finger of the left hand, which is presented by the emir. On this ring is a seal, with the name, rank and date of appointment of the officer. There is an agha or superior command of the infantry for each khailis, from whom he receives orders for the movements of the troops. There is also an agha in chief for the whole of the infantry with the emir. The uniform of the regular cavalry of Abd-el-Kader is a red dress, with the sash of the French spahis. It is composed of a jacket of red cloth, with black stripes on the sleeves and back, and a waistcoat of red cloth faced with blue. Each soldier adds to this uniform a muslin hank, with which he covers his head, and a turban, and which he ties with a cord made of camel's hair. This hank replaces the turban. The horse soldier receives a horse and harness, but no bourgeois. He is armed with a musket without bayonet, or with a carbine, a sabre and a pistol. He has the same cartridge box as the foot soldier. The spahis of the emir are only regular cavalry in name; they are altogether without military instruction. The regular cavalry have trumpeters like the French, and they sound in the same way. The artillery is composed almost exclusively of French deserters, Turks and Koungis. The emir has not a man capable of pointing a gun properly, and accidents in the military exercises are frequent. All the matériel is out of order and almost unfit for service. The guns are mounted upon broken carriages, with wheels of a single piece of wood."

TEXAS.

From the New Orleans Picayune of the 29th ult. we have the annexed important and interesting intelligence from Texas. That paper says:

"The steam packet ship Savannah, Captain Wade, arrived yesterday morning from Galveston, bringing

on states from the new republic to the 23d instoat.

We find the following news in our files:

The Austin Sentinel of a later date contains the following extract of a letter, dated

"La Villa de los Angeles, Sept. 20.

"Sir: An express arrived at the head quarters of the federal army, yesterday from Monterey, bringing information that General Urea was twelve miles from the city of Mexico, in monetary expectation of being attacked by the united force of Burlingame and general Santa Ana, who had formed an alliance to sustain centralism.

"The Texian fleet had been at Yucatan; they were received as a national fleet; the ports were illuminated, and one of the grandest and most splendid festivals ever known in the country was given to the officers of the Texian fleet in Campeachy.—The federalists of Yucatan and Campeachy were anxious to form an alliance with Texas.

"Col. Jordan sent an express a few days ago to general Canales, to march with all expedition to the Rio Grande; that gen. Reyes was within 30 miles of him, with 700 men, with orders from Arista to attack him forthwith, but that he was in such a position that gen. Reyes could not do it.

"Canales is determined to attack Reyes as soon as he can unite his forces with those under colonel Jordan, which will now be in a few days. His force amounts to 500 Americans and 600 Mexicans.

The letter says, the rifles have done their duty before this.

"Geo. Reyes asserts, on the authority of Gomez Farias, the present president of Mexico, that the independence of Texas would be acknowledged before the expiration of six months, by Mexico.

"I have a letter from Monterey, from an old acquaintance, which makes the same assertion. He is just from the city of Mexico. If you have any communications on hand, push them, unless general Urea speaks with a defeat, and as yet all is in his favor."

"We have a private letter from Galveston, written on the 29th, which states that the Houston Morning Star, received the previous day, contained information direct from the west, to this effect: "That Arista was marching up the Rio Grande (this side) in pursuit of a division of the federalists, (probably those under col. Jordan), when Canales, with the remainder, fell upon his rear, and the other party wheeled and attacked him in front. In a short time Arista capitulated, surrendering all his baggage, six cannon and 1,200 men. One of the provisions of the capitulation was, that Matamoros should be at once given up to the federalists."

"The Austin Sentinel says:—"We have been informed by a gentleman from San Antonio, that the federal cause in southern Mexico is still flourishing, and that they have every prospect of ultimate success. Col. Seguin has been tendered the office of brigadier general in the federal army, and he is now awaiting orders on the Medina, with 80 American volunteers. It is probable he will resign his seat in the senate of this republic.

Major Howard, with one hundred and fifty regular troops, and one hundred volunteers, has left San Antonio on an expedition against the Comanches. This is the second party that is on its way into the Indian country.

A military post is to be established on the San Marcos, about half way between Austin and San Antonio.

It is said that gen. F. Houston's projected Indian campaign does not seem to meet with very general approbation, and it is thought impossible for him to raise as large a force as he intended. Congress is to meet on the first Monday in November.

THE BRITISH PROVINCES.

The special council of Lower Canada is summoned to meet on the 5th of November. One of the ordinances to be submitted provides for a general registry of deeds throughout the province. This is a reform that has long been called for.

The legislature of New Brunswick is summoned also, to meet on the 24 of January.

The legislature of Nova Scotia was dissolved by the governor on the 21st ult.

NATIONAL AFFAIRS.

APPOINTMENT BY THE PRESIDENT. ENOS LOWE, register of the land office at Burlington, Iowa, vice A. C. Dodge, resigned; to take effect 30th November, 1840.

PRESIDENTIAL ELECTION. Sufficient returns are received to place the result beyond all question. It is now certain that WILLIAM HENRY HARRISON will be elected president, and JOHN TYLER, vice president of the United States, for the term of four years, commencing on the 4th of March next.

So great an excitement and anxiety to ascertain the result of an election, as was manifested in this

community the last fortnight, has not existed since the memorable contest, in congress, between Mr. Jefferson and Mr. Burr. The "long agony" is now over, and the community is quieting down.

The amount of the majorities in their favor is yet unknown, but it is obvious that they will obtain considerably more than to the proportion of two electoral votes to Mr. Van Buren's and col. Johnson's one.

The following states have been heard from, not all of them officially, but sufficient to place their votes beyond all doubt.

STATES.	Electoral vote.	Aggregate vote.
	Harrison.	Van Buren.
Maine,	10	0
New Hampshire,	0	7
Massachusetts,	14	0
Rhode Island,	4	0
Connecticut,	8	0
New York,	42	0
New Jersey,	8	0
Pennsylvania,	30	0
Delaware,	3	0
Maryland,	10	0
Georgia,	11	0
Kentucky,	15	0
Ohio,	21	0
Indiana,	9	0
	185	7

Necessary to a choice 148.

The vote throughout the union appears to have been larger than has ever before been given. In Pennsylvania, for instance, the congressional and state election was warmly and closely contested but two weeks before, yet the presidential question attracted 81,431 more voters to the polls, than at that time; that occasion, the aggregate, on the 30th ult. being 257,693 votes, and yet the majority, as will be seen by reference to the official returns given under the Pennsylvania head, was only 245 votes.

By the returns, so far as received, from Virginia, it appears probable, that the people of that state have divided between the two contending parties with equal nicety, as those of Pennsylvania. Only six counties remain to be heard from, and should they have voted as they did at the spring election, the Van Buren ticket will have a majority of 1,605 in an aggregate of 68,333 votes.

The vote taken in New Hampshire, exhibits a large Van Buren cast in that state since their preceding election. It is likely that a comparison with the popular vote given by Virginia in May last, with the vote now taken for president would show some additions to the Van Buren strength in that state. Every other state from which we have yet heard shows a rapid accession of whig strength since the preceding trial of strength at the polls.

It is now probable that over three-fourths of the states of the union will have given their votes to the successful candidates.

Without filling our columns with the incomplete and unofficial returns as yet received, our readers would no doubt prefer having in brief terms the result in the several states as far as ascertained.

MAINE.

Three hundred and fifty-one towns are heard from. The vote stands as compared with the September election as follows:

November.		September.	
Harrison,	41,701	Whig,	45,761
Van Buren,	43,738	Van Buren,	45,527
	<u>963</u>		<u>231</u>

Showing a whig gain of 734 votes. Twenty three small towns remain to be heard from, and it is supposed that they will not materially vary the majority.

MARSHALLS.

There was a furious storm on the 9th inst. day of election in this state, notwithstanding which a very large vote was taken. From returns received, it is probable that the whig majority will range between twelve and fifteen thousand. The vote for governor stands, thus far, as compared with the vote of 1839:

	1840.		1839.
Davis, (whig)	53,695	Everett, (whig)	37,917
Morton, (V. B.)	49,554	Morton, (V. B.)	38,000

Whig majority, 12,839 V. B. majority, 53 Congress. Eleven whigs are elected to congress. Mr. Parmenter, (V. B.) is said to have succeeded by a majority of eight votes; and in the 10th district, now represented by Henry Williams, (V. B.) the vote stands, Williams, 5,995; Borden, (whig), 5,991; scattering votes 73. There is therefore an election in this district.

Boston gave 11,549 votes, being 2,941 more than was polled in 1839. The whig majority 2,867, being a gain of 1,663.

CONNECTICUT.

The majority for the Harrison electoral ticket is 6,382. In 1836 the Van Buren electoral ticket was elected by a majority of 532 votes. The whig gain since the spring election is something over 1,800.

NEW YORK.

There are a few counties not yet heard from, but the result will not materially change the returns, which so far as received stand, as compared with the election for governor in 1839, as follows, in majority.

	1840.		1839.
For Harrison,	24,792	For Seward, (W.)	20,821
Van Buren,	12,302	Marcy, (V. B.)	10,534
	<hr/> 12,490		<hr/> 10,387
Showing a whig gain of 2,012 votes.			

Showing a whig gain of 2,012 votes. Governor Seward's majority will fall something short of the majority for the Harrison ticket.

Congressmen. It is ascertained that 17 whigs and 18 Van Buren representatives are elected, 56 remain to be heard from. So far the whigs have lost six and gained three members.

In the state senate the whigs have lost two and gained two members.

The house, it is probable, will stand 60 whig to 62 Van Buren members.

DELAWARE.

New Castle county, heretofore the strong hold of the Van Buren party in this state, has given the Harrison electoral ticket a majority of 135 votes. In Kent county its majority is 453. Sussex, not yet heard from, is the strong hold of the whig party. The legislature will be entirely whig, out a single Van Buren man being elected at the election in the state.

There are two United States senators to be chosen from this state at the ensuing session.

VIRGINIA.

We have returns from all but six counties. The account stands, as compared with the election of president in 1836:

	1840.		1836.
For Van Bureo,	33,592	Van Buren,	29,126
For Harrison,	32,987	White,	23,005

Van Buren maj. 605 The following counties remain to be heard from, and voted as stated in 1836.

	1836	V. B.
Fayette,	129	136
Lee,	62	339
Logan,	87	157
Nichols,	119	53
Russell,	9	265
Scott,	10	316
	377	1,377
		877
		1,000

GEORGIA.

Fifty-one counties heard from give the Harrison ticket a majority of 6,103, being a whig gain on the October election of 2,251.

TENNESSEE.

Returns are in from six counties only, in those the whig gain is over two thousand votes.

MISSISSIPPI.

We have returns from very few polls as yet, but in every instance, they show a gain for the Harrison ticket over the whig poll at the August election.

OHIO.

We have returns from 67 counties, which stand

	1840.	1839.
For Harrison,	31,893	
Van Buren,	9,257	

We have returns from only 27 counties—upwards of 60 counties yet to hear from. The majorities so far stand, as compared with votes at the August election.

We have Returns from 67 counties, which stand	
For Harrison,	\$1,893
Van Bureo,	9,257

Showing a whig gain of 3,694 votes.

ILLINOIS.

There are but few returns, and those very scattering, but they indicate a whig gain in almost every instance since the last election.

LOUISIANA AND MISSOURI.

From these states we have only the evidence of an increased aggregate vote since the recent elections. No returns have yet reached us.

MISSOURI.

MICHIGAN.

We have returns from twelve counties, they are highly favorable to the Harrison ticket.

President, 1840. Governor, 1840.
Harrison, V. B. Harrison, V. B.
Eight counties, 1840. 205 1,807 1,004
We shall furnish returns with the names of some few of the leading parties on each side of the controversy, after the result.

THE PRESIDENTIAL QUESTION SETTLED. It has pleased the Almighty to give the oppressed people of this misbegotten and suffering country a victory over their weak and wicked rulers. The news of yesterday, by announcing the glorious triumph in New York, and that Pennsylvania, too, has finally thrown her weight into the whig scale, has decided the contest, and saved the integrity of the administration. The reign of incompetency, imposture and corruption, is at length arrested, and the country redeemed. An administration which one might almost suppose had said to itself "evil be thou my good," has fallen before the power of an abused and indignant people. Most heartily do we congratulate every long struggling patriot throughout the land on this great and happy event; and when we cast a glance at what would have been the awful condition of the country had the policy of the government been continued and confirmed in the present weak and wicked hands, we shudder at the view, and fervently unite with every patriotic heart in praise and gratitude to the Almighty Disposer of events for restoring to the country the beloved country from a calamity and from consequences so dreadful, and for giving to us, in the auspicious change he has granted, a confident hope of renovated prosperity and happiness for the country, and restored respectability, purity and dignity to its government.

(National Intelligencer.)

THE ELECTION. It becomes our duty to announce to the public, that we have received returns of the election, in a sufficient number of the state to render the final result no longer doubtful. General Harrison, the standard bearer of the federal and abolition parties, has been elected, if the process by which this result has been brought about can be called an election. That that process has been, we have during the canvass endeavored to the point out, and it is not our purpose now to go into that subject. We shall endeavor, in due time, to give it the attention its importance demands, in reference to the purity of our elections, the preservation of our republican institutions, and the maintenance of the public morals. In this important duty we trust that we shall not be disappointed in a confident reliance on the powerful co-operation of the entire democratic press of the country.

Democratic Pennsylvania (for the first time now, as she ever has been), bring, unfortunately, the headquarters of that new species of voters, called "pipe-layers" has given her vote to the standard bearer of federalism, by a majority of from one hundred and fifty to two hundred and fifty, in an aggregate vote of two hundred and eighty-two thousand. New York, where in general our democratic friends have discharged their duty with a spirit and energy deserving of all praise, we have met by the demagogues and fanaticism of the anti-slavery and abolition factions in a few counties, called the infected district. In other parts of the state, the democracy have exhibited an increase sufficient to have redeemed and rescued the state from the hands of the profligate and corrupt cabal, which now control the state, and have secured victory in the counties referred to. The loss of these two large states decides the election against us.

Virginia has nobly sustained her ancient democratic character, and has confirmed her claim to be free from the influence of the influence of federalism and apostasy. New Hampshire has also well supported her proud title of the Granite state. Her democracy are as firm and stable as her everlasting hills. In this severe contest, in which the democratic states have been completely overthrown, she occupies a proud pre-eminence. And in all the states, the honest democracy have nobly discharged their duty. The fault is not theirs. In every state they have sustained their own views, and in most of three great sections of the country. This proves that there has been no change against the administration, and that the sound democracy of the country have stood fast by their principles, and nobly sustained the candidates who have proved themselves as able and honest as any of the country. They have been beaten, but not corrupted. At this very time the democratic party is more firmly united, and will poll more votes than it ever did before, when it has been victorious. They have been beaten by a new description of voters, some having flesh and bones, and others mere men

of straw. The former have been ranked and seraped from the tavern, jail and penitentiary, who have been rallied together at the log cabin rendezvous, and organized for the first time for political action. The latter consist of pipe layers, the illegal and fraudulent voters, who have been trained and instructed by the Stevenses, the Blandys, and the Glentworths, to perpetrate frauds, by voting twice, changing their names and dress, going to different polls, putting in two votes, and in every way that the ingenuity of man could devise. These are the tools of the agent, who producing these abominable frauds and galleries, and millions have been expended in this election. It is, however a mockery to call this an election. It is, in reality brought about, not by the free action of the people, but, resulting from the profligate and corrupt policy of the administration. It is an instance in our republic of the triumph of the power of money over the intelligence of the country. This contest forms a new era in our political history, and has disclosed a source of danger to our free institutions. The demands a remedy must be speedily provided, will prove fatal to our liberties. To provide that remedy, will present a new and most momentous issue, in support of which the whole democracy of the country will rally as one man.

Mr. Van Buren has been beaten, whilst he has received a popular vote probably exceeding by more than twenty per cent. that by which he was elected in 1836, or which any of his predecessors received. This proves, without a doubt, the description of voters here brought into the election, or that immense frauds have been practised. The vast increase of votes has, no doubt, proceeded from both sources. These new species of voters have been introduced—the hired, bribed and purchased vote-buyers which the corruption fund has secured for the whig ticket.

Let the profligate leaders of these combined factions rejoice, and make the most of a victory obtained by fraud and corruption. Their triumph will be short. They are only gathering up force against the day of wrath. They will yet learn, that though profligacy and corruption may obtain a temporary triumph, the spirit of a free and moral people will not be easily overcome. There is a divinity within that cannot be crushed, and which we may trust. There is an overruling Providence that directs the affairs of men and of nations; and in public, as in private concerns, seeming evils are often only the means of working out a more abundant and lasting good. And we firmly believe that the temporary triumph of the aristocracy, effected by debauching and corrupting the most degraded of the people, will result in their more complete prostration and disgrace. Those who have been deceived by their hollow pretensions, will now have an opportunity to test them by their acts, and to learn what their real principles and purposes are. The honest democracy of the country have no reason to be discouraged. We will not now allude to their course for the future, further than to say, that this is no time for them to relax their vigilance or their exertions. They will not disband, but keep and improve their organization, and keep their arms in their hands. If, when in the majority, their constant vigilance was necessary to frustrate the schemes of the enemies of liberty, when those enemies are in power will there not be much more necessity for their exertions and watchfulness? Whether in a majority or a minority, they have ever been the defenders of the constitution, and the protectors of the states. They will not relax. Nothing but their ceaseless vigilance can now resist the mad schemes of profligate factions, without even any pretence of fixed principle, and with a mere nominal executive, to be used as may suit their selfish purposes. Although a minority, they can yet save the constitution and the country from faction and fanaticism—they can arrest the mad schemes of speculators who desire a break, and of the fanatics who are nothing loath to break up this glorious union. They have no doubt, notwithstanding a portion of it, in a moment of instantaneous wisdom from their apheres, have lost sight of their own interests, their own safety, and united with their most deadly enemies. In the distraction of these combined factions, each saving their own objects in view, the democracy alone can save the country.

TRADE AND COMMERCE.

Lake harbors and commerce. Twenty years ago, the commerce of the lakes gave employment to about 16 vessels, and one steamboat. A good vessel could make on an average one voyage per month from Black Rock to Detroit. East of Sandusky, Black Rock was the only harbor on Lake Erie. From that port vessels had to be towed up the ra-

pids to the lake by oxen, and if they encountered a gale between Black Rock and the islands, they had to run back to the Niagara, and there wait a chance of wind, when the ox team would again tow them to the lake, whence they could resume their voyage. The charge for the ox help was about as much as is now charged for carrying a cargo of salt to Ohio. The mouth of the river was so narrow, that a vessel said, that not even a boat could enter, and often were so entirely closed that wagons could drive across them. Freight was generally landed by the vessel's boats on the beach; but this could only be done when the vessel was in the harbor, and freight to deliver at various places, often landed without being able to land it. Sometimes a part of it would be landed and the wind rising suddenly, the vessel, made at anchor, would have to make the coast with the vessel's sails. Passengers by steamboat for Grand River, Cleveland, or other places up to the lake were not infrequently carried through to Detroit, in consequence of the weather not permitting the boat to communicate with the shore. The weather might prevent their landing on their return, so that after a week's absence, they would be brought back to the point whence they started.

The citizens of Buffalo, finding that without a harbor they could not participate in the commerce of the lakes, and that they had formed themselves into a company, and by the aid of the second pier secured a good channel for the entrance of vessels into the creek. The success of this experiment induced the general government in 1826 to make appropriations for the improvement of the harbor at Buffalo, and subsequently to construct, or order others, which they continued to strengthen and improve. In fact the construction of harbors on the lakes had become a part of the system of internal improvement which the government had adopted in accordance with the wishes of a large majority of the nation. Many southern statesmen however regarded this system as unconstitutional, and opposed appropriations for carrying it on. Since the commencement of Mr. Van Buren's administration, many of his southern partisans have united with the south in opposing this system. This opposition has continued to gain strength from year to year, until at the last session a harbor bill could not even be reported. The government, as though resolved to cut off all future aid, ordered the materials, tools and machinery, provided for these works to be sold. These sales will probably be about as good a speculation as that of selling corn in the interior of Florida for six cents a bushel, which had been provided for the army at an expense of between three and four dollars.

The harbors on Lake Erie, except that at Buffalo, have been imperfectly constructed of perishable materials, requiring continual repairs until rendered permanent by stone. Who ever recollects the effects of the winter of 1828 on the harbor at Buffalo, will anticipate the fate of many other harbors abandoned as they are by the general government. The late gales have already begun the work of destruction on some of the most important, which the coming winter storm will complete; others will follow in rapid succession, until we shall be carried back to our ox team navigation.

How are these evils to be avoided? Will the citizens in the immediate vicinity of the harbors undertake to repair them? We apprehend not. The expense is greater than they can bear, nor would it be just to tax the citizens of one harbor to repair the harbors of another. The harbors have not been constructed for their particular benefit, but for the benefit of every man in the adjoining country, who raises a barrel of flour, pork or other article of commerce. Will the states in which the harbors are situated preserve them? These will refuse on principle, believing that the duty belongs legitimately to the general government, which raises a revenue from commerce, and is therefore bound to furnish facilities for carrying it on.

Without harbors on the lakes, how will the 800,000 barrels of flour, and the 100,000 bushels of wheat (a low estimate of the crop) which will be exported in the ensuing year be transported? It will be admitted that one hundred vessels can do more transporting with good harbors, than five hundred can do without them. Let our harbors be filled up, and it will be found utterly impossible to get the next crop, or even one-half of it to New York market. This will not only bring ruin on the grain growing west, but seriously effect the business of our whole country, for it is the west which furnishes provision for our Atlantic states, and the means of carrying on extensive coast trade, and aids greatly in furnishing our remittances to Europe. Deprive us of our harbors and these advantages are lost, the west would be thrown back twenty years. The millions of stock invested in our sixty steamboats would be-

come valueless, and the Erie canal unproductive.—Burn our cities and towns, and individual distress ensues, but the production of the soil is not lessened in value. Burn the city of New York, and she would soon rise from her ashes, but close up her harbor, and ere long the owls would build in her desolate habitation. (Chm. Ads. & Jour.

THE ARMY.

Fatal accident at West Point. On Tuesday while the officers were practicing riding, lieutenant S. J. Brannford was thrown from his saddle and so badly hurt as to cause his death a few hours after.

[Express.]

The Savannah Republican contained a report, that lieutenant Judd and four soldiers had been killed by the Indians, near St. Augustine. By later accounts, however, it is ascertained that the lieutenant, at the time, was in advance of his escort, and being dressed in citizen's clothes, he was not fired upon. The sergeant who accompanied him was killed, and two or three of his men wounded.

Great hopes are entertained by many of the officers of the Florida army, that the negotiations now pending may result in a cession of the war.

Extract of a letter to the Editors of the Savannah Republican received from an officer of the Florida army:

"By last night's express I am enabled to give you the result of the conference of the Indians with Gen. Armstrong at Tampa Bay.

"Halleck Tustenugga, Tiger Tail, and six others, came in at the appointed time, and among other things, agreed to send the general, with 100 of his people at Fort King on the 7th instant, for the purpose of further negotiations. It is expected that the two chiefs named, will proceed to Washington and visit the president in *propria persona*.

"If they should deem it their interest to come in good faith, it may end the war, as they probably have it in their power to dictate terms of peace; but I opine that if the war is ended only upon the good faith of the Indians, it will last forever and a day. They are like England on the boundary question; they will appoint commissioners and negotiate until to-morrow—and still to-morrow hold on to the country.

"Colonel Worth, the gallant commander of the Republic's army, with two companies, left here a few days since for Fort King, where he will meet the battle (eight companies) of his regiment."

The St. Augustine News of the 8th ult. states that a few days before, a party of Indians made their appearance at colonel Hanson's plantation, two miles from St. Augustine, and plundered it. They retired hastily for fear of an attack from the military. Lieutenant Brown, 2nd artillery, was promptly on the spot with eleven men. While the latter were on the watch, they discovered signs of an approaching party at 2 A. M. and fired upon it. It proved to be a detachment of United States dragoons, of which lieutenant Graham, of the dragoons, was chief in the arm, and sergeant Wolcott, of his company, killed. Lieutenant Graham, it seems, was approaching with great caution, (he having, at Picoa, received an express, informing him that Indians had been at the plantation), and the fact of the alarm having taken place some time previous, brought him in collision with the troops in charge, who were anticipating the approach of the enemy.

Little Rock, Ark., Oct. 14.
The river took a sudden rise on Sunday, and has risen 10 or 12 feet; which enabled the steamboat Cherokee to pass down on Sunday night for New Orleans, having on board one company of the 4th United States infantry, under the command of captain Morrison, on their way to Fort Jessup, where they have been transferred by a recent order of the secretary of war, to relieve companies D and E of the 31st infantry, ordered to Florida.

Among the passengers on the steamboat were capt. Page, United States army, with a delegation of fourteen or fifteen Seminole Indians and negroes, from the Indian country west, who are proceeding to Florida, for the purpose of endeavoring to persuade their hostile brethren in that region to cease hostilities, and emigrate with them to the country selected for their nation in the west. All the persons that composed the delegation were opposed to emigrating, and left their native land with the greatest reluctance; but, since they have explored the country where they are located, they have become perfectly reconciled, and declare that they would not exchange it for the one they left.

They are the first of the emigrants who have returned, and they voluntarily accepted the offer to revisit Florida, (leaving their wives and children as pledges of their fidelity), for the purpose of removing the erroneous impressions imbibed by their hostile brethren and endeavoring to induce them to

emigrate with them to the far west, where they may still hope to exist and be respected as a nation. It is to be hoped that the representations that they will make will have the desired effect, and cause the hostile bands who still hold out in Florida to lay down their arms and immediately emigrate to the free country appropriated for them toward the setting sun.

Captain Armstrong is associated with captain Page in conducting this important and delicate negotiation; and from our knowledge of their experience and discretion, we feel assured that they could not be entrusted to better hands. [Gazette.]

THE NAVY.

The United States sloop of war, *Preble*, arrived at Boston on the 2d inst. from Portsmouth.

The United States sloop of war *Concord*, Boerum, fitted out at Boston for the West India station, is to be sent to the Brazil.

The store ship *Relief*, now loading at the navy yard, Brooklyn, with stores for the Pacific, will start soon, and affords an excellent opportunity for forwarding letters to officers, &c. on that station.

Commander C. K. Stribbling has been detached from the United States rendezvous at the Norfolk station, and received orders for the navy yard, Washington.

Lieut. Jno. L. Saunders has been ordered to the *Merced* as her 1st lieutenant.

Frederick Adels, del. This vessel, whose suspicious course has excited so much attention, has, we learn, put into Bahia, and was there taken in charge by an American ship of war, who carried her to Rio de Janeiro. Commanders Ridgely had entered into an investigation of the extraordinary conduct of the captain, and it is probable he will send him to the United States. In letters received in this city from the captain, he says that his chronometer having run down he was anxious to correct it, and fired at the vessels who reported his conduct, with blank cartridge, to compel them to heave to that he might obtain the time from them. The respectable house who despatched the vessel from this port do not know that he had any shot on board.

[N. Y. Courier.]

STATES OF THE UNION.

NEW HAMPSHIRE.

Election returns.

Harrison.	Van Buren.
Rockingham, 4,013	4,939
Stratford, 5,853	6,785
Merrimack, 1,750	6,628
Hillsborough, 3,753	4,757
Cheshire, 3,657	2,240
Sullivan, 2,128	2,154
Grafton, 3,452	4,967
Cook, 552	1,051
25,483	31,819
	25,483

Mr. Page, the Van Buren governor is elected by a large majority.

RHODE ISLAND.

Election returns.

Harrison.	Van Buren.	F. B.
Providence county, 2,490	1,701	477
New port county, 824	365	228
Kent county, 670	972	39
Bristol county, 478	136	49
Washington county, 657	597	21
5,157	5,181	824
230		824
5,387		230

NEW JERSEY.

Official returns of the election for president.

Whig maj.	F. B. maj.
Gloucester, 624	Bergen, 360
Salem, 290	Warren, 1,051
Essex, 1,804	Hendon, 804
Sussex, 372	Atlantic, 124
Cumberland, 267	Sussex, —
Burlington, 1,096	
Cape May, 322	4,500
Camden, 304	
Mumfords, 46	
Middlesex, 310	
Hudson, 281	
Passaic, 390	
Morris, 364	
6,794	
4,500	

Total whig maj. 2,291

NEW YORK.

New York legislature—complete.

1st district	John B. Scott, V. B. gain.
2d "	Robert Denniston, V. B.
3d "	Henry W. Strong, V. B. gain.
4th "	John W. Taylor, whig gain.
5th "	Henry A. Foster, V. B.
6th "	Nehemiah Platt, whig gain.
7th "	Elijah Rhodes, whig gain.
8th "	Samuel Works.
Whig gain 2, lost 2. Net whig gain 1. The senate will stand—whigs 21, Van Buren 11. Total 32. Last year, 20 and 12.	

Assembly.

Counties.	W. V. R.	W. V. B.
Albany, 3	2	1
Allegany, 2	2	2
Broome, 1	3	3
Columbia, 3	3	2
Cayuga, 3	1	2
Chautauque, 3	3	3
Chemung, 3	1	1
Chenango, 3	3	3
Cattaraugus, 2	2	2
Canton, 1	2	1
Cortland, 2	2	2
Dutchess, 3	3	3
Delaware, 3	3	2
Essex, 1	1	1
Fulton & Hamilton, 1	1	1
Franklin, 1	1	1
Greene, 4	2	2
Greene, 4	2	2
Herkimer, 3	2	2
Jefferson, 3	3	3
Kings, 2	1	1
Livingston, 2	1	2
Montgomery, 2	2	2
Madison, 3	3	3
Monroe, 3	13	3
New York, 2	13	13
Niagara, 2	1	1
Oswego, 2	1	1
Otsego, 3	4	4
Ontario, 3	3	3
Oranget, 3	4	4
Orange, 3	3	3
Orleans, 1	1	1
Potsdam, 1	1	1
Queens, 1	1	1
Rensselaer, 3	1	1
Rockland, 1	1	1
Richmond, 1	2	1
Saratoga, 2	2	2
Schoenclady, 2	2	2
Saratoga, 2	2	2
Suffolk, 2	2	2
Sullivan, 1	1	1
Seneca, 1	1	1
Stenben, 3	3	3
St. Lawrence, 2	2	2
Tompkins, 2	2	2
Tioga, 2	1	1
Westchester, 2	2	2
Wayne, 2	2	2
Warren, 1	1	1
Yates, 1	1	1
66	62	70

Whig maj. only last year 12 This year 4.
Reconciliation and comparison.

1840.	W. V. D.	W. V. B.
Senate, 21	11	20
Assembly, 66	62	70
Joint ballot, 87	73	90
Whig majority on joint ballot last year 20; this year 18.		

The steamer *President*, which left New York on the 3d ult., returned to that port on the 9th. The passengers have published the following reasons for her return:

"On the morning after our leaving New York, Nov. 3d, we encountered a severe head wind from the N. E. which gradually increased to head gale, with a very heavy sea, against which the ship was propelled by steam for four successive days, without making a greater progress during the whole of that time, than about 300 miles on our way."

On Saturday, the 9th of November, capt. Kane assembled his passengers together, and comman-

*Doubtful.

Lancaster—C. Kriffler, Benj. Penwell, Jacob Foreman, P. Von Neider, Hugh Andrews, Joseph McClure.

Lebanon—John Bruner.

Lehigh—Benj. Fager, Peter Haas.

Lycorning, Clinton and Clearfield—James S. Gamble, Geo. Ledy.

Luzerne—Hendricks B. Wright, A. Cartwright.

Mercer—James Banks, James Montgomerie.

Montgomery—Ephraim Fenton, William B. Hahn, William Bean.

Northampton and Monroe—Richard Broadhead, Jr. John Fick, John Trach.

Northumberland—Jesse C. Hooten.

Pike and Wayne—John B. Broadhead.

Perry—William B. Anderson.

Philadelphia city—William A. Crabb, Edward D. Low, Isaac Meyer, Benjamin M. Hinchman, G. Rush Smith, Jacob Gritz, John Rush.

Philadelphia county—John Felton, Edward A. Penniman, John Painter, William Wilcox, Lewis M. Scott, Thomas McCully, William Bonatti, Zach Croustall.

Schoephanna—Franklin Lusk.

Shuylkill—John Weaver.

Somerset and Cambria—Joshua F. Cox, John Hahn.

Toga and Potter—John Wakely.

Venango and Clarion—Alexander Holman.

Washington—Jonathan Lethman, Samuel Livingston, Aaron Kerr.

Westmoreland—Samuel Hill, William Johnson.

Warren—Jefferson and McKean—James E. Gillis.

York—Isaac Garrison, J. May, Adam Elough.

Those in roman are whigs—in Italian, Van Buren.

ALABAMA.

No member of the union has fulfilled her engagements with greater punctuality than the state of Alabama. The only debt she owes, is that invested in the capital stock of her banks. The first half million of her bonds became due in London the present year, and although the state reserved its right to extend the term of their redemption, the whole sum due was anticipated and paid by the banks for which it was issued.

The interest upon another portion of the debt, payable in New York and New Orleans in November and December, is already provided. A part of that due in London in January next, has gone forward; and the Great Western carries with her today, remittances to cover the residue. Indeed all the payments of the state prior to April 1841, are thus anticipated.

The legislature of Alabama, at its last session, passed an act recalling the whole of the state bonds issued and still unsold. These have all been accordingly returned and cancelled, thus leaving the state debt, \$16,800,000. The governor also in his last message to the legislature, recommended the establishment of a sinking fund for the gradual extinguishment of this debt, and this judicious measure will in all probability be adopted the ensuing session.

With an annual export of cotton, worth at its present low price, twenty millions of dollars; with a very trifling amount of imports during the past and present year; and with a faithful and economical policy in the management of her finances, the state of Alabama ought to rank among the highest in credit, as she is in her resources.

(N. Y. Jour. Com.

LOUISIANA.

Commerce of New Orleans. We condense from Hunt's Merchants' Magazine for November, the following very interesting statistics of the commerce of New Orleans, a city which has sprung up in the southwest with a population of 162,000 souls, and now in power and importance, the third perhaps in the United States. The city of New Orleans should be a matter of national pride, as it is the offspring of our free institutions, standing as it does at the outlet of that grand stream, the Mississippi, which waters the richest valley upon the earth for thousands of miles, and must be in coming time, as it now is, the grand channel of western commerce.

Cotton—Exported to various ports in
1839, '40, 954,191
1830, '31, 421,684

Bales.

The above synopsis of the cotton export, shows an increase of business in the branch of export, in nine years of \$29,507 bales—of the whole quantity exported, the largest quantity has been sent to Great Britain, and the next largest quantity to France, and but a small portion of the whole amount has been shipped coastwise.

*Nominating by V. B. opposed to the regular ticket.

Tobacco—Exported to various ports in
1839, '40, 28,028
1830, '31, 31,968

Showing a decrease apparently of 6,940 hogsheads. In the years 1834 to 1835 the amount exported was much greater than in 1839-40, particularly in the year 1835-36, when the amount exported reached 43,941, the greatest part of the tobacco has always been shipped coastwise.

Sugar—Exported to various
ports in 1839-40, 45,511
1835-36, 5,677

Showing an increase of 39,834 hogsheads, and 2,840 barrels in five years. With the exception of a very small portion, this sugar is shipped coastwise.

Molasses—Exported to various
ports in 1839-40, 8,937
1835-36, 1,012

Showing an increase in five years of 7,925 hogsheads, and 33,637 barrels. Nearly the whole of this article is shipped coastwise, and we believe is chiefly used in the distillation of rum.

These tables show to what a great extent the commerce of New Orleans has increased during a few years past, it may also give some idea of the vast resources of the west, and enable us to form some conception of the future greatness of that fertile portion of country. When we reflect that these data are taken during a time of unexampled commercial prostration, our wonder will be increased. Progress as she does the day is not far distant when New Orleans will take her stand among the mightiest cities of the world.

LOWA.

Election. Mr. Dodge, the Van Buren candidate for delegate to congress, has been re-elected after a warm contest by a majority of 688 votes. We have not yet met with the particulars.

SPEECH OF MR. W. C. JOHNSON, OF MD. ON THE SUBJECT OF THE RESOLUTION OF PETITIONS FOR THE ABOLITION OF SLAVERY.

In house of representatives, Jan. 25, 27 and 28, 1840. The house having under consideration the proposition of Mr. Thompson, of South Carolina, to amend the rules by the addition of the following:

"Resolved, That upon the presentation of any memorial or petition for the abolition of slavery, or the slave trade in any district, territory, or state of the union, and upon the presentation of any resolution or paper touching that subject, the reception of such memorial, petition, resolution or paper, shall be considered as objected to, and the question of its reception shall be laid on the table, without debate or further action thereon."

And the proposition of Mr. John Q. Adams, as a substitute to the foregoing, in the following words:

"Resolved, That the following be added to the standing rules of this house, to be numbered the 21st:

"Every petition presented by the speaker, or by any member, with a brief verbal statement of its contents, shall be received, unless objection be made to its reception for special reasons; and whenever objection shall be made to the reception of a petition, the name of the member objecting, and the reasons of the objection shall be entered on the journal. The question in every such case shall be, 'shall the petition be rejected?' and no petition shall be rejected but by a vote of the members present."

Mr. Johnson, of Maryland, upon gaining the floor, said, before entering on the subject of discussion before the house, he had one word to say in reference to the unpleasant occurrence of last evening. [He had understood that the gentleman from North Carolina, (Mr. Dymon), before he made the motion for him to proceed in his remarks, had retracted the offensive words applied to the gentleman from New York. (Mr. Ford.) And the gentleman, and notice, he did not hear all that fell from the gentleman, but he had since learned, from the report in the Globe of this morning, that he had not done so. He had no understanding last night, he would not have requested the gentleman from South Carolina, (Mr. Thompson), to withdraw his resolution, nor would he have made the motion which he did.

Mr. J. said, that he thought this explanation due to himself, for he was the member in this house to judge or misjudge unpleasantly. He was not, he believed that such language was always more calculated to injure those who used it, than those to whom it was intended to apply.

Mr. Johnson then proceeded, and said: I have always, Mr. Speaker, been opposed to the discussion of abolition in this house, in any manner whatever. I have never regarded it a debatable question in the congress of the United States. It may have been supposed by many that, from my anxiety to get the floor, I was desirous to participate in the discussion of this exciting subject. Such was not the case.—For the first ten days, my anxiety to get the floor was simply to call the attention of the house to the proposition of the gentleman from South Carolina, (Mr. Thompson), for the purpose of arresting the discussion; but, from the vast range which the debate has taken, not on the merits of the question, but on the purpose, as I am constrained to believe, of making political capital out of it, upon which members may trade at home, in or with their party, I feel called on to depart from the course of silence which I had prescribed to myself, and must now trouble the house with a few remarks.

Mr. Speaker, were I to move the previous question now, the vote, under the change already made in the rules this session, would not be the first taken on the resolution of the gentleman from South Carolina, but would now have first to be put on the amendment recently offered by the gentleman from Massachusetts, (Mr. Adams); and in reference to this amendment, I would not say the remarks which fell from its able supporter, I desire to say a few words.

I consider the resolutions heretofore offered too vague and indefinite to effect any useful purpose or practical result. I would not say that the amendment to the proposed amendment of the gentleman from Massachusetts, which will meet the question fairly and fully, which shall contain no ambiguity, and which will allow no gentleman to deceive his constituents, or leave "wordiness" for speculation in relation to this subject. It is in these words:

"Resolved, That no petition, memorial, resolution or other paper, praying the abolition of slavery in the District of Columbia, or in any territory, or the slave trade between the states or territories of the United States in which it now exists, shall be received by this house, or entertained in any way whatever."

Mr. Johnson said that he felt it due to his constituents, and to the state which, in part, he represented, that he should claim, for a short time, the indulgence of the house. He felt this duty strong upon him, from the peculiar position of his district, and the situation of affairs in that state, and he felt, as when he thought that efforts had been made, by various gentlemen who had preceded him in this debate, to conciliate favor with the abolitionists of the north, at the expense of the feelings and interests of the south, whilst others who had spoken had endeavored to throw reproach and odium upon the character of general Harrison, whose name they had introduced only for party purposes and political speculation. The tone and character of the debate, in conjunction with the fact, that Maryland was more interested in the question than any other state, made it manifestly proper, in his opinion and sense of duty, to leave his constituents to discuss the question. He would, therefore, present his views in his state, as far as he represented it, on this deeply agitating question, with the opinion which he himself entertained, or such ideas as might occur to him while addressing the chair, with frankness and sincerity, and he would be glad to be contradicted or corrected by any one on this floor, or elsewhere, whatever might be the diversity of sentiment, difference of opinion on doctrines of principle, or questions and measures of expediency.

Some day since, viz, I voted to lay the resolution of the gentleman from Virginia, (Mr. Cates), on the table.* No one is more willing than myself to

*It was done, Jan. 15, 1840.—[Journal, page 212.]

A motion was made by Mr. Cates further to amend the rules by inserting therein a rule in the words following:

All petitions, memorials, and papers touching the abolition of slavery, or the buying, selling or transferring of slaves in any state, district or territory of the United States, shall be laid on the table, without being debated, printed, read or referred, and no further action whatever shall be had thereon."

Some day.—[Page 215.]

The question was then put on the motion of Mr. Thompson, of South Carolina, that the amendment to the rules moved by Mr. Cates, do lie on the table, and passed in the affirmative—yeas 102, nays 98.

Those who voted in the affirmative, are—Messrs. J. Quincy Adams, John C. Adams, John A. Allen, James M. Anderson, Landolf W. Andrews, Obynon Bicker, David D. Bernard, John Bell, Edw. J. Black, William K. Bond, George N. Briggs, John C. Brockway, Amos A. Brown, Samuel H. Burton, William B. Calhoun, Zadok Cane, Cyrus W. Clinn, Thomas C. Clendenen, John C. Clark, Walter T. Colquhoun, Jas.

accord to that gentleman the best feelings, and the strongest interest for the south. I know full well his devotion to the interests of his constituents, and their deep aversion to the intermeddling of the abolitionists of the north with their vested and unquestioned rights; but the resolution offered the right of petition, and denied the right of reference, and without intending such a consequence, virtually invited the abolitionists to send their memorials here, and then to another them on the table.

The reception of a petition comes with it the admission of a correlative right to have it referred; for the deliberate body which will entertain a petition by so far considering it as to receive it, admits, by the very act itself, that the petition should be referred, and is thereby considered. I am therefore to admit jurisdiction on the subject matter, when it admits jurisdiction; for it cannot be said, in justification of receiving a petition, that the contents of the petition could not be known until received, referred and reported to the house, since the rule of the house requires every member offering a petition to give a verbal statement of its contents. Thus, by the act of presentation, the house is at once apprized, before the petition is received, of its contents, and I maintain, the house should never for a moment entertain such a petition when it had no jurisdiction over the subject-matter.

Upon this point, (said Mr. Johnson,) I will make a few additional remarks, before I conclude what I have to say; but at the time I will make a passing remark upon what fell from the gentleman from North Carolina, (Mr. Byrnes,) who has just taken his seat, in relation to the report and resolutions offered by Mr. Pinckney, of South Carolina, as chairman of the select committee on the subject of abolition memorials, in the twenty-fourth Congress.

The gentleman from North Carolina spent at least an hour in eulogizing that report and the resolutions which were adopted by the house, and was willing, and directly or indirectly, to charge every member who differed with the report and resolutions as either an abolitionist or an accessory to abolitionism, and

Cooper, Mark A. Cooper, Thomas Corwin, George W. Crabbe, Robert H. Cranston, John W. Crocker, Edward Curtis, Caleb Cushing, Thomas Davis, Edward Davis, Garrett Davis, William C. Dawson, James Dellet, John Edwards, John Ely, Geo. Evans, John F. Gilman, Rice, Millard Fillmore, Charles Fisher, Isaac Fletcher, Richard Garland, Seth M. Gates, Meredith P. Gentry, James Gerry, Joshua B. Giddings, Patrick C. Givens, George Granger, William J. Green, John L. Griffin, James H. Hays, William H. Hays, Richard W. Hays, Hiram Hall, William S. Hastings, Thomas Henry, Solomon Hill, J. Ogden Hoffman, Francis James, Charles Jones, Joseph P. Johnston, Nathan Jones, John C. Keith, Abbot Lawrence, Levi Lincoln, Joshua A. Lowell, Richard F. Marvin, Charles F. Mitchell, Christopher Morgan, Calvary Morris, Charles Noyes, Augustus A. Nisbet, Charles Ogle, Thomas B. O'Neal, Rufus F. Peck, William Parsonette, Luther C. Peck, Francis W. Pickens, John Pope, George H. Proff, Benjamin Ransdell, Joseph F. Ransdell, James Ray, John L. Griffin, John Reynolds, Joseph Ridgway, David Russell, Levee Salomonson, William Simonsen, Wm. Side, Truman Smith, Edward Stanton, William L. Storr, John T. Stewart, Thomas D. Sumpter, Waddy Tamm, J. Jacob Thompson, Joseph L. Tillinghast, George W. Toland, George Trounbul, Peter J. Wagner, Joel Warren, John White, Thomas W. Williams, Joseph L. Williams.

Those who voted in the negative, are—Messrs. Judson Allen, Hugh J. Anderson, Charles G. Atherton, John Banks, William Beatty, John B. Bledsoe, John Linn Boyd, David P. Brewster, Aaron V. Brown, Albert G. Brown, Edmund Burke, John Campbell, Wm. B. Campbell, John Carr, James Carroll, William B. Carter, Nathan Chapman, Nathan Chandler, John C. Coles, Henry W. Connor, Robert Craig, Isaac E. Crary, Edward Cross, Anna Davis, John Davis, John W. Davis, Edmund Deberry, William Decker, John Decker, David George, George C. Dringwood, Nehemiah Dyer, Ira A. Eastman, John G. Floyd, Joseph Furness, James Garland, William L. Goggin, James Graham, Robert Harrison, Edmund H. Harris, John H. Harrison, Michael T. Hawkins, John H. of Virginia, John Hill, of North Carolina, Joel Hollem, Esq. Hook, George W. Hopkins, Tighman A. Howard, David Hubbard, Thomas B. Jackson, James Jackson, Samuel Jones, John W. Jones, George N. Kern, Gouverneur Kemble, Daniel P. Leadbeater, Isaac Lee, Robert Lee, Leonard, Daniel H. Lewis, John Lucas, Abraham McClellan, James McCulloch, James McKay, Meredith Mallory, Albert G. Marchand, William Melville, John de la Montanya, William Monrope, Samuel W. Morris, Peter Newcomb, John P. Pett, Virgil D. Paris, Lemuel P. Penner, David Pettkin, John H. Pensive, William S. Ramsey, Green B. Saxe, Thomas Shaw, Charles Sherrod, Albert Smith, John Smith, Thomas Smith, David Smith, John Smith, Lewis Seward, Theron R. Strong, George Sweeney, John Talcroft, Philip F. Thomas, Philip Triplett, John H. Turner, John Vanhook, Vanderpool, David W. Wagner, Harri W. Waterhouse, John W. Wells, William W. Wick, Jared W. Williams, Lewis Williams, Christopher H. Williams, Sherod Williams.

on enemy to the south. At the hazard of such a denunciation, I have no hesitation in declaring that I do not subscribe to either the report or the resolutions, and for this single reason: the report and the resolutions waive the expression of a decided opinion in relation to the power of congress on the subject of slavery in the District of Columbia. They do not deny the power of congress to abolish slavery in the District of Columbia; and, by their silence on the question, the very head and front of all the measures referred to, they countenance the report and resolutions, and thereby admit both the power and the jurisdiction of congress in the premises. Willing, then, am I to throw myself within the limit of the gentleman's denunciation; and willing am I that he, and every one who think with him, may continue an abolitionist, and yet not be so silly as to suppose that I that I utterly deny the power of congress to interfere in any way whatever with the relation of master and slave in the District of Columbia, and openly, frankly and fearlessly declare that I believe that we have no power whatever to interfere with the question of slavery in any district, territory or state, in which it existed at the time of the adoption of the federal constitution.

The gentleman spent quite as much time in pauperizing the resolutions of the gentleman from New Hampshire, (Mr. Alderson), passed by the last congress, and usually denominated "Alderson's resolutions." Were these resolutions the offspring of the south? Were the feelings or interests of the south consulted in the report, or in the resolutions? The south frankly consulted as to the merits or tendency of those resolutions? Were any but the friends of the administration consulted in relation to those particular resolutions? No, sir. The resolutions were prepared, passed and digested by the friends, solely for party effect, without the slightest regard to the interests of the south, and with a view solely to entrap the south into support of the administration, by pretending that a gentleman of the north was a friend of the administration, had taken the south under his especial care and protection; that the friends of the administration in the south might declare here and elsewhere that the administration was all right upon the subject, and that the friends of the administration in the north consulted nothing—thought of nothing—but the welfare of the south, and in their great love of the south, would willingly make themselves martyrs to the cause. I represent (said Mr. J.) a district more interested in the subject, and more connected with the south, than any other in the Union. He declared that he extends from the District of Columbia, a part of which was taken from my district, to the Pennsylvania line; yet I was not consulted, nor was a single representative opposed to the administration, from New York and New Jersey, or from Mexico. It was no part of the plan that we should be consulted, and this was more than immaterial, in reference to the purposes sought to be effected; therefore were the resolutions prepared in the dark—in concealment, and connected with the ingredients of Shakespeare's witches, in order that politicians might make them boil and bubble in the great political caldron as the arch magician waved his mystic wand.

But, sir, what was the character of these famous resolutions, so much eulogized by the gentleman from North Carolina? Were they calculated to quiet the apprehensions of the south? Were they so framed as entirely to exclude this angry question from the consideration of congress, and to leave the right of congress to legislate on this subject, for the District of Columbia? No, sir; they did not. They virtually admitted the right, by their silence, that congress had jurisdiction in the matter, and they left the south in doubt and in confusion as to the whole controversy. Did they deny the right of petition on this subject? Did they even assert that congress would not entertain the petitions of abolitionists? No, sir; they did not. They admitted the right of petition, and made it the duty of the house to receive all petitions on the subject, and thus far they went the whole length and breadth of abolition, but they refused to refer such petitions—laid them on the table—so that, whilst they pleased the abolitionists of the north by receiving their petitions as an offset to this country, the south was to be pleased by laying them on the table. They encouraged the abolitionists to petition, by receiving their petitions, by acknowledging their right and the jurisdiction of congress, and by refusing to consider them further, calculated to lull the alarm of the credulous south. Such was the character of these "Alderson resolutions," and such as I have described them were the motives for moving them. If such were the motives, why were they not assented to by all who had an interest as any of the friends of the administration—why were they not consulted? Why were the resolutions moved without the knowledge, privacy, or consent of a single opposition

member from the south? And why was the previous question called by the mover after he had made a speech, without allowing a single opposition member from the south to say one word? The administration had the majority in the house, and knew full well that they could carry any resolutions, however ambiguous and indefinite. It is true that I voted for all of these resolutions when the vote was taken separately upon them, except one, which contained so much jargon and vain circumlocution that I understood it about as well as the gentleman who moved it.

There is another resolution, Mr. Speaker, which has met with high commendation in this discussion—the resolution offered by a gentleman from Virginia, and generally known as "Patton's resolution." We remember that the gentleman from Maine that it was offered, some great moves and changes were about being made on the political chess-board. Abolition excitement in the north was to be met ostensibly by counter-excitement in the south, and the struggle seemed who could most effectively advocate southern rights. The south was invoked, and southern representatives were called on to take firm ground in the hall seat, half infantry, yet wholly self-reliant conflict to return it. They were invited from the hall, and all the southern representatives did withdraw to the committee room of the District of Columbia. I looked calmly on this heroic piece of acting, and was about the last to withdraw, and not until urged by a friend, (Mr. J. L. Williams, of Virginia,) who was seated next to me, and who viewed the whole performance in the same light that I did. I went to the committee room with no feelings of excitement, but with a firm purpose to expose and denounce the first measure which should be introduced on the subject. No proposition of the kind was made; I attended no subsequent meeting, and resolved within myself never again to recede from this hall, unless it should be never again to return it.

[Mr. Williams, of North Carolina, here rose and said that he would take this occasion to say that he, as one of the representatives from the south, did not agree in the movement, nor did he attend the meeting.]

Mr. Graves, of Kentucky, also rose and said that, although he withdrew, he had not, for a moment, contemplated a dissolution of the union.]

Mr. Johnson resumed, and said he had been speaking of his own course, and of the with reluctance. He had not, however, intended to speak of the course of others, without, however, for a moment intending to make the slightest allusion to, or reflection on, the course of the two gentlemen who had just given explanations. He would be understood otherwise. He did not allude to the past for the purpose of causing excitement now, but to express his belief that at that time it was more pretended than real.

I saw, then, (said Mr. J.) or thought I saw, that some gentlemen from the south were using the excitement, or rather trying to create the excitement in order to use it, to gain for themselves personal political importance for ulterior movements. The gentleman from South Carolina, (Mr. Byrnes) has alluded to the meeting of the southern delegation on that occasion, and has highly complimented the resolution which was adopted. He has spoken of it as containing the deliberate, permanent sentiments of the south and said that the resolution was all that the south had to say to the whole controversy, and that the gentleman and the house, that, so far from the resolution reported by Mr. Patton containing the fixed and permanent sentiments of the southern representatives, it was intended only to be a temporary measure, to meet the emergency of the question in the house the next morning.

As these proceedings have not transpired, I will give them as length, as showing the tone and temper of the times. They have been poorly furnished at my request, by a friend, (Mr. Wise, whom I am sorry to find too unwell to be in his place and to participate in this debate.)

"At a meeting of a portion of the members of congress representing slaveholding states, held at the room of the committee of the District of Columbia on the 20th day of December, 1837, the following resolution was adopted:

"Resolved, That the chairman of this meeting appoint a committee, to consist of three senators and of three members of the house of representatives, one of each from the three grand divisions of the slaveholding states, to consider of, and report upon, such proceedings as ought to be adopted by a meeting to be held by the senators and representatives of the slaveholding states of the District of Columbia, on the subject of the legislation and proceedings of congress touching the abolition of slavery."

"In pursuance of the foregoing resolution, Mr. Wise, of Virginia, Mr. Yell, of Arkansas, and Mr. Tacey, of Tennessee, met the house of representatives, and Mr. King, of Alabama, Mr. Culberr, of Georgia and Mr. Crittenden, of Kentucky, of the senate, were appointed the committee; and at the subsequent meeting, at 7 o'clock, Mr. Wise from the said committee reported the following report:

"The committee appointed to report to the meeting of the senators and representatives of the slaveholding states to be held at 7 o'clock this evening, on the subject of the legislation and proceedings of congress respecting the abolition of slavery, have the honor to submit the following resolutions. With a view to immediate action and temporary measures, the committee recommended to said meeting to adopt the following:

"Resolved, That, reserving the question whether congress has the constitutional power to receive memorials and petitions praying for the abolition of slavery in any district, territory, or state of the United States, it be, and is hereby, recommended to the house of representatives to adopt and pass the following resolution, to wit:

"Resolved, That all petitions, memorials and papers, touching the abolition of slavery or the slave trade in any state, district or territory of the United States, be laid on the table, without debate, to be printed, read or referred; and that no further action whatever shall be had thereon.

"And with a view to permanent measures of caution and safety, in defence of slaveholding rights and interests, this committee recommended to said meeting to adopt the following:

"Resolved, That the respective delegations of the slaveholding states be requested to meet, as early as their convenience will permit, for the purpose of concocting and digesting measures for the defence of the rights of the slaveholding states, of the constitution, and of the union; and that they shall each appoint a committee, to consult, with others, a general committee, to embody the views and opinions of the senators and representatives of the slaveholding states on the subject of the abolition of slavery, and to report the same to a general meeting of the said senators and representatives, to be called and held at such time and place as said general committee shall appoint."

The report having been read, the meeting declared the first resolution, recommended to be reported to the house, by striking out the words 'slave trade,' and inserting the words 'buying, selling, or transferring of slaves.' And thereupon the meeting adopted the report, and the chairman (Mr. Patton) to report the said resolution to the house of representatives."

Thus it will be seen that it was expressly declared in the preamble to the resolution, which preamble was not reported to the house but adopted by the meeting, that the resolution was intended as a temporary measure for the urgent time and immediate action, and was not intended to compromise the question of a rejection of all abolition memorials.

Such is the plain and true history of that resolution, which has found such marvellous favor in the eyes of the gentlemen from North Carolina, that it seems he would denounce all as abolitionists, or aiders and abettors of abolition, who for a moment doubt the wisdom of that temporary expedient as a permanent measure. It was adopted upon the spur of the moment, to meet the question, which was so quickly to recur, the representatives from the south agreeing to consult, as early as their convenience would permit, upon some fixed and more decisive measures of action.

That the matter did, and that nothing further of consequence occurred, was, I believe, because the various parties and interests began to look upon each other with distrust; for, in my apprehension, there was abundant cause for suspicion; and the designing members found themselves foiled.

It will not be so surprising as to see that every gentleman who differs with me on this question is an abolitionist; nor will I indulge in harsh, unmeasured language of invective. Whilst I have my own fixed views on the whole question, I am willing to believe that those who differ with me are as honest as myself.

But this famous resolution, which Mr. Patton reported as chairman of that extraordinary meeting, was far from terminating the excitement in this house, incident to the question of abolition—and why? Because it admitted the right of reception, and then laid the petitions on the table without debate. Yes, even under that very resolution, more than one angry incidental debate was forced upon the house, which caused much more irritated feeling than if the reception of the memorials, in any and every form, had been at once and forever refused.

Such, Mr. Speaker, I believe, and in a great degree known, to be the history of this matter, this vexed and harassing question all of which, summed up in a single sentence, shows that congress by their vacillating action, by receiving petitions and then laying them on the table, has paralyzed the south with the hope of peace and quiet, whilst the abolitionists, by indirectly encouraging to move on with their agitation and excitement; hoping, no doubt, that, by the reception of their petitions, they have gained a foothold on the ramparts of the constitution, and, by persistence, that they may overcome, and finally destroy the constitution.

But, sir, I now say to members from the south, if they are as anxious as myself to quell this question, if they feel its importance as I do, and think with me, let them vote with me on a proposition which would afford complete relief, and which will meet the crisis, and will meet it firmly, and I trust effectually. If they differ with me, let them vote against my proposition. I, for one, am tired of this annual, almost perpetual discussion, which can relieve no one, and which, as a policy, which cannot benefit, but may deeply injure the south; which has this session, as on former occasions, had a political bearing on the parties of the day, instead of being contemplated as a great constitutional question, involving only matters of expediency and the powers of the government, but the very perpetuity of the union.

On the other hand, I know full well that gentlemen from the north view this question as involving the right of petition; and, wanting the moral courage to separate the question, they, in fact, give aid and vigor to the agitating movements of the abolitionists by supporting the broad principle of the right of petition. They are unwilling to give a direct vote, because, if they vote their real judgment, they would vote against abolitionists; if they vote to please the abolitionists in all they wish, they will not only outrage the interests and rights of the south, but will violate the feelings and principles of a large portion, perhaps a majority, of their constituents. Thus, some middle, unmeaning, or rather double-meaning proposition would be more agreeable to them; and the more Janus faced the proposition, the more popular it will be with the mere politicians of the house, who, without intending disrespect to the right of petition, and without intending to encourage the power to abolish slavery in the District of Columbia, it is inexpedient to exercise that power. Then why not tell their constituents so? Why not tell the people that they will not present their petitions upon a question which is fraught with excitement and mischief? Are their constituents careless and intelligent men? If they are and mean no evil to their country, they would think a representative who would so frankly announce them on this subject. If their constituents are anxious and would overthrow the government, their representatives are conspirators with them in aiding and abetting so unwholesome a purpose. If congress has the power to abolish slavery any regions of the south where it now exists, and the members of this house think it unwise, inexpedient and dangerous to the union to exercise the power, they should refuse to present petitions fraught with such evil. If they believe that congress has no power over the subject of slavery where it now exists, the very act of presenting petitions becomes a criminal against the government.

Then, if the constitution gives congress no power over the subject, or if it tolerates and sanctions the power, and the representatives of the people think it expedient to frankly announce them on this subject, and constitutional rights to exercise such power, they should not force the petitions of the abolitionists upon this house. I do not advocate principles nor counsel a policy to others which I would not exercise myself. It is most true that I utterly deny the power of congress to exercise any power, constitutionally over the subject of slavery in the District of Columbia, or in the states and territories in which it existed at the time of the adoption of the constitution; yet I admit that congress has power, to a certain extent, over the subject of the territories in which slavery did not exist. I admit that congress has power to legislate over the subject of the foreign slave trade, to legislate over the subject of the slave trade to be imported in relation to the independence of Hayti, as well as in relation to commercial treaties with that government, and other republics of a similar character. The expediency of legislating in relation to Hayti, I am, however, fully prepared to oppose. It was during the last congress that a memorial was handed to the senate, signed by a constituent of mine, who had liberated a large number of slaves and sent them to Hayti, praying that congress would establish commercial relations with Hayti, and receive and interchange ministers or commercial agents. The memorial was signed

by a large and respectable number of my constituents, but I refused to present it, upon the ground that it would lead to very bad results, and to more evil than good. Upon my return home, I informed the signers of my course, and my reasons for it, and not one of them conversed with but approved of my conduct; and my majority, on re-election, was nearly double that of the last year. I thought that to present the memorial would be to throw a firebrand into the house; and my forebodings were realized. My constituents sought some one else to present it; and when the astute and vigilant gentleman from Massachusetts took it up, I thought that memorial in reply to my then colleague, the then chairman of the committee on foreign relations, in the debate, I gave some explanation as to the respectability of the character of the petitioners, and afterwards declared myself if created in the Executive branch, which reported the speech of the gentleman from Massachusetts, as having presented that very petition. I have introduced this circumstance for no other purpose than to show that I have practised upon my constituents, and have not been in a questionable over which I consider congress has full power to legislate, and thus, with greater force and propriety, to urge those gentlemen who think that congress has jurisdiction over the question of slavery in the District of Columbia, and where they would be inexpedient to exercise the power to say so to their constituents, and refuse to present their malign petitions. This I am persuaded they will do, unless they think that the doctrine of expediency had better be constituted in favor of their popularity with the abolitionists, and where they think it would be unless they esteem the peace, quiet and general welfare of the country of less consideration than their favorable standing with the fanatic advocates of abolition. My estimation of the true character of a member of congress is not to be measured by his stand, as a middle barrier between eurocrats and the constitution by the executive or the legislative branches of the government, and infractions of social order, of civil and political liberty, which may be attempted by legislative means, either to subvert their own civil purposes or to gratify the bad passions of the dissatisfied and turbulent. Sworn to support the constitution, he should not, directly, or indirectly, allow its violation, nor aid and abet the same, in any manner, and where he is in the slightest degree, the peace and integrity of the union. In the language of another, instead of being a weathercock on the temple of freedom, to be blown in any and every direction by every gust of popular passion, he should be one of the pillars of the state to support the noble edifice.

But some gentlemen have argued, with seeming sincerity, that this question caused too much excitement and alarm in the south. They say that the south is too quickly excited, and that in presenting petitions of the abolitionists, they only want to defend the right of petition, and to declare, in the easiest way possible, that they are opposed to immediate abolition, but think slavery a moral, social and political evil, and the south should make every effort to abolish. They say that if the south will not take the benefit of their friendly warning and voluntary advice, the time may come, nay, will come, when the abolitionists cannot be restrained; and if there should be insurrections, assassinations and murders, why, the south will be to blame, because they did not take early and friendly advice to hold their peace and allow the abolitionists to do as they please. These gentlemen say that whilst they know that an open banner on the south would be to excite in any portion of the south, and ought not to be, they think that congress have a right to discuss the whole question here; to speak of slavery as a crime and a sin, and talk of the immorality of the south in the very heat of the south, that they have a right to make speeches here, which go to every part of the south, and can be read by every free negro or slave who can read, showing how strongly the doctrine of abolition is sustained by able members from the north in concert with thousands of fanatic petitioners and hypocrites of the south. But, gentlemen, it may very well be amusing to be eloquent, and it may be polite in them to appear humble, when it costs them nothing, but gains them political capital; but he who at this day and this hour in the north, in the north, talks of stains, without showing how they can be effaced of crime, without showing how they can be suppressed—of wickedness, without showing how it can be avoided, however signal his own virtues and illustrations of his own piety, his own extravagance and false morality, and exhibits proofs of his intelligence and fidelity of the highest human intellect under the hallmarks of fanaticism. Yet some gentlemen think it marvellously wonderful that the representatives from the south will not let the abolitionists

Unionists of the north thrust their hands into the pockets of the people of the south; they think it strange that the south will not place their property, held before the constitution, in despite of the constitution, and by the constitution, on the speaker's desk, and go into grave and solemn discussion and legislation to determine whether it is their property or not. They say they only ask the south to do this to settle the question and to quiet the abolitionists; and when they say that in friendship to the south—they will vote that it is really the property of the south—a slave is a piece of property, his master—they affect to be astonished that we will not trust the question with them. But let me tell those gentlemen, that while they are honest, all who are not they may not be. Let me tell them that to admit the right of congress to decide on slaves is the property of the south, is at once to limit the right of congress to legislate on the subject; once admit the right of congress to decide in favor of the south, or to decide at all, and you admit the right to decide at all, if it should be deemed wise, prudent or expedient. Principles of right anterior to the constitution, the constitution itself, forbids that congress should legislate upon our property; and expediency, self-protection, adonism us not to hold or listen to a discussion on the subject.

But Mr. Speaker, if we have been so long on the time of the house more than a quarter of an hour, had not the learned gentlemen from Massachusetts, (Mr. Adams), made a speech. I intended to obtain the floor when he had concluded, but I did not. I must give up the floor with necessity, that I most highly, perhaps enthusiastically, admire the vast and varied erudition of that gentleman, his great political knowledge, his eminent virtues and distinguished services. But, notwithstanding the gentleman has been so long, he pursued to debate. I had fondly hoped that, having gained the acme of his fame; having filled the highest office in the gift of the most potent republic in the world; having passed through all the ranks of the noblest of our nation's warriors, never having been willing, ay, anxious, to throw up the sword-battle waters, instead of endeavoring to increase their angry commotion. But no; he strikes them with his wand, yet not as one of old did, that healing ray comes from him. He had hoped that he would have looked upon that question as over for national attention, in which were involved the destinies of a whole people. I had thought that he, above all men in congress, would have taken an expansive and statesmanlike view of the whole subject; would have taken a philosophical and philosophical view, considered the constitution as the established result of concession and compromise, and would have esteemed the union too dear and sacred to admit its value to be calculated. I know full well the peril which I encounter when I attempt to attack the positions of that learned and distinguished gentleman; but, at the risk of meeting all his powers, great as they are acknowledged to be, I must not hesitate to debate the most of his arguments, to dispute the most of his premises, and to deny the majority of his conclusions. I shall do this, because I know that the opinions of the distinguished gentleman have more influence than those of any half dozen gentlemen on this floor; and in saying this, I neither mean disparagement to others, nor an ill compliment to him.

What have been the principal points of the gentleman from Massachusetts, (Mr. Adams)? He has raised five or six. The first was, that congress has jurisdiction under the laws of nature; the second, upon the law of God; the third, upon the Declaration of Independence; the fourth upon that declaration in the constitution which gives congress the power to legislate upon the interests of the District of Columbia; and the last was upon that clause of the constitution which declares the right of the people peaceably to assemble, and to petition the government for a redress of grievances.

Now, sir, as to the first point. I would ask the learned gentleman if we were assembled here for the purpose of discussing the laws of nature? Were the members of the American congress of the U. States elected to examine and conform to the laws of nature? Have we sworn, in the discharge of our high duties, to obey, sanction and carry into effect the laws of nature? What are the laws of nature? Who will be kind enough to explain that to the learned gentleman has omitted to do so. Although he has alluded to them with so much earnestness, and made them the basis of his argument, I frankly confess that, as much as I have read of the speculative theories of the laws of nature, I have never been able to form any very distinct idea of the subject. If I have any opinion on the question, it is, that a state of nature is a state of war, where sense of justice and law is unknown; where might constitutes right; where physical power is the only

umpire; and where written laws are totally unknown, or, if known, totally discarded. It was from reflecting upon man in a state of nature, no doubt, that induced Hobbes to say that "the natural state of man was war." Then, would the gentleman resolve us into that state? Read the history of the world, and you will find the earliest dawnings of civilization to the present time, and what lesson does it teach us? Does it not exhibit one endless scene of confusion and war? Does it not present one unbroken, shoreless sea of blood and carnage? Man, in a state of nature, is a savage animal, without the restraint of reason—governed alone by the impulse of passion and his lawless domineering self-interest. Are we to go back in the days of barbarism, of individual prowess and physical power? Are we to forget the two hundred years of an established constitution? Will the honorable gentleman elude us with the red men of our wild and romantic forests? What are our Indians in their almost state of nature? Have they the idea of written laws; or is that idea formed by the usage of savages? Do not wild tribes a contempt of law, a disregard of an overruling provision, mark their character? Must we, like Push-mat-a-ha, who has been interested in your congressional burial ground, believe that human existence is generated in the clouds, and that the human race is a species of meteor, like Minerva, spring into existence full grown and full armed for conflict?

I trust the day is far distant when the members of this house will urge, as a justification for the course they are pursuing, the usage of savages. Do not wild tribes a contempt of law, a disregard of an overruling provision, mark their character? Must we, like Push-mat-a-ha, who has been interested in your congressional burial ground, believe that human existence is generated in the clouds, and that the human race is a species of meteor, like Minerva, spring into existence full grown and full armed for conflict?

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"Push-mat-a-ha signified superior excellence. In the language of his tribe, it is a dismission of honor. He thought it by the record of his tribe, and being regarded it and become a brave. He was a warrior of the United States during the last war, and his idea of his existence was expressed in a council of conference, as reported to me by one who was present. It surpasses any thing in Osmun.

He said that "Push-mat-a-ha never drew sustenance from woman, nor was dandled on her knee. A dark complexioned man, a black horse, a black horse, a tall pine sapling; and out stepped Push-mat-a-ha, a full grown warrior, with a rifle on his shoulder."

He said that "Push-mat-a-ha's last words are written on the humble monument of his tribe, and he said: "When I am dead, let the big guns be fired over me."

law; but I insist that it is not a place for its discussion or its precedent; yet were it, it would not be difficult to find in the history of the nation for slavery; for, from almost the beginning to the end thereof, will be found the institution of slavery recognized and referred to, and so where there is an authority or sanction for a good Christian to counsel his neighbor's property—his master or his maid-servant."

But, passing from the contemplation of the Divine law, which I would regard as profanity in me to quote or use in a deliberative assembly like this, except as it may be used as a historical fact, I come to the next argument of the gentleman from Massachusetts. It was urged by him, as also by others who preceded him in debate, that we should recognize the right of congress to abolish slavery in

"Of the slavery which the Supreme Being has permitted throughout all time to exist, in Asia and Africa, and at this very moment, in a great part of Europe also, I say nothing; I draw no lesson from it. It is an extension of our crime in holding slaves, whose emancipation would be no less ruinous to themselves than to their owners. Nor will I avoid myself of the fact, that the patriarch Abraham, to whom the Bible records a promise from heaven "that in his seed should all the nations of the earth be blessed," was the proprietor at one time of three hundred slaves. And the same thing is recorded of Hebrew words, all of whom were born in his house. Nor of the fact that his son Isaac was not deemed unworthy of the special favor of God, although he also had "great store of servants." All these things are proved by the Jewish code of laws, proceeding, as they are taught to believe, immediately from God himself, authorizes slavery, and even chosen people; points out distinctly the mode in which a freeman, and his wife and children who are slaves, may himself become a slave forever; and expressly authorizes the Jews to purchase the children of their slaves, and to sell them among themselves to be bound forever, and to be inheritance for their children. All this being expressly laid down in the Bible, the Jewish must be abandoned as an absolute imposture; if I have been authorized to do so, it is Divine origin; and he who calls doctrine of slavery to be by compact or by birth, "the consummation of wickedness," will find it difficult to expel him from the charge of blasphemy against the Most High. Bishop Newton, in his Dissertation on the Prophecies, urges the present and past condition of the Africans as a fulfillment of a prophecy, and as evidence, of course, of the divine origin of the Jewish law, in his prophetic words, had said, "cursed be Canaan, a servant of servants shall he be unto his brethren; and he himself be a servant." Now, the Africans, the bishop undertakes to show, are in bondage, and their slavery is an accomplishment of Noah's prediction.

This is not all. At the time when the Christian religion was first preached among mankind, slavery existed, and had very existed, not only in Judea, but in Greece and Rome, and in every part of the world then known. Among the Jews, the law of Moses was yet in force. Of this law, concerning slavery, no direct notice is to be found by the founder of the Christian religion. As to the practice under it, he is equally silent. "Come not to destroy the law or the prophets, but to fulfill it." He only does not condemn slavery, but actually goes to it a sort of sanction, by borrowing from it his parables. The kingdom of heaven itself is likened "to a certain king, who would take an account of his servants, and found them all of them 'not to pay.' his lord commanded him to be sold, and his wife and children, and all that he had, and payment to be made." "The servant, who had fallen down and 'worshipped' his master, was released, and was being accused of harshness to another servant, was 'delivered over to tormentors.' The kingdom of heaven is again compared to a master, who sent his servants into the country, and, on his return, directs the servant to be sold, and his intent to be cast into an outer darkness. A third illustration, equally grave and solemn, is taken from the return of a master, whose servants had been secured by him, prepared not himself, neither did he care for his will, and is 'besieged with many stripes.' Now, if domestic slavery has been decreed by our Saviour as an atonement for our sins, it would have been passed over without censure? Would the doctrine of salvation have been illustrated by a reference to it, direct and unequivocal? Should it have been so? Would the kingdom of heaven? Let it be remembered, too, that Paul preached among the Greeks, particularly among the Greeks and the Romans, who have been ignorant of the condition of the slaves and their slaves. He must have seen the ergastula in which slaves were confined, and the porter chained to the gate of his Roman master, and he must have seen the degradation of slavery as a crime, and he must have seen the servants to be 'absolved to their masters, with fear and trembling, to obey them in all things, not answering again, &c. &c." And he must have seen the same thing, corresponded with his precepts. The Ergastula is nothing more than an intervention in behalf of the fugitive slave, who had probably run away from his master, to lessen the eloquence of the apostle by whom he was converted.

the District of Columbia, and its jurisdiction over the subject in a broader and more extended manner, under the Declaration of Independence of the United States. Do gentlemen forget that that eloquent recital of the wrongs and grievances of the colonies, which was drawn up by a southerner, and contained in council and in the battle-field by southern men, comprised in that Declaration of Independence has excited domestic insurrection among us? Do gentlemen forget that, when the revolution commenced, in enumerating the causes which impelled the people of the colonies to abjure their allegiance to the king of Great Britain, King George the Third, "prompting our negroes to rise in arms against us—those very negroes whom, by an insidious use of his negative, he hath refused us permission to exclude by law?" Does the course pursued by the abolitionists differ widely from this now? But, whether slavery be a curse or not, the very authorities which gentlemen quote, and well attested history, will show that we of the south are not to be reproached with its institution or its continuance. Slavery is a subject which we cannot try at a time when no scriptures were entertained by any class of Christians upon the subject. Who were the participants in the traffic of slavery?—Whose ships and whose seamen were engaged in the slave trade? Or, were not the supporters of wealth amassed and hoarded up from this unjust prosecution? The puritan of the north was as much a party to the traffic as the planter of the south.—From New England the slave ships were fitted out; in New England the shackles were forged to bind the slaves; and in New England the money was sent to the south, it was only because there they could be employed to the best advantage. It was a misfortune that their climate had permitted the evil to take deep root; while at the north it had been stayed in its growth, not by the superior rectitude of the people, but by their sagacious attention to their own interests. They found that slavery would be a burden in their cold region, and shook it off upon their neighbors. Were gentlemen to consider these facts, were they to remember how slavery was introduced among us, were they to look about and see where the curse and denunciation would fall, instead of invoking the judgment of heaven and declaiming about the laws of nature, before pronouncing sentence of condemnation on every slaveholder, they would consider how they obtained them, and inquire whether they can now get clear of them without producing more evil than good.

The next argument urged by the gentleman from Massachusetts was founded on that provision in the constitution which declares that congress shall have power "to exercise exclusive legislation, in all cases whatsoever, over such district (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the United States." With becoming respect and great deference to the opinions of others, I say to the many learned gentlemen, distinguished statesmen, and able constitutional lawyers, who have admitted the right of congress to legislate on the subject of slavery in the District of Columbia, that they have not, in my humble judgment, done themselves or the question justice. Removed from the point of agitation and danger, they have seldom if ever examined the whole question; they have read the clause in the constitution without considering other matters and circumstances which give to it interpretation and meaning; they have thus formed a false opinion, and then brought their ingenuity and all the reasoning powers to bear to sustain their first conceived impressions. In no other way can I account for what I believe to be their erroneous opinion and mistaken conclusions. I humbly conceive, Mr. Speaker, that a gentleman who occupies the high station of a senator in the United States should, upon so important a question as this, translate his mind back to the history of the times of the formation of the constitution. He should take a philosophical view of the institutions of the country anterior to the constitution, and consider the circumstances which that instrument was intended to effect.

I have already shown how slavery was introduced into this country, and that, from the character of the climate, its stable productions, and other causes, there were more reasons than in the north, for the northern colonies. The colonial trade was under the absolute dominion of the mother country; and many of the southern colonies not only endeavored to discourage the importation of slaves, by various duties imposed at different times, but they petitioned the throne to remove those restraints of the governors which inhibited their assent to such laws as might check so very pernicious a commerce. Such was the state of things from the Declaration of Independence, in 1776, to 1791, when

the several state legislatures made an act of federation, as allied sovereigns. Look into that compact, the original laws of commerce and trade will show numbers find power over the question of slavery given to the confederate government.

But the confederation under which the states had lagged for common defence, at all times feeble, became weaker and weaker, and the spirit of sectional jealousy and the rivalry of power, and it is a fact of curious interest that the convention which formed the present constitution assembled simply to revise, in a few important particulars, the articles of the confederation. The convention met in Philadelphia, in relation to the navigation of the Potomac river, gave the first impulse to a revision of the original confederation, and I trust that the conflict on its banks, in this capital, will not destroy the present government. In 1786, there was a convention of delegates at Annapolis, the result of whose deliberations was a recommendation to the several states to send delegates to a grand convention in Philadelphia, for the purpose of rendering the present federal government adequate to the exigencies of the union. This grand convention did meet in 1787, and proposed the constitution which, by the acceptance and confirmation of the people of the several states, in their own time and way, gave us and being to this republic. In the letter which was addressed to congress by the convention, we find some of the causes which embarrassed the action of the convention, and, indeed, delayed the adoption and ratification of the constitution, by some of the states, for a long time. "It is at times difficult to do what is just and wise between those rights which must be surrendered and those which may be reserved; and on the present occasion, this difficulty was increased by a difference of opinion among the several states, as to their situation, extent, habits and political principles. And thus the constitution which we present, is the result of a spirit of amity, and of that mutual deference and concession which the peculiarity of our political situation rendered indispensable." Thus we see that what all felt that an efficient national government was necessary, it was admitted that this could only be obtained at an immense sacrifice.—Compromise was to lie at the foundation of any government at all—concession, free voluntary and unforced concession, was to be the basis of any national government could be established out of separate independent sovereignties of antagonistic opinions, customs and interests. But with all these difficulties pressing upon them, what was the result of the convention? The convention, after struggling into the constitution, we find that "no state shall enter into any treaty, alliance or confederation; grant letters of marque and reprisal; coin money; emit bills of credit; make any thing but gold and silver coin a tender in payment of debt; pass any bill of attainder, ex post facto law, or law impairing the obligation of contracts, or grant any title of nobility." That "no state shall, without the consent of the congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and the net product of all duties and imposts laid by any state on imports or exports, shall be for the use of the treasury of the United States; and all such laws shall be subject to the revision and control of the congress." And that "no state shall, without the consent of congress, lay duty of tonnage, keep troops, or ships of war in time of peace, enter into any agreement or compact with another state, or with a foreign power, or engage in war, unless actually invaded, or in such imminent danger as will not admit of delay." The congress of the general government was given among other powers, the high power "to lay and collect taxes, duties, imposts and excises; to pay the debts and provide for the common defence and general welfare of the United States; to borrow money on the credit of the United States; to regulate commerce with foreign nations, and among the several states, and with the Indian tribes; to establish uniform laws of naturalization, and bankruptcies; to coin money, regulate the value thereof, and of foreign coin; fix the standard of weights and measures; to punish counterfeiting, piracy and felonies committed on the high seas, to establish post offices and post roads; to declare war, grant letters of marque and reprisal; raise and support armies; provide and regulate the militia; to make rules and articles of war; to call out, organize and govern the militia; exercise exclusive legislation over the seat of government, and over forts, arsenals and dock yards; to assist in the formation of new states; to exercise the power of pardon and reprieve over all other property belonging to the United States; and to make all laws necessary and proper for carrying into execution the foregoing powers, and all other powers vested by the constitution in the government of the United States, or in any department

or officer thereof." It will also be found that the constitution declares, that "representatives and direct taxes shall be apportioned among the several states, which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and those indentured servants, three fifths of all other persons; that "the actual enumeration shall be made within three years after the first meeting of the congress of the U. States, and within every subsequent ten years, in such manner as they may by law direct; that the proportion or other direct tax, shall be laid, unless in proportion to the census or enumeration herein before directed to be taken;" that "all debts contracted, and engagements entered into, before the adoption of the constitution, shall remain the valid debt of the U. States under the constitution, as under the confederation;" that "the migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the congress prior to the year 1808, and a tax or duty may be imposed on such importation, not exceeding ten dollars for each person;" that "no person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law relating thereto, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due." Thus in the enumeration of these several powers, restrictions and concessions, we see what were the sacrifices and concessions made by the people of the individual states in order to obtain a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity.

The prior taxation, year 1808, and a tax or duty may be imposed on such importation, not exceeding ten dollars for each person;" that "no person held to service or labor in one state under the laws thereof, escaping into another, shall, in consequence of any law relating thereto, be discharged from such service or labor, but shall be delivered up, on claim of the party to whom such service or labor may be due." Thus in the enumeration of these several powers, restrictions and concessions, we see what were the sacrifices and concessions made by the people of the individual states in order to obtain a more perfect union, establish justice, insure domestic tranquillity, provide for the common defence, promote the general welfare, and secure the blessings of liberty to themselves and their posterity. The constitution recognizes slavery, and providing for its continuance, guaranteeing the vested rights of its owner, and providing for the recapture of fugitive slaves, was entered into deliberately by the non slaveholders, as a contract upon what were deemed good considerations. Among these considerations, were the advantages growing out of commerce, and especially the coasting trade, for American vessels. Experience had already proven how inadequate had been the articles of confederation to quell the numerous and conflicting commercial advantages; and never was it more evident, that thirteen distinct and separate governments, viewing commerce under different relations, would be brought to concede to each other the peculiar advantages which they possessed from climate, soil, or the nature of their productions. It was expected to realize, and which they have, in fact, realized, by the adoption of the constitution, in some degree, appear when we consider that the product of slave labor forms the staple of the commerce of the world. "Let it be traced," says an eloquent writer, who has ably vindicated the south from some of the aspersions of northern rant and fanaticism, "let it be traced through all its ramifications in the shipping, navigating, commercial and manufacturing concerns of New England, New York; in all the domestic and household arrangements in every domestic in the country; with every family where cotton is used, or sugar eaten; with every article of luxury and of elegance, of brilliancy, of magnificence, and with the degradation of the poorest members of the community, and it will be found that, under the contract of the constitution, a very large part of the profit of slave labor is gathered and possessed in the free states, while the burden of the slave is borne by the states upon the states where that labor is performed." But, besides the advantages flowing from commerce, which the non slaveholding states secured by the adoption of the constitution, let it be remembered that the slaveholders of the southern states engaged them for their expenditures during the revolutionary struggle—which has paid millions for that purpose, besides the immense amount which has been paid by way of pension to the soldiers of the war, and the maintenance of the army borne into the union, voluntarily surrendered to the general government, for the common use and benefit, millions of acres of valuable land, already the residence of the owners, and destined to be the residence of countless generations.

Thus, sir, have I shown that, not only by the consent, but by the approbation, contract and agreement of the north, slavery was not only recognized and secured by the constitution, but incorporated

into the very political existence of the government—incorporated in the representation on this floor—political power given to it, in the very election of the executive, and, through him, into the election of all the military, civil and other officers of the general government; for every officer of government, before he can discharge any duty of his office, is first bound to take an oath to support the institutions of slavery as it exists, because he is bound to take an oath to support the constitution. It is incorporated, too, in the taxing power of congress; and congress would violate the constitution, and its laws would be a violation of the constitution, if it did not levy direct taxes upon the slaves of the states, as there provided. The slightest infraction of this fundamental article of the constitution would shackle a state from all liability, and resolve it into its original unqualified sovereignty.

But, Mr. Speaker, there is another view of the subject, upon which I will, at this time, say a word: At the time of the adoption of the constitution, slavery existed in almost all the states. Vermont declared, in her constitution of 1777, there should be no slavery within her limits. New Hampshire, Connecticut and Rhode Island did the same in 1784. In Massachusetts, in the first action, involving the right of a slave which came before the supreme judicial court, after the establishment of the constitution, the judges declared, by virtue of the first article of the declaration of rights, slavery in the state was no more.

In New York, by an act for the gradual abolition of slavery, all children born of slaves subsequent to the 4th of July, 1779, were declared to be free, but to continue servants to the owners of their mothers—males till the age of 28, and females till the age of 25; and by an act of the 31st of March, 1816, every male, mulatto or mixed blood, in the state, born before the 4th of July, 1799, it was declared should, from and after the 4th of July, 1827, be free.

In Pennsylvania, by the act for the gradual abolition of slavery, passed on the 1st of March, 1780, every person who at the time was a slave was to remain a slave, unless his owner omitted to register him on or before the 1st day of November then next ensuing. Children born after the passage of the act, were born free, subject, however, to the same arrival till the age of 25; and the issue of such children could not be held to any servitude.

In New Jersey various laws have passed for the gradual abolition of slavery; but, according to the census of 1830, there were, at that time, in the state no less than two thousand two hundred and forty-six slaves.

Now, sir, at the time of the adoption of the constitution, did any member from the north move and carry any proposition in the convention authorizing congress to abolish slavery within its territory or within the limits of the influence of the constitution? Did Pennsylvania, New York, or any other northern state, then or since, ever call on congress to abolish slavery within its limits and jurisdiction? Slavery has been abolished—gradually abolished, mark ye—in nearly all the states north of Maryland, but was the power of congress invoked? Did not the general voice of the people call on their state authorities? and was not abolition effected by the action of their state legislatures? And the legislation of the non-slaveholding states demonstrates that they regarded the question of slavery as one of state jurisdiction alone; and every fact which I have given, goes far in illustration of that provision of the constitution which declares that the powers not delegated to the federal government by the constitution, nor prohibited by it to the states, are reserved to the states, respectively, or to the people.

But, Mr. Speaker, notwithstanding the legislation of state and every state in reference to the abolition of slavery shows that it has always been considered a question of state jurisdiction; notwithstanding some of the abolitionists here and elsewhere disclaim all pretence of power in congress to abolish slavery in the states, they yet concede that full, ample and absolute power is given to congress over the question in this District, by the grant of power contained in the eighth section of the first article of the constitution. They have rung the changes upon the terms used in the clause referred to, and said much about the phrase "to exercise such legislative power in all cases whatsoever over such District;" they have argued that this gave congress ample, unlimited, absolute power of legislation over the question here. I still answer some of these arguments presently, but I would observe that there is one part which all the learned commentators seem entirely to have overlooked. They tell you that you have full and ample power to abolish slavery in

the District of Columbia, and only ask you to exercise your authority where you have jurisdiction. This District there are about 6,000 slaves, and it cannot be that the energies of the whole body of abolitionists are directed to no other object than the emancipation of so small a portion of the slave population of the country. No, sir. Valued among the states in this District, the slaveholders here have little hope to break through the constitutional barriers: their only hope is to steal in at some loophole; and, with this view, they would persuade an assumption of power, under the plausible pretext that congress has jurisdiction over the District, legislation has been given to congress in all cases whatsoever over this District. I have gone into the history of the origin of slavery in this country, of its institution both before and under the constitution, of the legislation in the states upon the subject, in order to show that congress can exercise no legitimate authority to abolish slavery in any of the states where it now exists, or where it existed at the time of the adoption of the constitution. If this doctrine be sustained by the constitution and the supporters here admit it—then must all their arguments fail, which go to establish the power of congress to abolish slavery in this District under the eighth section of the first article of the constitution; because, whatever power congress can exercise over this District, they may exercise in any and every other part of this country, in any and every state in this union; and to prove this, we have only to read the language of the constitution itself, when it declares that congress shall have power "to exercise exclusive legislation, in all cases whatsoever, over such District (not exceeding ten miles square) as may, by cession of particular states, and the acceptance of congress, become the seat of the government of the United States, and to exercise like authority over the District or districts which may, by the cession of the state in which the same shall be, for the erection of forts, magazines, arsenals, dock-yards, and other needful buildings."

Much has been said, Mr. Speaker, about the protection of local legislatures over such District; but, sir, a territory over which congress could exercise separate and exclusive jurisdiction was not sought for the purpose of establishing a utopia or an oligarchy, but that congress might have an established seat of government independent alike of the influence and state favor of any government where they could exercise an exclusive jurisdiction in all matters of police for their personal protection. The proceedings of the old congress show distinctly that such was the object; and in the course of the debate at the close of the revolution to save the deliberations of congress by threat and mutinous excitement, which proved how little protection could be expected from state authorities alone, no doubt contributed greatly to the inclusion of the clause in the constitution which gave to congress the exclusive legislation over the seat of government. On the 7th of October, 1783, a resolution was passed providing "that buildings for the use of congress be erected on or near the banks of the Delaware, provided a suitable district can be procured on or near the banks of the said river for a feudal town, and that the right of soil, and exclusive or such other jurisdiction as congress may direct, shall be vested in the United States."

On the 21st of the same month, 1783, another resolution was passed, preceded by the words—

"Whereas there is reason to expect that the providing buildings for the alternate residence of congress in two places will be productive of the most salutary effects, by securing the mutual confidence and friendship of the states."

"Resolved, That buildings be provided for the use of congress at or near the lower falls of the Potomac or Georgetown, provided a suitable district on the banks of the river can be procured for a federal town, and the right of soil and exclusive jurisdiction over such other as congress may direct, shall be vested in the United States."

Such were the views entertained by the old congress, such the considerations which influenced the convention which framed the constitution, and such the understanding of the people of the several states when they accepted, ratified and confirmed the constitution. The jurisdiction was intended to be made so exclusive as to prevent conflict between federal and state authority in municipal laws and regulations, and to give to congress all the power, and none other, which should be indispensably necessary for its own protection, and to render all the departments and officers of the federal government entirely independent of state authority.

It must also be recollected that the place was designated in the constitution as the seat of government; the convention only thought it expedient to specify the limits and extent, and the character of the legislation, leaving its location to depend upon

the cession of particular states, and the acceptance of congress. It will also be recollected, that there was great rivalry among the states as to the point to be selected.

The journal of the old congress will show that, from the 28th of July, 1788, up to 13th of September, 1788, the subject of determining with respect to the place for the seat of government, and the new constitution was continually under discussion, and gave rise to many motions and much debate; the relative advantages of New York, Hudson, Philadelphia, Wilmington, Lancaster, Baltimore, Annapolis, and other places, were presented in great detail and earnestness. After congress had assembled under the constitution, the bill for locating a district of territory, not exceeding ten miles square, on the Potomac, "between the mouths of the eastern branch and Conococheague," which originated in the senate, passed that body by a vote of fourteen to twelve, and in the house was the subject of much discussion. Four distinct propositions were made in the shape of amendments, to change the seat of the federal district, by motion to strike out "the Potomac," and insert some other place:

1st. "To substitute the Delawares instead of Potomac"—ayes 22, noes 29.

2d. "In the State of Pennsylvania, including Germantown"—ayes 22, noes 29.

3d. "Between the Susquehanna and Potomac"—ayes 23, noes 36.

4th. "State of Maryland, including Baltimore"—ayes 26, noes 34.

Now, can any man of rational mind believe that the representation from Maryland would have voted in favor of establishing the seat of government at Baltimore, or its legislature would have offered Annapolis for such a purpose, if they had, for a single instant, thought or believed that congress would possibly establish a seat of government in the very centre of the state? Can any rational mind believe that Maryland would have recognised or sanctioned such an interpretation, or allowed the general government to hold its seat in the centre of its state, armed with such antagonistic powers against her peace and interests? I think it impossible to doubt a moment in saying that she never would. What can be the difference, whether the powers now claimed for congress be exercised in the centre of the state, or on the borders of the state? If the power of congress to abolish slavery could not have been allowed at Baltimore, it cannot be at Washington. That part of the District north of the southern bank of the Potomac was as much a part of Maryland as Baltimore. If it cannot be inferred from any thing which has occurred at the adoption of the constitution, as a contemporaneous interpretation of that instrument, that it was admitted that congress had the power to abolish slavery within the limits of any state in which it existed, who can resist the inference and draw the conclusion, that the letter, the spirit, and philosophy of the constitution totally deny the assumption of such power by congress? And no lapse of time can enlarge the powers of congress without an alteration of the constitution itself. There is no where in the constitution, any power given to congress to abolish slavery; yet this power is attempted to be drawn from the constitution by implication. Gentlemen admit that congress cannot intermeddle with the institution of slavery in any portion of the union when it exists at the time of the adoption of the constitution. It did exist, and does exist, in that portion of Maryland and Virginia which became the seat of government; yet, in the absence of all expressed or implied power, they would have congress alter the institution of slavery in the whole of Maryland and slave. If it was intended to have given congress the power, the convention omitted to express it, and, having failed so to express it, the omission denies the right of jurisdiction.

Mr. Speaker, in considering these features of one constitution, I am forcibly reminded with the analogy, which the whole instrument bears, in many respects, to the articles of union between England and Scotland, adopted by the parliament of both those kingdoms in 1707.

Article 3d declares—

"The United Kingdom shall be represented by one parliament."

The 1st section of the 1st article of the constitution of the United States provides—

"That all legislative powers herein granted, shall be vested in a congress of the United States, which shall consist of a senate and house of representatives."

Article 4th declares—

"There shall be no privileges of nobility, or titles of nobility, except when it is otherwise agreed."

The 2d section, 4th article of the constitution of the United States, provides—

"The citizens of each state shall be entitled to all privileges and immunities of citizens in the several states."

Article 9th declares—
"When England raises £2,000,000 by a land tax, Scotland shall raise £8,000."

8th and 24th article 1st of the constitution of the United States provide, that—

"Representatives and direct taxes shall be apportioned among the several states which may be included within this union, according to their respective numbers, which shall be determined by adding to the whole number of free persons, including those bound to service for a term of years, and excluding Indians not taxed, three fifths of all other persons."

Article 18th declares—
"The laws relating to trade, customs and excises, shall be the same in Scotland as in England. But all the other laws of Scotland shall remain in force, but alterable by the parliament of Great Britain; yet, with those laws relating to public policy, are alterable at the discretion of the parliament. Laws relating to private rights are not to be altered but for the evident utility of the people of Scotland."

The 2d section of the 6th article of the constitution of the United States provides, that—

"This constitution, and the laws of the United States which shall be made in pursuance thereof, and all treaties made or which shall be made, under the authority of the United States, shall be the supreme law of the land."

Article 1st, section 8th of the constitution declares, that—

"Congress shall have power to regulate commerce with foreign nations, and among the several states, and with the Indian tribes."

The 5th article of the amendments provides, that—
"No person shall be deprived of life, liberty or property, without due process of law; nor shall private property be taken for public use without just compensation."

The 9th article provides, that—
"The enumeration in this constitution of certain rights shall not be construed to deny or disparage others retained by the people."

The 10th amendment declares—
"The powers not delegated to the United States by the constitution, nor prohibited to the states, are reserved to the states, respectively, or to the people."

Article 22d of the union states—

"Sixteen peers are to be chosen to represent the peerage of Scotland in parliament, and forty five members to sit in the house of commons."

Section 3d, 1st article of the constitution declares, that—

"The senate of the United States shall be composed of two senators from each state," &c. &c.
Section 3d of the same article, as quoted, prescribes the representation in the house of representatives.

Upon these articles of union of England and Scotland, Sir William Blackstone remarks:

"These are the principles of the twenty five articles of union, which are ratified and confirmed by 8th Anne, chap. 8, in which statute there are also two acts of parliament recited, the one of Scotland, whereby the church of Scotland, and also the two universities of that kingdom, are established forever, and all succeeding sovereigns are to take an oath invariably to maintain the same; the other of England, 3d Anne, chap. 6, whereby the acts of union, of 12th Elizabeth, and of the 6th Charles II., in conformity to the same had been altered by parliament at that time) and all others then in force, to the preservation of the church of England, are declared perpetual; and it is stipulated, that the acts of union, and queen Anne's act, shall invariably to maintain the same within England, Ireland, Wales and the town of Berwick upon Tweed. And it is enacted that these two shall forever be considered as fundamental and essential conditions of the union."

And he continues:

"Upon these articles and acts of union, it is to be observed, that the two kingdoms are now so inseparably united that nothing can be done by the legislature, unless, perhaps, an infringement of those points which, when they were separated and independent nations, it was mutually stipulated shall be 'fundamental and essential conditions of the union.'"

Will not these remarks of the great jurist apply upon the constitution and laws of England apply with equal force to the constitution of the United States? If an infringement of the fundamental and essential conditions of union would dissolve two kingdoms, would the same dissolution necessarily follow the state of Maryland? Sir, I repeat, that, at the adoption of our constitution, slavery not only existed, but was acknowledged, and, as a prominent and fundamental principle, was incorporated into the very fabric

of the government; and any meddling with it now would be an infringement of "the essential conditions of the union." But the institution of slavery, whether right or wrong, does not owe its existence or continuance to the constitution: it is above and independent; pre-existing and beyond that instrument, though sanctioned and guaranteed by it. And I maintain that slavery, having pre-existed—having been recognized, adopted and guaranteed by the constitution—no although of fraud or pretended humanity can, for specious purposes, seize upon the property of any citizen, whether in a slave or non-slaveholding state; nor can alter the then existing or future rights of the citizen, or violate the solemn compact entered into by these states, and thereby jeopardizing the integrity of the union. Considering the question wholly by the constitution, and that instrument solely and strictly by its letter, will gentlemen contend that congress has power to legislate in this matter exclusively over the District? But, by the same instrument, congress is in part a representative of slaves. The constitution, recognizing and providing for the representation of slaves, requires, in the appointment, that every five slaves shall be equal to three freemen. If the framers of the constitution had such horror of slavery as is ascribed at the north now, why did they allow to it that representation, or even to give it representation on this floor? The answer is a plain one. In the first place, the constitution was a matter of concession and compromise to effect a perfect union; and, in the second place, to effect this union, that instrument solely and strictly by its letter, knowledge as a fundamental and essential principle, but to be guaranteed and secured against all interference, by giving to it, as property, political power. By the constitution, then, slavery is recognized and protected in its nature. Will you be governed by the constitution, or will you assume powers not delegated, because a few self-righteous men to the north, thinking themselves wiser than their ancestors, fancy they can abolish such parts of the constitution as may not suit their present views or interests?

But, Mr. Speaker, the third section of the sixth article of the constitution declares that "the senators and representatives" ("of the several states, and the members of the several state legislatures, and all executive and judicial officers, both of the United States, and of the several states, shall be bound by an oath or affirmation to support this constitution." With this, then, in view, and the provisions of the constitution; with slavery recognized, guaranteed, incorporated into that instrument, how can gentlemen reconcile it to themselves to vote for the abolition of an institution which they have sworn to support? How can they do this, while advocating abolition petitions, which would have them violate their solemn oath of office? Do the abolitionists require the members of this house to leave easy and pleasant consciences, to be mouldered against the prejudices or caprices of fanaticism? Under this constitutional requirement of an oath of office, it matters not what may be the local legislation of the states, the rights of the slaveholder are guaranteed most amply and most fully; and this doctrine has been recognized by the most solemn decisions of the highest court in several of the non-slaveholding states, particularly Pennsylvania, New York and Massachusetts. These doctrines, to the high credit of the judiciary, show that the constitution is as binding upon the legislatures, or sectional views of policy. I have not time to cite many of the cases alluded to; but I beg the indulgence of the house to read from one which, in 1823, Congress, by the commission of errors of New York, had constituted of the chief justice of the senate, chancellor of state, judges of the supreme court and all the senators, wherein the chancellor declared:

"If the person whose services are claimed is in fact a fugitive from servitude, under the laws of another state, the constitutional provision is imperative that he shall be delivered up to his master upon claim made; and any state officer or private individual who attempts to allege that the claimant has taken the usual oath to support the constitution thereof, cannot, without incurring the moral guilt of perjury, do any act to deprive the master of his right of recapture, when there is no doubt that the whole case is clearly established in fact the slave of the claimant. However much, therefore, we may deplore the existence of slavery in any part of the union, as a national as well as local evil, yet, as the right of the master to reclaim his fugitive slave is secured to him by the federal constitution, no good citizen, whose liberty and property are protected by that constitution, will interfere to prevent this provision from being carried into effect according to its spirit and letter; and even when

the forms of law are resorted to for the purpose of evading the constitutional provision, or to delay the remedy of the master in obtaining a return of his fugitive slave, it is undoubtedly the right, and may become the duty, of the court in which any proceedings for that purpose are instituted, to set them aside, if they are not commenced and carried on in good faith and upon probable grounds of believing that the claim of the master to the services of the supposed slave, is in fact a claim to the services of a free man."

Mr. Speaker, an impartial interpreter of the constitution will not mark the particular passage which alludes to the ten miles square; but he will look at the whole instrument, and examine into its meaning, and he will be bound to make them harmonize if they will agree. Can a construction be given to that part which relates to the ten miles square which shall empower congress to abolish slavery, without overthrowing and obliterating that part which recognizes slavery, which provides for its representation and taxation under certain circumstances, or which prohibits congress from interfering with private property, and secures its recapture, if it should be driven from the owner, in the District of Columbia? What novice in law, or who is so little skilled in the interpretation of contracts, but will say that you must make all parts of an instrument agree if it is possible; or, if the various clauses are inconsistent, you must select the plain and obvious meaning of the writing? The construction which the gentlemen give who advocate the cause of the abolitionists would blot out every part which recognizes, provides for, or guarantees slavery, and would change the whole representation in congress and vary the apportionment of direct taxation. Again, sir: How can you reconcile the power of congress to abolish slavery with the prohibition not to interfere with the constitution? It is not only by the laws of the states, but under the constitution itself, are recognized as property. The doctrine of the abolitionists supersedes difficulty to difficulty, without in a fair and just interpretation of the constitution it is a simple and plain perfect, and have full scope and influence.

I have already shown, from concurring circumstances and the plain reading of the legislation at the time of the constitution, that the framers of the constitution, in requiring a certain territory to be established as the seat of government for the United States.

They desired a distinct and separate place, for the seat of the confederating society, but to keep it as it was—where there should be no fear of civil commotions—no popular threatening of the deliberations—an interruption of their proceedings, and no other control or legislation to govern their officers, servants and slaves. The slaveholders, therefore, thousands employed by the government—officers, public agents, clerks and laborers upon the public buildings. Had Maryland or Virginia jurisdiction, the whole business of the government might be stopped or delayed at the pleasure of either. Owing allegiance to the state, every man might be called away to serve on jury or to perform militia duty; as it is, exclusive legislation belonging to congress, our legislation can control the actions of all persons employed by the government. I admit, sir, that the seat of government might have been established upon the public domain; and slavery, to a certain extent, might have been prohibited where it did not previously exist; but to abolish it, without the aid of the constitution, would have been to select a place where slavery did exist, and it was not then pretended that slavery was either a moral, social or political evil. If they thought so they did not express the opinion, nor the sentiment, and they did not express the sentiment upon such conviction. Experience has shown that, by the existence of slavery in this District, neither the legislation of congress nor the operations of the government have been impeded. It has shown, that slavery can exist in the District of Columbia, and that that provision which made slaves taxable property could be carried into effect.

But, sir, there is another view of this subject which has been slightly alluded to, but which, I think, has not been sufficiently enlarged. Granting that there was nothing implied or secured by the silence on the question of slavery at the adoption of the constitution, did congress take, or could this government have taken, in this District, certain limitations and reservations? Must not congress neither do, nor could. Slavery existed here: the right to regulate or abolish it belonged to Maryland or Virginia, within the limits of their respective jurisdictions. And the question was settled by the adoption of the constitution. While Maryland and Virginia held jurisdiction, slavery might have been abolished by acts of legislation, operating over all parts of each state respectively;

but neither state could, by partial legislation, have abolished slavery in any particular section or district of its territory; nor could they, by a cession of jurisdiction to any other authority, have impaired or put in jeopardy the rights secured to the citizens of each state, not only by the constitution of each respective state, but by the constitution of the United States. But, waiving all these considerations, did the states of Maryland and Virginia give up a portion of their territory to the admitted and absolute jurisdiction of congress? Read the acts of cession and you will find they did not. They were willing to cede a portion of their territory, not, resting the rights of the citizens of such ceded territory on the provisions of the constitution alone, but, by express reservation, in the articles of cession, they devolved the power to congress to interfere with the right of property.

The act of cession from the state of Virginia declares—

"That a tract of country, not exceeding ten miles square, or any less quantity, to be located within the limits of this state, and in any part thereof as congress may by law direct, shall be, and the same is hereby, forever ceded and relinquished to the congress and government of the United States, in full and absolute right, and exclusive jurisdiction, as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the constitution of the government of the United States, *provided*, That nothing herein contained shall be construed to vest in the United States any right of property in the soil, or to affect the rights of individuals therein, otherwise than the same shall or may be transferred by such individuals to the United States."

The act of cession from the state of Maryland declares—

"That all that part of the said territory called Columbia, which lies within the limits of this state, shall be, and the same is hereby, acknowledged to be forever ceded and relinquished to the congress and government of the United States, in full and absolute right, and exclusive jurisdiction, as well of soil as of persons residing or to reside thereon, pursuant to the tenor and effect of the eighth section of the first article of the constitution of the government of the United States; *provided*, That nothing herein contained shall be so construed to vest in the United States any right of property in the soil, or to affect the rights of individuals therein, otherwise than the same shall or may be transferred by such individuals to the United States; and *provided, also*, That the jurisdiction of the laws of this state, over the persons and property of individuals residing within the limits of the cession aforesaid, shall not cease or be determined until congress shall, by law, provide for the government thereof, under their jurisdiction, in manner provided by the article of the constitution before recited."

Such are the articles of cession. Now let it also be borne in mind, that the seat of government could not have been established, nay, congress could not even have assembled in any state where slavery existed, without the consent and sanction of that state; and these articles of cession must be regarded, not only as limitations upon the powers of congress, but as compacts and treaties between high contracting parties.* These articles of cession are, in fact, paramount to the constitution, in as much, that the constitution could not have gone into effect, without their sanction. The articles of cession were made under the sanction of the constitution by three high sovereign parties—sovereign and independent within their respective spheres, and qualified and competent to enter into compact. These parties were Maryland, Virginia, and the general government. Now, sir, for nearly forty years the general government has existed here, and slavery has existed here; the local law which governs here, with but slight variation, is the law which existed here before the compact was formed; the rights which that law gave, and the obligations which it was intended to enforce, were recognised and declared to be in force before the government was established here, and have been recognised ever since. No inference, therefore, has been made that the existence of slavery here has procured the slightest inconvenience or danger to any department of the government; but, on the contrary, so convenient have the services and labor of slaves been found, that, by acts of congress, the sale of slaves resident in Maryland and Virginia have been authorised to bring them here; and, by

another act of congress, passed 21st June, 1812, as if to give increased value and security to such kind of property, it is expressly declared:

"That hereafter it shall be lawful for any inhabitant or inhabitants in either of said counties, owning and possessing any slave or slaves therein, to remove the same from one county into the other, and to exercise freely and fully all the rights of property in and over the said slave or slaves there; and no slave shall be exercised over him, her or them, in the county from whence the removal was made, any thing in any legislative act in force at this time, in either of the said counties, to the contrary notwithstanding."

Yet, after all this, a new reading is to be given to the constitution, and new powers are to be exercised by congress. Will congress assume power by implication? Will you say that the clause of the constitution giving power to legislate exclusively over these ten miles square, allows congress to establish a despotism here, to trample on the rights of the citizens of this District, and to establish here a citadel of abolition, from which predatory incursions may be made upon the institutions of neighboring states; that by this means you may interfere with the rights of property and the rights of the citizens of the District of Columbia, but with those existing in the close contiguity of Maryland and Virginia? Nay, more; that, by so doing, you jeopard the peace and security of the people here and in those states, and yet that Maryland and Virginia have no right to condemn and disavow such legislation as an usurpation and a violation of the compact, both expressed and implied? Have not Maryland and Virginia the same right to construe by implication what they surrender to congress, with the rights of property and the rights of the citizens of this District, as you have? Then, to avoid all collision, is it not due that congress to refrain from all attempts to assume powers not expressly delegated? And is not any attempt on the part of congress to exercise a power not delegated, an usurpation of a direct invasion of the constitution? If, sir, congress has not been invested by the constitution, nor by the articles of cession, with the power now pretended to, of abolishing slavery in the District of Columbia, it is the bounden duty of Maryland and Virginia to interfere, should the federal government ever attempt to exercise such power. Every state in the union would be called upon to protect the constitution from infraction, but it would be the especial duty of Maryland and Virginia to see that the rights of the children should not be trampled upon. Already has the voice of Maryland been raised upon this question; she has declared, with almost unprecedented unanimity, that you have no jurisdiction over the subject of slavery; that she never intended to give you such jurisdiction, and that if you attempt to exercise such powers it will be a violation of the compact; that the compact will become a dead letter; and that she will reassert her original jurisdiction over all that part of the ten miles square which lies north of the southern bank of the Potomac.

In the session of the general assembly of Maryland, 1837, Mr. Joseph S. Cottman, a gentleman of ability, submitted, in his place in the senate, the following resolutions, an account of which he has furnished since:

"By the senate, February 18, 1837."

"WHEREAS, A communication from the executive of this state was yesterday received, enclosing certain resolutions passed by the general assembly of Vermont, and requesting that the executive of this state to his excellency the governor of this state, with a request that the same be laid before the legislature, which resolutions are in the following words, viz:

"Resolved, by the general assembly of the state of Vermont, That neither congress nor the state governments have any constitutional right to abridge the free expression of opinions, or the transmission of them through the public mail."

"Resolved, That congress do possess the power to abolish slavery and the slave trade in the District of Columbia."

"Resolved, That his excellency the governor, be requested to transmit copies of the foregoing resolutions to the executive of each of the states, and to each of our senators and representatives in congress."

"And whereas respect and courtesy are due to all communications from the executive of Maryland:—

Therefore, Resolved, by the general assembly of Maryland, That neither congress nor the state governments have any constitutional right to indulge in the expression of opinions, or the transmission of them through the public mail," as so to enlarge the rights of the states, or to interfere with the rights of individuals, or to interfere with the domestic institutions of any of the states of this union."

"Resolved, That congress does not possess the power to abolish slavery in the District of Columbia; and, in the opinion of this legislature, the abolition of slavery in said District by congress, would be a violation of the terms and conditions upon which the cession of the District of Columbia was made to the federal government; and, in the event of such violation, the territory included in said District, ought, and of right will, revert respectively to the states of Maryland and Virginia."

"Resolved, That his excellency the governor, be requested to transmit copies of the foregoing resolutions to the executive of each of the states, and to each of our senators and representatives in congress."

"For the above resolutions, Mr. Bowie offered the following as a substitute, which was read and negatived."

"Resolved by the general assembly of Maryland, That the communication from the governor of Vermont, covering certain resolutions of that state, in relation to the power of congress over the rights of slaveholders in the District of Columbia, and the transmission of incendiary proceedings through the mail, be not received, the same being an offensive interference with the domestic relations and private property of citizens, over whom the legislature of Vermont has no control. And that his excellency, the governor of Maryland, be requested to return the same to the executive of Vermont."—Maryland annual journal, session 1836, page 176.

"On the 20th of February, the resolutions were again taken up, and the following amendments were, on motion of Mr. Brown, assented to:

"Strike out the words 'as as,' 5th line 1st resolution, and insert 'and'."

"After the word 'be,' 4th line 2nd resolution, strike out the letter 'a,' and insert 'resolution, to the understanding and intention of all the high contracting parties, if not in.'"

"Same resolution, 9th line, after the word 'negatived,' strike out the word 'and,' and in the same line strike out the word 'will' and insert the word 'ought.'"

"The following amendment, on motion of Mr. Bowie, was assented to:

"Strike out in the second resolution all after the word 'government,' 7th line, to the end of the resolution."—Ibid, page 173.

"On the question of engrossing for a third reading, the first was passed nem. con. and the second was ordered to be engrossed, with one (Mr. Talbott) in the negative. Mr. Talbott, in his remarks, asserted that congress had not the power to abolish slavery in the District of Columbia, made a motion expressing his views, which was negatived without a division."

"The preamble and resolutions were then read the third time, by special order, and assented to—(Ib. p. 184), and were sent to the house of delegates.—Page 185.

"These resolutions were received by the house of delegates while the new constitution was under discussion, and were never, in consequence, acted on. House journal, session 1836, p. 354."

Such are the opinions, and such the declared intentions, of one of the high contracting parties, and such will be her course, whenever a majority in congress shall be so reckless as to violate the rights of property in this District. But the general assembly of Maryland did not stop here; at the same session, they had under consideration an alteration of the constitution of the state; and as, at this very time, the abolitionists were trying to effect a similar revolution in the south, by insidiously circulating their inflammatory tracts and addresses, the legislature deemed it expedient to engraft a new provision upon the organic law, to the following effect:

"That the relation of master and slave in this state shall not be abolished, unless a bill so to abolish the same shall be passed by a unanimous vote of the members of each branch of the general assembly, and shall be published at least three months before the new relation of master and slave is confirmed by a unanimous vote of the members of each branch of the general assembly, at the next regular constitutional session, after such new election; nor then, without full compensation to the master for the property of the slave so to be thereby deprived."

Such are the opinions of the people of Maryland, and such the safe guards which they have thrown around their property. Such, too, are the fruits of abolitionist excitement. It has forced Maryland to stand firm upon her rights; to restrict her former privileges to her colored population by more rigid laws. The abolitionists have prolonged the time of abolition of slavery in Maryland at least a century beyond the period at which it might otherwise gradually and quietly have terminated. They have placed it beyond the reach of legislation, and, from the restriction, is equivalent, for the clause in the state constitution which I have quoted never

*"The operation of the constitution must, of necessity, be like that of a treaty of cession by a foreign state to the United States. The act of cession is the title to power or property according to its terms, operating by gift or grant or purchase, or by contract."

(Baldwin's Constitutional View, p. 83.)

will be altered. The abolitionists have forgot that the people of Maryland to tie them up with a Gordian-knot, which the sword of no Alexander can cut in twain. Yet, sir, no state, not even the loudest and noisiest about abolition, has done so much as Maryland towards emancipation and the annihilation of the cotton of the African race. Her early statutes protected them from any possible inhuman treatment, and authorised their manumission. And at a later period, with unflinching liberality, she has founded a colony in Africa, at the expense of some two hundred thousand dollars of her people's money. She has done all this with limited means—with no parade or ostentation of humanity; and her whole people have approved the legislation. With this evidence of the unanimity of the people of Maryland, will any one doubt their unanimity in defence of their rights, and the rights of that portion of the territory which she conditionally surrendered to the general government? It is true that the delegation of Maryland on this floor, has not been as zealous as the representatives of the states further south; and hence, from this forbearance, gentlemen have often, in debate, on former occasions, and two or three members have during this discussion, alluded to the Potomac river as a divisional line, and have endeavored to grow in strength as to require and force a dissolution of the union. Let me tell those members, and all who think with them, that the courage of Maryland has always been true when required, although she boasts but seldom about it; and that she has never been in her position so anxiously to vapour. She knows

"When valor preys on reason,
It cuts the sword if fights with."

Those removed afar from danger, may display their theoretical prowess without the possibility of its being called into requisition; and, perhaps, if the danger were greater or nearer, their courage might be less. Those who are in the front rank will not flourish their hats or their sabres in the air in vain-boastings; those in the rear may, when they know the strong columns in front shield them from harm. The steady gaze of the eye of the brave, the well-weighed adversary's intent, the calm judgment of the mind, which teaches the arm to aim the blow aright, and the suppressed voice broken the courage of those whom it were fearful to meet in hostile conflict. Let me tell gentlemen from the south, who designate the Potomac as a dividing line, that if aggression upon Maryland comes from the south, then are they correct; for then will she meet them on her southern border, and then will the bright waters of the beautiful river of swans' swans' emblem with the deepest dye, and the blood of her people be the death fight and its agony. But let me tell gentlemen from the south and from the north, that if the rights of Maryland are attempted to be invaded from the north, Maryland will be ready to meet it on its further border, and will erect a wall as firm as a Chinese wall on Mason and Dixon's line with their bodies, and when the last man falls, the barrier of their bodies will be a rampart behind which those further south may fight with full protection and security. But I will dismiss from my mind such imaginings, which are more speculative than possible; for I trust such a time will never come, and I am so anxious to hasten it by imaginary apprehensions. Maryland is the heart of the union, and I hope she will ever remain so.

Mr. Speaker, having shown that congress has no power to interfere with the question of slavery or the slave trade between any of the states, territories or districts of the United States, in which it existed at the time of the adoption of the constitution, I might rest my argument here; but, as the constitution, from the foregoing premises, that the people of the United States have no right to petition congress on the subject, for it has been conceded on all sides of the house that we should not entertain petitions on any question over which the state has no jurisdiction; but as the question of the right of petition has been elaborated with great ability by many gentlemen who have spoken on both sides of the question, I will trespass a little while longer, in order to present one or two views of the question which have been omitted by the able gentlemen who have preceded me.

There is no gentleman on this floor who can hold the right of petition in great respect than the individual who has the honor to address you; no one who would go further than myself to protect it in its just and legitimate exercise; and no one who so solemn and valuable rights, which, to be useful, valuable and sacred, must be under wise and proper restraints. What right that is sacred to the people and essential to liberty, that has not its restraints? The freedom of speech is, yet, it is essential to liberty as the right of petition; yet, it is not debate in

this tangle of liberty, this hall of freedom, checked, restrained, and justly so, by legitimate purposes. The "freedom of speech" is another sacred constitutional right, but it has its restraints, and he who abuses that sacred privilege is amenable to the law. The "freedom of the press" is as essential to liberty, and more so, than the right of petition; and it is restrained from licentiousness. Liberty itself is synonymous with law, and its truest definition is "the right to do every thing which the law does not forbid." Every right reserved to the people carries restriction upon exercise, and every exercise of power to government itself has a limitation upon its use. Every human power, individual, social, moral or political, has limitations upon its exercise. I care not how broad the grant, how clear the title, how ample the guaranties, how extensive the sphere of its enjoyment. To cause enjoyment, you must preserve harmony; that society may exist, you must lay it under restraints. The laws of society give an individual the right to acquire, possess and enjoy property, but all to be contented with, because it may soil his pleasure or his fancy to beautify his estate by hanging lamps and lights on the trees on his beach, which decay and deceive the mariner by night, his lamps cannot be abated, and he himself prohibited from what to him was innocent pleasure, and the cause of death to others; he might burn down his own dwelling, if he inflicts no injury upon others, and he will only be considered a madman; but should he injure the property of others, he will be held responsible for the mischief, and be punished accordingly. But gentlemen do not furnish this, in the consequences growing out of the doctrine which they advocate. The effect of their reasoning amounts to this, that a man may burn down his neighbor's house, if his construction offended his taste, or his architecture; if a man may burn down his house, be can with impunity set it in flames. Gentlemen defend the right of abolitionists to petition; they debate and protect them in the right; they present their memorials and send abroad their exciting appeals, the appeal to the laws; a man may burn down his house, to fire the zeal and enlist the devotion of the professors of religion; they sow broadcast the seeds of dissension and strife; they aid in lighting the wild fire of civil servile war; they encourage dissension and fanaticism, and kindling their passions and influence to do all this, they tell us to keep cool, they are only defending the right of petition. Sir, what is it but, under the pretext of defending the right of petition, asking us to permit the abolitionists to seize our property, to burn down our houses, with the promise that if we do, they will aid us to recover the one and to extinguish the other? Gentlemen do not anticipate the evils which we know impending; they will not believe that we know our interests and our danger better than they who are removed from it. Once let loose the wild fire of civil and servile war, they will have no power or ability to aid us; our only safety is in the total exclusion of the danger. If, sir, it were written in the constitution, that the people had the right to petition on this subject, I would still advocate a rejection of their petitions unless those petitions contained the sentiments of a majority of the people of the north. Then I would receive them once, and that once only to advocate a dissolution of the union; for I would regard a dissolution of the union as nothing in comparison with the blood and carnage of a civil servile war. I would reject the petitions, because where the exercise of our power would annihilate and destroy all the other powers of the constitution, it would not be duty to do which I should owe to my country. Sworn to support the constitution, I would do so by rejecting or refusing to receive memorials calculated to bring about a dissolution of the union, and the overthrow of the government. If an institution is the enemy of the preservation and the maintenance of itself a clause of self-destruction, I would neglect to observe that clause, and especially when that clause was speculative, theoretical, and made dangerous when made operative—when the exercise of the right would be the cause of evils which would be the means of overthrowing the government. But I need not rest my objections to the reception of abolition petitions upon this consideration. I would here say a few words to those gentlemen who would insist on each state and territory having the unlimited right of the people to petition, and upon its being the foundation of our national liberty and independence. We have been told that it is a sacred right, not only guaranteed by the constitution, but inhering in the nature of the people as the right and heritage of freemen. Let me tell those gentlemen that they are under a delusion, and have not advanced with the age and times in which they live, if they suppose that the only tenure of our liberty depends upon the right to petition upon all questions, whether salutary or mischievous, consti-

tutional or unlawful. In this enlightened age, no man, whose mind is not feeble and his spirit unpoised, can make himself famous like a Sydney or a Hampden, and be cherished as a benefactor and a martyr, for defending abolition memorials on this floor. In the land of constitutional law, a man may gain notoriety by pressing his advocacy to an extreme; but it will be a notoriety which his calmer reason will condemn, and his posterity will blush to acknowledge. In the feudal days of Europe, and especially of England, when the people were allowed but few rights, and for every wrong they suffered no redress, and no service and fight for their king and their bold barons—when all powers were centered in the hands of a king and a few nobles—the right of petition was a boon, and its champion was a patriot. When, by a slow, creeping, intelligible development the powers of the human intellect were unlocked, and the people brought their will and voices to bear directly on the operations of the government.

[TO BE CONCLUDED IN OUR NEXT.]

THE BANK PARTY.

From the Boston Daily Advertiser.

The partisans of gen. Jackson and Mr. Van Buren have attempted to fix upon their opponents, the whigs, the designation of the bank party. If by this strange and unwarrantable mode of regulating the banks instead of destroying them, and in favor of a judiciously regulated system of banking, in preference to banks without regulations and without capital, it is not misapplied. But if it is intended to fix upon the whigs as a party, have not the whigs been instrumental in promoting the extravagant increase of bank capital, and bank circulation in the country, it is grossly misapplied. They were for the most part in favor of the confinement of the business of the United States, chiefly on the ground that it operated as a check upon the extravagant and the excessive issues of the local banks, and consequently as a check upon the multiplication of banks in places where the actual wants of business did not demand them, and where the legitimate business of the community was not increased. The bank was destroyed by gen. Jackson and his followers, not on the ground of general hostility to banks, but from a spirit of hostility to that individual bank, from a disposition to favor and promote the increase of local banks, and the specific design of establishing the pet bank system. The consequence has been, as was foreseen, the enormous increase of local banks. The pet bank system soon exploded, to the dismay of its authors, but its mischief is not still exist. Thus has been the result is not matter of opinion and conjecture, but of fact. It is the Jackson and Van Buren administration and their supporters who have been the authors of the excessive increase of banks in the country, and who ought therefore to be called the bank party. In proof of this position we refer you to the following elaborate, and as we believe correct statement, which we copy:

From the Newark Daily Advertiser.

The subjoined tables will be found to contain much valuable information. It exhibits in the first column the number of banks and the authorized capital in the states, territories, &c. on the 1st of January, 1829. The second column shows the number of banks and authorized capital on the 1st of January, 1830. The third column shows the gradual and cautious increase of bank capital from 1829 to 1830, and its boundless and visionary expansion during the seven successive years.

The facts here disclosed must be astounding to every man who has not minutely examined the subject. They show that from 1829 to 1830 the increase of banks throughout the country was only 22, and the increase of capital \$7,841,557, while from 1830 to 1837 there were 348 new banks chartered, with \$268,125,800 capital.

The second table, No. II, exhibits the predominant party in the various state legislatures, territories, &c., during the period from 1830 to 1837, when the 348 new banks were created, as referred to in the first table. The legislatures of the territories being subject to the control of the national administration, in the regulation of its policy, the governor of each territory being appointed by the president, &c., and congress being the local legislature of the District of Columbia, they are properly classed with the party in power.

By an enumeration of the legislatures of the various states, it will be found that in 1818 were Jackson and Van Buren, 3 Calhoun, and 40 anti-Jackson or whigs.

It is proper to observe that, although the legislatures of some of the states were anti-Jackson during the period from 1830 to 1837, still it was not unusual that they should have been influenced by the prevailing policy of the general government for creating state banks to supply the revenue occasioned by the veto of the U. States bank, thus aiding the formation of that league of depositors or pet banks which president Jackson proposed to substitute for the United States bank and its branches. These anti-Jackson legislatures, although their doings slightly affected the general result, merely adapted themselves to the policy prescribed by our national rulers, and should be regarded in the same light as the opponents of the administration of Messrs. Monroe and John Q. Adams, neither being accountable when the reins of government and the moulding of measures were out in the hands of their political friends. It is worthy of especial remark that in New Jersey, from 1830 to 1837, the whigs were in power but one year, viz: the legislature which was elected in 1832, and held its principal session in January and February, 1833. No bank was chartered by the whig legislature: the whole number of banks being 8, and the increased capital amounting to \$5,458,000, were authorised by Jackson and Van Buren legislatures.

The third table, No. III., is a condensation of the statistics furnished by the first two, exhibiting in addition the precise number of banks chartered and capital authorised by each of the political parties through the legislature, in which they respectively had the ascendancy.

It thus appears that by the Jackson and Van Buren party 224 banks were chartered, with an authorised capital of \$205,650,615, while their opponents created 121 banks, with a capital of only \$62,478,285, or less than one-third. The banks of the latter being institutions of moderate capital, designed for local convenience where the veto of the U. S. bank had deprived the people of the facilities for their commercial operations which they had previously enjoyed.

In consequence of this inordinate increase of banking capital, together with the strong injunctions of the president and his secretary of the treasury to the banks to be liberal in their discounts, the ratio of their paper circulation to their specie, which had previously been about 3 to 1, was so enlarged as to be in the proportion of more than 6 to 1, until finally their issues became too great for redemption.

Speculation, by reason of the increased facilities for borrowing money, and the unnatural and delusive value given to property by an inflated paper circulation, the suspension of the banks, and the derangement of the currency, with the destruction of the credit system, have been the inevitable consequences of the experiments of the present and late administration. Having originated the modern banking system, with all its disastrous influence, they now, with a ruthless and destructive spirit, (unnatural, because directed against their offspring,) endeavor to determine the whole basis upon which sound banks and credit are founded, by abstracting, through the operations of the sub-treasury scheme, all the specie from the institutions of the people, and pilage it of the vaults of the national treasury, thereby depriving hard money for the government and officeholders, and irredeemable paper or rags for the people.

The whigs, on the contrary, although strongly condemning the departure from the good old-fashioned system of finance which existed prior to the present administration, and especially deprecating the vast multiplication of banks and bank capital, still in the course of the party in power, nevertheless regard the banks as institutions authorized by law. And, as many innocent and unprotected individuals have made investments in them, and as they have become incorporated to a considerable extent with the business and interests of the people, it becomes their duty, as it will be their pleasure, to restore the currency, and to regulate the banking system, as they were in those good old times when rulers of their race were in power—influencing a mild and paternal spirit in their measures, and adopting that pious conservative sentiment, "preserve and regulate, but not destroy."

No. I.—Exhibiting the increase of banks and capital, from 1820 to 1830, and from 1830 to 1837.

States and territories.	No. of banks.	Capital authorised.	No. of banks.	Capital authorised.	No. of banks.	Capital authorised.
January 1st, 1820.	January 1st, 1830.	January 1st, 1837.	January 1st, 1820.	January 1st, 1830.	January 1st, 1837.	January 1st, 1837.
Maine, . . .	13	\$1,634,900	18	\$2,050,000	39	\$5,583,000
New Hampshire, . . .	10	1,005,276	18	1,791,470	23	14,451,960
Vermont, . . .	1	41,955	10	432,620	30	2,300,000
Massachusetts, . . .	29	10,584,700	60	20,420,000	133	40,830,000
Rhode Island, . . .	30	2,912,026	47	6,118,397	64	9,100,581
Connecticut, . . .	8	3,689,537	13	4,456,177	31	8,919,308
New York, . . .	85	19,985,774	37	30,238,400	73	83,338,400
Pennsylvania, . . .	30	11,489,790	33	14,610,333	59	59,658,492
New Jersey, . . .	14	1,130,949	19	2,017,009	26	7,575,000
Delaware, . . .	6	974,900	5	830,000	4	1,197,175
Maryland, . . .	11	6,703,131	13	6,250,493	29	29,175,000
District of Columbia, . . .	13	5,925,319	9	3,875,794	7	5,864,000
Virginia, . . .	1	212,192	2	432,100	4	7,712,000
North Carolina, . . .	3	2,961,887	3	3,195,000	3	2,600,000
South Carolina, . . .	5	4,475,000	5	4,631,000	10	10,358,319
Georgia, . . .	4	3,401,510	9	4,205,020	14	8,209,967
Florida, . . .	—	—	1	75,000	9	9,800,000
Alabama, . . .	3	432,112	2	343,503	9	14,451,960
Louisiana, . . .	4	2,697,420	4	5,665,900	15	54,000,000
Mississippi, . . .	1	900,000	1	950,000	11	21,400,000
Tennessee, . . .	8	2,119,780	1	737,517	3	5,600,000
Kentucky, . . .	42	8,907,431	—	—	4	9,264,840
Illinois, . . .	2	140,810	—	—	2	2,000,000
Indiana, . . .	—	362,857	—	—	1	1,980,000
Arkansas, . . .	—	—	—	—	2	3,500,000
Ohio, . . .	20	2,597,469	11	1,454,386	32	12,900,000
Michigan, . . .	—	—	1	100,000	17	7,500,000
	307	102,210,611	329	110,192,368	677	378,321,188

Increase of banks from 1820 to 1830, 22; Increase of capital, \$7,951,457.
Increase of banks from 1830 to 1837, 348; Increase of capital, \$265,128,900.

No. II.—A statement showing the ascendancy of party from 1830 to 1836, in the several state legislatures, territories, &c.

STATES.	1830.	1831.	1832.	1833.	1834.	1835.
Maine, . . .	Jackson	Jackson	Jackson	Jackson	Jackson	Jackson
New Hampshire, . . .	do.	do.	do.	do.	do.	do.
Vermont, . . .	Anti-J.	Anti-J.	Anti-J.	Anti-J.	Anti-J.	Anti-J.
Massachusetts, . . .	do.	do.	do.	do.	do.	do.
Rhode Island, . . .	Jackson	do.	do.	do.	do.	Jackson.
Connecticut, . . .	Anti-J.	Jackson	Jackson	do.	do.	do.
New York, . . .	Jackson	do.	do.	Jackson	Jackson	do.
Pennsylvania, . . .	do.	do.	do.	do.	do.	do.
New Jersey, . . .	do.	do.	do.	Anti-J.	do.	do.
Delaware, . . .	Anti-J.	Anti-J.	Anti-J.	do.	do.	do.
Maryland, . . .	Jackson	do.	do.	do.	do.	Anti-J.
District of Columbia, . . .	do.	Jackson	Jackson	do.	do.	Jackson.
Virginia, . . .	do.	do.	do.	do.	do.	do.
North Carolina, . . .	do.	do.	do.	do.	do.	do.
South Carolina, . . .	do.	do.	Calhoun	Calhoun	Calhoun	Calhoun.
Georgia, . . .	do.	do.	Calhoun	Jackson	Jackson	Jackson.
Florida, . . .	do.	do.	do.	do.	do.	do.
Alabama, . . .	do.	do.	do.	do.	do.	do.
Louisiana, . . .	do.	do.	do.	do.	do.	do.
Mississippi, . . .	do.	do.	do.	do.	do.	do.
Tennessee, . . .	do.	do.	do.	do.	do.	do.
Kentucky, . . .	do.	Anti-J.	Anti-J.	Anti-J.	Anti-J.	Anti-J.
Illinois, . . .	do.	do.	Jackson	Jackson	Jackson	do.
Indiana, . . .	do.	Anti-J.	Anti-J.	do.	Anti-J.	Anti-J.
Ohio, . . .	do.	Jackson	do.	do.	Jackson.	do.
Michigan, . . .	do.	do.	Jackson	do.	do.	Jackson.

Of the above legislatures 118 were Jackson and Van Buren.

40 Calhoun.

40 anti-Jackson or whig.

Total, 162

No. III.—Of the 348 banks chartered from January 1, 1830, to January 1, 1837, the following number, with capital annexed, were chartered by the party now in power.

States and territories.	No. of banks.	Capital authorised.	No. of banks.	Capital authorised.
Maine, . . .	3	\$3,480,000	—	—
New Hampshire, . . .	3	871,688	—	—
Rhode Island, . . .	—	1,500,000	9	\$2,482,184
Connecticut, . . .	—	1,100,495	9	—
New York, . . .	61	17,220,107	—	—
Pennsylvania, . . .	17	44,048,140	—	—
New Jersey, . . .	8	5,458,000	—	18,339,605
Maryland, . . .	3	4,884,900	12	—
Virginia—capital increased, . . .	—	1,140,000	—	—
Georgia, . . .	8	4,908,838	—	—
Florida, . . .	—	9,725,000	—	—
Louisiana, . . .	11	47,234,000	—	—
Mississippi, . . .	10	20,450,000	—	—
Alabama, . . .	1	13,815,466	—	—
Tennessee, . . .	2	4,968,000	—	—
Illinois, . . .	16	7,400,000	—	—
Michigan, . . .	12	6,243,614	—	5,200,000
Ohio, . . .	16	2,300,000	—	—
Arkansas, . . .	2	3,500,000	—	—
South Carolina, . . .	5	4,832,408	—	—
Vermont, . . .	—	—	9	1,767,375
Massachusetts, . . .	—	—	71	20,410,000
Kentucky, . . .	—	—	4	9,261,610
Indiana, . . .	—	—	1	1,980,000
	224	\$205,650,615	124	\$62,478,285

RECAPITULATION.			
Number of banks increased by administration legislatures	224		
Capital increased by ditto		\$205,650,615	
Number of banks increased by whig legislatures	124		
Capital increased by ditto		62,478,285	
Total increase	348	\$268,128,900	

JOHN QUINCY ADAMS AND GEN. JACKSON. The hon. John Quincy Adams has recently been unanimously nominated for re-election to congress by the whigs of his district. In his reply to the letter asking his acceptance, he says:

"From the first organization of the government of the U. States under their present constitution, until very recently, a sense of decorum universally prevailing, has forbidden a president of the United States from active or even indirect canvassing of votes for himself, and has alike interdicted the exercise of influence by any preceding president, upon the election of his successor. I have not felt myself at liberty to depart from this rule, and therefore have abstained from attending at any of the public meetings held within the last twelve months, with reference to the approaching presidential election. I have deemed it may duty to leave the people of this union to make up their own minds, upon whom they will confer the honor, and impose the burden of chief magistracy—and in pursuance of the same obligation, I have refrained from addressing my constituents, even by letter, as I had occasionally done before; but which could not have failed at this time to be attributed to the desire of influencing the election of the president, or even to a motive still more selfish and sordid. It is a source of satisfaction to me to perceive that the people in all parts of the union have made up their mind, without needing exhortation or solicitations from me. I am, with great respect, gentlemen, your friend and fellow citizen, JOHN QUINCY ADAMS."

BRITISH COLONIAL DOMINIONS, 1860.

CINCINNATI. The official returns of the census, giving a population of 45,392 to Cincinnati—44,127 white

ESCAPE. General Harrison arrived in the city this morning from North Bend in excellent health. A fatal accident occurred to him yesterday, which shows that *he is not quite so decrepit as his enemies represent him*. He was riding over a part of his farm, through what the tunnel of the Waterway canal passes, in a place where the ground is very soft, and well covered with grass as any other part of the field; and when the horse sinking, and thought he was about to fall, the general sprang from him, alighted upon the firm ground, and the horse fell from 15 to 20 feet into the kind of sink hole, caused by the tunneling beneath. The general escaped without the slightest injury.

THE IRON TRADE. A correspondent of an English paper says—"Sir John Guest is paying £21,000 per month in wages, and he is the only iron master in this country that has erected a public school." The persons employed at the Dowlais works are between 4,000 and 5,000, so that the wages will average about 2s. per week for each person."

METHODISTS IN MICHIGAN. The number of members of the Methodist church in Michigan is 11,463, viz: 11,267 white members, 12 colored, and 87 Indians. The number of ministers 73, and local preachers 116.

A MONTAN made after the model of that which was employed at the siege of Antwerp, and which is destined for the museum of artillery at Brussels, left Antwerp for that city on the 13th ult. It weighs 20,240 lbs. Five shells, weighing 5,000 lbs. were sent with it.

NEWSPAPERS. Seven daily papers are now published at St. Louis, Missouri.

RAIL. ROADS. The Great Western railway has run 29,200,000 miles, and carried 1,500,000 passengers with

The Empress, with her cargo, principally salt, was valued at \$23,000; and capt. Bacon, her commander, never left her till she was cast loose by the ferry boat, and was actually sinking. The Monarch was valued at \$10,000, upon which there was insurance to the amount of \$25,000. {N. O. Picayune, of the 30th.

STEAMER. The steam packet Acadia, capt. Miller, arrived in Halifax from Boston, on the 31 inst., in a passage of forty-two hours—and sailed on the same day for Liverpool with fifteen additional passengers.

STOCKS. U. S. bank in New York and Philadelphia 65½.

SUGAR CROP. The New Orleans Crescent says the sugar crop in Louisiana will be very large this year.

TEMPERANCE. The day before the election in Ohio, the ministers of the different churches took occasion to enjoin on their several congregations to abstain from all manner of violence. Nearly all the places where liquor was sold were closed on the day of election, and to these efforts are attributed the order observed at the polls.

WEATHER. There was a fall of snow in Frankfort, Kentucky, on the 27th ultimo, which continued several hours. This is rather early for the introduction of winter in that quarter. On the 25th snow fell at Erie, Pennsylvania, to the depth of 6 or 8 inches. It was followed on the 26th and 27th by a pretty stiff freeze; and on the 28th by south wind and rain which soon stripped the earth of its white mantle.

WOOD AND STONE PAVEMENTS. It is found that Oxford street, London, can be paved with Kyanite wood for \$21,200; and with smooth granite for \$134,400. The street contains a surface of 39,000 square yards.

be kept in good repair at an annual expense of 60 cents per square yard; if Macadamized, it will require an annual expense of 81.48 cents per square yard.

NILES' NATIONAL REGISTER.

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REMITTANCES BY MAIL. "A postmaster may enclose money in a letter to the publisher of a newspaper, to pay the subscription of a third person, and frank the letter, if written by himself."—*Amos Kendall.*

Some of our subscribers may not be aware that they may save the postage on subscription money, by requesting the postmaster where they reside to frank their letters containing such money, he being able to satisfy himself before a letter is sealed, that it contains nothing but what refers to the subscription. [Am. Farmer.]

NATIONAL AFFAIRS.				
PRESIDENTIAL ELECTION.				
RESULTS—so far as ascertained.				
STATER.	Electoral vote.	Harris.	Van Buren.	Aggregate vote.
MAINE.	10	0	0	0
New Hampshire.	0	7	25,483	31,919
Vermont.	7	0	0	0
Massachusetts.	11	0	0	0
Rhode Island.	4	0	5,157	3,181
Connecticut.	8	0	31,212	24,388
New York.	42	0	0	0
New Jersey.	8	0	0	0
Pennsylvania.	30	0	144,018	143,675
Delaware.	3	0	0	0
Maryland.	10	0	33,529	28,754
Virginia.	0	23	0	0
North Carolina.	15	0	0	0
Georgia.	11	0	0	0
Mississippi.	10	0	0	0
Louisiana.	5	0	0	0
Tennessee.	15	0	0	0
Kentucky.	15	0	0	0
Indiana.	21	0	148,141	124,780
Illinois.	9	0	0	0
Missouri.	0	4	0	0
Nichigan.	3	0	0	0
	284	34		

Necessary to a choice 143.

MAINE. Nine of the remote towns remain yet to be voted on, which in Sept. last, gave altogether only 293 votes, and they were nearly equally divided. The vote so far stands:

For Harrison,	45,664
For Van Buren,	44,915

Majority, 749

The Augusta Age gives returns from nearly all the state, which are for Van Buren 45,234, Harrison 45,835; and the towns to hear from gave Fairfield 185, Kent 118. The Bay State Democrat thinks scattering will probably prevent a choice, and the present Legislature, which is strongly Van Buren, Vol. IX.—Sta. 12.

will be assembled, and choose the Van Buren electors.

VERMONT. The returns so far promise a majority of nearly 15,000 votes for the Harrison ticket.

VIRGINIA. The Richmond Whig states that official returns have been received at the state department from one hundred counties and four towns, which give for Mr. Van Buren 38,209 votes, and for general Harrison 38,587; making a Van Buren majority in these counties of 1,622.

In nineteen counties, from which official returns have not yet been received, the reported majority for Harrison is 217.

Nearly 80,000 votes have been polled—the largest vote, by 30,000, ever taken since the formation of the government. Compared with the poll of 1836, there is an increase in the whig vote, by change and return from coming of age, of about 16,000, whilst the Van Buren vote is increased about 10,000.

NORTH CAROLINA. Returns from sixteen counties give the Harrison ticket a majority of 1,621, and an increase of 800 votes over the aggregate whig majority in the same counties at the August election.

MISSISSIPPI. Reports from thirty-one counties exhibit a whig gain of 2,300 votes over the election of 1839, when governor McNitt had a majority of 3,114; nearly the whole of which majority was received in the twenty-five counties yet to be heard from.

LOUISIANA. The returns, official and unofficial, from all the parishes in this state except Natchitoches, Washita, Claiborne, Union and Caddo, show a Harrison majority of 2,750—being a whig gain since the July election of 1,750. The parishes to be heard from, it is supposed, will reduce this majority from 50 to 100 votes.

TENNESSEE. The Harrison majority in 53 counties this amounts to 14,579 votes.

OHIO. The official returns from all the counties of this state give general Harrison a majority of 23,961 votes. The aggregate vote of the state was 273,824, which were thus thrown (discarding 903, given for Mr. Birney, the abolition candidate):

For gen. Harrison,	148,141
For Mr. Van Buren,	124,789

ILLINOIS. We have returns from all the counties of this state save ten; but they leave the final issue still in doubt.

MISSOURI. From the returns received, there is no doubt that this state has given an increased majority for Van Buren.

MICHIGAN. The New York Courier has received from a correspondent, returns of the presidential election from all the counties of the state, exhibiting a Harrison majority of 2,704 votes.

THE NEXT CONGRESS.

The Senate is at present constituted as follows: there being five vacancies. The year mentioned at the top shows the date when their respective terms of service expire. Those in italics are Van Buren men.

States.	1841.	1843.	1845.
Maine,	Bugbee,	Williams,	
N. Hampshire,	Hubbard,	Pierce,	
Vermont,	Prentiss,	Phelps,	
Massachusetts,	Davis,	W. Water,	
Rhode Island,	Knight,	Dixon,	
Connecticut,	Smith,	Tallmadge,	
New York,	Wright,	Southard,	
New Jersey,	Wall,	Buchanan,	Sturgeon,
Pennsylvania,	Clayton,	[vacancy],	[vacancy],
Delaware,		[vacancy],	[vacancy],
Maryland,	Rome,	[vacancy],	[vacancy],
Virginia,	[vacancy],	[vacancy],	[vacancy],
N. Carolina,	Calhoun,	Preston,	
S. Carolina,	Lumpkin,	Cuthbert,	
Georgia,	Crittenden,	Clay,	
Kentucky,	Anderson,	Allen,	
Tennessee,	Ohio,	Nicholas,	Moulton,
Louisiana,	Michigan,	Norvell,	Porter,
Arkansas,	Kansas,	Fulton,	Reier,
Missouri,	Alabama,	King,	Clay,
Illinois,	Robinson,	Yung,	
Mississippi,	Walker,	Henderson,	
Indiana,	Smith,	White,	

The senators named in the first column, retire prior to, or simultaneously with, the induction of gen. Harrison into office, by the expiration of their term. Of these seventeen senators, all are Van Buren men except five, whose names are printed in Roman. Of the thirty who hold over, and who will regularly continue in office during the whole or a part of gen. Harrison's administration, 14 are whigs, (their names are printed in Roman), and 16 Van Buren men. One whig senator, Mr. James F. Simmons, of Rhode Island, has been elected within a few days past, for six years from the 4th of March next; leaving 21 to be elected between now and the date just mentioned, either for a full term, or to fill vacancies. Of these it may be expected that at least 11 will be whigs: viz: one from Maine, one from Massachusetts, one from New Jersey, two from Delaware, two from Virginia, two from North Carolina, one from Georgia, one from Kentucky, one from Louisiana, one from Maryland, and one from Michigan. There is a chance also for a whig from Tennessee, instead of Mr. Anderson. But counting only those to be elected by legislatures known to be whig, and leaving the rest for the administration, the account would stand thus:

	Whig.	Van Buren.
Hold over	14	16
R. Island senator elected	1	7
To be elected	29	23

Total 52. Such will probably be the composition of the new senate; giving the whigs a majority of six.

House of representatives. The Journal gives the names of the members thus far elected to the 27th congress, adding the following recapitulation:

	W.	V. B.	Whig	V. B.	Vacancies.*
	gains.	loses.			
Louisiana,	2	1	—	—	—
Missouri,	—	2	—	—	—
Vermont,	5	2	—	—	—
Maine,	2	2	—	—	2
Georgia,	3	9	—	—	—
Pennsylvania,	13	14	3	1	1
Ohio,	12	7	4	—	—
New York,	19	21	6	7	—
New Jersey,	6	6	—	—	—
S. Carolina,	1	8	—	—	—
Delaware,	1	—	—	—	—
Michigan,	1	—	—	—	—
Massachusetts,	10	—	—	—	1
Arkansas,	—	1	—	—	—
	83	57	26	9	4

Showing a net whig gain, compared with the present congress, of 17 members, which makes a difference of 34 in the relative strength of parties. One hundred and two members are yet to be chosen. Total 242.

The present house of representatives comprises 118 whigs and 124 Van Buren men. The states above mentioned have elected 83 whigs and 57 Van Buren men to the next congress; and if the remaining states send men of the same politics as before, the house will comprise 135 whigs and 107 Van Buren men; leaving the whigs a majority of 28 in the house, and 14 on joint ballot. The chance is that they will have a larger majority than this, rather than a smaller. [Jour. of Com.]

CHIEF CLERK OF THE HOUSE OF REPRESENTATIVES. The Newport Argus says: "Our late esteemed townsman, and former editor of this paper, Benjamin B. French, esq. has been appointed by Mr. Garland, principal clerk, chief clerk of the house of representatives of the United States, in place of Samuel Burche, esq. removed."

NEW COIN. The United States mint is engaged in coining a new dollar of a smaller diameter, and consequently more convenient, than the Spanish coin, and is altogether better executed. Three

"We have put these down as vacancies for the present, because we have no certain information of the election. It however appears probable that Joshua A. Lowell, V. R. is re-elected in the 7th district, and a B. man will of course be elected in the 5th; the failure to elect at the first trial having resulted from the fact, that there were two Van Buren candidates."

years ago a new die was got up, the coins from which looked so bad that it was broken up.

LAKE HARBORS. The people boarding upon the great lakes, particularly that of Michigan, are preparing for vigorous and immediate action on the subject of harbors. Petitions will be circulated throughout the length and breadth of the territories, strongly urging the matter upon congress, and the necessity of making ample appropriations for their construction. Navigation upon lake Michigan is now nearly over for the season. Shipping merchants have suffered so much in the loss of property and the privations they have so severely felt by our season, that few are prepared to encounter them after October.

[Amr. Sentinel.]

In urging this matter a late number of the Southport (W. T.) Telegraph, says:

One obvious reason why vessels are so little inclined to hazard the navigation of lake Michigan at this season of the year, is the total destitution of harbors, or any place of safety in the event of storms. Between the Manitow islands and Chicago, a distance of 250 miles not a single port or shelter of any kind presents itself, where a steamboat or a vessel can find protection from the violence of the wind and waves.

IMPORTATION OF SILK. We copy the following official report of the importation of silk into the United States during the year 1839-40, from the Journal of the American society:

The importation of silk during the year ending 30th September, 1839, amounted to nearly twenty-three millions of dollars, as will be seen by the following items copied from the report of the secretary of the treasury of the commerce and navigation of the United States for that year, which have been positively sent us by the secretary of the treasury. There is no error in the statement published in the newspapers of upwards of two millions, as compared with the official report; the newspaper report making the amount of silk imported from other places than India and China, \$21,256,695; and the official report making the same item \$18,655,295.

Silks from India and China, piece goods,	\$1,738,509
Do. do. do. sewings,	\$6,500
Do. sewings from other places than India,	\$18,284
Do. raw silk,	\$9,328
Do. from other places than India, &c. lace veils, shawls, shawl,	\$45,490
Do. other manufactures from other places than India, &c.	\$18,655,295
Manufactures of silk and worsted,	\$2,319,884
allowing one-half the value thereof to be silk,	1,159,942
	\$22,938,028

Compared with other articles imported, that of silk is one-fourth more than the amount of any other.—The amount of manufactures of cotton imported, was \$14,082,267; of iron, \$12,051,686; of cloth and casimere, \$7,078,906; worsted stuffs, \$7,025,598; other manufactures of wool, \$3,567,161; one-half the value of silks and worsted stuffs, \$1,169,942; total woolen goods, \$18,981,090. The importation of sugar amounted to \$9,924,632; linen, \$6,721,275. So that the importations of silk nearly equal that of woolen and linen together, and is equal to half of the other fabrics combined. Need we say a word as to the importance of having the immense expenditures to the nation, now that it is established beyond all question that we are more capable of producing the article of silk ourselves than any other country.

TRADE WITH FRANCE. The Baltimore American says: The packet ships for Havre for some time past have been taking quantities of specie from this country to pay our debt to France. The Ville de Lyon, which sailed from New York on Monday, took out \$100,000 in coin. The New York Express intimates that three millions of dollars have gone in this way during some few months past.

If it is asked why this amount of specie is thus paid from the country, the answer will be—in pay for the French silks, wines and other luxuries consumed by us. The cost of the silks imported into the United States during the year ending 30th September, 1839, was nearly twenty-three millions of dollars! Most of these came from France.

There are two considerations which present themselves to the mind in view of our commercial intercourse with France. One is the unequal position which the two countries relatively occupy, indicating a total want of reciprocity. French commodities are admitted into our ports almost without duties. Under this system the exports from France to this country have increased with

astonishing rapidity. To this excessive liberality on our part there is no corresponding liberality on the part of France. The reverse is the case. While the United States go to one extreme, France goes to the other. We admit her commodities on the most favorable terms; she imposes upon ours the most onerous restrictions. Her duties on American tobacco range from five hundred to eight hundred per cent. and in some cases to this, no competition of buyers is allowed. The government holds the monopoly and is the exclusive purchaser.

Our ministers have remonstrated against this system year after year—and always in vain. Why? Because they have been profited from, and have the only argument that can be available. It is useless to talk of reciprocity—to complain of injustice—to wish the royal monopoly to be profitable and the market in this country continues open to French goods. The French government holds a rich revenue flowing into its treasury from their tobacco duties, and they witness a growing demand for French goods in the United States—why should a change be desirable to France?

Last January in the senate of the United States, Mr. Clay declared his conviction that a duty of 20 per cent. ought to be laid upon French silks. Mr. Buchanan intimated the same thing. When the intelligence of these suggestions,—for they never assumed any bolder form, not being brought before a resolution or referred to a committee,—when the news of these casual intimations reached France, a greater sensation was produced than had been caused by any of the remonstrances of our ministers there. The subject was brought forward by Mr. de Rives. There was no little fluttering among the journals of Paris, and some of them had the candor to declare that such a step on the part of the United States ought to be nothing more than a proper return for the restrictions so long pursued by France. It was not the fault of Gen. Cass that the impression thus created was not followed up and made permanent by the conclusion of some agreement on the subject something like reciprocity. The policy of the administration here at home was opposed to any action on the subject by our government; the hands of our minister were tied. He might talk, but he could not feel warranted to act.

Then, then, stand our relations with France. We receive her silks and wines almost without duty, and when in return we seek admittance for our tobacco she refuses it except under heavy restrictions. The consequence is that specie must go from the United States to pay our French debt.

But are French silks and wines articles of necessity which we cannot do without? This leads us to the second consideration involved in the subject; and in view of it we may see another reason why a change of the subject would be desirable. In buying duties upon these commodities of French production—these articles of luxury; the burden of the duties on them would fall not on the poor but on the wealthy, or on those who might choose, through vanity or love of indulgence, to make use of them. It is important that the wines and silks of France should be made to bear a duty for the two-fold purpose, first, of counteracting a restrictive foreign policy, and secondly because they constitute legitimate subjects for revenue, there is another reason perhaps more weighty than either, going to confirm the same thing. We can raise both in our own country. In restricting the importation of these articles from abroad we shall give encouragement to the production of them here, and in so doing the agricultural interest will be fostered. The experiments which have been made in the culture of silk in various parts of the United States show conclusively that the article can be produced here, of good quality, and in such abundance as will supply the country may call for. To this sort of self-dependence the policy of foreign nations is driving us.—It will perhaps be seen that our real interests point the same way.

BRITISH AND RUSSIAN QUARANTINE REGULATIONS. The following information of a change in the Russian quarantine regulations has been officially communicated by the Russian minister to the department of state.

British vessels, coming from the ports of Great Britain, laden with American cotton, will be admitted into the Russian ports on the Baltic, without having their cargoes purified in the Danish quarantine establishments upon production by their captains of certificates granted by British authorities or by Russian or Danish consuls, proving that the cotton with which they are laden comes really and directly from Great Britain, and has been shipped from a port of Great Britain.

The same disposition has been also extended to all vessels whatsoever arriving laden with American cotton, taken in at any European port, (except

those on the Mediterranean), or in any port of the United States, of the healthy condition of which satisfactory assurance can be given.

NORTHEASTERN BOUNDARY. Extract of a letter from one of Capt. Talcott's assistants, to a gentleman in this city, dated

Kennebec River, Oct. 24, 1840.
I arrived here on Monday with two assistants and six packmen, having with the exception of a few days on Spider Lake, been separated from Capt. Talcott since the 23d of September last. The duty assigned us, was to trace the Ridge road from the head of Arnold's river to Spider Lake, and thence on to the Kennebec road (or road from Augusta to Quebec) where it crosses the boundary line. From the head of the Connecticut to the point of our first separation is sixty miles, there being a distance of thirty miles, and thence to the place forty miles, all of which my long legs have measured and the Schueller compass counted.—The route was throughout irregular and circuitous. We took a pilot at Canaan, but he proved of no service; it only requires an active man to climb over occasionally, and you can explore every section of the country.

Our life has been one of excitement; sometimes wet, at others burnt; now on snow and occasionally on ice. After a long and fatiguing march we came down to a skeleton. Every thing, however, has gone off successfully. Capt. Talcott will have accomplished a vast deal of work for the time we have been engaged upon the survey. To this point (the Kennebec road) and twenty miles beyond, the land as you are aware, is not in dispute, and I should hardly suppose it could be, as for miles and miles the Ridge is composed of high and distinct granite cliffs, as if nature had intended them to be dividing walls between two countries.

Often have I wished you were with us, to enjoy the fine moon hunting, or trotting, or even liking the pheasants that during the day would back make room for us to pass. On Spider Lake we became acquainted with a hunter, who killed a bull moose for us, much larger than a horse; his antlers or "armed chair" alone, were five feet spread. The trout have weighed from six to six pounds. One of the most delicious dishes I ever tasted was a soup made of the antlers and liver of the moose, I have a small sextant, by which I get the latitude from the meridian all of the sun and stars at an approach before 10 o'clock at night, as after a hard day's work I do not feel able to keep my eyes open long.

P. S. October 25, a violent snow storm, fifteen inches deep. October 26, Captain Talcott joined me. Another snow storm; dangerous to continue operations in the mountains. After 27th, we made preparations to return to Portland. October 29, a sleighing since the night of the 27th, we have all fifteen in number, arrived at Anson, where I and this letter to you on our return home.

THE ARMY.

Interesting from Florida. Letter addressed to the editor of the Army and Navy Chronicle, dated

Tampa, November 3, 1840.
I have pleasure in announcing the arrival last night of the western detachment of Seminole Indians under the charge of Capt. John Page, of the United States army. It consists of the two principal chiefs, Holsa toochee and Nolose Ootola, twelve other Indians, and two Indians of the tribe of the Creek, and a few fine spirits and sanguine of success in their mediatorial mission. They are happy and contented in their western home; their own beds have been highly productive; their quiet undisturbed, and they carry the appearance of fine health and cheerful spirits. Their arguments and persuasions must have weight with our Indians, with many of whom they are connected by ties of consanguinity, and to all of whom they are known. They have fought many a battle by means of them in the same cause, and have now come to show us how contented they can be with a happy exchange from the privations, harassments and sufferings of a war from which they can have no other hope of relief, but a fertile country which, they say, produces them more corn in one year than they can consume in two, and the quiet, the comforts, and all the blessings of a lasting peace.

The parting of the detachment from their people, their kindred and friends, was an interesting scene as an affecting scene. Holsa toochee and the other chief made parting addresses, in which they gave them confident assurances of being soon reunited with their Florida friends, and promised their most strenuous exertions to secure them a peace honorable to all. The chief, (Attigator), formerly one of the most uncompromising as well as brave and successful among the emigrated Seminole warriors,

then took the stand in behalf of the people, (with whom he remains), and in an animated strain conjured the members of the deputation to neglect no effort with their suffering brethren—bade them say that their friends, relatives and all their people send their eager and earnest wishes, and implored them by all the motives which could influence them as brethren of one family, by the advantages of strength, efficiency and respectability which would result from their reunion, to listen to wise councils and earnest sincere entreaties.

Captain Page represented the scene to have been deeply affecting. There was no acting there. A feeling of deep and pervading interest, strongly and unequivocally manifested, gave the fullest evidence of the sincerity of professions, urged with all the zeal and fervor of native eloquence.

The party has been one month and two days on their way, and reached here in the ship Harbinger from New Orleans; the harbinger, we hope, of better days for our afflicted territory.

Gen. Armstrong, captain Page and the deputation make this morning for Fort King, (100 miles), where Tiger-tail and other hostile chiefs are to meet in council.

Savannah, Nov. 14. "The steamer Gen. Clinch, capt. Smith, arrived yesterday from Florida. We are indebted to our attentive correspondent for the following letter, dated:

Fort King, (E. F.) Nov. 7. We arrived here yesterday, and found that general Armstrong had not arrived. One Indian had been in, stating that the situation was worse in every river, creek and bayou in Arkansas, and that deer and turkeys, ready cooked, follow in their trails, crying eat me, eat me. Gen. A. knows the war is over.

I shall not leave here for several days, and will write to you again before 1 p.m.
P. S. Some of the Indians are in, and meet their western brethren with manifest joy.

THE NAVY

The North Carolina line of battle ship weighed anchor from the North River on the 10th inst.—and moored in the navy yard for the winter.

The sloop of war Boston, now about sailing from New York for the East Indies, under the command of commodore E. Collins, is a very fine ship of war of her class, and has lately been much improved by extensive repairs, which give her better accommodations, and enables her to stow in her hold a much larger quantity of provisions and water than formerly. Her armament is 20 forty-two pound carronades, and 2 chambered twenty-four pounders—the will thus throw 444 lbs. of shot at a broadside, and will do great execution at close quarters, as each of the 24 pounders will make a hole in the side of an enemy's vessel of at least seven inches in diameter. Her complement of men is short of 200. With all her provisions, stores and munitions on board, her draught of water is only 15½ feet aft, by 15 feet forward.

The sloop of war Boston, is of a fine model with one exception. She labors under the imperfection which has attended all the sloops of war, we believe, which have been built agreeably to the directions of Mr. Humphreys, the chief naval constructor—that is, she is too full aft—and when in trim for sailing, appears to be down by the head. A deck rake is an important requisite in a ship where deck stow is desirable, but does not seem to be considered such by the chief constructor. By not attending to this point, many fine ships belonging to the government, have been spoiled for a sloop of war which is not a fast sailer, is of little value to any country.

(Boston Journal.)

The war steamer at Brooklyn. Responsive to our request, an attentive friend at the Brooklyn navy yard, has furnished us with some very acceptable information in relation to the war steamer now in progress at that establishment, and which will shortly be launched into her destined element. Her length from figure head to tailfin is 243 feet.

" On upper or main deck, 223
Between the perpendiculars, 223
" Of keel at the bottom, 207
Breadth of beam over the water, 40
" outside of the wheel house, 66½
Depth from main or upper deck, 23½
Measurement as a double decker, 1,700 tons.
Measurement as a single decker, 1,375 tons.
Measurement by the same scale, as the tonnage of the President is estimated, 1,275 tons.
Diameter of the masts, 60 inches.
Length of the masts, 100 feet.

The engines are about 600 horse power, and space is provided in iron bunkers, to carry 800 tons of anthracite coal, which it is intended to consume.
Inclination of the engines, 25 degrees.
Diameter of paddle wheels, 28½ feet.
Immersion of wheels, 6 feet.
Length of the paddle, 10 feet.

There are four iron plate bulkheads, to divide the ship, so as to ensure greater safety in case of springing of a leak so that although one apartment may be filled with water, the others remain free.
This steamer is the same by shape, form and finish as that in Philadelphia, with the exception of the engines, which are purely and essentially American, being on the inclined principle, and as far as they are finished, they promise to be the *ne plus ultra* engines.

This plan for the engines has been selected with a view to testing their applicability to naval purposes, and should it succeed as well as there is now every reason to believe, the same principle will be adopted to future war steamers.

Of the beauty of the model and the admirable finish of the internal arrangements, I will not now speak, for, as she will soon be launched, those decisions of beholding one of the most perfect specimens of naval architecture, will doubtless visit her and judge for themselves.

It has not yet been determined what is to be the nature of her armament, but it will no doubt comprise, among other guns, at least two of the celebrated Paixham guns, for throwing hollow shot. The decks are laid, and her hull is nearly completed, and covered to the light water mark, so that if nothing unusual occurs, she will be launched in about four weeks.

Very many nautical and scientific gentlemen have already visited her, and unfatigued as she is, she has been pronounced by all to be as fine a model as ever was conceived; and from the solidity and faithfulness with which she is constructed, she bids fair to stand a pretty considerable battering.

It would be hardly fair to close this brief notice of this beautiful vessel, without paying to Samuel Hart, esq. naval contractor of the navy yard, who superintends the whole building, a tribute to those scientific attainments so eminently possessed by him, which have suggested and consummated some of the most important and valuable alterations and additions to the plan as originally conceived.

[U. S. Gazette.]

STATES OF THE UNION.

MAINE.

The vote for congressmen in the Hancock and Washington districts, has been exceedingly close, but it is supposed that there was no choice, and that a third trial must be had.

MASSACHUSETTS.

The Atlas gives the following table of the majorities in this state as nearly exact. The official will not vary it materially.

	Harrison.	Van Buren.
Plymouth	1,007	0
Nantucket	351	0
Berkshire	146	0
Dukes	53	0
Hampden	126	0
Hampshire	2,275	0
Franklin	1,300	0
Suffolk	8,213	0
Middlesex	1,200	0
Norfolk	1,055	0
Bristol	4,462	150
Essex	3,400	0
Worcester	3,400	0
Barnstable	1,150	0

20,259

150

Official electoral vote in Boston.

Wards.	Whole No.	Harrison.	V. Buren.	Scat'g.
1	1,005	512	486	7
2	542	263	376	3
3	1,188	587	579	12
4	1,328	628	628	27
5	1,110	735	373	2
6	970	655	301	14
7	1,052	831	215	6
8	668	466	201	1
9	1,288	628	215	27
10	652	613	308	6
11	1,095	683	445	14
12	764	407	354	3
	11,608	7,254	4,155	169

It will be seen by the above, that Harrison's plurality in Boston over Van Buren, is 3,069.

Population of Boston. We have been furnished with the following statement of the population of Boston, compiled from the enumeration made in

May, pursuant to the law of the state, and in June, pursuant to the law of the United States.

	State census.	U. S. census.
	May, 1840.	June, 1840.
Ward 1.	6,870	7,500
2.	7,817	13,235
3.	7,012	7,348
4.	7,380	7,440
5.	6,804	5,579
6.	7,585	7,283
7.	7,527	6,482
8.	7,496	6,185
9.	6,839	6,748
10.	6,837	6,703
11.	7,326	7,450
12.	5,846	6,185
	83,779	93,452

In hospital 74

St. paupers 359

84,401

It appears that 174 inmates in the general hospital, in ward 3, and 358 state paupers in ward 12, were not taken in the state census, which, if added, would make the whole population 84,401; and the population of the two wards nearly the same as in the U. S. census. Ward 2, it is well known, contains a large number of sea-faring men. These were not taken in the state census, as they ought to have been. They were taken in the U. S. census, which accounts for the great difference between the two enumerations of the population in that ward. In consequence of needing to enumerate the sea-faring men in ward 2, the city loses four representatives for the next ten years.

[Boston Journal.]

CONNECTICUT.

Election returns.

Countries.	Harrison.	Van Buren.
Hartford	6,221	4,504
New Haven	4,940	3,849
New London	3,813	3,148
Fairfield	4,868	3,856
Windham	2,784	2,177
Litchfield	4,319	3,671
Middlesex	2,275	2,275
Tolland	1,928	1,513
	31,213	24,882

Harrison majority 6,380
Connecticut gave a majority for the Van Buren electoral ticket in 1836 of 565.

NEW YORK.

Dists.	Members of congress elected.	V. B.
1st, Charles A. Floyd, of Suffolk.		V. B.
2d, Joseph Egbert, of Richmond.		V. B.
3d, John McKean.		
James I. Roosevelt, of New York, gain.		V. B.
Fernando Wood.		
Charles C. Fry.		
4th, Aaron Ward, Westchester.		V. B.
5th, Richard D. Davis, Dutchess, gain.		V. B.
6th, James G. Clinton, Orange.		V. B.
7th, John Van Buren.		V. B.
8th, Robert McClellan, Columbia.		V. B.
Jacob Houck, jr. Schoharie.		V. B.
9th, Hiram P. Hunt, Rensselaer.		Whig.
10th, Daniel D. Barnard, Albany.		Whig.
11th, Archibald L. Linn, Schoenectady.		Whig.
Nicholas B. Doe, of Saratoga.		
12th, Bernard Blair, Washington.		Whig.
13th, Thomas A. Tompkins, Essex, gain.		Whig.
14th, H. Van Rensselaer, St. Lawrence, gain.		Whig.
15th, John Sanford, Montgomery, gain.		V. B.
16th, Andrew W. Doig, Lewis.		V. B.
17th, John C. Floyd, Oneida.		V. B.
David P. Brewster, Oswego.		
18th, Thomas C. Crittenden, Jefferson.		Whig.
19th, Samuel S. Bowne, Otsego.		V. B.
20th, Samuel Gordon, Delaware.		V. B.
21st, John C. Chenango.		Whig.
22d, Lewis Riggs, Cortland.		V. B.
Samuel Partridge, Chemung.		V. B.
23d, Victory Birdseye, gain.		Whig.
A. L. Foster.		
24th, Christopher Morcan, Cayuga.		Whig.
25th, John Maynard, Seneca, gain.		Whig.
26th, Francis Morgan, Ontario.		Whig.
27th, Wm. M. Oliver, Yates.		V. B.
28th, Timothy Childs, Monroe.		Whig.
29th, Seth M. Gates, Genesee.		Whig.
30th, John Young, Allegany.		Whig.
31st, Staley N. Clarke, Cataraugus.		Whig.
32d, Millard Fillmore, Erie.		Whig.
33d, Charles F. Mitchell, Niagara.		Whig.
Van Buren members, 21; whigs, 19.		

*Members of the present congress.
†To supply a vacancy.

Election. Returns are received from all but three counties. The 54 counties give

President. Governor.
Harrison, V. B. Seward, 312,932
198,417 202,296
198,417 202,296

Harrison's m. j. 14,515 Seward's m. j. 6,521

Official canvass of the city.

Governor. Lieutenant governor.
Dickinson 22,221
Bradish 20,534
Abolition 179 Abolition 152
Scattering 73 Scattering 33

Senator. Sheriff.
Hart 22,006
Hart 20,695
Abolition 160 Abolition 146
Scattering 14 Scattering 20

County clerk. Coroner.
Archer 22,084
Littell 20,707
Abolition 143 Abolition 137
Scattering 21 Scattering 36

Congress. Congress.
Monroe 20,863
Smith 20,262
Hall 20,338
Abolition average 144
Scattering 56

Assembly. Assembly.
Childs 22,042
Doyle 20,788
Doane 20,712
Graham 20,773
Hoyie 20,636
Smith 20,481
Dougherty 20,661
Whig highest vote 22,084
on ticket 22,084
Wollie 20,636
McArdle 20,452
Havens 20,083
Capin 20,769
Lee 20,821
Abolition average 145
Scattering 242

Electors. Electors.
Van Buren highest vote on ticket 21,936
Whig lowest vote on ticket 21,915
Average vote 21,926
Abolition average 152
Scattering 223

Aggregate vote of the several wards.

Governor. Congress. Electoral.
Wards. Board. Seward. F. B. H. F. H.
1 507 1,145 576 1,208 667 1,203
2 443 861 430 894 427 889
3 681 1,492 681 1,492 682 1,474
4 1,185 1,094 1,172 1,148 1,177 1,138
5 1,188 1,267 1,108 1,463 1,169 1,452
6 1,230 794 1,225 809 1,223 806
7 1,773 1,639 1,734 1,718 1,728 1,707
8 2,198 1,766 2,144 1,970 2,134 1,962
9 2,028 1,433 1,999 1,508 1,985 1,515
10 1,776 1,353 1,748 1,416 1,743 1,422
11 1,691 638 1,665 689 1,668 714
12 695 355 685 391 682 380
13 1,649 1,080 1,658 1,126 1,665 1,134
14 1,413 1,081 1,417 1,129 1,393 1,142
15 809 1,619 795 1,760 797 1,686
16 1,469 1,021 1,452 1,065 1,443 1,063
17 1,456 1,211 1,435 1,263 1,442 1,267

Total 22,178 20,113 21,984 20,894 21,845 20,859
Van Buren majority on the electoral ticket 987
Van Buren majority on the congress ticket 890
The whig gubernatorial vote is behind the whig electoral vote 845

Real and personal property in the city of N. York.
We find in the New York Journal of Commerce a very interesting tabular statement of the relative value of real and personal estate in the city and county of New York, as assessed in 1839 and 1840. In the seventeen wards, the value of property was as follows:

	1839.	1840.
Real estate,	\$196,940,134 00	
Personal estate,	69,931,296 98	
Total in 1839,	\$266,871,430 98	
Do. 1840,	252,815,163 53	
Decrease in 1840,	14,056,267 45	
Real estate,	\$187,121,464 00	
Personal estate,	65,721,690 53	
Total in 1840,	\$252,843,154 53	

Cuyahoga county. A. N. Gray, esquire, assistant marshal, has obligingly furnished us with a valuable and interesting tabular statement of the statistics of Cuyahoga county, which we hope to be able to publish to-morrow. We subjoin some of the totals of the tables:

Total of males in Cuyahoga county, 13,692
" Females in " 12,820
" Population in 1840, 26,612
" " 1830, 9,003
Gain in 10 years, 17,427
Total of horses and mules, 4,126
" neat cattle, 22,260
" Sheep, 30,396
" Swine, 17,669
" Bushels of wheat, 111,989
" " corn, 181,781
" " barley, 1,946
" " oats, 91,309
" " rye, 2,104
" " buckwheat, 5,849
" " potatoes, 149,891
" pounds of wool, 47,576
" tons of hay, 22,472
" cords of wood, 10,444
Value of products of dairy, \$96,083
" products of orchards, \$18,171
" home made or family goods, \$24,200
" products of market gardens, \$4,551
" poultry of all kinds, \$7,795

Population of Dutchess county. The Poughkeepsie Telegraph gives the following comparative table of the census of Dutchess county. It will be seen but too has been increased in inhabitants in ten years. Those are Poughkeepsie and Fishkill. The following are the returns:

	1840.	1835.	1830.
Amenia,	2,100	2,128	2,239
Beekman,	1,400	1,448	1,584
Clinton,	1,439	1,909	2,120
Dougherty,	1,909	1,881	2,198
Fishkill,	10,408	9,623	8,282
Hyde Park,	2,564	2,368	2,551
La Grange,	1,851	1,927	2,041
Milan,	1,726	1,811	1,866
New East,	1,381	1,495	1,689
Poughkeepsie,	1,571	1,565	1,795
Pine Plains,	1,324	1,353	1,303
Pleasant Valley,	2,919	2,245	2,419
Poughkeepsie J. C.	10,006	8,829	7,222
Village 7,710	2,266	2,266	2,266
Red Hook,	2,833	2,824	2,983
Rhinebeck,	2,759	2,624	2,938
Stanford,	2,278	2,358	2,521
Union Vale,	1,499	1,506	1,633
Washington,	2,833	2,897	3,028
Total,	52,487	50,702	50,228

NEW JERSEY.

Treasurer's annual report. The receipts into the treasury during the past year amount to the sum of \$117,852 85. Of this amount about \$14,000 have been applied to the payment of the public debt, interest and loans; \$17,000 on account of the state prison; \$6,600 of which latter sum was appropriated by the legislature, to meet deficiencies arising from the operations of that institution previous to the past year, and the balance has been paid on account of the salaries of the officers, and for the transportation of prisoners, costs on conviction, &c. About \$52,000 have been applied to the ordinary expenditures of the government, leaving a balance to the credit of the treasury of \$26,948 63.

By this exhibit, it will be seen that the ordinary expenditures for the past year have been less than those of the previous year, by upwards of \$11,000, and considerably less than they have been for many years preceding.

The temporary loans of the preceding year have all been promptly met, together with upwards of \$2,000 of the loans made in 1837: leaving a balance as before mentioned, to the credit of the treasury, of \$26,948 63, a sum nearly equal to the amount of temporary loans during the current year.

It is confidently believed, that under no ordinary circumstances, can the expenses of the state government be reduced to a more rigid and economical standard than they have been during the past year.

The amount of the state debt is \$53,072, and temporary loans of \$27,000. In consequence of there being no tax raised in the year 1837, and no adequate provision made to meet the current expenditures of the government for the following year, the then existing debt of upwards of \$85,000 was increased to upwards of \$105,000. Since that time, the legislature have deemed it advisable to

raise by tax, what was barely sufficient to meet temporary loans and current expenses, leaving the debt then existing, to be met under a more favorable condition of the monetary concerns of the country.

Whether it is advisable to increase the annual tax for the purpose of diminishing that debt at this time, is a matter for the sound discretion of the legislature.

Thirty thousand dollars of the school fund have been distributed for support of common schools among the several counties of the state, agreeably to the apportionment made by the trustees of that fund. In addition to this sum the funds arising from the sale of the state lands at Paterson; the interest and dividends from loans, stock and bank tax, the capital fund has been increased from \$257,287 61 to about \$320,000.

A portion of the bank tax being that which is assessed on the Morris Canal and Banking company, has not yet been received into the treasury. That institution declined paying it until an opportunity could be afforded to submit their liability under the law to the consideration of the legislature.

Their reason for objecting to the payment is undoubted by me, to be, that the tax being levied only on banking capital used for banking purposes; and the company having been obliged to expend the whole, or greater part of their capital, in the completion and improvement of their canal, and not now using it for banking purposes, the tax could not be legally and justly demanded of them.

As these were considerations upon which I had no legal authority to decide, I felt it my duty to proceed for the collection of the tax, under the provisions of the law upon that subject. An application was therefore made by me to a justice of the supreme court, who directed process for its collection to issue, and is now in the hands of the sheriff of the county.

I have been informed that the company propose to submit their claim for relief, to the consideration of the legislature. All which is respectfully submitted.

ISAAC SOUTHWARD, treasurer.

Trenton, Nov. 11th, 1840.

Population of the county of Middlesex.

Townships.	White males.	Blacks.	Slaves.	Total.
N. Brunswick,	2,626	2,817	429	9,591
S. Brunswick,	1,260	1,234	290	4,279
Monroe,	1,195	1,170	115	3,243
South Amboy,	876	897	80	2,853
Perth Amboy,	1,250	1,277	298	3,229
Woodbridge,	2,188	2,183	355	4,422
Perth Amboy,	887	687	38	1,363
Total,	9,552	10,357	1,554	25,193

Revolutionary pensioners, 46.

DELAWARE.

Census for 1830 and 1840—whole population.

	1830.	1840.
New Castle co.	20,710	33,118
Kent	19,911	19,958
Sussex	27,118	25,181
Total	76,739	78,107
Increase in 1840,		1,368

New Castle county.

	1830.	1840.	Gain.	Loss.
Brandywine H.	3,227	3,338	163	
Christiana	3,227	3,725	498	
Wilmington city	6,663	8,367	1,704	
New Castle	2,463	2,741	281	
Mill Creek	2,181	1,146		35
White Clay C.	1,856	1,831		24
Pencader	2,901	2,326		422
Red Lion	1,473	1,399		74
St. Georges	2,465	3,114	646	
Appoquinimink	3,256	3,076		178
Total	29,710	33,118	3,419	311
Net gain			3,108	

Kent county.

	1830.	1840.	Gain.	Loss.
Duck Creek H.	3,916	4,839	77	
Little Creek	1,871	2,050	179	
Dover	5,416	5,775	359	
Murderkill	2,008	4,709		270
Mispillion	2,322	3,070		152
Milford	2,149	2,356		92
Total	19,911	19,958	539	591
Net gain			438	

Loss 53

Sussex county.

1830.	1840.	Gain.	Loss.
Cedar Creek H.	2,727	2,429	298
Broadkill	3,893	3,741	152
Nanticoke	2,363	1,978	385
Cedar Creek	2,907	2,982	75
Broad Creek	2,852	2,649	203
N. W. Fork	3,529	3,187	342
Baltimore	2,176	2,251	75
Lewis & Rehob.	1,881	1,834	47
Indian River	1,836	1,737	99
Dagsboro'	2,551	2,323	228
	27,118	25,131	75

Crusoe of Christina hundred for 1840.

Number of white males,	1,081
Do. do. white females,	1,712
Do. do. colored males,	201
Do. do. colored females,	131
	322
Total,	3,725

Number of horses,	697
Do. do. neat cattle,	2,814
Do. do. sheep,	2,935
Do. do. swine,	1,772
Estimated value of poultry,	\$1,732
Number of bushels of wheat raised in 1839,	24,005
Do. do. corn,	51,000
Do. do. oats,	694
Do. do. rye,	525
Do. do. buckwheat,	56,350
Do. do. Indian corn,	14,125
Do. do. potatoes,	1,040
Do. pounds of wool,	8,627
Tons of hay cut,	\$13,400
Value of the products of the dairy,	1,097
Do. do. of the orchard,	1,660
Value of homestead, or family goods,	366
Number of flouring mills 2; grist mills 3; saw mills 7; barrels of flour manufactured 1,900; value of manufactures \$11,650; number of cotton manufactures 3, number of spindles 8,560; value of manufactured articles \$122,000; number of persons employed 214; number of persons employed in agriculture 543; in manufactures 420.	

MARYLAND.

Official returns of the electoral election, 1840.	
Harrison ticket.	
John Leeds Kerr	33,533
Theodore R. Lockerman	33,531
John P. Kennedy	33,531
George Howard	33,530
Jacob A. Preston	33,529
James M. Coale	33,528
William T. Wotton	33,525
David Hoffman	33,523
Richard J. Bowie	33,523
Thomas A. Spence	33,524
Average vote 33,529.	

Van Buren ticket.

Cathel Humphreys	28,759
H. G. S. Key	28,758
Edward Lloyd	28,756
Benjamin C. Howard	28,755
Charles Marget	28,754
William P. Mauley	28,753
William A. Spencer	28,752
James Murray	28,751
Oltho Scott	28,751
Walter Miehell	28,751
Average vote 28,754.—Majority 4,775.	

List of members of the legislature, Dec. session, 1840.

Senators.	
With the time of expiration of their terms.	
St. Mary's county, Richard Thomas,	1814
Kent county, James B. Ricard,	1842
Anne Arundel county, Alex. C. Magruder,	1842
Calvert county, John Beckett,	1842
Charles county, Alexander Matthews,	1842
Baltimore county, Hugh Ely,	1846
Talbot county, Nicholas Martin,	1846
Worcester county, Alexander Donohoe,	1844
Dorchester county, W. T. Goldsborough,	1844
Cecil county, G. W. Howard,	1846
P. George's county, Thomas G. Pratt,	1842
Queen Anne's county, John Palmer,	1816
Worcester county, Trangle Townsend,	1846
Frederick county, Richard Potts,	1816
Harford county, Ohio Scott,	1842
Caroline county, James Turner,	1842
Baltimore city, Benj. C. Henshaw,	1846
Washington county, John Newcomer,	1846
Montgomery county, Horace Wilson,	1842

Alleghany county, Jobo Beall,*	1846
Carroll county, Wm. P. Mauley,	1844
Those marked in (*) are new members,	6
The rest are veterans.	16
House of delegates.	
St. Mary's county—Benedict I. Heard,† William	
Coal, John M. S. Cassin,†	
Kent county—Ebenezer Welsh, James H. Edes,*	
Daniel Jones.	
Anne Arundel county—Charles S. Ridgely, Ben-	
jamin E. Gant,* Richard Estep, Mortimora Dur-	
sey.*	
Calvert county—Thomas J. Hillen, Jesse J. Dal-	
rymeyer, George W. Weems,†	
Charles county—John D. Bowling, Geo. Brent,*	
John Matthews.	
Baltimore county—John B. Holmes, Philip Poul-	
ney, John C. Orrick,† Robert S. Welch, T. B. W.	
Randall.*	
Talbot county—Jas. L. Martin, Wm. W. Lowe,*	
William B. Willis.*	
Sonareel county—Jesse Parsons, Noah Rider,†	
Isaac D. Jones,† William Williams,†	
Dorchester county—Kendall M. Jacobs,* John	
R. Jones,† William Frazer, Reuben Tall-	
Cecil county—William H. Morton,* Wm. Sim-	
coc,* James L. Maxwell.*	
Prince George's county—Robt. W. Bowie, Wm.	
H. Tuck, John M. S. Maceburn, Osborne Sprig-	
gs,* Annapolis city—Dr. William Brewer.*	
Queen Anne's county—Mathias George,* Thos.	
A. Ford,* Edward P. Paea.*	
Worcester county—Edwin Foreman,† Ebenezer	
Hern, Levi Corbitt,* James Hooper,*	
Richardson,* David Richardson,* Joshua	
Motter,* William Lynch,* Edward A. Lynch,* Da-	
vid W. Nail.*	
Harford county—Samuel Sutton, C. W. Billing-	
slie,* Thomas Hope, William Whitely,*	
Caroline county—John Nicholls,* Daniel Orrill,*	
Tilghman Sullivan.*	
Baltimore city—Francis Gallagher, John R. Sen-	
denstricker, John I. Graves, Benjamin C. Pres-	
man,* John C. Legrand.	
Washington county—Isaac Nesbitt,* David Clag-	
gett,* Joseph Wear,* Lewis Zeigler.*	
Montgomery county—John G. England, Thomas	
Gitting,* William L. Galtier, John C. Golt.*	
Alleghany county—Michael C. Sprigg,† Elisha	
Combs,* Ralph Thayer.*	
Carroll county—John Shover,* John B. Boyle,†	
Samuel D. Lacombe,* Daniel Sterle.*	
Those in <i>italic</i> are Van Buren, 19; whigs, 60.	
* New members, 37.	
† Members of a former, but not of the last, 13.	
Those not designated were members of the last legislature, 29.	

VIRGINIA.

The legislature is to meet on the 1st day of December instead of the 1st Monday. The precaution of being in session to fill any vacancy that might happen in the college of electors induced this arrangement.

At the recent presidential election some of the counties changed their political front. The whigs carried ten counties which in the spring gave Van Buren majorities, and the Van Burens carried ten other counties which in the spring were whig.

In the Senate, the whigs have lost 124 majority in two senatorial districts, Botetourt and Louisa, and gained in two, Kenawha and Pittsylvania.

As to the congressional districts, they have lost one, the Buckingham; and gained four, the Norfolk, Jefferson, Augusta and Kuweha.

NORTH CAROLINA.

Official returns of the election for governor.

1840.	
COINTEKES. Morehead. Sanders. Dudley Sprigle.	
Ashe,	1,100 422 1,012 271
Buncombe and	40 mj. 867 431
Henderson,	855 311 1,194 538
Bertie,	483 485 336 489
Bladen,	328 451 312 245
Brunswick,	347 248 359 121
Deafwater,	840 363 755 236
Burke,	1,555 367 1,257 616
Cabarrus,	415 mj. 643 227
Columbus,	242 288 210 185
Currituck,	448 282 371 243
Chatham,	1,075 603 932 627
Chowan,	292 303 145 mj.
Crawford,	821 953 499 800
Camden,	821 91 425 49
Caswell,	270 1,137 116 1,067
Craven,	671 613 263 609
Dubin,	234 766 300 751
Dare,	1,469 470 1,389 69
Edgecomb,	111 1,298 71 1,271

Franklin,	883 636 308 864
Granville,	873 760 977 391
Gates,	11 mj.
Greene,	308 238 171 275
Guilford,	2,211 469 1,145 476
Halifax,	562 465 565 465
Hertford,	305 221 376 264
Hyde,	437 179 459 185
Haywood,	438 241 143 459
Iredell,	1,869 331 1,284 226
Jones,	274 511 320 498
Jones,	212 121 228 121
Lincoln,	933 2,056 695 1,634
Lenoir,	265 384 192 889
Macon and	311 305 275 450
Cherokee,	232 130
Moore,	560 517 343 645
Montgomery,	1,102 189 1,048 93
Mecklenburg,	984 1,201 869 1,095
Marlin,	244 574 251 619
New Hanover,	219 998 22 769
Nash,	73 782 103 679
Northampton,	543 519 604 229
Onslow,	142 690 252 618
Orange,	1,062 1,549 1,287 1,132
Pamlico,	274 511 320 498
Pitt,	666 223 491 252
Pitt,	625 519 482 510
Quitman,	494 124 479 49
Rowan and	354 327
David,	668 217 1,642 117
Randolph,	1,290 348 1,000 112
Buckingham,	533 1,000 300 846
Robeson,	601 568 409 508
Richmond,	672 79 611 320
Rutherford,	1,662 515 1,478 588
Sampson,	478 739 419 666
Stokes,	1,167 1,190 828 802
Surry,	1,129 978 853 1,035
Tyrrell,	400 25
Washington,	370 96 377 34
Wilkes,	1,425 127 1,436 158
Warren,	88 705 92 637
Wayne,	265 777 186 716
Yancey,	1,107 864 691
	391 419 105 642
	43,265 34,974 35,395 30,637
	34,974

8,291 majority for Morehead.

OHIO.

Contested elections. Dr. Duncan intends contesting Mr. Pendleton's election, as will be seen by the following letter.

Hamilton co. state of Ohio, Cincinnati, Oct. 22, 1840.

To NATHANIEL G. PENDLETON, esq.

SIR: You are notified that I shall contest your right to a seat in the twenty-seventh congress of the United States, from the first congressional district of the state of Ohio, as a representative from the said district, upon the ground that you have not received a majority of the legal votes in said district.

Specifications.

1st. Votes were given to you by persons who had not the legal right to vote.

2d. Persons voted for you who were brought from other counties in this state, who had no legal right to vote in this district.

3d. Persons voted for you from other states, who had no legal residence in this state.

4th. Votes were obtained and polled for you through fraud and corruption, viz: by giving and promising meat, drink, money, clothing and other rewards.

5th. Persons voted for you twice at the same election at different polls, and at the same polls where they had previously voted.

6th. The polls of the 2d ward, in the city of Cincinnati, and other election districts in said district, were conducted fraudulently, in this particular, viz: Tickets were introduced into the ballot box, for which there were no names named on the poll books.

7th. That the judges of the election refused, in the 2d ward, in the city of Cincinnati and other election districts in this district, to ask the elector such questions as were proper to prevent illegal voting when challenged.

All of which is in violation of the constitution of the state of Ohio, and the laws regulating elections in said state. Respectfully,

[Signed.] A. DUNCAN.

Served the original, of which this is a true copy, on Tuesday evening, the 22d day of October, 1840, and due notice accepted by Nathaniel G. Pendleton, in person.

G. D. M. AYRES.

In presence of James M. Fearing.

The friends of John C. Wright, esq., of Hamilton county, Ohio, are contesting Mr. Holmes' (V. B.) right to a seat in the senate of that state. Mr.

Wright was beaten 14 votes; but it is maintained that he was elected by the legal votes. In allusion to this matter the Lexington (Ky.) Intelligence remarks:—"Mr. Wright is a sound lawyer, a statesman, and an accomplished gentleman, and we should rejoice to see him a member of the senate of our sister state, not only because he is a whig, but because of his sterling integrity and devotion to the best interests of his country."

Official returns of the election for president.

	1840.	1836.
Counties.	Har. V. B. Winny.	Har. V. B.
Adams,	1,205 1,431 15	786 1,060
Allen,	173 883 0	484 454
Ashtabula,	8,738 896 95	2,792 805
Athens,	2,094 1,823 7	1,098 937
Belmont,	3,166 2,602 84	2,666 2,338
Brown,	1,798 1,931 38	1,223 1,675
Butler,	2,101 3,192 12	1,487 8,084
Carroll,	1,677 1,513 8	1,233 1,197
Champaign,	2,062 1,207 0	1,641 907
Clark,	2,281 1,933 1	1,961 851
Clermont,	2,044 2,313 39	1,467 2,023
Clinton,	1,847 1,006 9	1,448 807
Columbiana,	3,602 3,660 9	2,635 2,992
Coschocton,	1,830 2,009 0	1,086 1,503
Crawford,	1,009 1,204 29	714 733
Cuyahoga,	3,102 1,814 38	2,329 1,964
Darke,	1,302 1,092 0	656 665
Delaware,	2,360 1,641 19	1,350 1,254
Erie,	1,324 1,012 2	New county.
Fairfield,	3,316 2,716 1	2,816 2,694
Fayette,	1,132 771 16	828 774
Franklin,	2,866 1,774 13	2,166 1,875
Gallia,	1,479 726 1	873 490
Guerra,	2,810 893 11	3,219 1,653
Greene,	1,172 1,221 8	1,903 803
Hancock,	2,806 2,186 13	2,074 1,635
Hamilton,	5,873 5,835 44	4,032 4,871
Hancock,	693 1,064 0	464 701
Hardin,	431 276 0	274 106
Harrison,	2,609 1,739 19	1,653 1,658
Hart,	191 181 0	94 86
Highland,	2,143 1,859 12	1,492 1,476
Hocking,	649 903 0	292 536
Holmes,	1,109 1,936 0	535 1,157
Huron,	1,501 2,141 2	2,798 2,141
Jackson,	794 735 2	449 475
Jefferson,	2,300 2,218 6	1,532 1,992
Knox,	2,441 2,789 29	1,800 2,174
Lake,	1,887 633 11	New county.
Lancaster,	433 454 3	373 373
Licking,	3,357 3,516 12	2,206 2,539
Logan,	1,574 845 9	1,388 622
Lorain,	1,568 1,313 82	1,460 1,410
Lucas,	931 616 1	620 296
Madison,	1,291 371 1	973 574
Marion,	1,353 1,128 7	1,016 544
Medina,	1,793 1,436 13	1,538 1,094
Meigs,	1,284 619 2	724 446
Mercer,	551 1,319 5	215 815
Miami,	2,469 1,339 19	1,787 1,050
Monroe,	1,086 2,675 2	492 1,182
Montgomery,	3,427 2,951 7	2,551 2,310
Morgan,	1,851 1,310 12	1,107 1,262
Muskingum,	4,367 2,721 21	3,322 2,669
Ottawa,	223 166 0	New county.
Paulding,	65 155 0	
Perry,	1,471 2,097 0	1,680 1,503
Pickaway,	2,201 1,497 0	1,508 1,591
Pike,	1,201 674 5	322 491
Portage,	2,524 1,963 16	3,302 2,643
Preble,	2,299 1,331 3	1,777 978
Pulham,	401 582 4	179 238
Richland,	3,531 4,339 12	2,247 3,283
Ross,	3,081 2,813 5	2,515 1,903
Sandusky,	919 917 0	642 799
Scioto,	1,472 749 1	1,048 568
Shelby,	1,483 1,616 6	913 1,129
Sherika,	935 1,027 0	654 533
Stark,	2,701 2,107 1	1,946 2,418
Summit,	2,562 1,616 35	New county.
Trumbull,	4,106 3,335 82	3,386 2,892
Tuscarawas,	2,329 1,787 0	1,459 1,374
Union,	946 577 3	648 438
Van Wert,	119 191 0	
Warren,	2,813 1,304 6	2,260 1,236
Washington,	2,109 1,458 2	1,070 806
Wayne,	2,798 3,321 6	1,630 2,606
Williams,	296 407 0	176 198
Wood,	545 519 0	490 275
Total,	118,141 124,789 903	105,417 96,916

22,361 Harrison majority.

The Cincinnati and White-water canal will be completed early in the ensuing season. The six miles nearest the connection with the White-water canal of Indiana are now ready for the water.

SOUTH CAROLINA.

Census of the city of Charleston and suburbs for 1840.

City proper—Free white persons, males, 6,526

Neck, do. do. do. 1,766

City proper—Free white persons, females, 8,092

Neck, do. do. do. 6,203

City proper—Free colored persons, males, 1,675

Neck, do. do. do. 7,878

City proper—Free colored persons, females, 864

Neck, do. do. do. 823

City proper—Free colored persons, males, 1,109

Neck, do. do. do. 683

City proper—Slaves, males, 1,660

Neck, do. do. do. 3,346

City proper—Slaves, females, 9,780

Neck, do. do. do. 8,239

City proper—Slaves, females, 3,781

Neck, do. do. do. 12,120

Total, city proper, 29,363

Total, neck, 11,576

Total, city and neck, 40,939

ALABAMA.

Extracts from the message of Gov. Bagby. Among the subjects most likely to occupy a prominent place in your deliberations, the present condition and future management of the state bank system, will not be the least interesting or important.

The intimate connection between this subject and the currency, or what shall constitute the circulating medium renders it, in my judgment, one of incalculable magnitude, not only in reference to the present condition, but to the future prosperity of the people of this, as well as of the other states.

From a deliberate and careful examination of the provisions of the federal constitution, with a view to ascertain the powers of the general government in relation to this subject, I came fully to the conclusion, as you express myself in the first of my messages, I had the honor of submitting to the legislature, that the federal government possessed no power whatever over the currency, except to coin money and regulate the value thereof. This conclusion is to be deduced not only from the express absence or omission of any provision in the constitution of the United States, conferring upon the general government the power, either to regulate the currency, or to supply a paper medium; but from the impressive recollection, that all the states, without exception, have, from the origin of the government, exercised the power of chartering banks, and of supplying, through the medium of bank notes, a paper circulation, without any attempt on the part of the general government, to prohibit or restrain them. It is true that the federal constitution prohibits the states from passing any law making any thing but gold and silver a legal tender in the payment of debts. But this provision, so far from giving the banking power to the general government, or withholding it from the states, raises the strongest implication, that the framers of the constitution, aware that the power of chartering banks had been left to the states, were anxious to guard against the abuse of that power by preventing that bank paper should never be considered as money; thereby furnishing the strongest inducements to those who used it, to make it approximate as nearly as possible, to a proper specie standard.

It is to be regretted that the present state of the principles of the compact, to which the states of the union are parties, from violation, and a determination, so far as depends on me, in performing the part assigned me by the constitution and laws, to guard against any encroachment on the rights of the states, it is extremely desirable that the state bank system should be placed on such a footing, as would enable it to fulfil the important function of furnishing, within the sphere of its appropriate action, a sound circulating medium, not liable to depreciation in value. This object, so much to be desired, can only be effected, by so regulating and restraining the issues of the banks, as to enable them, at all times, to redeem their bills in specie on demand.

After full reflection, aided by a careful and respectful examination of several of the most approved theories upon the subject of banking, I am of opinion, that the object might be attained with reasonable certainty, in well managed banking institutions, by never permitting the circulation of a bank to exceed two dollars in paper, for every dollar of specie in its vault, or at such points as the

ordinary business of the bank might render it necessary to have it.

Other systems, admitting of a more enlarged circulation, in proportion to the amount of specie, might enable them to redeem their notes with specie at all times; but the one I have indicated, most probably would. And I am perfectly free to admit, that after all the light that has been shed upon this important and delicate question, I have never been able to understand the process by which a bank could redeem three dollars, and as not unfrequently happens under existing systems, twenty, with one dollar in specie. In this argument, it is to be remembered, called out to redeem all or any considerable portion of their circulation at or near the same time. To this it may be replied, that there is scarcely a bank of discount and circulation in the world, which has not at some time or other suspended specie payments for want of ability to redeem its notes; and experience upon this, as well as every other subject, is believed to be a much safer indicator than any theory, however plausible in itself, or profitable in its results. It is believed that the main pillars which sustain most of the modern theories upon the subject of banking.

It is contended, however, that confidence in the currency, and that part of the law, which, according to the views here submitted ought to be fitted with gold and silver, is to be supplied by confidence.

Confidence is certainly a valuable principle, and one which ought to be cultivated and cherished. It sweetens the intercourse of life, and tends greatly to facilitate commercial dealing. But confidence and capital are not convertible terms. Confidence and credit are, in the ordinary and in the liberal sense of the terms, even a greater portion, than the only profitable or useful kind of confidence is that which is reposed in the disposition of a man to apply his means to the fulfilment of his engagements. And he who confides in an individual or corporation to pay three, or even a greater portion, than such individual or corporation is worth, will almost invariably find his confidence misplaced; as the deeply embarrassed condition of this and almost every other civilized country but too fully attests. It is believed that the only way to secure confidence, and afford sufficient security to those who receive bank notes as the faithful representative of money, is to conceive to be perfectly equitable so far as the banks themselves are concerned, by enabling them to issue bank notes, and to receive in exchange an amount of paper equal to the amount of their capital; while it would effectually guard against those sudden expansions and contractions which operate so ruinously upon commerce, tend to foster a spirit of gambling speculation, and render the value of property at all times unsettled and uncertain. It should be recollected too, that the object of a sound banking system, was not so much to enable the banks to make large profits out of the wants or necessities of the people, but to furnish a circulating medium commensurate with their reasonable wants, not liable to depreciation in value.

Impressed with the importance and correctness of these views, I earnestly recommended to you the adoption of measures, which, by being simple, flexible, enable the Bank of the State of Alabama and the several branches thereof, to resume specie payments, and to continue to redeem their notes on demand, without future interruption. The only way to secure confidence, and afford sufficient security to those who receive bank notes as the faithful representative of money, is to conceive to be perfectly equitable so far as the banks themselves are concerned, by enabling them to issue bank notes, and to receive in exchange an amount of paper equal to the amount of their capital; while it would effectually guard against those sudden expansions and contractions which operate so ruinously upon commerce, tend to foster a spirit of gambling speculation, and render the value of property at all times unsettled and uncertain. It should be recollected too, that the object of a sound banking system, was not so much to enable the banks to make large profits out of the wants or necessities of the people, but to furnish a circulating medium commensurate with their reasonable wants, not liable to depreciation in value.

Under the act of 28th January, 1840, to recall and cancel the unpaid bonds issued by the state of Alabama, the president and directors of the Bank of the State of Alabama have returned bonds, amounting to the sum of ten hundred and thirty thousand dollars—the president and directors of the branch bank at Huntsville, bonds to the amount of five hundred thousand dollars—and the president and directors of the branch bank at Montgomery, bonds to the amount of one hundred and thirty thousand dollars; all of which have been cancelled, and are deposited in the treasury department, subject to the final disposition of the legislature.

It will also be perceived by a letter from the president of the Bank of the State of Alabama, a copy of which is herewith submitted, that proper steps have been taken to recall all the bonds remaining unsold, belonging to that institution, and that they are now in the hands of the cashier of the Bank of Mobile, awaiting the navigable state of the river, to be transmitted to the bank at this place. The withdrawal of so large an amount of our stock from circulation, cannot fail to have a most beneficial effect on the credit of the state, and enhance the value of our stock, if, at any time hereafter, circumstances should render it necessary to raise money on the public credit of the state. Influenced by the constant desire to preserve that which is so valuable, and to counteract the mischievous tendency and effects of the proposition, which seems to be seriously entertained in some portions of the country, for the general government to assume the payment of the debts of the individual states, I beg leave again to press upon the consideration of the legislature, the propriety of providing without further delay, either in the mode pointed out in my last annual message, or in such other mode as the wisdom of the legislature may suggest, a sinking fund for the redemption of our state stock.

Immediate attention to this subject is not only required by that constant regard to the high consideration of good government, which has been the most sedulous care, but, will put at rest, so far as Alabama is concerned, a proposition pregnant with more pernicious consequences to the sovereignty and separate independence of the state, than any which has agitated the public councils. For, it may be safely assumed, that whatever authority has the right, or is permitted to exercise the power, of paying the debts of a state or nation, will ultimately control its will and its political action. It is well known that I came into office, not only favorable but pledged to the subjects of education and internal improvement. This pledge, although to a great extent unexecuted, has not been forgotten, or purposely neglected. If it will be remembered that the period within which it has fallen to my lot to administer the government, has been one of extraordinary difficulty and embarrassment, every way unpropitious for engaging extensively, or successfully, in the prosecution of either of these objects, for an extended period, it will be justly admired, when we can, with perfect propriety, embark in the accomplishment of matters which every one so much desires. But from a thorough conviction, that the amount expended in banking in this state, is more than the actual capital, and that, for the amount necessary to supply the sound reasonable wants of the community, I respectfully recommended to the general assembly the propriety of withdrawing a part of the capital now employed in banking, and the use of the same, to be applied, as justly it, and applying it in such manner, and in such proportions as the legislature may, in their wisdom, consider most proper to the purposes of internal improvement and a general system of education.

The construction of some work of internal improvement connecting the Tennessee river with the navigable waters of Mobile bay, thereby forming a permanent link of intercommunication between the northern and southern sections of the state, has so long occupied the public mind and is justly considered a subject of such intrinsic importance, that nothing but imperious necessity can fairly excuse its postponement to the present time. The only modes which have been proposed, and published are, by canal, railway or Macadamized road. In deciding in favor of either of these modes, the relative cost, advantages, convenience and adaptation to the condition of the country, and particularly to the productions of the section, that would be connected by it, must be taken into the estimate. Without intending to disparage or to discourage the adoption of either of the other modes, a Macadamized road has, in my opinion, advantages over the others; although it is true, that it would be, that, in expressing this opinion, I shall subject myself to the imputation of a retrogressive spirit, not congenial with the improvement of the age.

The arguments, which to my mind, give to this mode of improvement advantages over every other, are, cheapness in the construction and repairs, greater practicability, less liability to accidents, and greater adaptation to the convenience of the great body of the people. But the main reason in favor of a Macadamized road is, that it would be connected by this work with Mobile, is emphatically a provision-raising region; and even if the heavy productions in which it abounds, could be transported by rail roads, it would have the effect of greatly enhancing the cost of transportation, and would throw out of employment a considerable portion of its capital employed in raising those

productions, for a considerable period of the year. Whereas, if the other description of road be adopted, the hands, the teams, and the wagons used in making the produce, could be profitably employed in transporting it to market. In fine, to repeat a sentiment which cannot be too often repeated, or deeply imprinted, it would produce the greatest good to the greatest number.

Although deeply impressed with the utility and importance of a work of this kind, if the legislature should be of opinion that either this object, or the general system of education to which I have referred, should be postponed to a period of greater public prosperity, I have no hesitation in expressing my assent to that course. I do not, however, in advance of every other interest. Indeed, when we attempt to estimate the advantages of education, in preparing mankind for all that is useful, honorable and praiseworthy in this life, and for any higher state of moral and intellectual enjoyment in that which is to come, it is difficult to place any other interest in competition with it, or to resist the unwelcome conclusion, that we have already slumbered too long upon this vital subject. Considering education as an essential part of the government, and that the success and purity of its administration will always depend upon the extent to which that opinion is enlightened, the advantages of education cannot be too highly appreciated in a political view. It is that alone which can keep alive the vestal spark of enlightened patriotism; and while I am free to declare, that I should rejoice to see the resources of the state fully developed by the construction of every kind of improvement, which could tend to the consumption of that object, I would rather be instrumental in imparting to the indigent and orphan children in the state of Alabama, the rudiments of a common English education, than to enjoy the exclusive credit of constructing a rail road from Louisiana to the lakes. This system, when once set in motion by the munificence of the legislature, carrying, as it will, its genial influence like the rays of the sun, in every corner of the state, and as it will be, by the fostering influence of enlightened public opinion, could not fail of ultimate success. It is admitted, that the sparseness of our population in many parts of the state, would present an impediment to the immediate and entire success of the system.

But it is surely not expecting too much of free men in this enlightened age, to presume, that they would be willing to submit to some privations, and to encounter some difficulties, in order to open to themselves the avenues to moral and political improvement, by which they would, in the end, be conducted to the valuable fountains of virtue and knowledge.

The present amount of capital employed in banking, is less millions eight hundred and sixty thousand dollars, and it is believed that the amount, such as can be advantageously employed in that mode; which would leave four millions eight hundred and sixty thousand dollars, as fast as it can be realized by the banks, to be appropriated to other objects. The impolicy of exposing too large a capital in banking, and the evils of a redundant circulation have been so fully realized, that if the legislature should be indisposed to employ any portion of it in the manner I have indicated, I am confident that the capriciousness of the public should be reduced to six millions; and the excess above that sum, applied to the redemption of the stock.

The university of Alabama, in the success of which we have so deep an interest, has not been unaffected by the causes which have afflicted every other department of the public interest. Owing to the extreme unhealthiness of the past season, and to the deep state of pecuniary embarrassment, the number of students is less than at any period of our present session. The president and officers of 1840 faithfully continue to be faithful and unremitting in their exertions to promote the utility, and elevate the character of the institution; and to fulfill the high expectations that are formed of their merits and qualifications, inasmuch as the board of trustees will meet and report to you upon the affairs of this institution generally, during the present session of the legislature, it is deemed unnecessary to go into further detail in this communication.

INDIANA.

Island navigation. The first boat which passed from Fort Wayne to La Fayette on the Erie and Wabash canal, was welcomed into that village a few days since, in a style suitable to that important mode of inland navigation. The canal, which of the Erie and Wabash canal connects the navigation of Lake Erie and the Ohio river, from which

the states of Illinois and Indiana most derive invaluable benefits, as it puts them on a footing with Ohio in their facilities of communication with the cities of New York and Boston.

[N. F. Jour. Com.]

SPEECH OF MR. W. C. JOHNSON, OF MD. ON THE SUBJECT OF THE REJECTION OF PETITIONS FOR THE ABOLITION OF SLAVERY.

In Answer to a Resolution of the House of Delegates, Passed, March 27 and 28, 1840.

[CONCLUDED FROM PAGE 174.]

The right of petition, even at this day, is more important to the people of England than it is to the citizens of the United States, because in England the right to vote is still confined to a privileged few, and hence the voice of a majority of the people of a borough, city or a county, may be different from the voice of a majority of the electors; and it may often occur that the member of parliament elected may not be the true mirror to reflect faithfully all the features of the popular will.

In liberty in this country held by so frail a right! Have the people to rescue their rights and power from the hands of an hereditary few? Or is not each man himself a part of the government? Take the history of our people and their governments from their first embarkation from England to the present hour, and what will it prove to you? They brought with them their written charters and by written institutions. The charter of Maryland, for instance, given by an arbitrary monarch, was more democratic in relation to popular representation than the constitution, now the organic law of that state. The people were free from the shackles of royal prerogative. What did the revolution effect? The 4th of July I say will say that it broke the bonds of slavery and made us free, and secured that freedom by the right to petition. That is an ascription on our forefathers.

They were always free. They brought with them the spirit of freedom, and each man had a constitution of rights and freedom written in his heart, deeper and more revered than the parchment of their charters. The revolution effected a total separation, and produced constitutional and confederated government. The ballot box was left as before, or extended to all. The ballot box is the greatest conservative principle of our liberties; every citizen finds that it is his safe-guard against oppression, and in this country even freedom of the press is secured by the ballot box, his voice and his will are felt and obeyed. It is the broad basis of our political fabric, and in its exercise the liberties of the people are secure as long as they continue intelligent and virtuous.

But the English constitution, the English statutes to show how far the right to petition has been restrained and enlarged, but it is unnecessary. But I will presently show that it is at this day, and has long been, the established rule in parliament, to receive no petition when petitioners have no jurisdiction, or when the subject matter of the prayer, nor will it receive a petition on such questions and subjects as it may have jurisdiction, when, by the reception of the petition, it would delay and embarrass the public business of the nation.

The gentleman from Massachusetts said that a member from South Carolina, (Mr. Legare, I suppose), in opposing, in a former session the right of abolitionists to petition, had alluded to English precedents, and spent some time in combating the position assumed by the able member from South Carolina. I have not on my memory very distinctly the grounds laid in that debate, but I have no hesitancy in saying in my conclusion, of the gentleman from South Carolina was correct, and that he has been his argument. I do not say if it is so, but the gentleman, who is not here to defend his position, may have been on that occasion, like a learned English judge, who is described in the *Loose's Common Pleas Book*, as being remarkable for his accuracy and soundness of his decisions, and the fallacy of the reasoning by which he reached them.

The learned gentleman from Massachusetts has read from "Hale's" precedents, and has had occasion to say, from the same high authority, to show that although "it is declared by the statute of William and Mary that the subject hath a right to petition, and that all commitments and prosecutions for such petitioning are illegal," yet that the law of commons will not receive petitions when a bill is pending to raise revenue, and that in other instances they have summarily rejected petitions:

"In the proceedings of the house of commons, so late as the 25th of March, 1791, the subject of petition was fully and elaborately debated."

Mr. Sergeant Jackson offered the petition of a certain rev. Eugene Muhlenberg, praying that a law might be enacted to provide that the exco. law of the church of England be observed, as between, and in so far as shall be compatible with the laws of the country.

"Mr. Wynn protested against the useless and most inconvenient practice of entertaining petitions with respect to which the house can neither investigate the alleged grounds of complaint, nor afford any practical relief. It was a subject over which the legislature could exercise no control. It was impossible for the house to receive such a petition."

"Mr. Rosbeck rose to a point of order: That the house could not recognise the canon law of Rome, and could take no means to compel others to abide by it."

"Mr. Scarlett hoped that the house would bear the grievance of which the reverend gentleman complained, as there was no doubt a grievance did exist, and the house was a proper place for taking such a petition into consideration."

"The speaker always has always understood that when an honorable member presented a petition to the house, he first made himself responsible to the house that it contained no improper language, or such as ought not to be addressed to the house of commons, and, secondly, that it was supposed to exercise a becoming deference as to the propriety or propriety of parliament granting any relief in the matter. I am sure I need not indicate to the house the great inconvenience which must result from honorable members pursuing a contrary practice, both in reference to the dignity of the house and the progress of public business."

"Mr. Sergeant Jackson said he had carefully perused the petition, and could confidently state, that from beginning to end, there did not occur one improper word or expression towards the house. It was altogether couched in the most respectful language."

"The attorney general said: I have looked at the prayer of the petition, and I think that the petition ought to be received. *My opinion that no petition should be received which prays that which is utterly impossible for the house to accede to.* But such is not the fact in the present instance. The petitioner asks that the law may be altered; that the prayer is urged upon us only as one branch of the legislature, who cannot pass a law without the approval of the lords and the crown. It would not be impossible to introduce a bill having for its object that which the petitioner prays for. If, however, a bill were proposed for the canon law of Rome being made law for England, I apprehend there would be doubt there would be a unanimous feeling among the representatives of the people against any such measure. I humbly beg to say, that when a petition merely prays that the law may be altered, it should be received."

"Mr. Rosbeck added, almost that had fallen from the honorable and a new gentleman he was in error in opposing the reception of the petition, since it only prayed an alteration of the law; therefore, as far as his objection went, he waived it."

"Mr. Sergeant Jackson moved that the petition do lie on the table; which was ordered.—*Mirror of Parliament*, vol. 2, page 2, 136."

"On the 9th of April, 1694, a petition was tendered to the house, relating to the bill for granting to their majesties several duties upon the tonnage of ships, and the question being put, that the petition be received, it passed in the negative.—*Halstet's Precedents*, ed. 3, p. 209."

"On the 28th of April, 1698, a petition was offered to the house, against the bill for laying a duty upon inland pit coal, and the question being put, that the petition be received, it passed in the negative.—*Id.* p. 209."

"On the 31st of January, 1703, a petition of the masters of Nottingham being offered, against the bill for continuing that duty upon malt, and the question being put, that the petition be brought up, it passed in the negative.—*Id.* p. 270."

"On the 11th of December, 1706.—*Resolved*, That this house will receive no petition for any sum of money, relating to public service, but what is recommended by the crown. Upon the 11th of June, 1713, this was declared to be a standing order of the house.—*Id.* p. 202."

"On the 2d of February, 1726, a petition of the land owners in the Isle of Ely, for lessening the proportion of the said sale, and tax, being offered, and the question being put, that the petition be brought up, it passed in the negative.—*Id.* p. 202."

"On the 6th of March, 1732, a petition being offered against a bill depending for securing the trade of the navigable colonies, it was refused to be brought up. A motion was then made, that the committee be appointed to search precedents in relation to the receiving or not receiving petitions against the imposing of duties, and the question being put, it passed in the negative.—*Id.* p. 202."

"On the 28th of January, 1760, a petition of the masters of Ipswich, against the additional duty upon the stock of malt in hand, being offered, on question, that it may be brought up, it passed in the negative, *renuere contradicente*.—*Id.* p. 203."

"On the 15th of February, 1763, a petition of Mr. Montague, agent for Virginia, and a petition from Connecticut, and another from the inhabitants of Carolina, against the bill then depending for imposing a stamp duty in America, being offered, upon question for bringing it up, it passed in the negative.—*Id.* p. 204."

"On the 4th of March, 1795, a petition of certain merchants, importers and dealers in foreign wines, praying that the proposed augmentation of duties on foreign wines may not be imposed on the stock in hand on the 23d of February last, being offered to the house, the question being put, that the said petition be brought up, it passed in the negative, *renuere contradicente*.—*Id.* p. 205."

Here, then, are precedents for more than a century.

"The house adopted this rule: 'That they would not receive any petition against a bill then depending for imposing a tax or duty.' The principle upon which this rule was adopted, appears to be that of a tax extending in its effects over every part of the kingdom, and more or less affecting every individual, and in its nature necessarily and intentionally imposing a burden upon the people, it can answer no end to the people whatever for any act of petitioners to state these consequences as a grievance against the government."

The house of commons, before they come to a resolution which imposes a tax, cannot but know that it may very sensibly affect the commerce or manufactures of which the duty is laid; but they cannot permit the inconvenience of the petition to be brought upon a particular branch of trade to weigh with them when put in the balance with those advantages which are intended to result to the whole, and which the public necessities of the state demand from the legislature. Whatever reason it has been thought better and more candid to the persons who at once to refuse receiving their petition, rather than by receiving it, to give countenance to the application, and to mislead the petitioners into an idea, that in consequence of their petitions the house of commons would demand from the tax proposed, and impose another, which, though it might be less felt by that branch of trade, might be more oppressive to some other.—*Id.* p. 206."

So much for English precedents. And yet, the right of petition at this day, is more important to the people of England than to the people of the U. States. Gentlemen, as I said before, are unjust to themselves and to the country, when they talk about the right of petition being the foundation of our liberties, and they are equally in error when they say that the petition is a concession recognises the right of the petitioners to alter our English constitution. The difference consists in this, that we, the congress of the United States, have a written constitution which defines our powers and limits their exercise, and enumerates the subjects over which we may legislate. But, in England, the power of parliament is almost unlimited and undefinable—in supreme and absolute. No men were better acquainted with the jurisprudence of England, in all its branches, than the statesmen of the revolution, and those who framed our constitution. It was in the laws of England that they found a definition of the powers of government, the rights of the people, and the duties of rulers—a line drawn between the asserted and legitimate powers of royal prerogative. They found that there were charters, charters and franchises, a magna charta, and acts of parliament, and the authority of the private and corporate rights of the people, and intended to secure their enjoyment. They knew that it was in defence of those rights that their ancestors had often taken up arms in the old world, and that they had recovered to guarantee their security in this country, by bringing with their written charters, and establishing democratic institutions. Taking their stand upon these principles and rights, they threw them in all their appeals, remonstrances and petitions, and they were successful in the consummation of the revolution. But even so, they thought the people of the country that two great classes at least were indispensable, in order to avert for the future the evils and perils of the past. That the supreme power should not be invested in any legislative body, as it was in parliament, and that no power should be exercised, except as delegated, intrusted and authorized. Hence, when renouncing their allegiance to the king of Great Britain, and dissolving their connexion with the English government, in making a declaration of their rights, they followed the example of their ancestors. But they went no further in their prudent caution and jealousy of power, by defining the powers of the governments which they established, by written constitutions. But if it was impossible to invest in a safe guard of liberty, to define by written constitutions the powers of government, when the people of the colonies declared themselves independent states, or when, as *quoted*

sovereigns, "they formed the league of confederation, how much more important did a written constitution become, when, in order to form a more perfect union, it was necessary to change the elective into an executive government, possessing great and sovereign powers, and acting directly on the people; when the powers of government were to be divided between the government of the union and those of the states; when the government was to be sovereign with respect to the objects committed to it, and the states sovereign with respect to the objects committed to the other." The constitution, then, having been thus formed, and having been established for the high purposes to which I have alluded, must be our only rule and guide in all our proceedings. We have only to read its plain and palpable mandates, remembering, especially, "that the powers not delegated to the United States by the constitution, nor prohibited by it to the states, are reserved to the states respectively, or to the people."

Considering then, that the clause is the first amendment to the constitution, which relates to the right of petition, what is the right which is guaranteed to the people, and which we are prohibited from abridging? The language is plain and unequivocal. It is, "that the people shall make no law" abridging "the right of the people peaceably to assemble, and to petition the government for a redress of grievances." In the law books, "a petition" is defined to be "a supplication made by an inferior to a superior, and especially to our *America* jurisdiction." And again, "a petition is a written instrument of writing or printing containing a prayer from the petitioner, presenting it, called the petitioner, to the body or person to whom it is presented, for the redress of some wrong or the grant of some favor, which is left to his discretion to grant or refuse." This it is considered a *privilege* and *right* against all real grievances—*grievances felt and manifest*. In its very nature it is a restricted right—a privilege of defined limitation.—

The very phraseology of the constitution is a limitation of the exercise of the right of petition. The constitution gives no other cognizance and jurisdiction for specific purposes, and our right of petition must be in accordance with the constitution. We cannot of right be petitioned to do that which we have no constitutional power to do, much less to do that which we are not to do. No petitioner has a right to ask for a redress of grievances, if they are grievances under the constitution, and which congress has the constitutional power to redress.

Now, sir, who are these petitioners, and what are the subjects of their petitions? Who are they? Individuals, or the community? If individuals, and if individuals alone, should, in the name of the community, indulge a sickly sentimentality for the imaginary benefit of remote communities; who, with self-assumed superiority and Pharisaical pride, arrogate to themselves the entire possession of philanthropy; who, secure from all dangers themselves, would institute rash experiments on our peace and happiness, and the extinction of one or other of *two eternally distinct races*; for so degree of equality, no amalgamation, can be thought of, which would produce a connexion at which the soul sickens with loathing and disgust. Yes, sir, such are the petitioners, and such the inevitable consequences if their prayers be carried out; for some of them ask congress to abolish slavery and the slave trade in the District of Columbia, and to abolish it in the territories, and some in the states. Now, sir, are the prayers of these wretched fit subjects for our legislation, and do they set forth such grievances as they have a right to complain of, or we the power to redress? I answer, no, sir, they are not such grievances, nor do I believe that a majority of the community are members who defend these petitions. I will answer no. But, Mr. Speaker, I cannot but think that great efforts have been made to cover the real objects of the abolitionists' memorialists, to divert attention from the real question presented, and to introduce a new issue out of the right of the people to petition. To me, in my view of the case, I would remind gentlemen that, though the first article of the amendments of the constitution declares that "congress shall make no law to abridge the right of the people peaceably to assemble and to petition the government for a redress of grievances," the second clause of the fifth section of the first article gives express power to each house to determine the rules of its proceeding. Now, sir, it is not proposed that congress should make any law upon the subject of petitions, that the power of this house should be exercised out of this house, or over any others than the members of this house. It is not proposed to send forth an edict forbidding the people to assemble, except in certain numbers, or to petition, or to send forth any petition, save in a certain manner. Nothing of this.

*Tamm's Law Dictionary.
*Bourne's Law Dictionary.

tion. Forbearance is a part of their faith, and a love of order and peace their fondest delight. Whilst they do not hold slaves themselves, they do not dispute with their neighbors who do; nor do they desire that the general government should deprive any portion of their fellow citizens of their property.*

*The following letter, giving an account of the views of the society of Friends, who assembled in Maryland, is too interesting not to be published. The name of the writer, as a distinguished citizen, is too well known not to command the highest and most favorable consideration.

Baltimore, 2d mo. 25, 1840.

ESTEEMED FRIEND: I this morning received thy letter of the 24th instant, inquiring of me if the society of Friends had not expressed their dissatisfaction of the abolition excitement now existing in the north. Although the question is one of some embarrassment, I will endeavor plainly to answer it, and will give thee all the information in my power to enable thee correctly to understand our position.

The society of Friends, under their existing organization in the United States, are composed of a number of *yearly meetings*, each of which is a self-governing body, and is in discipline independent of the others, and issues from time to time to the members that constitute it, such admonitions and rules as it may think proper to give. It is not the province of these meetings in relation to the subject of this inquiry, I can only speak so far as concerns the one of which I am a member, and that is the Western Shore of Maryland and the adjacent parts of Pennsylvania and Virginia, and who held their yearly meetings at Baltimore. In the year 1844, the Friends of this meeting, who were in great measure then rapidly manifesting itself on the subject of abolition, and not feeling self called upon to take part, or in any way interfere with members, "that we may, both as a society and individually, keep ourselves unconnected with the excitement now so generally prevailing in the land," (in regard to slavery) in the meek and peaceable spirit of the Lamb; and that we avoid compromitting ourselves by entering into any political party, and

In the year 1839 the yearly meeting renewed its advice on the same subject, and, after exhorting its members "to be faithful in the support of our righteous testimony against slavery," cautioned them "against entangling themselves with those associations that have sprung up in different parts of our country in relation to this subject, and which, we fear, will retard rather than promote the work."

In order that we may not be misunderstood, it is a duty I owe both to these and to myself, on the present occasion, to speak frankly, and without reserve or concealment, on this deeply important subject. After communicating the foregoing facts, in relation to the proceedings of the yearly meeting of which I am a member, I must, therefore, be permitted to add some remarks illustrative of our views. These I will endeavor to condense into as few words as possible, and I trust they may be received as a part of my answer.

The society of Friends, almost from its first organization, have been opposed to slavery upon the ground of religious principle, and they were the first to raise their voice against the African slave trade. They have ever viewed the system as unjust, and believed it would lead to calamitous consequences. They con-

[illegible]

The society of Friends, therefore, I believe, cannot be correctly charged with getting up the present excitement on the subject of abolition; for, although they view slavery, as it now exists in the United States, to be a grievous evil, and some of their members may have fallen under the prevailing excitement, and perhaps participated in the measures taken by the abolitionists, yet, so far as I am advised, the number of those (if any) within our limits have been few, and our members have very generally followed the advice of their weekly meetings.

Assuring thee of my highest regard and esteem, I
am, very respectfully, thy friend, P. E. THOMAS.
The hon. Wm. Cass Johnson, Washington.

And I will here state, in defence of the name of William Pinkney, who has been so frequently quoted by abolition writers and speakers, that Mr. Pinkney defended abolition when he was a member of the house of delegates of Maryland, but he did so as a citizen of that state, and before a legislative body having jurisdiction to consider only the laws of that state. But he was not an eminent as a constitutional lawyer, and was emphatically what chief justice Marshall called him—"the monarch of the bar," when transferred to the senate of the U. States, where he stood the personification of genius with the eloquence of himself, was the most eloquent defender of the slaveholding states, and the inviolable advocates of the rights of slavery, and the rights of the union. In the senate, the constitution which he had sworn to support was the rule of his guidance.

The gentleman from Massachusetts (Mr. Adams) has alluded to the controversy now existing between the executives of the states of Virginia and New York, in which the rights of jurisdiction over persons, non-residents, but violators of the laws of the state wherein they committed the offence, is involved, and the gentleman intimated that that controversy was infinitely more dangerous than the excitement occasioned by the abolitionists; so much so, that he stated we are on the eve of a civil war. I have read the communications of the two executives, in which I now hold in my hand, printed by the state of New York, and sent me by a friend (Mr. Sibley) now in the senate of that state.

Mr. Speaker, you need be under no apprehensions. I do not mean to discuss the question, and indeed if I did, I can perceive no inpropriety in my so doing, as it is a fit question for examination. All that I mean to say is, that I differ in opinion with the gentleman from Massachusetts, (Mr. Adams), who looks upon the question as hanging on the verge of a civil war. I see no feeling of hostility in the correspondence. The communication

...dignified and argumentative, and creditable to either executive, though I differ from the governor of New York in some of his positions and delusions. He is a man of great energy, and a great master of the controversy; and to the gentlemen from Massachusetts (*Mr. Adams*) I would say, if he thinks we are on the eve of a civil war, and he regards it as such (as I hope and am sure he does), a great national calamity, he had better plan to hasten its coming, by doing it by the course which he takes upon this floor. Will his expectation to cure a greater evil by inflicting in addition a lesser one? Does he graduate these calamities in his mind, and does he think that the calamities of New York and Virginia a civil war between New York and Virginia? Would not the calamity of a civil war between the general government and the north, or by an insurrection, be quite as great a calamity as a civil war between New York and Virginia? Will that gentleman, every defence which is made of abolition is calculated to hasten that calamity?

The gentleman from Massachusetts (*Mr. Adams*) announces severely the resolution offered by the gentleman from South Carolina, and says, "I think, sir, that you are wrong," he says, "it is indefinite and too vague, and proposes one as an amendment which is calculated to invite collision, and would make this house nothing more than a wrangling and confused assembly." And then he says again say Mr. Adams, "I think that no one knows better than myself the peril which I encounter in opposing the positions of the distinguished member from Massachusetts. I know how promptly he is willing to attack or to defend, and I know how ready he is to follow me in any point upon time. The gentleman considered the resolution of the gentleman from South Carolina as wanting decision, as waiving the true issue, and eluded it in the wooden nutmeg order, only waiving it, and And then he says, "I think, sir, that you are wrong," he says, "it is indefinite and too vague, and proposes one as an amendment which is calculated to invite collision, and would make this house nothing more than a wrangling and confused assembly." And then he says again say Mr. Adams, "I think that no one knows better than myself the peril which I encounter in opposing the positions of the distinguished member from Massachusetts. I know how promptly he is willing to attack or to defend, and I know how ready he is to follow me in any point upon time. The gentleman considered the resolution of the gentleman from South Carolina as wanting decision, as waiving the true issue, and eluded it in the wooden nutmeg order, only waiving it, and

chivalric gentleman, nor, as he also called him, the cavalier from South Carolina. Can I not say the same, and with greater justice, of the resolution offered by the gallant member from Massachusetts? And then he says, "I think, sir, that you are wrong," he says, "it is indefinite and too vague, and proposes one as an amendment which is calculated to invite collision, and would make this house nothing more than a wrangling and confused assembly." And then he says again say Mr. Adams, "I think that no one knows better than myself the peril which I encounter in opposing the positions of the distinguished member from Massachusetts. I know how promptly he is willing to attack or to defend, and I know how ready he is to follow me in any point upon time. The gentleman considered the resolution of the gentleman from South Carolina as wanting decision, as waiving the true issue, and eluded it in the wooden nutmeg order, only waiving it, and

chivalry as that member? He is but the archetype of the cavalier from South Carolina! Who, on this floor or off of it, is an ready to break a lance as the gentleman from the State I serve. He sees the danger, and he is ready to meet it. He is ready to meet it any time, even with the smallest advantage, and he is ready to meet it in practice, what the most formidable he rejoices to encounter; and hence his readiness to meet the gentleman from South Carolina equally gallant gentleman from South Carolina. They have measured weapons; yet,

"Not hate but glory made these chiefs contend,
"And each brave foe was in his soul a friend."

Mr. Speak-er, have you ever traversed the great prairies of the far west? Well, I have. You can there see the bison ranging gregariously over those beautiful and almost endless fields of nature. Occasionally a single animal is seen wandering apart from the herd, and danger lies beneath him, and the herd, and the herd in contempt—separated apart from the herd, and quietly departing on the rich and luxuriant flowers and herbage around him. By close observation you may see how these hungry and sanguinary beasts are kept tight upon the herd, and how the lone wolf would readily inflict will excite but seldom other sensation than contempt, or perhaps a single twitch of the insatiable muscle will alarm away the herd. Again you see, in the bright sunshine of the day, the region of the prairie, the herds of those kindred insects living in fantastic companies, and fatten themselves upon the calm and self-possessed animal, who will perhaps reserve his bite until the whole herd are busy with their work of eating. Then the predator will wait, and will, with the fallow of his vast trunk, knock into ruin and confusion the whole insectivorous tribe. Even so of the gentleman from Massachusetts. Or, if I may be allowed a less rural and more classic simile, he, like the lion, will wait until the whole herd of the pompous Hector in single combat, and to work this; and, like that same dead Telamon, encounter singly and alone a whole wing of the Trojan army, drive them back defeated and confounded, and then will slay him yet thirty times in triumph to the gods!

But to the resolution. Has the gallant member from Massachusetts proposed a more distinct and conclusive proposition than that which he has satirized? The learned gentleman's amendment invites collision in this house, and would require every member objecting to a memorial to spread his arguments on the journal—virtually to make the journal a register and record of written speeches.

Nearly a month have we been discussing this question: and with such an amendment not only all that has been said would have been spoken on the journal, but those members who do not speak would quickly begin to regret that they had not done so. I can neither make a speech nor write for the purpose. I will follow the example set by a member from Maine, at this session, [Mr. Clifford,] who got the clerk of the house both to write and read his speech for him. And, again, those, if there be any such, who can neither speak nor write, may be permitted to place one to write an argument for them, in order to have their names, with the written paper, spread upon the journal. This would be of daily recurrence on every memorial upon which there was the slightest difference of opinion; and the journal would be a more interesting and useful document. The Metropolitan newspaper. In a few years your journal would be long enough to reach round the globe; it would take an indefinite time to read *one day's proceedings*; and in a little while it would rival in bulk the Alexandrian library, and be as long as the ark of Noah. And, again, I would like to see the members when we consider the *materiel* of this house and its disqualifications properly. Every thing is discussed, and the same story, the same arguments, are told and retold again and again. Nothing is taken for granted, when every thing must be proven by statement and argument. I am not so familiar with a subject, but himself.

All debate what the constitution should be, instead of considering it a fixed instrument of clear and precise import, equally obligatory in all its requirements. So much for the resolution of the gentleman from Massachusetts, who said, "I will not vote for it, but for me it is enough that neither the gentleman's resolution nor his speech upon it denies the power of the house to reject petitions."

The resolution which I have proposed avoids interfering with the question of slavery as guaranteed to the owners of that property, and the government pledge under the constitution to protect each master in it; for it may become necessary for Congress to pass some penal laws, which will more effectually secure the right of the master to this species of property.*

*learned the following from the Emancipator.
 "SIGNS OF THE TIMES—A gentleman in Vermont writes, February 17, 'Four fugitives from the "paternal slave system" left my house this morning, on their way to queen Victoria's dominions. One was from Richmond, Va. and three from Baltimore. They were fine fellows, having been house servants. They were quite happy.'"
 "At the late western New York convention, at West Bloomfield, Ontario county, Feb. —, the Friend of Man informed us that.

"At this stage of the proceedings, great interest was added to the occasion by the introduction to the crowd

It is a fact worthy of remark, that property of this description was more sorely respected before than since the adoption of the federal constitution. William Penn, one of the great benefactors of mankind, always used his influence to secure the transfer in his property, as will be seen by the following extract from the records in the archives of Maryland:

"State of Maryland, to wit: I Cornelius McLane, secretary of state for the state of Maryland, do hereby certify that the following word, viz: As to Pennsylvania, they are sensible that the raising and lowering coin has been an advantage that government has had above his majesty's immediate governments, but what advantages they have made thereby they cannot judge, but believe it has at times been the means of drawing the money from his majesty's governments to the proprietary governments, and for some time and still does continue so to do from this province to Pennsylvania."

"That government, before governor Penn's last arrival there, did give too much countenance to fugitive seamen, debtors and runaway servants going from hence, and did rather impede than further their return; but Mr. Penn, upon his arrival, gave some redress to those evils, and continued so to do during his stay there, especially as to runaway servants, and he truly executed his duty in relation to the council to a communication from his excellency Nathaniel Blakston, governor of the province of Maryland, recorded in the proceedings of the council held at the town of Annapolis on the twenty-ninth day of December, and dominion D draw the money from his majesty's governments to the proprietary governments, and for some time and still does continue so to do from this province to Pennsylvania."

"In witness whereof, and that the same is truly and faithfully taken from the proceedings aforesaid, now of record in my office, I have hereunto set my hand at the city of Annapolis, on this 10th day of February, in the year of our Lord one thousand eight hundred and forty."

"CORNELIUS McLANE, secretary of state."

It may also be worthy of remark, that the two most benevolent men—the two who stand in the fullest relief upon the pages of our colonial and national history, as benefactors of human race, and whose names will grow in brightness as they grow in years—George Washington and William Penn, both died owners of slaves. The fact in relation to the former is familiar to all, and I extract the following from an able American historian, in relation to the latter:

"William Penn employed blacks without scruple.—His first act relating to them did not substitute, after fourteen years' service, the severe condition of adepts to the soil for that of slaves. At a later day, he endeavored to secure to the colored race, and moral culture, the rights and happiness of domestic life. His efforts were not successful, and he himself died a slaveholder."—Barrett's History of the United States, vol. 2, p. 403.

But, Mr. Speaker, if my arguments, and the facts and illustrations which I have adduced, have not yet produced conviction; if there should be a lingering doubt upon the minds of any member as to the right, propriety and expediency of rejecting abolition memorials, I will furnish my position with the additional authority of such distinguished names as will, I feel persuaded, remove all hesitancy—names of the most distinguished men in the nation; names

of audience of Lloyd and Nicholas Howard, who had just escaped from the dark prison of slavery, and were then on their way to Canada. These intelligent and interesting gentlemen, gave a brief sketch of their narrow escape—from their reasons for leaving their happy homes; and William Lloyd, George Crocker and Fardon D. Hathaway, were appointed a committee to escort them to the free dominion of queen Victoria.—A subscription of about \$20 was taken up to defray their expenses. The officers of the convention, were appointed a committee to correspond with ——— Darcy, of Baltimore, the individual who claimed these two men as human chatties."

"Baltimore, the neglected editor of the American Farmer, at Baltimore, will see that Mr. Dorey's \$2,000 are gone, irretrievably. What is to be done about it?"

"To show how few less fanatics will make men to a contempt of the laws and constitution, I will quote what the constitution declare:

"No person shall to service or labor in one state under the laws thereof, nor any other state, in consequence of any law or regulation therein, be discharged from such service or labor, but shall be delivered up on claim of the party to whom such service or labor may be due."—Art. sec. 2, § 3, clause constitution U. S.

Those people who have nided to deny these negroes to Canada, in open violation of the constitution, which professes to protect the rights of every individual in his property, and this species of property especially, may see those negroes in a very different dress, if they would exchange in a way with England. The British colonies of Canada have a number of persons under arms, principally ran away slaves, who are seized as soon as they cross the line and placed in the ranks as regular soldiers.

too, of such gentlemen as have been most prominent and conspicuous in this protracted debate. I will read from the journal of this house, session of 1835, '36, January 18th, page 184, by which it will appear that on *Amended and amended* members voted for the rejection of abolition petitions, and only thirty-seven against rejecting; and the name of the distinguished gentleman from Massachusetts, (Mr. Adams), heads the list:

"Mr. Adams offered to present petitions from citizens of the county of Washington, in the state of Pennsylvania, which, he stated, prayed that slavery and the slave trade, within the District of Columbia, may be immediately abolished."

"Mr. McKean moved that said petitions be received; and on the question, shall these petitions be received?"

"A motion was made by Mr. Gideon Lee, that this question do lie on the table."

"A motion was then made by Mr. Wier, that there be a call of the house, which motion being decided in the negative, the question was put on the motion made by Mr. Lee, that the question, shall these petitions be received? do lie on the table; and passed in the affirmative: yeas 176, nays 37."

"The yeas and nays being decided in the affirmative, the yeas were—

"Those who voted in the affirmative, are—Messrs John Quincy Adams, Chilton Allen, John B. Anthony, Michael W. Ash, William H. Ashley, Sam'l B. Bacon, James M. D. Beale, Bonning, B. Beal, Samuel Beardsley, Andrew Benson, John B. B. Abraham Booke, William K. Bond, Radford Boon, James W. Boulton, Matthias J. Bover, John W. Browne, Samuel Bunch, Jesse A. Bynum, William B. Calhoun, Churchill C. Camberberg, Robert B. Canby, George W. Canby, Zedekiah Chapman, Reuben Chapman, Graham H. Chapin, Nath. H. Claiborne, John F. H. Claiborne, Jesse F. Cleveland, John Coffey, Walter Coles, Henry W. Connor, Thomas Corwin, Robert Craig, John Craner, Caleb Cushing, Samuel Cushman, John W. Davis, Edmund Deberry, Phileas Dickerson, David Dickson, Ulysses F. Doubleday, G. C. Dromgoole, Valentine Elier, Geo. Evans, John Fairfield, Dudley Farlin, S. Fowler, Rich'd French, Jacob Fry, Jr. Philip F. Frost, R. G. Galt, Ransom G. Gillet, F. Granger, Swaton Grantland, Wm. J. Grayson, Eliza Haley, Joseph Hall, Thomas L. Hamer, Edward A. Hannegan, James Harlan, Samuel S. Harrison, Albert G. Harrison, Albert G. Hawes, Micahah T. Hawley, George W. Heppner, Benjamin C. Howard, Eliza Howell, Edward B. Hubley, Hiram P. Hunt, Abel Huntington, Adam Huntman, Joseph R. Ingersoll, Samuel Ingham, Jacob Jackson, Leonard Jackson, Joseph Johnson, Cay Johnston, Henry Johnson, John W. Jones, Benjamin Jones, Andrew Judson, William Kennon, Daniel Kilgore, George L. Kinnard, John Kilgusmith, Jr. Amos Lane, Gerrit V. Lansing, John Laporte, Job Lawler, Abbott Lawrence, Geo. W. Lutz, Gideon Lee, Josiah Lee, Luke Lee, Stephen B. Leonard, Henry Logan, George Loyall, Edward Lucas, Jr. Francis S. Lyon, Abijah Mann, Jr. Job Mann, Richard J. Manning, Joseph L. Marlin, John Y. Mason, William Mason, Moses Mason, Jr. Samuel Mason, Abram P. Maury, Wm. M. May, Jonathan McCarthy, Wm. McCaskey, J. McCall, John McKeon, Isaac McKim, Chas. F. Mercer, Jesse Miller, John J. Milligan, William Montgomery, Eliza Moore, Wm. S. Morgan, Henry A. Muhlenberg, George W. Owens, Sherman Page, George J. Patterson, George P. Peck, Francis Perce, James A. Perkins, Eshwar Pettigrew, Bate Peppin, Louis Perrier, Henry L. Pinckney, Abraham Rencher, John Reynolds, Joseph Reynolds, Eleazer W. Ripley, John Roane, John Robertson, James Rogers, Ferdinand S. Schenck, William Seymour, George J. Shepley, Angus L. Simpson, Joseph S. Sizer, J. Shickles, William N. Shinn, Francis O. J. Smith, David Spangler, James Standifer, John N. St. elie, Bellamy Storer, Joel B. Sutherland, John Talafiero, William Taylor, Francis Thomas, John T. Thompson, Isaac Toomey, George W. B. Towns, James Turner, Joel Turner, Joseph R. Underwood, Aaron Vanderpool, Samuel F. Vinton, David D. Wagoner, Aaron Ward, Daniel Wardwell, George C. Washington, Lewis Williams, Sherwood Williams, Henry A. Williams."

"Those who voted in the negative, are—Messrs. John Banks, Nathaniel B. Borlen, Geo. N. Briggs, John Calhoun, George Chambers, John Chambers, William Clark, Edward Darlington, Hiram Deury, Horace Everett, John F. Forester, Thomas Glascock, George J. Gould, Angus L. Simpson, John H. Hammond, Gideon H. H. James Harper, Abner Hazline, Wm. Heister, Hopkins Holsey, Henry F. Jones, Levi Lincoln, Thomas M. T. McKennan, Jeremiah McLene, Mathias Morris, James Parker, Stephen C. Phillips, Francis W. Pickens, David

Potts, Jr. John Reed, David Russell, William Slade, Jonathan Sloane, William Sprague, Jr. Taylor Webster, John White, Elisha Whittelsey."

Quits a scene here ensued; a dozen members rose to explain, and many crowded round Mr. Johnson to examine the journals, who yielded the door to Mr. Adams first, for an explanation.

Mr. Adams asked Mr. Johnson if he had read the memorial which had been rejected?

Mr. Johnson said he had neither read nor seen the memorial.

Mr. Adams said that he had voted against the reception, because the language of the memorial was disrespectful to the house; for it was impossible that he could have given such a vote, unless the memorial had contained improper language.

Mr. Johnson said he thought that he could assign a better reason than that.

Mr. Granger rose to explain, and Mr. Johnson yielded the floor.

Mr. Granger said that his recollection was the same with the gentleman from Massachusetts, (Mr. Adams), that the memorial was discourteous in its terms, and such a paper as should not be received.

Mr. Johnson said, that from his knowledge of the gentleman who presented the memorial, he felt assured that he would not have offered to present a memorial which was not couched in respectful language; but that fact could be ascertained from the memorial itself, and he desired the clerk to withdraw it from the files, if it could be found, and sent it to the door.

Mr. Lincoln rose to explain. He said he did not agree with his colleagues, (Mr. Adams); that he had voted with the thirty-seven in the negative, but he was unwilling that the opinion should go forth, that "because the memorial contained improper language" he had not voted to lay on the table the motion to receive. His impression and his belief was that the language of the memorial was respectful and the memorial harmless, and therefore he had voted against laying the motion on the table.

Mr. Johnson said the remark of the gentleman was at least candid;—he believed the memorial harmless, and, therefore, he voted against laying on the table."

Mr. Pickens said that, as the gentleman from Maryland, (Mr. Johnson), had turned father confessor to the house, and as he was one of those recorded in the negative, he would explain that he had voted in the negative because the proposition to lay the motion to receive on the table amounted, virtually, to a reception of the paper.

Mr. Johnson said the gentleman had made a strange confession, upon the meritorious efficacy of which, whether father confessor or not, he would not undertake to decide; but he would say, that the gentleman certainly deserved credit for the originality of the discovery, that a motion to lay "a motion to receive" upon the table, carried with it, as intimated to, a reception of the paper. It was the first time he had ever heard the idea advanced. To lay the motion on the table to receive was a positive rejection of the paper.

Mr. Vanderpool then rose to explain. He said he did not know whether he had a distinct recollection of what had occurred at that time; but, he could say that he was always opposed to abolition and its exiles, and that he had voted for the rejection of the memorial on the table. Abolition was one thing, the right of petition was another. He was in favor of settling this whole question, and never gave countenance to their agitators.

Mr. Hard, of New York, then rose to explain, and said that he had voted in the affirmative, but not because he understood the petition was couched in disrespectful terms.

Mr. Cushing, of Mass. then rose and said that, by way of explanation, he would read from the journal, but from some cause, or his connection therewith, was not distinctly heard by the reporter, from the confusion.

Mr. Johnson resumed, and said:

Mr. Speaker, I had I have fairly flushed a whole crew of members, and will take them one at a time, as Simon killed the wasps; yet if I find that sport too tedious and fatiguing, I will fire into the flock. The misfired confusion in the house, and the conversation around me, as also the distance of the gentleman from Mass. (Mr. Cushing), prevented my hearing what he said while he was on the floor. The point, if any of the explanation of the gentleman from Troy, (Mr. Hard), I could not comprehend, perhaps did not hear. The gentleman from Canada, I have alluded to, and may perhaps again. But a word more in relation to the gentleman from New York, (Mr. Vanderpool). I must be excused for distinguishing him by the euphonious and poetic name of his residence, for I know not how else to designate the various members of the empire state who have explained. I mean the gentleman who,

entation in the southern states, through the mails, of incendiary publications intended to instigate the slaves to insurrection.

Such, Mr. Speaker, was the language of the president of the United States, occasioned by the violent excitement then existing. And in the same session the postmaster general, in his annual communication, asked for the aid to suppress the insurrectionary communications sent through the mail, and calculated to excite servile war. He says:

"A new question has arisen in the administration of this department. A number of individuals have established an association in the northern and eastern states, and raised a large sum of money for the purpose of effecting the immediate abolition of slavery in the southern states. One of the means resorted to has been the printing of a large mass of newspapers, pamphlets, tracts and almanacs, containing exaggerated, and in some instances false, accounts of the treatment of slaves, illustrated with cuts, calculated to operate on the passions of the colored men, and produce discontent, assassination and servile war. These they attempted to disseminate throughout the slaveholding states by the agency of the public mails.

"As soon as it was ascertained that the mails contained these productions, great excitement arose, particularly in Charleston, S. C., and, to ensure the safety of the mails, the northern and eastern postmaster at that place agreed to retain them in his office until he could obtain instructions from the postmaster general. In reply to his appeal, he was informed that it was a subject upon which the postmaster general had no legal authority to interfere with him. The question again came up from the postmaster at New York, who had refused to send the papers by the steamboat mail to Charleston, S. C. He was also answered that the postmaster general possessed no legal authority to give instructions on the subject; but as the undersigned had no doubt that the circumstances of the case justified the detention of the papers, he did not hesitate to say so. Important principles are involved in this question, and it merits the grave consideration of all departments of the government.

"It is universally conceded that our states are united only for certain purposes. There are interests in relation to which they are believed to be as independent of each other as they were before the constitution was formed. The interest in which the people of some of the states have in slaves, is one of them. No state obtained, by the union, any right whatsoever over slavery in any other state; nor did any state lose any of its power over it within its own borders. On this subject, therefore, in the view he correct, the states are still independent, and may fence round and protect their interest in slaves by such laws and regulations as, in their sovereign will, they may deem expedient.

"We have the people of one state any more right to interfere with this subject in another state, than they have to interfere with the internal regulations, rights of property, or domestic policy, of a foreign nation. If they were to combine, and send papers among the laboring population of another nation, calculated to produce discontent and rebellion, their conduct would be good ground of complaint on the part of that nation; and in case it were not repressed by the United States, might be, if perseveringly persisted in, just cause of war. The mutual obligations of our several states to suppress attacks by their citizens on each other's reserved rights and interests would seem to be greater, because, by entering into the union, they have lost the right of refuge which belongs to nations wholly independent. Whatever claims they may be supposed to have, on the right of free discussion within their own borders, of the institutions and laws of other communities over which they have no rightful control, few will maintain that they have a right, unless it be obtained by the compact of treaty, to disseminate discussions within those communities, either orally or by the distribution of printed papers, particularly if it be in violation of their peculiar laws, and at the hazard of their peace and existence. The constitution of the United States guarantees to the citizens of each state the right to be entitled to all privileges and immunities of citizens in the several states; but this clause cannot confer on the citizens of one state higher privileges and immunities in another than the citizens of the latter themselves possess. It is not easy, therefore, to perceive how the citizens of the northern states can possess or claim the privilege of carrying on discussions within the southern states, by the distribution of printed papers, which the citizens of the latter are forbidden to circulate by their own laws.

"Neither does it appear that the United States acquired by the constitution any power whatsoever over this subject, except the right to prohibit the importation of slaves after a certain date. On the

contrary, that instrument contains evidences that one object of the southern states, in adopting it, was to secure to themselves a more perfect control over this interest, and cause it to be respected by the sister states. In the exercise of their reserved rights, and for the purpose of protecting this interest, and ensuring the safety of their people, some of the states have passed laws prohibiting, under heavy penalties, the printing or circulation of papers like those in question, within their respective territories. It has never been alleged that these laws are incompatible with the constitution and laws of the United States. Nor have they been so alleged that they can be so, because they relate to a subject over which the United States cannot rightfully assume any control under that constitution, either by law or otherwise.

"If these principles be sound, it will follow that the state laws on this subject are, within the scope of their jurisdiction, the supreme laws of the land, obligatory alike on all persons, whether private citizens, officers of the state, or functionaries of the general government.

"The constitution makes it the duty of the United States 'to protect each of the states against invasion, and on application of the legislature, or of the executive, (when the legislature cannot be convened,) against domestic violence.' There is no quarrel with the right of the states to violence comprehended in some of the states, as from the servile population operated upon by mistake or designing men. It is to obviate danger from this quarter, that many of the state laws, in relation to the circulation of incendiary papers, have been enacted. Without claiming for the general government the power to pass laws prohibiting discussions of any sort, as a means of protecting states from domestic violence, it may safely be assumed that the United States have no authority to interfere with the exercise of the lawfully known to be instrumental in producing, within the several states, the very mischief which the constitution commands them to repress. It would be an extraordinary construction of the powers of the general government, to maintain that the house should to afford the agency of the mails and post offices to contravert the laws of the states, in the circulation of papers calculated to produce domestic violence, when it would, at the same time, be one of their most important constitutional duties to prohibit the circulation of papers calculated to produce the same mischief. The nature of the necessary consequences produced by that very agency.

"The position assumed by this department is believed to have produced the effect of withholding its agency, generally, in giving circulation to the obnoxious communications. But, sir, the effect of the necessary means effectually to prevent, by legislative enactments, the use of the mails as a means of evading or violating the constitutional laws of the states, in reference to this portion of their reserved rights, a question which it appears to me is assigned, may be submitted to congress, upon a statement of the facts, and their own knowledge of the public necessity."

Such was the strong appeal made by the postmaster general, enforced as I have shown by the message of the president. But, sir, the terrors of carnage which had been done, the blood of innocence which had been spilt, spoke more eloquently to the nation, and the representatives of the people met here with the solemn impression on their minds, the spirit of patriotism was whispering to their hearts, the question which has been rejected here began again to calibrate their judgment. Public duty and public policy alike invoked this house to reject the memorial, which experience had shown to be fraught with so much danger, and one hundred and thirty-five members recorded their names upon the journal as have shown.

Such were the considerations which prompted the rejection of abolition memorials in 1838, and such a state of things would, I am quite sure, in the case of the present memorial, have effected rejection. But, sir, the course which gentlemen pursue in debate, the appeals which they address to the prejudices and passions of the people, may sooner or later effect another excitement of similar calamitous consequence. But if another insurrection break out, let me tell gentlemen that, though it may be as quickly suppressed, it will not be in their power so easily to quiet the alarms of the south. They will not remain passive under machinations which are calculated to give their homes to the flames, or to produce such a state of things as occurred in St. Domingo, the happy condition of which island has been allotted to in this debate by one neighbor, with a sort of fondlike triumph."

"Under the garb of pretended religion, the abolitionists would desecrate with blood the altar of the constitution, and this, too, in the most insidious form, by sending, in a secret and stealthy manner, their inflammatory

Mr. Speaker, every debate on this floor of the character of the present is an attack upon the foundation of the republic. No secret, no surreptitious speech which is made here dissolves, in some degree, that kindly feeling, that friendly relation, which is the strongest cement of the union; and a revolution must be the consequence. The public mind, once once more to be convulsed by an event as probable, will, for slight cause, act on the suggestion of its necessity. The fears already awakened will be magnified; and to relieve themselves from this feverish anxiety, the people of the south must seek peace and security by dissolving political connection with those who, by thus supporting the cause of abolition, show a recklessness of the peace and quiet of the south, and a disregard of all covenants under the constitution. Sir, I repeat to these gentlemen, your security depends in a great degree upon their non-interference. They have no right to meddle with the question of slavery; and I utterly deny the right of this house to discuss the subject. It is a violation of your sworn duty, for you have sworn to support slavery when you took the oath to support the constitution. You first divide yourselves with the belief that the question is harmless, although you have seen its evils, and then strive to appease its wrath with declamation about the rights of petition, and tell us that it is only the right of petition which is denied to the people. Let the memorials be received, and you will not ask that what they pray for be granted. Sir, I repeat that an avowal that only one member will vote for abolition is a pregnant and unanswerable argument in favor of promoting the abolition of the kind. If the right to petition was clear and beyond debate, would not the declaration, that but one man could be found, in forty years, so reckless as to vote for the prayer of the petitioners, be a convincing reason that these abolition memorials should not be received? And how does the force of the consideration increase, when the attempt to force the reception and consideration delays other business of the nation and endangers the very existence of the union? You give over to the people what we may not see the inferior, while we are pained by your queerness. You are for introducing your Trojan horse into our citadel, that armed men within may cut our throats at night when we are least expecting. You are contending for an abstraction, which you say is useless if it is granted;

ry traces, appeals and miserable agents, in various disguises, among the slaves of the south. Although a party to the union, they are willing to outrage every written and unwritten law, to might learn better religion than they practice from the followers of Mahomet; and the south could more safely rely upon promising the abolition of the slave in the followers of the prophet, although he faith is, "that the fighting for religion is an act of obedience to God." But they are brave enough to front danger themselves, and to go on raising money, to secure murder and assassination by others to propagate their religion.

In the beginning of the seventh century, when Aboulsar succeeded Mahomet with the title of caliph, and commenced the conquest of Syria, and sent his army forward, he closed his instructions to his general by saying: "When you make any covenant or alliance, stand to it, and be as good as your word." The Damascus capitulated with Abu Obeid, one of the Saracen generals, to pay tribute and still enjoy their religion. As Ouseid entered one of the gates by capitulation. Ouseid, his principal associate, who was ignorant what his companion had done, forced the gates on the opposite side, and entered into the city, and, finding meaning his former companions in the middle of the city ordered them to desert, informing them of the conditious which he had entered into, stating to Golei, who preferred a general slaughter, as he had before the city, "that when I had made an agreement, I did not think that you would ever have attempted to make it void. But I have now seen that you have done so. I have given all these people my protection, and that in the name of God and his prophet; and all that were with me killed it and approved it, and we are not accustomed to part from our word." Those who were a part of the city by sworn still persisting in their slaughter, he threw himself between the Christians and his savage tribes, and was slain. The covenant was maintained, and Damascus to this day contains a population of twenty thousand Christians. More than a thousand years have rolled round, and this covenant is still preserved in its original purity; while hardly a half a century has elapsed since the revelation of the revelation, and these faithless men of the north grow evidence to the world that their word, their promise, their covenant is less sacred than that of the Mahometan.

How much blood has been shed—how much perfidy has been inflicted—how much misery has the human family suffered, and we are to this day, the consequence? Let the red and numerous pages of history answer.

whilst the defence itself is pregnant with incalculable mischief. You are widely pursuing a phantom, when each step forces you to trample on rights guaranteed by the constitution.

Mr. Speaker, if I were to ask these gentlemen there is any principle sound in moral philosophy which has no good in its application or in its end they would answer in the negative. In philosophy in morals, in ethics, in legislation, nothing can be good which is not useful and beneficent in its

useful that was not utility and benefit in its end. Apply that principle to the present case, and you will find that the abolitionists are right. If you say, "Can you use would force upon you. If the end then, which the abolitionists seek is so mischievous, you should abandon the means so as not to reach the evil you say you would deplore. A man may be visionary and theoretical in private life, and yet not perhaps so in public. Weakness in public man is a vice, for vice and weakness differ only in the intention: their effect is alike mischievous. A man who is too weak or timid to do right does a negative wrong, which becomes a positive evil, and often a worse one. The abolitionists support the abolitionists are responsible to those who are too supine or timid to use any means

or power which they may possess to say their views attempts, become either active or silent participants, and are almost equally responsible. By the course which gentlemen pursue, they not only make a mark of their own opinions, but upon the States. They force the slaveholding States to place new restraints upon him. His privileges are circumscribed, and his mental culture neglected, because you make speeches which would endanger the life of his master were he to read them. You make laws which would make tyrants of the slave, while the censures of his brethren in the States of the North, and the treatment falls upon you; you are the cause of the degradation of the slave, and the great degree of rigor towards him, whilst you pretend to have sympathy for him; you are responsible for the harshness of the laws of the South, and for the harshness of the treatment of the slave in the North. Instead of meeting this question at home, you transfer the scene of strife to this hall. You avoid the question where it should be met, and censured us because we tell you you have no right to interfere with the laws of your States, and you make us your avengers, because you are too timid to encounter your

own turbulent constituents. You wish to please
both but satisfy neither. The abolitionists go for
universal emancipation, and every morning their
house is flooded with the evidence of the fact,
through their papers; yet you say you will com-
promise by only defending such petitions as claim
to liberate slaves in the District of Columbia. You
tell the north, but let their petitions be received and
you will then unite in opposing their petition. You
defend abolition by denuding their petition, and
to avoid the true question you adopt the Machiav-
elian maxim, that you must first give the lie to
your own conscience, before you can succeed in

changing the drama, and sanctify the boldness of the right of petition, you virtually advocate the end and measure of the petition, and the whole question of slavery in the south narrows down to the issue which you make here. If you are right, then, abolition follows by the same means throughout the south. I am for meeting the question on the ramparts of the constitution; for I believe that slighted inroad over the constitution will not stand alone or unaided in this question. Two hundred and fifty members were never intended to be act over the people of this District as absolute masters, tyrants, disposers of the lives and property of the people, without restraint in the exercise of their capricious will or speculative theories. The people of this District never will give you jurisdiction over their property as a proof of their right to be taxed. You ask, for the jurisdiction, as one of old said, "for fire, earth and water; ask, too, as one of old did for the sword." You say, "I will give you the sword, as the head of the little republic which contained about the population of this District answered, 'come and take them.' Sir, the Persian war with its armed thousands, and left their bones to be trampled on by Grecian soldiers and Grecian slaves." Florida.

Let gentlemen remember it was not the actual oppression of Great Britain that caused the war in 1776; the revolution; it was the assumption of a right to tax, not the miserable pittance itself which was demanded. Common blood, common interests, united the people of the two countries; but the assumption of a right to assume the ligaments which united the thirteen colonies to the kingdom of the mother.

country. I ask gentlemen to reflect before they set up a right of jurisdiction over slave property, they may not cause similar results. The south is not to be united by common bonds, but by common interests, but they are bold and fearless people are not to be trifled with. Take warning, by this act, for you know not how quickly you may cause another separation. I am sure that the people of the north are divided by political feelings; on this question they all feel and think alike, and if you force the necessity, they will act alike. Mr. Speaker, I cannot separate an abolitionist from a fanatic. I cannot separate a man out a refinement which belongs only to a capitalist. The distinction which gentlemen draw is theoretical. The application of their remarks goes really to the heart of the matter. It is not a question of mischief which it produces. They agonize us with their speeches, yet rebuke us if we complain.—They would keep our minds on a Procrustean bed, and make them all of one size, and of the most vicious dimensions. But if all this is sport to them in the language of the fable, it is death to us. Sir, for one I repeat, I am tired with this siren song and I would rather please, but to decide, and charm me, than to destroy.

But, Mr. Speaker, while I have thus freely and frankly expressed my sentiments in reference to the conduct of those who agitate the question of abolition, I rejoice to say that there are men in this country, north and south, who are not only sensible of the violation of the south and the constitution, and to the injury and abuse the public mind of misapprehension on the subject of slavery. Among the distinguished individuals of the South, Mr. Austin, of Texas, is pre-eminently conspicuous, and he has been here to quote the following remarks from his review of the rev. Dr. Channing's letter on the slavery question:—
We, of New England, are as essentially parties to the guilt of the slave as the slaveholders of the South themselves; because we have secured to ourselves, and do actually partake the fruits, profits, and enjoyments of slavery, and can, therefore, have no moral right to interfere with our associates in the same course. Let us wash our own hands of the guilt-fulfilling iniquity!

"Our political duties are regulated by the constitution of the United States, and are to be determined by correct views of the principles and doctrine it contains.

"This constitution recognizes the existence of slavery in the United States. It provides for the continuance and security of the institution. It holds us as parties to it. Most of us have sworn to support this constitution. All of us are bound to do so, whether under oath or not. We enjoy its blessings. We partake of the advantages, which we exacted in return for the concessions we have made. We possess what we purchased in the freshness and fullness of our contract, and it is a base and false policy, or a vulgar and ungenerous and disgraceful fraud to tell us hypocritically that we are not parties to it, that only free citizens are of the price

"The morality which, under these circumstances enforces our interference with the southern institutions of slavery, is the morality of teaching us to violate our solemn contracts; it is the morality of sharpening that huckstering ingenuity which has been too justly ascribed to the Yankee pedlar, or hokier, to both ends of the bargain.

"There is no higher morality than that which enjoins fidelity to contracts—fidelity in the spirit as well as the letter; and no sneerer chicanery or fraud than that which attempts to creep from their obligation by keeping the word of promise to the ear and breaking it to the hope. We need not enumerate the provisions of the constitution already adverted to in order to ascertain our duty as faithful citizens, because there is a broader and more expansive principle of honesty. We know what was intended at the time of the contract. We know its claims, the interest secured by Deeds, and the abolitionists had been proposed and insisted on in the convention, so constitution could have been formed.

"But the constitution exists, and we are at this moment reaping its advantages, and yet it is seriously proposed, as a matter of moral duty, so to interfere with its establishments, as to deprive one of the contracting parties of the advantages it secures to them. We eschew all such morality.

"But this interference is only by moral suasion. It only goes to persuade the southerner to enfranchise his slaves. An excuse this, the very quintessence of jesuitism. We exhibit the slaveholder to the world as a thief, a robber, a spoiler of other men's property—grossly guilty of immorality and crime. We venture to affirm that each one is marked by a felon's 'brand,' which the fame and talent of the most exalted of their statesmen cannot conceal; we send forth our missionaries upon their bor-

ders to play upon the passions of the servile class and encourage them to 'reek through blood a slaughter their long lost liberty.' We warn the peaceful citizens in the same way our would-be alarmed if a menagerie was to be turned loose in the population in our streets; we compel them to change their minds, to stand aside from the carnal pleasures, to restrict the indulgence of the slaves, lest insurrection should follow, cause naturally calculated, but not indeed intended, to produce it; we destroy, by the natural action of human passions, all kindness, sympathy and friendship between the two great sections of our citizens. We have thus succeeded in the perpetuation of the Immoral south, and spread broadcast the seeds of strife, jealousy and revenge, and all that we call a moral situation—deep reverence for the laws of God, commanded by pure morality, kindness, good will and brotherly love—the obligations of the Christian religion, and the rights of the human soul. It is not calculated to bring religion into scorn, it is only because we take our choice between fanaticism and hypocrisy.

"These considerations confirm our opinion that the citizens of the free states have no right to interfere with a southern domestic institution. To deal with the products of slave labor is to uphold and permit it. We are under no contract, and no political obligation to deal in these products. We have increased to an immense extent our demand for these products during our ignorance and delusion on the subject of slavery. New lands have been planted, new slaves have been bred, and new money has been paid for cotton and wool, and the demand for domestic slave trade, in separating families, and in encouraging the breeding of slaves."

"By our own demand, the value of slaves in the United States, which was in 1830 but five hundred millions of dollars, has now increased to twice that amount. Our factories for the employment of slaves, and our commerce with the slave country. We boast of them. Our secretaries of state reported the investment of our capital in the slave States of Massachusetts alone to be about sixteen millions of dollars, and our annual dealing with one single article, the product of slave labor, to be to the extent of twenty million dollars. We have a direct agency of twenty one thousand citizens. Of the navigating interest concerned, we have an equal amount, and of the indirect connexion which it has in every department of industry, we can form no estimate. The great amount is the wages of crime and sin and iniquity." All this was the monstrous Moloch of slavery. Our happiness is bound up with it. It is the prosperity and civilization of life and we have erroneously believed, but now we find it is the deadly fire in the garden of our Eden. We

"The tremendous sacrifice thus demanded of us is nothing, absolutely nothing, to that which we demand of our fellow citizens of the south. But we put it to the conscience of our own citizens, and to the letter writer himself, whether we are not as much engaged in supporting slavery as they are, whether it we have discovered its sin and they have not, we can enjoy its profits and rail at them for not breaking it up!"

Such a Mr. Speaker, are the views of the writer whom I have quoted, and I am happy to believe that they are the views of a large portion of the well-thinking and well disposed citizens of the north. The three millions of slaves held in the southern states are the principal capital of the people of the south, and upon whom they depend for the principal resource of the soil, while the principal staple of the manufacturing enterprises and industry of the north. But if the people of the north are really in earnest; if they find that by the contract under the constitution they are aiding and abetting the south in maintaining the institution of slavery; if they find that the institution is a curse and a sin, and that as a consequence of this they cannot any longer consent to it and admit its continuance; if they are tired of the union; if their family and ours, their servants and ours, cannot agree, let them tell us so frankly and in good brotherhood, and we will say, as did one of our fathers, "let us part in peace." (The speaker then said, "You go to the left and we will take the right.") Our blessing will be upon you, but let us part in peace.

Be honest and be manly. Tell us you cannot live with us, but do not insult us with your memorial and with your speeches. Yes, sir, let them peacefully, quietly and firmly exercise the powers which belong to them. Let them propose the means, and prepare the way, for a dissolution of that political government under which they can no longer conscientiously live. Let no memorials of the past or hopes of the future divert them from their undertaking. Let them forget the admonitions of all past times—the histories of all other governments.

CHRONICLE.

THE ABOLITION ELECTIONAL TICKET. It is a singular coincidence, that the number of votes given for the electoral ticket in Pennsylvania was exactly the same as the majority which the Harrison ticket obtained over the Van Buren ticket in that state—that is, *three hundred and forty-three*.

APPALACHICOLA, FLORIDA, according to the recent census, has 1,022 inhabitants.

BANK ARRANGEMENT FOR THE RESUMPTION OF SPECIE PAYMENTS. It appears to be understood on all hands that the banks that have suspended, will severally resume specie payments on or about the 1st of January.

The New York Express of Saturday, the 11th, says:—"The Boston capitalists and banks have been called on by the local banks in the city of Philadelphia, for a loan of two and a half millions of dollars, in post notes, having twelve and eighteen months to run, and bearing an interest of 6 per cent. This loan they have accepted, and have invited the New York banks to participate in the loan, to the extent of a million of dollars. The loan is to be made in Philadelphia funds, and the post notes to be made payable in New York. The banks have readily agreed to take their part. The Bank of Commerce has taken more, viz: \$250,000—the Merchants' and Mechanics' \$100,000 each—the Phoenix, State and City all mine, so that the sum will be made up without the slightest difficulty, and the amount will not give any inconvenience, as the New York banks have full a million of dollars in balances lying dead in Philadelphia, on which they have not for a long time received any interest; and the Boston banks have, no doubt, quite as large a sum lying dead. This arrangement is most desirable for all parties."

The Baltimore banks are to be in a condition to resume. The *Louisville Advertiser* states that the banks of Kentucky have been ready for some time to resume. The *Little Rock Gazette* states that the banks of Arkansas will resume on the 1st of January.

BEANS. Among the standing products of New England, next to ice and pumpkins, beans take the lead. Vessels fitted out in that part of the country carry a barrel of beans to every half barrel of bread, and a quintal of codfish to every ton of pork. G. L. A. Beverly captain once hoisted his colors at half mast on the wide ocean, and thus operated on the humanity of another captain, who came down and boarded him. There was found bread enough, war enough, fish enough, beef and pork enough—but only three barrels of beans for ten men, who had yet a month's passage before them. It is unnecessary to say that the circumstances of the case authorized the signal of distress.

CAMDEN, N. J. has a population of 3,360.

CATTLE. The supply in the Baltimore market is large. Of 1,300 head offered, \$90 sold at from \$4 25 to \$6 per 100 lb.

THE COTTON MANUFACTURES OF BELGIUM, employs a capital of \$11,250,000. The produce of the looms two years since amounted to a million and a half pieces of ginghams or calicoes, and 100,000 pieces of printed cottons. There has been an increase of 20 per cent. since. The number of spindles is 400,000. In 8 factories in Switzerland there were in 1836, 605,652 spindles. Since that time 39 or 40,000 spindles have been added, and two new factories recently completed, one of which contains 100 to 150,000, and the other 80,000 spindles. Some of these spindles are worked by males, and others by water power, which the mountain torrents afford to any extent. The factories in the single canton of Zurich, consume 40,000 cwt. of raw cotton annually, and employ 20,000 workmen.

Cotton spinning is greatly encouraged by the Austrian government. There are now upwards of 600,000 spindles and new mills in the course of erection. The raw cotton is brought all the way from Trieste on wheels.

[Journal of the Franklin Institute.]

COUNTERFEITS. One hundred dollar bills have been circulated on the Commercial bank of Lake Erie. Letter A No. 433, January 10, 1839. The signature of T. P. Handy, cashier, badly executed and mis-spelled.

Notes of the Consolidated bank of New Orleans of \$50, have been altered to \$100, and are circulating in that city.

DR. ELDREDGE, who was accused of a number of forgeries, has been tried at Philadelphia, and obtained a verdict of not guilty.

EMIGRANTS. The number of passengers which arrive at New York from the 1st of January to the 1st November, is 57,096. In one instance a

entire community, having persons of all trades arrived, and are now settled on the bank of the Ohio.

EXCHANGE, New York on Philadelphia 23; on Baltimore 12½; Richmond 3; Augusta 5½; New Orleans 12½; Cincinnati 5½.

FLOUR. There has been no material variation in prices since our last quotations.

The quantity of flour and wheat delivered from the Erie canal, during the first week in November, the places named below, is as follows:

	Bris. flour.	Dutch wheat.
Schenectady,	1,791	1,803
West Troy,	23,244	27,038
Albany,	62,883	29,197

Total, 88,718 68,339

At Baltimore prices remain at \$1 87½, for the wagons and \$1 94 from the stores, for good brands. The stock is light. Inspection of the week 9,008 Howard street, 8 543 city mills, and 369 Susquehanna—total 18,226 bbls. and 534 half bbls.

At Richmond price 85.

At Cincinnati \$3 62½ 75.

HAMILTON, COUNTY, OHIO, has a population, including Cincinnati, of 10,150.

HATCHING EGGS BY ART. Above 30,000 birds, chiefly the common fowl, have been hatched by the cold-water, in Fall Mall, during the last year. It has but lately become the public. The eggs used have exceeded 40,000, being a failure of about one-fourth. Most of the birds are reared and fatten well, the average loss being less than in the farm yard.

LAND SALES. The amount of money received for public lands in ten days' sale, in Burlington, Iowa—total 18,226 bbls. and 534 half bbls.

MONEY MARKET. There is more demand for money at New York, though the banks complain of the want of good paper.—At Richmond, they say they are easy, and quote Farmers bank stock at 99½.

MORMON CONFERENCE. The rapid increase of this society is one of the wonders of the day. It is said that they now have thirty-one hundred thousand members. The Quincy Ill. Whig says: "This people held a conference at Nauvoo, on Saturday last, which continued three days. It is estimated that there were not far from three thousand in attendance. A gentleman who was present, speaks in the highest terms of the appearance of the immense assembly, and the good order which prevailed. The mild and humane principles which abound among this people are having their just and proper effect upon the people. Their society is not only increasing its numbers, but individually their condition is greatly improved, surrounded as they are by the gift of an overruling power. We learn that they are expecting a large accession to their numbers in a short time from England—one of their preachers, a Mr. Turley, having met with distinguished success in that country."

John C. Kennott, quartermaster general of Illinois, was baptized at Nauvoo, in the belief of the Latter Day Saints, (Mormon faith) one day last week.

THE OHIO RIVER having swollen some eight or ten feet, was in navigable order at Maysville on the 7th instant.

OIL TRADE. Within the last three months 22,000 barrels of oil has been exported from New Bedford, at a good profit, to the north of Europe, and \$900,000 worth of sperm oil to Great Britain.

ORANGE CROP. The *Apalachicola, Florida Advertiser* of the 31st October says:—"The Orange crop of this year, raised in this territory, will be worth \$200,000. Heretofore that amount, and a much greater has been paid to Havana for that article of consumption."

PITTSBURGH. The late census exhibits the population of the city of Pittsburgh to be 21,296; in 1830 it was 14,647, showing an increase of 6,999. Allegheny city contains a population of 10,091, being an increase of 7,240 since 1830, when it was only 2,851.

RAIN. The rain which was pouring upon us during the whole of election day was one of the most copious which has happened for some time. In the space of thirty-six hours, it fell to the depth of 4 43 inches, which is the greatest quantity which has fallen within the same space of time for several years past. [Boston Daily Adc.]

REMAINS OF GENERAL MERKEL. The remains of this hero of the revolution which were entombed in the burial ground of Christ church in this city, are to be removed to Laurel Hill cemetery on Thursday the 26th inst. and a monument erected there to his memory. On the occasion there will be a civic and

military procession. We have not been advised of the details of the arrangement, but learn that the St. Andrew's society will participate in the ceremonies. [Philadelphia Gazette.]

STEAMERS. The steamer *President* having refilled and replenished her stock of fuel, left N. York on the 11th for Liverpool. A few of the passengers that had embarked on the 1st last bar, but a greater number of new ones joined her. Mr. Jaudon is on board.

The steamship *Columbia* is about to run regularly between Havana, Charleston and New Orleans.

The *Acadia* reached Halifax on the 3d inst. in 42 hours from Boston, and sailed the same day for Liverpool, with 15 additional passengers.

A gentleman from London is said to have made a contract for the exclusive navigation of steamers up the Amazon for 45 years, and is negotiating for a communication, by steam, between England and Brazil.

THE STEAMSHIP CATA. The New York Evening Post says:—"The jury have rendered a verdict of not guilty in the case of captains Roe and Hancock, of the steamboats De Witt Clinton and Napoleon, indicted for having wantonly propped their boats into collision on the 13th of June last."

SPOKESMEN. A company of Englishmen, who, some months ago passed through Louisiana on a hunting excursion to the far west, returned on the 9th inst. in fine spirits and improved health.

STOCKS. United States bank shares, in N. York 67½; in Philadelphia 68.

SPECIE. The last Havre packet from N. York, took out \$300,000. The Sampson which sailed on the 12th for London, took out \$29,000.

SOUTHWAKE, PENNSYLVANIA, contains a population of 27,502, being an increase of 6,703 since 1830.

THE TEXIAN NAVY. The annual cost for supporting the Texian navy, with its present number of vessels, is estimated at \$671,879 50.

TEMPERANCE. The Innis settlement temperance society, near Galena, Ill. was organized a year since, by one individual who had been for several years a confirmed sot. It now numbers about 100 members.

TOBACCO. Shippers having generally supplied their orders for the season, the demand last declined, without however as yet materially affecting prices; quotations remain unchanged.

TIDE. An extraordinary high tide occurred on the Atlantic coast last week. On Tuesday the 16th instant, it visited the eastern coast and reached the Chesapeake on the 11th and 12th. The Barnstable Patriot of the 10th says: "The tide in this harbor is now at its full height, with a severe gale blowing from the northeast. The tide is said to be a foot higher now than ever before known here. Our wharves are all swept, and we fear a considerable damage along the shores of the cape, though we have heard of none yet."

In Portland, the tide rose three feet above the ordinary high water mark. It was, as much above the height of ordinary mean tides in Boston, and done considerable damage on the wharves both there and at New York. The Newburyport Herald says:—"Mr. George, the keeper of the lights on Plum Island, writes us that one hundred feet of the island, upon an average, has washed away since the late storm commenced."

WASHINGTON, D. C. The value of real and personal property within the limits of Washington, is estimated at \$10,447,000.

WEATHER. Snow fell at Baltimore on the 19th instant, during the whole day.

WESLEYAN CENTENARY FUND. It is stated that the amount collected on the 1st and second instalments of the Wesleyan centenary fund, up to the 19th of October, was £137,453 2s. 6d. or about \$762,096 72.

WHEAT. At Rochester 77 cents. It remains at from 90 to 100 cents in the Baltimore market, and nearly 40,000 bushels of Pennsylvania were sold on the 16th and 17th instant, at from 95 to 102. At Richmond it is quoted at \$1 00½ 15.

WHEELING. The census complete of the inhabitants of Wheeling and suburbs, exhibits a total of 2,793. Of this number 873 are negroes, 107 of whom are slaves.

WOOL. The stock of fine qualities in the Baltimore market is small, but there is a good supply of native and tub-washed at \$24 25 cents.

WORCESTER, MASS. contains a population of 7,340.

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M. Thiers can have no wish to overthrow the monarchy—no wish to transfer the seat of power and influence from the hall of deputies to the camp—no wish to see French civilians and their influence trampled out at the point of the bayonet in another

"Toulon, Oct. 31, 6 o'clock, P. M.
"Alexandria, Oct. 17.

"The consul general to the minister for foreign affairs. The events in Syria have become more grave for Mehmet Ali. Beyrout has been occupied by the Anglo-Turks, who were fortifying Seyde. The emir Bechir had surrendered. He has abandoned the cause of Mehmet Ali. The insurrection is making progress in the mountains.
"Ibrahim (pasha) is about to concentrate his forces."

"Toulon, Oct. 31, 4 past 7, P. M.
"Maido, Oct. 27.

"The consul of France to the president of the council. The British war steamer Cyclops arrived here this morning from Seyde, whence she departed on the 21st. She has on board the emir Bechir, with 15 members of his family and 115 persons of his suite, on their way to England.

"The captain of the Cyclops has confirmed the rising of nearly the whole of the inhabitants of the mountains."

It would thus appear that the eastern question, so far as Syria is concerned, is pretty well settled, and that the only point which now remains for discussion is, whether the dechance of Mehmet Ali from the pashalic of Egypt shall or shall not be enforced.

"The young queen, and the insula her sister, reached Madrid on the 25th. Espartero rode by the side of their carriage. The cries of 'viva la Reyna!' were not very numerous, nor those of 'viva Espartero!' much more so."

London, Oct. 24.

On Friday last, at noon, as the New York packet ship South America, captain Bailey, which sailed from New York on the 3d instant, and arrived at Toulon on Saturday, was entering the channel, she was suddenly fired into by a small vessel resembling an English yacht. Three shots were fired, the third striking the vessel on the quarter.—Captain Bailey then lay to; but two more shots were fired after that. A man in the strange vessel then entreated captain Bailey to let his destination and business, and so forth; and then the yacht made off. The same vessel was seen to come on English barge to heave to and hold her in parley for half an hour.

CHINA.

The ship Ann McKim, at New York, brings advices from Canton to the 25th June.

The news is of the highest importance to the civilized and commercial world.

We have gathered a variety of extracts from Canton papers, for the New York Herald, exhibiting some of the greatest military movements that has taken place in Asia, since the era of Ghengis Khan, of Alexander the great, or of Mahomet and the Caliphs.

The first portion of the British naval forces from India, arrived on the 9th of June in the Chinese waters, consisting of the Wellsey 74, Alligator 24, Cruiser 16, with some armed steamers, with some 14 transports with troops.

A regular blockade of the river and port of Canton was notified to take effect on the 25th June, by the commander of the Wellsey, J. J. Gordon Bremer, who is senior officer until the arrival of admiral Elliot.—The Chinese, on the arrival of the squadron, attempted to burn the ships by fire-raids—but they were quietly towed ashore by the boats of the squadron.

Foreign ships would be allowed to depart unless detained by the Chinese.

A cargo of poisoned tea, packed in small parcels, to be sold to the sailors, had, it was reported, been sent down by the Chinese.—It was, however, captured by pirates, and sold to the people, on the coast, among whom, in consequence, there had been many deaths.

A part of the squadron had proceeded to the north, the object being, as is announced, to proceed to the Tychoo district, in the province of Che-kan;—in other words, "the island of Chusan." This is a "fair, fertile, and populous district," and would be easily subdued.

Every one was preparing to leave Canton, and all foreign business would be wound up in eight or ten days.

Up to the 25th inst. no other hostilities had occurred.

It was reported in Canton that an edict was just published, offering rewards for capt. Elliot, and the rest of the English, dead or alive.

The appearance was, that no negotiation would be brought about, nor any efficient action on the part of the British beyond the blockade, for some months, as the fleet which sailed for the north could not well get back if it should try.

The stock of tea at Canton was entirely exhausted.

Macon, June 28, 1840. Since writing the proceedings yesterday, the April overland mail has closed, and we understand it has been determined that the force shall move immediately to the north, without attacking the Bogue forts. The reason of this must be the importance of immediately landing the troops, and putting the transports out of the range of the typhoon. It is whispered that the Chinese are preparing to resist the English, somewhere in the neighborhood of Peking, meanwhile Canton river is to be strictly blockaded, and all imports and exports stopped. But it is thought that ships already in the river will be allowed to come out, unless prevented by the Chinese. We have accounts from Canton, 20th June, all parties were proposing to leave, and the whole business would be finished there in ten days, by which time the Canton empire, to empire for force would be despatched. We are not yet aware if it is intended to send the Panama up. The blockade is to commence on the 28th inst. The Ann McKim sails to-morrow.

We think there is every reason to anticipate a long and tedious trade, say from six to eight months. The feeling there was, that they had naval force enough, but that they were in want of some land force; and as they have not frightened the Chinese as much as they expected, we think they will have to wait until next season.

"Arrival of the English. The list of arrivals in the Chinese waters has reference to the most important event that it has ever been our fortune to record in the pages of the Canton Register; the presence of an armed British force in the Chinese waters, for the purpose of opening up the British subjects and the restitution of spoiled British property."

The first arrival of this armament was H. M. ship Alligator, 28—Kuper, exq. captain, on the 25th inst. It was the 9th inst. in the Canton waters at the very moment that the Chinese officers had sent to about eighteen fire-raids, constructed of old outside fishing boats and some cargo boats, chained together two and two, and filled with combustible matter of all description, to burn the British shipping.

The fleet did not suffer any damage from these raids, set alight before the wind and tide; and they were speedily towed on shore by the boats of the squadron.

Thus at the very instant of his arrival, captain Kuper found his countrymen and the Chinese engaged to hostilities.

We may here repeat that previous to this third attempt to burn the English fleet, the Chinese government had sent a boat-load of poisoned tea, packed in small parcels, to be sold to the sailors; this nefarious attempt it is reported was thus discovered: The boat was captured by pirates, who dealt their cargo in their fellow countrymen; many deaths followed in consequence of its poisonous tea; so many, indeed, that it is said the attention of the district magistrate was drawn to the circumstances. Thus truly,

—Even handed justice
Commands the ingredients of their poisoned chalice
To their own lips.

The Alligator brought the overland mail of the 4th of March, and was followed by the hon. E. I. company's armed steamer Madagascar, captain Dico, which vessel arrived on the 6th inst. On the 15th and 20th, H. M. ship Alligator and H. C. ship Madagascar, respectively, anchored in the roads and saluted the city of Macao with 19 guns, which on both occasions was immediately returned by the Franciscan fort.

H. M. ship of the line Wellsey, bearing the British pennant of commodore sir James J. Gordon Bremer, K. B. K. C. H. commanding in chief of the Indian station, arrived last Sunday, the 21st instant, with H. M. ships Cruiser, Algerine, Battlesnake, troop ship, the H. E. I. company's armed steamers Queen and Atlanta, and eighteen sail of the line in company, having on board H. M. 40th, 26th, (Cammerons) 18th (royal Irish) the Sepoy volunteers from Calcutta, and a detachment of sappers and miners from Madras. We are happy to report that the troops have arrived in the highest condition of health and spirits, under the command of col. Burrell; but our readers will regret to learn that col. Oglander of the Cammerons is indisposed.

On Monday evening two of the squadron, with some of the transports, proceeded to the northward, this morning H. M. S. Wellsey, with the rest of the squadron, except those heretofore mentioned, stopped to the southward to join the transports said to be outside, after which junction the whole squadron and transports will proceed to the northward, (capt. M. ship Det. Volo, Hyacinth, Larne and the H. company's named steamer Madagascar, remain to enforce the blockade of the river and port of Canton by all its entrances, which blockade is to

be established under the strictest form on Sunday next the 28th inst.

Two transports with troops are also left under the command of the senior officer, probably with a view of protecting this settlement, or to interior operations in this province on the arrival of admiral Elliot.

The rev. Charles Gutzlaff, second interpreter to H. M.'s commission in China has joined the Wellsey and Mr. John Robert Morrison, the chief interpreter, remian, to join admiral the honorable Geo. Elliot, who is due here with his suite, on the 28th inst. either direct from the Cape of Good Hope, or from Trincomalee. The Blenheim 72, Blonde 42, Nimrod 20, Wanderer 18, and the Pyrites 18, have sailed; and Pique 42, Inconstant 36, Andromache 26, and Hyacinth, a frigate, are expected to join H. E. in the Indian sea.

This island bears nearly the same relation to the province of Chekeang as the Isle of Wight does to Hampshire. In possession of this fair, fertile and populous spot, as the chief quarters—and the military possession of this district would be a severe blow to the imperial government, for part of the celestial territory would then be in the hands of strangers—from thence a mission might be sent to the Pei-ho, or north river, which is navigable for large boats up to the city of Tientsin—chowfoo, 12 miles N. by S. from Peking. We have little doubt that such a mission be sent, as a politic and friendly preliminary proceeding becoming a civilized nation and the high standing of England, it will fall; no answer will be given, much less positive and satisfactory answers. It will be ordered away; H. M. ships will be ordered to leave the Chinese waters, and the British troops to evacuate Tientsin; then, perhaps the imperial dragon may deign to give an answer, but not till then. In the present emergency, it rests with the commanders in chief, to take such measures to compass the objects of the expedition, which are, in the language of lord John Russell, to obtain reparation for the insults and injuries offered to her majesty's subjects, by the Chinese government; and in the second place, they are to obtain security for the merchants trading with China, an indemnification for the loss of their property, incurred by threats of violence offered by persons under the direction of the Chinese government; and, in the last place, they were to obtain certain and satisfactory answers. It will be ordered away; H. M. ships will be ordered to leave the Chinese waters, and the British troops to evacuate Tientsin; then, perhaps the imperial dragon may deign to give an answer, but not till then. In the present emergency, it rests with the commanders in chief, to take such measures to compass the objects of the expedition, which are, in the language of lord John Russell, to obtain reparation for the insults and injuries offered to her majesty's subjects, by the Chinese government; and in the second place, they are to obtain security for the merchants trading with China, an indemnification for the loss of their property, incurred by threats of violence offered by persons under the direction of the Chinese government; and, in the last place, they were to obtain certain and satisfactory answers.

LATER.

The steamship Great Western arrived at New York on the 24th inst. 17 days from Bristol, bringing London papers of the 6th, and Bristol of the 9th.

The allied forces in Syria, aided by a formidable insurrection of the inhabitants, had in a pitched battle routed the Egyptians under Ibrahim pasha, son of Mehmet Ali, who were fled to the mountains with but 200 followers. The English were besieging St. Jean De Acre.

Private letters state that gen. Hamilton had on the 6th of the 5th concluded a treaty with lord Palmerston, by which England recognizes the independence of Texas, and assumes the task of mediating between Texas and Mexico.

ENGLAND.

Her majesty was married on the 8th of February, people are beginning to expect almost daily, reports of the appearance of the prince of Wales. A prince is most ardently wished for by her majesty, rejoicings will be on a much more extensive scale than in that event, than though the stranger should prove to be of the opposite sex.

The express with the speech of Louis Philippe reached London in 22 hours.

Sir Anthony Carlisle, the celebrated surgeon died on the 24th inst. in the 73d year of his age.

There had been no material change in the markets, except remaining scarce and dear. The duty on wheat is 28s. 8d. per quarter, and on flour 14s. 2d. per bbl. The value of four duty paid is 32s. 6d. 32s. 6d.; and in bond 28s. 2d. 32s. 6d. per bbl. The demand very limited.

The effect of the exceedingly stringent measures on the part of the Bank of England, for contracting the circulation, has been much more sensibly felt during the present week than previously, particularly at Manchester, which may account for the less favorable aspect of the cotton market, the prices of goods and yarns being greatly depressed.

Cotton, was in fair demand; prices had improved slightly for a day or two, but again declined, and at the latest dates was quoted as dull. At Liverpool, 4,000 bales were sold on the 4th, and 3,500 bales on the 5th inst.

The sales for the week ended this day, amount to 17,780 bales, of which 2,900 are opland at 556 $\frac{1}{2}$, 2,640 Orleans at 567 $\frac{1}{2}$, 5,150 Alabama and Mobile at 424 $\frac{1}{2}$, 620 Sea Island at 124 $\frac{1}{2}$, 189d. per lb. and about

1,200 bales were taken on speculation early in the week, said to be on American account.

The stock in this port is now estimated at 453,000 bales, against \$11,000 at same period last season; the stock of American is about 365,000 or 85,000 more than it then was.

Tobacco. The supplies had nearly all been taken off, but there had been arrivals. Virginia was in a good condition. In Carolina rice there was no alteration, the quotation being 13¢. In American potatoes there was nothing doing.

The young queen of Spain, made her entry into Madrid, on 28th October, accompanied by ge. Estarero. She was well received.

FRANCE.

A disaffection between the parties that had constituted the Thiers ministry had weakened their opposition forces and it was now probable that the new ministry would have a majority of twenty in the chamber—upon the choice of president, however, the king opened the sessions in person, on the 5th with a speech, the tone of which confirmed the favorable operations in the funds and quieted all fears of a war. The whole business of Paris was foot on the occasion of the late session, the other half in barracks. Everything remained quiet.

Speech of the king of the French.

"Gentlemen peers and deputies: I have felt the necessity of assembling you round me before the ordinary period of the session of the chambers. The measures which the emperor of Austria, the queen of Great Britain, the king of Prussia, and the emperor of Russia have taken in concert, to regulate the relations between the sultan and pasha of Egypt, have induced me to do so. I have the dignity of our country at heart as much as its security and repose. In persevering to this moderate and conciliatory policy of which we have reaped the fruit for the last ten years, I have placed France in a position to face the chances which the course of events in the east may produce. The extraordinary credits which have been opened with this intention will be submitted to you, and you will appreciate the logic of them.

"I continue to hope that the general peace will not be disturbed. It is necessary for the general and common interests of Europe, the happiness of its population, and the progress of civilization. I depend upon you to sustain the peace which should rely upon the honor of France, and the rank which she holds among nations, commanded us to make our efforts.

"Peace is re-established in the north of Spain, and we congratulate ourselves on that happy result. We should be with grief that the evils of anarchy came to replace those of civil war.

"I have the most sincere interest in Spain; may the stability of Isabella II. and of the institutions which ought to sustain the throne, preserve this noble country from the long and grievous evils of revolutions.

"Not having obtained from the Argentine republic the satisfaction which we have claimed, I have ordered that my forces should be added to the squadron charged to ensure respect for our rights, and protection for our interests.

"Success has crowned several important expeditions to Africa, where the valor of our soldiers has been signalled—two of my sons have partaken their perils. Exertions are still necessary to guarantee in Algeria the safety and prosperity of our establishments. My government will know how to accomplish this task with the least delay.

"The city of Boulogne has been the theatre of a foolish attempt, which has only served again to call forth the devotion of the national guards, of the army, and of the population. All ambition will fall against a monarchy founded and defended by the all-powerful expression of the national will.

"The budget law will soon be submitted to your examination. I have prescribed the most severe economy in the establishment of the ordinary expenses—Events have imposed upon us unexpected charges. I have the confidence that public prosperity, at its extreme pitch, will permit us to support them, without affecting the state of our finances.

"Other dispositions which I have presented in you of public utility, in behalf of literature and education.

"Gentlemen: I have never claimed with more earnestness and confidence your loyal co-operation. Anarchical passions have not been discouraged by impolicy. Under whatever form they may be presented, my government will find in the existing laws, and to the firm maintenance of the public liberties, the necessary arms to put them down. As for me, in the trials imposed on me by Providence, I can only be grateful for the protection which it has not ceased to throw over me, as well as my family, and to prove to France, by a never failing attention to her interests and happiness, the grati-

tude which is in me by the testimonial of affection with which it surrounds me in these cruel moments."

There have been fearful inundations in the south of France, owing to the overflowing of the Rhone and Saone. In the lower town of Lyons, many houses and much property was damaged, and the country around was under water.

The French steamer Tage had arrived at Havre, from St. Petersburg, with eight magnificent horses from Copenhagen, which are to be sold in France on which the remains of Napoleon will be carried from the Seine to the Invalides.

SYRIA.

From the Malta Times, Oct. 27.

On the 10th instant, an engagement took place between the allied troops and those of Ibrahim and Soliman pasha, in which the latter were completely defeated, and took to the mountains with 200 cavalry and only two officers. Seven thousand in killing, wounds and prisoners, from the result of this engagement, falls into the power of the sublime port.

Emir el Kasim has been named successor to the emir Bechir, and with a large body of mounted troops, to chase the army of Ibrahim pasha, who has little or no chance of escape.

We are in possession of Beyout, which was evacuated on the night of the 10th, in consequence of a disposition manifested by Stopford and Handford to send troops, to chase the army of Ibrahim pasha, who has little or no chance of escape. The sick were beaten out with sticks by their countrymen. About 2,000 in all, who remained outside the walls, re-entered the next morning, and surrendered themselves prisoners. Gen. Smith has fixed his headquarters at Beirout.

The camp at Djani bay is broken up. The only vessels now remaining there are vice admiral Walker's and two Turkish frigates, one of which, with 800 prisoners on board, is to be sent immediately to Constantinople.

Commodore Napier, in the Powerful, and the steamers Gorgon and Cyclops, have quitted Djani bay to attack Tripoli.

By the taking of Beyout about twenty pieces of artillery, with ammunition and provisions, have fallen into the possession of the allied powers.

The defeat of Ibrahim pasha. The pitched battle with Ibrahim pasha afforded an excellent opportunity to an army of 8,000 men, to destroy the army of Ibrahim pasha on every strong position near Beyout with 3,000 men. Four thousand Turks were sent against him under the command of Selim pasha, assisted by gen. Jackson, commodore Napier, and the English navy. The battle was fought on the 10th of October, and the army of Ibrahim pasha was completely routed.

One thousand Egyptians were made prisoners, the rest were killed and wounded, or took to flight. With respect to the general war, the Egyptian army, at the moment of calculation, has lost 20,000 in killed wounded, prisoners and deserters.

A supplement of the *Eco de Orient*, published at Smyrna on the 12th ult., contains the following news from Syria: "On the morning of the 4th ult., the Ottoman army, under the orders of the shouk Francis and George, attacked Osman pasha and forced him to abandon his camp, containing his provisions and ammunition. In consequence of this defeat Osman pasha fled to Balbeck, where he arrived with only 1,000 men; the remainder either deserted or were killed, wounded and made prisoners.

On the 6th ult. 800 deserters from Osman pasha's corps arrived at the camp of Djani. Osman pasha was pursued by the mountaineers, and there is no doubt that he suffered severely before he arrived in the plain.

All the north of Mount Lebanon, with the exception of Tripoli, is in the power of the insurgents. The emir Bechir, who has been for some time in communication with the allies, concluded a convention on the 8th ult. with the Seraskier pasha and admiral Stopford. The prince of the Druses required that his life and property should be secured to him and in return he engaged to serve his master the sultan with fidelity.

On the 6th ult. he sent his two sons as hostages, until he could arrive himself, from which he was then liberated by the presence of Ibrahim pasha. On the evening of the 5th ult., the Turkish steamer boat Tahiri Bahri, having on board 600 Turkish soldiers from Constantinople, arrived at Beyout.

Twenty-two thousand mountaineers were under arms; they were incessantly harassing the Egyptian army, and caused them serious loss. It was expected that the Egyptian army would desert in a mass, because there was an arrear of twenty-two months pay due to them.

On the evening of the 5th ult., the 12th ult., says that Ibrahim pasha had been compelled to make a retrograde movement in consequence of the defeat of Osman pasha, who defended his left wing.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT. Lewis B. McCarry, receiver of the land office at Demopolis, Alabama, vice Thomas Simpson, resigned.

Alexander H. Tyler, of Maryland, to be consul of the United States for the port of Bahia St. Salvador, in the empire of Brazil.

Henry D. Gale, of New York, to be consul of the United States for the port of Valasco, in the republic of Texas.

Among the passengers in the Great Western is Mr. Muhlenberg, and his family. C. C. Cambreleng has taken a house for three years in St. Petersburg.

PRESIDENTIAL ELECTION.

RESULTS—As far as ascertained.

STATES.	Electoral vote.		Aggregate vote.	
	Harri-son.	Burns.	Harri-son.	Burns.
Maine,	1	0	46,612	46,201
New Hampshire,	0	7	25,485	21,919
Vermont,	7	0	32,445	18,009
Massachusetts,	14	0	72,913	62,305
Rhode Island,	4	0	5,157	3,181
Connecticut,	0	0	81,215	24,888
New York,	42	0	225,312	212,319
New Jersey,	8	0		
Pennsylvania,	30	0	114,018	143,675
Delaware,	3	0	5,967	4,872
Maryland,	10	0	33,529	29,734
Virginia,	0	23		
North Carolina,	13	0		
Georgia,	11	0	40,349	31,989
Alabama,	0	7		
Mississippi,	4	0		
Louisiana,	6	0		
Arkansas,	0	3		
Tennessee,	15	0		
Kentucky,	15	0	58,495	32,616
Ohio,	21	0	119,141	124,730
Indiana,	9	0		
Missouri,	0	4		
Michigan,	3	0		

251 44

Necessary to a choice 145.

VIRGINIA. The governor has issued his proclamation, declaring the Van Burn electors to be duly elected. The official returns from some of the remote counties are not yet ascertained—and the exact majority is not yet known.

ALABAMA. The returns so far as received, show a Harrison majority of 2,373, and a Harrison gain of 2,383 on the vote of August last. The state in August gave a Van Burn majority of 7,546. There is no doubt of the success of the Van Burn ticket.

Later. The Montgomery Advertiser gives returns from all the counties of the state except four—viz:

For Van Burn,	11,665
Geo. Harrison,	6,293

Van Burn majority, 4,700

The remaining counties will increase the majority.

MISSISSIPPI. The unofficial returns in the National Free Trader make the Harrison majority 1,113.

ILLINOIS remains yet in some doubt. The Illinois State Register gives returns from all the counties in the state, and most of them official. The Van Burn majority is set down at 1,007.

The St. Louis Republican on the contrary, claims returns from all the counties except Hardin giving a Harrison majority of 571.

THE NATIONAL GALLERY OF MANUFACTURES, &c.

Patent office, November 20th, 1840. Notice is given that the hall in the new patent office, for the exhibition of manufactures, is now completed. The hall is spacious, being 273 feet long, 63 feet wide, 30 feet high, and of great strength.

The articles, whose names are annexed, will be received and forwarded, free of expense, articles which may be deposited with them. These articles will be classified and arranged for exhibition, and the name and address of the manufacturer (with the price when desired), will be carefully affixed. Few, it is presumed, will neglect to improve the opportunity now presented of contributing their choicest specimens to the NATIONAL GALLERY OF ARTS and MANUFACTURES, where thousands who visit the seat of government will witness with pleasure the progress of the arts in these United States.

It is in limited sections of our country has excited interest, what must be the attraction of the exhibition, and by daily attendance.

The agriculturist may be gratified to learn that commodious rooms are provided for the exhibitors.

of agricultural implements, and, also, for the reception of seeds for exhibition or distribution.

The commissioner of patents being authorized to collect agricultural statistics, avails himself of this opportunity to solicit information of the condition and character of crops in the several sections of the country. Those data will aid him in presenting, with his annual report, the aggregate amount of products of the soil, and it is hoped that the public eye may be guarded in some measure from the evils of monopoly, by showing how the scarcity in one portion of the land may be supplied from the surplus in another.

Years of agents who will receive and forward packages for the patent office. Collectors of the customs at Portsmouth, New Hampshire, Portland, Maine, Burlington, Vermont, Providence, Rhode Island, Philadelphia, Baltimore, Richmond, Charleston, Savannah, New Orleans, Detroit, Buffalo, Cleveland.

Surveyors of the customs. Hartford, Connecticut, St. Louis, Pittsburg, Cincinnati, Louisville, St. H. Edly, Boston, Massachusetts, David Gardner, (custom house), New York.

HENRY B. ELLSWORTH, comm'r. of patents.

TRADE AND COMMERCE.

St. Louis and Boston. We copy the following interesting article from the *St. Louis Gazette* of the 1st ult.

The two cities of the United States which are now suffering most rapidly in population and wealth, at the present time, in proportion to their size, are undoubtedly Boston and St. Louis, one in the eastern, the other in the western section of the union. For many years—from 1800 to 1830—Boston was losing ground, in the race for greatness with New York, Philadelphia and Baltimore; but about the year 1830 a new era dawned on them, through the instrumentality of its enterprising capitalists, which has turned the tide strongly in its favor. At that time, the first rail road was constructed on one side of the city, and the first steam power loom establishment erected on the other; from that time to the present, Lowell has increased a population from 200 to 20,000, and in wealth from \$100,000 to \$20,000,000. The cotton manufactures of Lowell, and the hundred other manufacturing villages in New England, have given a stability to the trade of Boston unknown to any city in the union.

Massachusetts, formerly exporting, it was said, nothing but granite and ice, now produces manufactures valued at ninety millions of dollars per annum, a large part of which centers at St. Louis, as a place of distribution to all parts of the union.

At a latter period than that first mentioned, her ardent citizens became convinced that, although he had no river like the Hudson, the Delaware, or the Susquehanna, to bring to her what the products of the boundless and fertile west, yet that an iron pathway might be laid along her mountain ranges, over which a steam engine with trains of cars could move at the rate of thirty miles per hour, taking the produce of the lakes at the outlet of the great New York canal, and landing it at Boston in less time than it can be delivered at New York. About one-half of this road is completed, and the whole will be finished within twelve months from this time.

This road will cost not far from seven millions of dollars. It is calculated to support a single engine of fourteen tons weight, and to carry 1,000 barrels of flour in a single train of cars ten miles an hour. It is estimated that when finished, flour can be transported from Albany to Boston, 201 miles, for 30 cts. per thousand men are now at work on his road, in some sections, both night and day. The capitalists of Boston have also contributed largely to the funds required for laying down railways from Albany to Buffalo, between which places there will be a constant line completed. The same enterprise and capital will, ere many years, have tapped, continue the same line across Ohio, Indiana and Illinois, to St. Louis, in case the funds required or the work are not furnished by the states on the one side.

St. Louis owes its present prosperity to neither manufactures nor rail roads, for it has scarce a dollar expended in either.

Its progress has been accelerated mainly by the hundreds of thousands of emigrants who have overpassed the prairies of Missouri, Illinois, Wisconsin and Minnesota, come here for the sale of their agricultural and mining productions, and for the purchase of merchandise. The increase of this city in wealth and population, within the last ten years, is scarcely paralleled. In 1831, the population of the city and suburbs was estimated at 6,000. The number of buildings recently commenced is very great,

and the value of those in course of completion will exceed a million and a half of dollars.

The trade between this city and Boston is greater and the commerce more intimate, than is generally imagined. The various staple articles of export from Boston, including domestic goods, boots and shoes, oil, candles, &c. required for this market, and which are forwarded from here for the upper country, cannot fall short of ten millions of dollars.

We shall close these remarks with a comparative statement of the value of western productions shipped from New Orleans to New York and Boston.

	New York.	Boston.
Tobacco,	560,000	160,000
Cotton,	1,800,000	2,210,000
Flour,	224,000	158,000
Pork,	270,000	\$22,000
Bacon,	119,000	50,000
Lard,	86,000	149,000
Wool,	3,200	1,000
Corn,	15,000	12,000
Lead,	270,000	253,000
Total,	\$3,371,000	\$3,331,000

THE COTTON CROP. The Charleston Mercury has the following article on this subject:

It is important that a few facts should be placed before our readers in reference to the present crop. There is a universal belief at the south that the supply of cotton this year will be less than that of the last, and among the planters it is confidently affirmed that the crop will be less than for several years. We ourselves incline to this last opinion. It will be asked, then, if such be the case, why has not the price risen? We answer, the market has not felt the deficiency and in truth to the exporters and consumers of cotton, the fact of deficiency is not yet apparent. They will not trouble themselves in advance, however much the planters may and must, when they see one-half their storehouse empty.

The manufacturers feel it not, because the old stock in their seaports is very large, considerably more than it was last year, and they have besides been tempted by the low price of the article, to say by considerable in advance of their consumption. The present condition of Europe, rendering it hazardous to depend on the continuance of peaceable commercial relations; the increase of taxes and the absorption of vast sums of money in public loans for warlike preparations, have had no little influence in checking manufactures, by increasing the demand for money, and have added panic to the actual restraints on business. The consumption would undoubtedly be considerably less than in quieter times.

The exporters of cotton have not yet felt any deficiency. The stock on hand on the 1st of October, 1840, in all the southern ports and New York and Philadelphia, was 51,000 bales—same time in 1839, it was 43,650. The receipts since that, by the latest prices current, in New Orleans, Mobile, Georgia and South Carolina, have been 135,000 bales—same time last year only 125,300.

The entire supply in the market, then, since the first October, has been 20,000 bales greater than for the same period of last year, when the crop was the greatest ever known. There is besides this, the further and important fact that the southern banks are generally preparing to resume cash payments, which can never be done without somewhat increasing the value and the demand for money.

We trust we have fully accounted for all the present excitement in the cotton market, and it will behoove us to account for the opinion, which we seriously express that the supply of the year will be seriously deficient. The mere fact of a certain quantity of cotton coming early to market, proves nothing as to what remains behind. A short crop is soon prepared for market, and for that very reason is likely to arrive early. If the planter has but little to sell, the necessity will be the greater to realize the proceeds of that little as soon as possible. Increased facilities for getting to market, in the greatly improving condition of the country, be a cause of influence.

But the most important fact is that last year the yellow fever prevailed to a frightful extent in the parts of the whole cotton growing region, not even excepted Texas, which undoubtedly seriously retarded the bringing of the crop to market. This year the southern cities have been all healthy. Mobile is the strongest case in point. Up to the 7th ult. the receipts of cotton in that port have been nearly three times as great as in the same time last year. It should be remembered, however, that wherever the worm has committed its ravages, the destruction has fallen not upon the earliest, but upon the latest part of the produce of the plant, which still further confirms our supposition that the

abundant supply during the early part of the season, is no evidence of a continued abundance through the year.

Lastly in reference to that part of the planting region more immediately under our own observation, we know that the crop has been very deficient, and we have in the publications of agricultural societies and the statements of intelligent observers throughout the cotton states, convincing evidence that the season is true of the crop generally, and we have gone into these statements more for the sake of explaining the apparent contradiction between the present aspect of the market and the assumed deficiency of production, than from any the least doubt of the reality of such deficiency. That the actual failure of the crop may be to a small extent made up by an increase in the quantity of land planted, is true, but only to a small extent.

THE ARMY. Head quarters, army of Florida, Fort King, Nov. 15, 1840.

SIR: Early this morning, I was informed by the Arkansas delegation, that some of the prisoners in camp had disappeared during the night. On sending out to the Indians to search for them, it was discovered that all the Indians had gone.

This has ended all our well grounded hopes of bringing the war to a close by pacific measures; confident in the resources of the country, the enemy will hold out to the last, and can never be induced to come in again.

But the day before yesterday the chiefs not only expressed a willingness but a desire to emigrate to the west. Acting up in full faith to the promises I had made to them, their conduct is only to be attributed to the faithful disposition which has ever characterized them.

The partial decay caused by the emigration has not tended to the injury of the operations in Florida, inasmuch as it has been conducive to the health of the three regiments which have suffered an severely—they will now be enabled to take the field in larger force.

Immediately upon the withdrawal of the Indians, orders were transmitted to commanders of regiments to put their troops in motion, and before this communication reaches you, they will be scouting in every direction.

Having left nothing unattempted with the means in my power, I shall now press the war with increased energy, and hope soon to oppress the depriment of the capture or destruction of some of the enemy.

I have the honor to enclose you a copy of the order issued on the renewal of hostilities.

I have the honor to be, sir, very respectfully, your obedient servant, W. K. ARMISTEAD.

Brig. Gen. army of Florida.
Hon. J. R. Polk, sec. of war, Washington, D. C.

Among the passengers by the British Queen, arrived at New York from London, we notice the following names:

Mr. Hodgson, of Washington, from a mission to Berlin; majors Baker and Wale, captains Huger and Mordecai, of the United States army; and professor Bartlett, of West Point.

The National Intelligencer says: These officers of the army were sent to Europe last spring by the war department, on a mission to visit and report upon the military establishments of Europe. They are understood to have been in England, France, Prussia, Denmark, Sweden and Russia. Their reception by the emperor Nicholas is represented to have been particularly flattering. The day after their arrival in St. Petersburg, he was pleased to invite them to assist at a grand review of the Imperial guards at Czarskosselo, where they remained as his guests for several days.

THE NAVY.

A court martial, composed of commodore Shubrick, president; captains Morgan, Conner, Voorhes, Geisinger, McKeever and McCauley, convened on board the U. S. ship Delaware at Norfolk on the 25th inst.

The Ohio, U. S. ship of the line, appeared off Smyrna the 6th, and anchored. The Philadelphia Inquirer says: It is stated that Mr. Paulding has ordered the Ohio home, at the request of commodore Hall.

The U. S. corvette Cassin, capt. W. B. Lister, arrived there from Japan on the 24th ult.

The U. S. ship Macedonian, commodore Wilkinson, bound to the West Indies, went to sea from Hampton Roads on the 20th inst.

The sloop of war Independence, commander Smead, bound to the West Indies, dropped down from the navy yard to the anchorage of the naval hospital. The U. S. sloop of war Boston, commander Long, was to have sailed from Boston on the 20th

for the East Indies, to join the squadron. She will touch at Rio de Janeiro, and from thence accompany the Constellation.

The *U. S. frigate Constellation*. The following is a list of the officers attached to the *U. S. frigate Constellation*, about to sail from Boston for the East India station:

Captain—George Storrs, esq.
Lieutenants—Thomas Pettigrew, Richard A. Jones, Henry Pinckney, Theodore Bailey, jr. M. G. L. Chisholme.

Acting master—Levin Handy.
Surgeon—Stephen Rapley.
Pursers—Nathaniel Wilson.
Lieutenant of marines—John G. Reynolds.
Assistant surgeons—J. W. B. Greenup, John H. Wright.

Passed midshipmen—George J. Wyche, James L. Parker, Isaac N. Browne.
Professor of mathematics—A. G. Pendleton.
Captain's clerk—Samuel Storrs.

Midshipmen—W. H. Montgomery, John Matthews, jr. J. C. Beaumont, A. W. Stibbins, J. C. Richardson, James Wilcoxson, Earl English, John Walcott, Homer C. Blake, James Wey, Charles Waddell, Garrett V. Denniston, William Grenville Temple, R. Morris McArran.

Acting boatswain—Thomas Tyler.
Acting gunner—Daniel James.
Carpenter—William E. Sheffield.
Sailmaker—John Heckle.

The *Enterprise*, Capt. Stevenson, of the barque Globe, arrived at Philadelphia, reports that the *U. S. schooner Enterprise*, lieut. com. Elbery, had captured a short time previous to the *Globe's* leaving Pernambuco, in the harbor of Bahia, a piratical brig, under American colors, the captain of which escaped on shore; the brig had been sent in charge of a prize lieutenant to Rio de Janeiro, for condemnation.

STATES OF THE UNION.

Election returns—Official. The following is the official vote for the several counties in Maine, for the electors of president and vice president, as counted by the governor and council.

COUNTIES.	Van Buren.	Adams.
York,	4,785	5,725
Cumberland,	6,790	6,438
Lincoln,	6,246	6,188
Hancock,	2,434	2,509
Washington,	2,432	2,235
Kennebec,	6,905	3,521
Orizel,	2,352	4,800
Somerset,	3,484	2,297
Penobscot,	4,638	4,433
Waldo,	6,069	5,089
Piscataquis,	1,275	1,136
Franklin,	1,848	2,658
Arroostook,	289	490
	46,612	46,201
	46,201	46,612

MAINE.

All the towns in the state were returned. The votes returned from the town of Kingsbury were not counted—the selectmen having declined to give notice of the meeting.

NEW HAMPSHIRE.

The legislature of this state convened on Wednesday, appointed the usual committee, and received the message of governor Page. On Thursday the two houses met in convention, and the secretary brought in the votes for electors. The convention was occupied during the day in reading and recording the returns, after which they were referred to a committee. Governor Page's message commences with an eulogy on the sub-treasury. It then notices the proceedings of the bank commissioners, and some remarks upon the state prison, upon the judiciary, and upon the proposed hospital for the insane, and closes with some notice of the geological survey of the state. The first annual report of the geologist, Dr. Jackson, is expected in the course of the coming winter.

NEW YORK.

We publish to-day the official canvass of the votes given in this state for electors, governor, senators and congressmen. The grand results are as follows: [Albany Evening Journal.]

Whole number of votes for president,	438,331
" " " governor,	438,720
" " " senators,	439,555
" " " congressmen, 438,181	
Harrison,	225,512 votes.
Beward,	222,010
Harrison senators,	223,648
Harrison congressmen,	223,831

Van Buren,	212,519 votes.
Boock,	216,710
Van Buren senators,	215,907
Van Buren congressmen,	214,650
Harrison's majority,	15,238
Seward's,	5,600
Whig majority on senators,	7,741
Whig majority on congressmen,	9,181

The vote on senators and congressmen may be considered the fair test of the strength of both parties.

Average vote for Harrison senators and congressmen, 223,739.

Average vote for Van Buren senators and congressmen, 212,275.

Gen. Harrison runs ahead of the Harrison senators and congressmen, 2,073.

Gov. Seward runs behind the Harrison senators and congressmen, 1,729.

Mr. Van Buren runs behind the Van Buren senators and congressmen, 2,759.

Mr. Boock runs ahead of the Van Buren senators and congressmen, 1,432.

Although Mr. Boock's excess over the average of his ticket is not as great by 471 as that of Gen. Harrison over his, and although Mr. Van Buren runs behind the average of his ticket 1,034 votes more than governor Seward does behind his, the most obvious method of approximating to a correct average result of the election would be to compare candidates who run ahead of their ticket with each other, and in like manner candidates who run behind.

It is thus ascertained that

Harrison's majority over Boock is 9,180.

Seward's majority over Van Buren is 9,491.

Election returns for 1840—official.

	President.	Governor.
Harrison, V. B.	Seward.	Boock.
Albany,	5,344	6,233
Allegany,	4,132	3,352
Boston,	2,295	2,124
Cattaraugus,	2,966	2,475
Cayuga,	5,172	4,864
Chautauque,	5,985	3,345
Chester,	1,988	2,236
Chemung,	4,394	3,995
Clinton,	2,623	1,828
Columbia,	4,290	4,478
Cortland,	2,664	2,229
Delaware,	2,988	2,517
Dutchess,	5,355	3,262
Dorchester,	6,787	3,687
Erie,	2,617	1,789
Essex,	1,440	1,110
Franklin,	2,087	1,867
Fulton & Hamilton,	7,037	2,509
Greene,	2,991	3,238
Herkimer,	3,118	4,350
Jefferson,	6,237	5,630
Kings,	3,203	1,156
Lewis,	1,718	1,758
Livingston,	3,916	2,634
Madison,	4,266	4,114
Monroe,	4,468	4,534
Montgomery,	2,828	2,745
New York,	20,960	21,838
Niagara,	2,964	2,219
Oneida,	7,156	7,768
Onondaga,	6,537	6,561
Oswego,	4,928	5,415
Orange,	4,371	4,815
Orleans,	2,606	2,031
Oswego,	4,192	3,907
Otsego,	4,556	5,586
Perry,	920	1,852
Queens,	2,922	2,550
Rensselaer,	5,752	5,424
Richmond,	903	861
Rochester,	637	1,557
St. Lawrence,	4,807	4,714
Saratoga,	4,416	3,773
Schenectady,	1,752	1,579
Schoharie,	2,692	3,137
Seneca,	2,460	2,472
Sullivan,	4,081	4,320
Tioga,	2,415	3,482
Tompkins,	1,475	1,679
Ulster,	1,925	2,190
Warren,	3,968	3,557
Washington,	4,491	4,280
Wayne,	1,306	1,411
Westchester,	5,070	3,024
Yates,	4,369	3,996
	4,083	4,354
	2,972	2,039
	225,512	212,319
	212,319	225,512

Harrison's maj. 23,909 Seward's maj. 5,300

	Senators.	Congressmen.
Harrison, V. B.	Harrison, V. B.	Harrison, V. B.
Albany,	6,325	6,024
Allegany,	4,079	4,448
Boston,	2,984	2,182
Cattaraugus,	2,926	2,540
Cayuga,	5,122	4,948
Chautauque,	5,988	3,468
Chester,	1,674	2,236
Chemung,	4,272	4,074
Clinton,	2,907	1,851
Columbia,	4,288	4,409
Cortland,	2,650	2,259
Delaware,	2,988	2,517
Dutchess,	5,315	3,262
Dorchester,	6,662	3,810
Erie,	2,597	1,804
Essex,	1,429	1,114
Franklin,	2,073	1,880
Fulton & Hamilton,	6,901	3,901
Greene,	2,976	3,317
Herkimer,	3,072	4,368
Jefferson,	6,202	5,730
Kings,	3,203	1,158
Lewis,	1,700	1,777
Livingston,	3,885	2,683
Madison,	4,294	4,188
Monroe,	4,432	4,002
Montgomery,	2,764	2,522
New York,	20,695	22,172
Niagara,	2,925	2,218
Oneida,	7,126	7,814
Onondaga,	6,548	6,543
Otsego,	4,907	5,415
Orange,	4,326	4,863
Orleans,	2,579	2,081
Oswego,	4,121	4,011
Otsego,	4,785	5,676
Perry,	912	1,852
Queens,	2,500	2,577
Rensselaer,	5,706	5,501
Richmond,	890	876
Rochester,	629	1,573
St. Lawrence,	4,872	4,519
Saratoga,	4,333	3,948
Schenectady,	1,708	1,638
Schoharie,	2,822	3,149
Seneca,	2,479	2,517
Sullivan,	4,000	4,899
Tioga,	2,378	3,158
Tompkins,	1,477	1,685
Ulster,	1,923	2,189
Warren,	3,822	3,628
Washington,	2,470	2,316
Wayne,	1,286	1,428
Westchester,	5,051	3,906
Yates,	4,275	4,078
	2,063	2,141
	223,618	215,907
	215,907	223,618

Whig maj. 7,741 Maj. on congress, 9,184

on senators, congress, 9,184

Legislature for 1841. The following is a complete list of the members of the legislature.

The senators given in italics are new members. Those denoted in the same way in the assembly are members of the present house, and those marked with a * whigs.

Senate.

First district—Gulian C. Verplanck, * Gabriel Furman, * Minthorne Tompkins, John B. Scott.

Second district—Henry W. Livingston, * Daniel Johnson, John Hunter, Robert Denison.

Third district—Friend Humphrey, * Alonzo C. Paige, Erasmus Root, * Henry W. Strong.

Fourth district—Martin Lee, * Bethuel Peck, * James G. Hopkins, * John W. Taylor.

Fifth district—Avery Skinner, * Jos. Clark, Samuel Ely, * Henry A. Foster.

Sixth district—Laurens Holt, * Alvah Hunt, * Andrew B. Dickinson, * Nehemiah Platt.

Seventh district—Jos. Maynard, * R. C. Nichols, * Mark H. Sibley, * Eli Rhodes.

Eighth district—Win. A. Mosley, * Henry Hawk, * Abram Dixon, * Samuel Wards.

Assembly.

Albany—Henry G. Wadsworth, * Francis Lansing, * Aaron Houghland.

Albany—Lorenzo Dana, * Horace Hunt, * Broome—Gideon Hotchkiss, * Cattaraugus—Alonzo Hawley, * Chester Howe, * Cayuga—John W. McFadden, * Orman Rhodes, * David Adams.

Chautauque—Geo. A. French, * Robertson Whitehead, * Benjamin Douglas.

Chester—Calvin Cole, * Eber Dimmick, * Benson H. Wheeler.

Death of professor Davis. A letter from Charlottesville to the editor of the Richmond Whig, announces the melancholy fact of the death of professor Davis. He died on Saturday from the pistol shot he received on the Thursday previous. The letter referred to gives the following particulars of his death:—"The 12th of November is the anniversary of a celebrated rebellion which took place in the university some three or four years ago. On Thursday night last, the 12th, there were only two or three who could be found to commemorate the event. They went forth about 9 o'clock at night, armed with pistols and disguised with masks, &c. After making a good deal of noise upon the grounds of the university, they approached professor Davis' residence, with the design, as he believed, to insult him. He went out with the view of discovering who they were. He immediately came upon a very small person, who had a mask on, and who was otherwise disguised. He approached him, and reached out his hand to unmask him. The individual, without uttering a word, stepped back one or two paces, and fired the fatal shot. Thus has been cut down, in the vigor of intellect and the prime of manhood, a gentleman who was an ornament to society and the pride of the university.

"It is not yet known who was the perpetrator of this diabolical deed. A student was arrested yesterday, and after examining a great many witnesses, the case was adjourned over till to-morrow. The evidence against him thus far, consists of the vaguest sort of suspicion."

NORTH CAROLINA.

U. S. senators. The Raleigh Register states that "the resignations of Messrs. Brown and Strange have been sent in by the governor, and unanimously accepted by the legislature, but that no movement had been made in either house towards filling the vacancies."

The Richmond Whig states that Willie P. Mangum will be selected to fill one of the vacancies.

SOUTH CAROLINA.

A white man sold. The South Carolina papers give the particulars of a public sale of a white man named Rubeen Bradley, which recently took place at Camden, in conformity to a law of that state. It was a case of bastardy, and he was not able to enter into recognizance for the support of the child. His wife bid him off for one dollar, and it was thought she got very badly cheated at that.

LOUISIANA.

Returns of the presidential election in November, and congressional election in July, 1840.

First congressional district.

Parishes.	Harrison.	Van Buren.	W. Jdm.
Orleans,	2,681	1,748	1,793
St. Bernard,	173	91	72
St. John Baptiste,	127	45	136
St. Charles,	69	33	18
St. James,	379	87	408
Ascension,	210	218	237
Assumption,	260	849	394
Lafourche Interior,	638	44	280
Terrebonne,	313	20	145
Jefferson,	250	86	272
Plaquemines,	40	286	10

Second congressional district.

Parishes.	Harrison.	Van Buren.	W. Jdm.
Iberville,	224	368	308
East Baton Rouge,	153	81	165
St. Tammany,	204	90	198
Washington,	16	16	145
Livingston,	207	130	141
St. Helena,	172	239	164
East Feliciana,	360	430	337
West Feliciana,	142	33	180
Point Coupee,	143	134	117

Third congressional district.

Parishes.	Harrison.	Van Buren.	W. Jdm.
Rapides,	475	382	355
Avoyelles,	45	135	276
St. Mary,	369	87	314
St. Martin,	369	161	316
Lafayette,	75	101	288
Catahoula,	229	231	155
Caldwell,	13	13	25
St. Landry,	838	486	535
Calcasieu,	245	130	242
Acadia,	270	113	261
Union,	36	114	379
Concordia,	96	114	379
Madison,	411	564	373
Carroll,	120	101	451
Claiborne,	420	101	451
Natchitoches,	411	564	373
Caddo,	120	101	451

16,341 6,693

2,851 maj.

KENTUCKY.

Election returns—official.

	Harrison.	V. B.	Har. mj.	V. B. mj.
Adair,	518	376	142	
Allen,	410	277	33	
Anderson,	292	329		87
Bracken,	712	279	433	
Bourbon,	1,126	396	730	
Boone,	825	373	370	
Butler,	258	189	69	
Bullitt,	465	253	212	
Barren,	1,216	732	484	
Bath,	605	475	130	
Breathitt,	109	45	114	
Brackenridge,	989	214	775	
Clay,	438	91	347	
Campbell,	355	466		111
Carroll,	359	220	139	
Clarke,	1,091	199	802	
Christian,	1,084	591	489	
Cumberland,	567	79	488	
Caldwell,	687	670	17	
Callaway,	201	1,035		854
Cass,	392	72	320	
Garter,	163	238		65
Clinton,	314	122	192	
Daviess,	599	428	262	
Estill,	459	153	304	
Edmonson,	209	134	75	
Fayette,	1,435	596	839	
Franklin,	656	434	222	
Fleming,	1,142	472	670	
Floyd,	233	404		171
Garrard,	1,026	138	888	
Greenup,	599	268	331	
Green,	766	666	100	
Grant,	354	320	34	
Gallatin,	326	262	64	
Grayson,	445	266	239	
Graves,	304	607		303
Harrison,	741	694	47	
Henderson,	616	451	165	
Hardin,	1,342	524	818	
Hart,	438	10	428	
Hickman,	353	684		291
Hopkins,	634	481	173	
Henry,	807	845		35
Hart,	499	303	196	
Hancock,	211	69	145	
Jefferson,	1,110	1,707	1,403	
Jessamine,	652	273	379	
Kenton,	518	618		100
Knox,	690	99	361	
Letcher,	821	302	362	
Livingston,	652	478	154	
Lincoln,	922	182	740	
Logan,	1,228	213	1,010	
Lawrence,	353	123	212	
Lamar,	409	38	810	
Mason,	1,556	564	992	
Marion,	698	277	421	
Mercer,	1,145	954	191	
Madison,	1,318	391	927	
Montgomery,	625	390	235	
Muhlenburg,	652	219	423	
Monroe,	478	187	291	
McCracken,	858	261	124	
Morgan,	260	318		33
Meade,	646	151	495	
Nelson,	1,268	324	854	
Nicholas,	627	491	136	
Ohio,	652	253	300	
Owen,	451	54	140	
Oldham,	465	480		16
Pike,	170	122	48	
Pendleton,	357	390		133
Pulaski,	738	254	334	
Perry,	185	45	140	
Russell,	604	77	427	
Rockcastle,	467	22	445	
Scott,	729	797		63
Shelby,	1,570	588	1,002	
Simpson,	453	178	275	
Spencer,	473	300	172	
Trigg,	453	457		2
Tipton,	284	401		120
Todd,	705	198	507	
Union,	484	149	65	
Woodford,	728	234	420	
Wayne,	579	169	410	
Whitley,	439	52	378	
Warren,	997	437	569	
Washington,	697	338	359	
	58,489	32,616		
	32,616			

58,499 32,616

23,373

Total number of votes, 91,065. The Harrison majority is a fraction over 28 percent on the aggregate vote, the largest proportion of any state in the union.

OHIO.

Vote for electors. The following table exhibits the vote received by each of the electoral candidates on the 30th ultimo, as shown by the official canvass: *Harrison electors.*

William R. Putman,	148,157
Reasin Beall,	148,157
Alexander Mayhew,	148,157
Henry Harter,	148,157
Aurora Spafford,	148,157
Joshua Collett,	148,157
Abram Miley,	148,157
Samuel F. Violon,	148,157
John Vanmeter,	148,157
Aquila Toland,	148,156
Perley B. Johnson,	148,156
Ohio Dukes,	148,153
Ordo Brashear,	148,156
James Hoagland,	148,155
Christopher S. Miller,	148,157
John Carey,	148,157
David King,	148,157
Strom Rosa,	148,157
John Beatty,	148,155
John Augustine,	148,156
John Janson,	148,151

Van Buren electors.

James Simral,	124,766
John H. Shephard,	124,774
William DeFord,	124,778
John Sherman,	124,778
Joseph Lewis,	124,778
Ephraim Wood,	124,780
James Hoagland,	124,775
Calvin Achelt,	124,775
Samuel Smith,	124,781
John P. Hambleton,	124,748
Daniel Karsner,	124,761
George W. Sharp,	124,775
John A. Fulton,	124,782
William Sherman,	124,748
James Cole,	124,782
Nathan Kelly,	124,782
Chas. Shroule,	124,782
James B. Cameron,	124,669
John H. Gerard,	124,754
Francis A. Cunningham,	124,771
Benjamin Jones,	124,775
Scattering,	191

Bryan electors.

James H. Paine,	952
James C. Ludlow,	891
All others,	892
Highest Harrison vote,	148,157
" Van Buren do.	124,782
Harrison majority,	23,375

MISSOURI.

Census of the county of St. Louis. The census of the United States for 1840, will, when completed, possess the deepest interest, as presenting in an accurate and condensed form, a detailed history of the population of this wide spread union. Especially will those portions which relate to the west and south arrest attention. Below as a sort of foretaste, we annex some statistical facts in relation to the county of St. Louis. The city and township of St. Louis are not included:

Population,	11,330
Value of the products of the dairy,	\$12,283
Value of the products of the orchard,	18,465
Value of home made or family goods,	13,495
Value of produce of market gardens,	21,331
Value of produce of nurseries and florists,	2,025
<i>Livestock.</i>	
Number of horses and mules,	3,740
" " neat cattle,	12,193
" " sheep,	8,478
" " swine,	26,649
Estimated value of poultry of all kinds,	\$11,223
<i>Grain.</i>	
Number of bushels wheat,	58,677
" " barley,	1,865
" " oats,	91,506
" " rye,	6,688
" " buckwheat,	1,908
" " Indian corn,	451,144
<i>Farm crops.</i>	
Pounds of wool,	8,651
" " hops,	435
" " wax,	1,738
Bushels of potatoes,	81,310
Tons of hay,	4,137
Tons of hemp and flax,	9,305
Pounds of tobacco gathered,	197,045
The number of bushels of bituminous coal, raised, it,	223,090
Capital invested,	\$11,680
There are 4 breweries—capital invested,	2,500
13 grist and 7 saw mills—capital,	12,950
3 distilleries.	

MICHIGAN.

The legislature according to the Detroit Advertiser, will stand as follows:

Senate 12 whigs, 5 Van Buren. *Whig majority on joint ballot 19.*

There were no returns from Wayne county, on account of the destruction of a ballot box, which was left in care of a town clerk, who lost it in the road, and it was crushed to pieces by a wagon, and the tickets given to the winds.

A United States senator is to be elected in place of Mr. Norvell.

The governor of Michigan has appointed Thursday, the 26th November, to be observed in that state as a day of thanksgiving and prayer.

FLORIDA.

Apalachicola dates of the 24th ult. state that three white men who had connection with the Indians had been scented out by the bloodhounds, and were brought in—the first proof of the utility of the dogs.

PRESIDENTIAL ELECTION.

We content our extracts from the remarks of the public press upon the termination of the presidential election.

From the Bangor Whig.

A NATION REDEEMED. The most important event in the political history of the great republic was just transpired. The sun has set upon MARTIN VAN BUREN, and risen in all its moral splendor upon WILLIAM HENRY HARRISON. The consummation so devoutly to be wished has been gratified. The great loves of the American people have been realized, and that event which has been prayed for by millions of patriotic men is about to be witnessed. The election of general Harrison is a moral triumph—a brilliant victory of men—high-minded men—over corruption and power. We triumph not over Mr. Van Buren the man, for that is no victory, but over Mr. Van Buren the executive. We overthrow the combination, which, in the abuse of power, has centered round the executive. We overcome the Priorian cohorts of the head of government, man, man, also, who, in their insouciance of office, and in the pride of place and fancied security, have disregarded all those great lessons of justice which should govern men to whom have been entrusted high and responsible places. We are coming forth from twelve years' bondage, and the year of jubilee is just dawning upon us. We feel our triumph, and enjoy it. We see the fanaticism and ferocity of our opponents, and can pardon both. The sceptre has departed, and men leave their strongholds as men who seem to have imagined they were there, not by appointment and auferance, but by right. The power, higher than that of the executive, and superior to that of the executive clansmen, has risen in its majesty, and shewn itself where the constitution designed it should be seen—in the hands of the people. The demagogues of numbers have come forth, and, as an abused people, called for and decreed a change—a change of men, and, to that end, a change of administration. The people have confided in their administration, and that confidence has been abused. They placed Martin Van Buren at the head of the national ship, and he has seen her aground, and now they have decreed, at the expiration of the voyage, when his constitutional term of service is up, to place the ship of state upon the common stocks.

WILLIAM HENRY HARRISON is the commander of the ship, and JOHN TYLER is the mate. Both of them have been tried and found faithful and experienced navigators. The one has occupied all the most important position in public life, and now has received from a grateful people the highest favor and distinction which they can grant. The other has done the state some service, and they know it. Both will do the nation great service, we predict, from the day of their meeting.

We have confidence in the integrity and sagacity of these men, and we believe that under their administration the country will become prosperous and happy. We have reached the foot of the hill, and fallen to a deep slumber which is being but the strong arm of Providence could raise us, and in the arms of Providence and the chosen instruments of its power we are willing to trust the destinies of the people. Any change must be a change for the better, and such a change as we seek will be an improvement upon all that has been during the administration now, thank heaven, about to expire. We have been called a party without principles, but we hope soon to convince even the most unjust of our opponents that we are not only without principles, but that we are, as well as without principles, good men that they are the principles of wisdom and justice. We have sought to carry out the

great democratic principle of achieving the "greatest good to the greatest number"—not by mere profession of democracy, but by the inculcation of all those great principles which form the basis of a good government. If we have been ambitious, this has been the first great desire which has controlled us; and having accomplished a great moral triumph in the election of great and good men, we seek now, in the language of Henry Clay, "only to be the good servants of the people." We are anxious to reconvene a divided people, and once more to re-erect concord and harmony in a distracted land. We wish now only to contemplate the glorious spectacle of a free, united, prosperous and happy people.

From the Providence Journal.

The election returns are now mere matters of curiosity. The tremendous revolution in popular sentiment, which has been so long gathering, has burst with the fury of a tempest, and scarce a vestige of loco focism is left in its path. The arrogant party which but a short time since, secure in the possession of power, set itself above all sympathy with the people, and, for the first time in the history of the republic, declared that the government was not theirs, but that of the people, and that the people must take care of themselves, is now in a miserable and contemptible minority. Of its long array of states, only two are yet ascertained to stand faithful, and one of these is wavering, by an insignificant majority, obtained through outrageous fraud in two counties. The men who laughed at the attempts of the people to displace them, and who thought that they had bridged themselves round with an impenetrable barrier of corruption, have fallen before the free votes of their constituents.

The revolution has been achieved under every disadvantage on the side of the people, and every advantage on the side of the administration, and it is coming to think that about any future party, growing and lasting, by the long possession of power, in like manner upon the constitution and the laws, the present memorable contest will be looked back to by the patriot as convincing evidence of the virtue and intelligence and power of the people. It will be sufficient to warn every future administration against the folly and wickedness which have destroyed this, we are sure that it will always shun the people that, under the constitution and in obedience to the laws, their remedy is in their own hands.

From the Daily Advertiser.

THE LAST TEST. Right joyous are we that the campaign of 1840 is closed. Its character and incidents will furnish matter for mortifying reflection for years to come—the reflection compounded with but unavailing regret that a people so young, so reputedly enlightened, should have evinced so much of the viciousness and corruption of older and less favored nations. How many who have lent their aid to the wrong cause in this memorable contest will yet curse the blind infatuation that led them to the commission of political suicide, we pretend not to determine; nevertheless our impression is that the number will not be few, nor their regret light, though to them it may be unavailing. To us, the loss of the state, or of the union, will bring "no compunctious visitings of conscience," nor will such an event abate, in the least, our love for the principles we have endeavored to defend, or our detestation of whiggery as well as the means employed to achieve the national ascendancy.

As a lover of freedom and good order—as an ardent advocate for the supremacy of sober thought over noisy, senseless humbug, we sincerely hope that the political buffoonery of 1840 will ever stand far and alone, in the pages of history, a damning stain on the brow of federalism, and without a parallel in all coming time. No more may the world see comas, cabins and cider, usurp the place of principle, nor doggerel verse elicit a shout, while rogues, and rascals, and fools, are the arbiters of decisive issues. No more may agitators, knaves, and impostors, by proclaiming themselves democrats, when every act of their political lives stands forth to brand the lie on their foreheads, characters as well as deeds, as the arbiters of the people. Never again, may the American people behold the conjunction of political antipathies—the fragments of parties, broken off by the collision and disappointments of half a century, banded together, in connection with the military power, for the profane utterance of the democracy of the day. Never again, may we behold the aristocracy here successfully imitating the plan of the same class in Europe for the subjugation of the many—the division of the laboring portion of the community thereby causing the people to be so much divided, that they are not their own masters, but also of those from whom they most unwisely, most wickedly separated. Never

again, may we see citizens, native or naturalized, so far forget the dignity of human nature as to vote contrary to their feelings and party associations, for fear of offending some other aristocracy, who employ the vote they may be tempted. Deeper or more damning degradation than this, it is not easy to imagine; and base indeed must that man be, who, to secure the treacherous smile of his aristocratic employer, will voluntarily incur it.

But enough of what has been. Be the result of the contest favorable or otherwise, we are unmoved except with increased contempt for federal whiggery and its electioneering paraphernalia. We detest its principles, scorn its treachery, and defy its power, and, should the aristocracy of the nation, in its selfishness, shall await with buoyant spirit the day (not distant) of its irrevocable overthrow.

From the New York Express.

NO SECTONAL DIVISIONS. The election of general Harrison has been the solution of all sectional lines in the union. The unhappy divisions of north and south are unknown in him. They who in the south advocated Mr. Van Buren as the northern man with southern principles, have been signally rebuked by the people, who have seen in him who in the north attempted to convert slavery or anti-slavery into a political question, have been not less so. The success of gen. Harrison is the complete abolition of all party appeals of a nature to break up the union, and his election rivets the links stronger than ever. The divisions in the north, between the non-slaveholding states and those in the slaveholding states, notwithstanding earnest appeals were made against him in the north for his vote on the Missouri question, and as earnest an appeal in the south, because of his nomination at Harrisburg, chiefly by the instrumentality of the non-slaveholding states.

General Harrison is in many respects unanimously elected president. The states that oppose him, with the exception of Virginia, are small states, chiefly under the personal influence and sway of leading men, which states have not so much supported Mr. Van Buren as the leaders among them, whom they have long been accustomed to follow. Thus, South Carolina supported Van Buren, and Mr. Calhoun—there and there can be no doubt in any mind that knows the small white population of that state and its peculiarly aristocratic composition, that if Mr. Calhoun, the patriarch, as it were, of the S. Carolina family, had filled the support of general Harrison, the vote would have been cast for him, with the vote of North Carolina and Georgia. Thus, too, New Hampshire supports Isaac Hill, and if he had willed the support of that state for general Harrison, New Hampshire alone, of all the northern and eastern states of the union, could not have been so distinct as to vote for Mr. Van Buren. The whole range of country, it will be observed, from Passamaquoddy bay to the Potomac and Mississippi rivers, (Illinois not yet heard from), supports general Harrison, and the vote of New Hampshire can alone be accounted for but by the fact, that it follows its state leader, without being influenced by the nation; or the questions on which the nation has interested itself. They again, Missouri follows its state leader, Thomas H. Benton, for of all the states in the west, unless the 12,000 foreign votes of Illinois have dissuaded that state from the west, Missouri stands solitary and alone of all the states in the great upper valleys of the Ohio and Mississippi. Its principles are the same as those of the non-slaveholding states of the west, and only peculiar causes, independent of what has affected the union, could have disjoined it from this union of the west.

The state of Virginia gives its nominal vote to Van Buren,—namely, we say, for Van Buren's majority is merely nominal and all of Van Buren's majority from the heavy yard at Portsmouth, and the public works at Harper's Ferry. Two counties, though in the east, and of Virginia, but hardly Virginian, to wit: Rockingham and Shenandoah, have given over 2,000 votes to Van Buren—namely, the majority of the 12 Virginia counties, the people that make the members of congress and the state legislature, have given their votes to general Harrison. The power of Virginia, the recent vote has just demonstrated to be with the whigs. They make, and are to make, its laws, and compose its government at home, and though Virginia has given its nominal vote by a bare majority to Van Buren, yet the state has not in point of fact discovered herself in this respect, from the

From this process of reasoning, we infer, with sufficient accuracy, that looking to the electoral colleges general Harrison as it appears by them, giving the votes of the states, has been unanimously elected president of the United States. And all geographical lines have been actually and morally obliterated, as all position. From Maine to Georgia, as the old

saying used to be, the states have been of one mind. The cotton planter of Georgia, and the shipping merchant and lumber dealer of Maine, have shaken hands. Wheat and sugar cane growers have joined for one man. From the region of almost perpetual ice, to the land of the olive and the orange, there has been but one voice. There is a concord in this respect—a national harmony so to speak, delightful and new of late hardly to be believed. It is as if since the father of his country led our armies in the field, and presided over the states. It has been as powerful, so over-mastering over state associations and state pride, that this great member of the confederacy of states has received a citizen of its own to the union, presenting to the world for the first time in our history at least, the spectacle of a state surrendering the once chosen emblem of its power and its sovereignty in the person of one of its own sons, to another state and another citizen—for what it believed to be the good of the whole union.

General Harrison is now the personification of this national harmony. All general assent is to be heeded in his inauguration. The perplexing principles that have before almost dismembered our union, in the new re-adjustment thereof, he is to preside over, as the executive chief magistrate, not of this state nor of any one state, but of the whole. He has no prejudices to indulge, no sects of the union to look to with more favor than to the whole,—no principles of this end of the confederacy or of that of further—no more the friend of the planter than of the manufacturer, nor of the farmer than of the mechanic.

The importance of such considerations as this cannot be exaggerated, when we dwell upon this condition in which he will find the treasury, the revenue, the public lands, the patronage and the general principles of the government. An empty treasury will be laid before him, and a revenue must be raised by common and universal consent. A tariff is to be re-adjusted by rule of the north, the south and the west—for there must be more ready to pay off the debts of the government, and to meet the expenses of the government. No man can induce the idea of running in debt by a systematic issue of treasury notes. The public lands to offer in exchange for the prey of demagogues and politicians, must be snatched from all such perils forever. Above all, the love and honor of the government must be restored to the Washington and Madison era.—What was a monarchy, and the state of the people, public. Power must be made to flow in its old channels from the people, or the representatives of the people, and not from the executive to the people, and to effect all things, will require all the popularity and all the strength of General Harrison's administration; and if he can effect them, he will have been one of the greatest benefactors of his country, ranking next to Washington.

From the same.

THE GREAT RESULT. No ardently doubt now remaining of the election of general Harrison president of the United States, gloom and despondency have naturally seized hold of the Van Buren party—and we must say, we have never seen so disappointed and chagrined. Thousands of them have been duped by their organs into a mad confidence, and into large bets, and thus added to the disappointment of party hopes, is the loss of large sums of money. One of their papers, for example, in exchange with 15,000 copies of the state of Pennsylvania, and another, the Standard, even when it might well have known of defeat at home, flattered its partisans with false hopes, if it did not keep back well known facts. The Evening Post has all the while festering at wing papers for an alleged manufacture of election news, seemed to manufacture news for itself, if it did not to fact. The Boston Morning Post, with full returns from a large part of New York before it on Saturday, was the first to announce that to influence the Massachusetts election coming off to-day. Thus added to the chagrin of being beaten by open adversaries, is the pain of having been duped by professed friends.

We are well aware, that for the whigs, if defeated there would have been no sympathy, but that there was in preparation for them a series of outrages upon their feelings, if not upon their property. We do not wish, however, to add to their affliction, to what the members of the administration party must feel. There are many worthy men among them, worthy in private life, whose love, or possession of, office has drawn them into political extremes, but with us we have no further cause to reproach. We wish to shake hands and be at peace. Let us act together now if we can, for the common good of our common country. Where offices has been perverted to political purposes, where it was the pay of party, it cannot be expected that such places can be retained, but there is no cause even though such

changes must take place for a further embittering of that party spirit that for twelve years past, under an unrelenting, and fanatic administration, has poisoned the social relations of the land, and made politics the primary business of the country.

As whigs let us rejoice over our great, our prodigious victory with calmness and moderation. We have won so much we can afford the largest magnanimity. General Harrison, we do not wish, to restore the country to the condition in which general Jackson found it. A stable and equal currency will soon follow his administration of the government. He comes in with an immense popularity, and will have no power to carry out his well known principles. His adversaries have sadly undervalued him, and his friends have hardly sufficiently esteemed him—but it will soon be seen by all, that with fewer faults than fall to the lot of most men, he has as many virtues as any man, and though he may do nothing dazzling or dashing, yet his good common sense, his sound political education, his long acquaintance with mankind, and the springs of human action, will soon put the republic on the right track, and proper men on board the ship of state.

Mr. Van Buren has been signally rebuked by the 42 votes of his own state. He abused the power these votes gave him, and they have now sent him back to Kinderhook, with the record of no vote, with no claim for sympathy here, or elsewhere,—dishonored by repeated abuses of power, and disgraced by the signal condemnation of an immense majority of his fellow citizens.

From the New York Era, Nov. 9.

"TRUTH CRUSHED TO EARTH MUST RISE AGAIN." For the first time, since the adoption of our constitution, a democratic president has been defeated in his own state before the people, and what! Whatever may have been the immediate causes in proleptizing such an unreplicable anomaly—infamous frauds upon the ballot boxes, debauching the minds of our population by bribery, direct or indirect, or deceiving them by the very falsehoods and sorceries that were ever uttered—the hidden influence that has incited the opposition in their desperate efforts cannot but alarm many, and particularly the returning feeling under an agonizing infatuation alienated themselves from their first love. Painful and mortifying as the reflection is to the mind of every true patriot—discouraging as it must be to the advocates of popular liberty in either branch of our government, and as it may shake our governmental fabric—we trust in heaven that the obsequiousness to wealth that has marked the conduct of those who have turned the scale against us will not become habitual with any great portion of the free people.

The opponents of the democratic party have not fought a bold and manly fight—they deserve no credit for the advantage they have obtained over us—they have had resort to a system of ambushes displeasing to those as individuals, and which will hereafter be brought up in judgment against them as a party with fatal effect. The democracy entered the field as an unarmed philosopher and politician—bringing with them truth without a spear, and a conscience unbacked with artillery. Mighty as truth and argument are, in this conflict, they have been prostrated. Never was a party so armed in right, as was the democratic party. But the unwelcome truths that when told—their long and arduous struggle advanced—were not permitted to impede the progress of the money power. Britain, with her powerful but insidious influence, always successful when purposely directed to a particular object, determined to reverse our governmental policy, and her tools and commandants here obeyed the behest. We are defeated. The force of fraud and falsehood has thrown us in a nominal minority, much to our disappointment and regret. We have this one consolation, however, that our invaluable legacy to leave to our children; that in the great political contest of 1840, when the whole money power of our own country and Britain was arrayed against Martin Van Buren, the candidate of the democratic party, the statesman pure and unsullied, the man whose morals could not be impeached, nor the lure of wealth lured from the path of duty, that in such a battle there are at least was true to the principles of democratic liberty. This is the only consolation that we can draw from the members of the democratic party. In those who will be broken down to the yoke—who will permit the money of independence to be weakened—their manly spirit faded! If there be, bring him out, and let us scan him from head to foot. Unlike the being he once appeared to be, ranging the field of political philosophy, delighting in liberty, and fearless of man, let him crawl in the snare—let him voluntarily enter the cage—and let his masters teach him to stand on his hind legs, and play in the tricks of the amusement of the most contemptible and dis-

gusting gang of aristocrats that ever attempted to oppress the people. Let him leave his democracy, and as he walks the street, his very looks will speak his degradation, and he will be pointed at by a few awful and bold, as one accursed whose neck the gold chain of corruption has been riveted—as a living automaton and self-acting tool of his country's worst enemies.

From the New York American, Nov. 16.

The peaceful working of our political machinery has never been more strikingly and creditably illustrated than in the quiet and ready acquiescence with which the result of the heated and protracted contest for the presidency has been received. In a few days ago, all the passions, interests and prejudices of millions of freemen were in full and opposing play—and fierce, indeed, was the struggle—yet now, when, through the efficient instrumentality of little bits of printed paper, placed, with due formality, in some little wooden boxes, the decision of the majority of these millions is ascertained, the storm subsides at once, the hoarse voice of controversy ceases and all men bow to the supremacy of the law, which themselves have made and agreed to abide by.

We confess our pride in pointing to this spectacle which has in it so much moral sublimity—and which goes so far to prove to all doubters the capacity of man for self-government.

There is another characteristic of the recent contest, not less consolatory, as we read it, to the friends of republican liberty and republican institutions; we mean the great increase of votes. A great deal we know has been said, and with truth, of the influence of British gold of "slaying pipes," and other mere partizan solaces under defeat—but the real truth we hold to be, that the intense interest excited by this election reached every class and brought forth the people, who heretofore have so commonly neglect the high and sacred obligation of voting; and thus have the aggregate numbers been every where swelled.

It will be perceived, on examining most of the returns, that the defeated party have lost the battle, not so much by any diminution of their former vote, as by a large accession to ours; and this accession comes, as we believe, for the most part, from a class of voters, who, contrary to the usual, and even ordinary circumstances, content themselves with moulding their own business, and interfere not at all with that of the state or with politics, so long as the state and politics do not interfere with them. We do not unduly trust that this class of voters will be so commonly committed to every freeman, nor for himself alone, but for the community of which he forms a part. On the contrary, we condemn it utterly; but it is nevertheless a fact that such a class does exist, and the question we draw from it, is, although indifferent generally to political contests, there are occasions and abuses which will draw them from their neutrality, and enlist them warmly in the defence of the institutions, liberty or prosperity of their country, when these are seriously menaced.

It is on this hypothesis we account for the greatly increased vote every where; and since all cannot be prevailed upon at all times to exercise their political franchise, it is, we repeat, not without consolation to reflect that this reserve corps may at least be always relied upon to make a stand, at an emergency, for right and liberty.

From the N. Y. Courier and Engineer, of Nov. 11.

The recent victory of our country bears the strongest possible testimony to the value of the republican institutions, and the permanence of our constitutional system. Men had become apprehensive that our government could sustain itself by corruption, and that the more corrupt the government became, the more corrupt would be the administration by party agencies; and it was feared that an appeal to force would be ultimately indispensable to the restoration of our system to its old integrity. When they saw the vicissitudes of the administration, its disregard of public opinion, its assaults upon state credit and state institutions, and its general bearing of insolent and arbitrary absolutism; they could not hesitate to the verdict which an honest and unbiased jury of the people would render upon its merits. But the patronage of government was immense. It paid and fed more than an hundred thousand individuals, interested to sustain it whether right or wrong. It was a vast and standing college of vigilance, with their manifestations of correspondence reaching the most obscure villages of the country; and were all to be moved to harmonious and co-operative action by a word or sign from the central point at Washington, under ordinary circumstances, such a phalanx would be quite invincible. If government were honestly and wisely administered, the outholders might have every thing their own way without molestation or rebuke. The very members of the administration would have been invulnerable. As long as they are protected in their

personal rights and liberties, and are the institutions they have inherited sustained in their original vigor, they care not whether one man or another may be the chief executive magistrate of the country. A desperate struggle has taken place of late between the constituency and the crown. All the resources of corruption have been applied to the elections; the influence and patronage of government have been exerted to the utmost; all its janisaries have been under full pay and in full employment; and the battle of the people has been gloriously won. The experiment of a "bribe by corruption" has been tried by Mr. VAN BUREN and has signally failed. It has been demonstrated that the honesty and intelligence of the people are an overmatch for the lures and seduction of official patronage and power. The overwhelming majority by which the citizens of this republic have condemned the war and profligate rulers, teaches us that a corrupt administration cannot stand in this country; and that what the PEOPLE WILL THEY CAN ACCOMPLISH.

Another gratifying indication of the recent election is the evidence of a more improved mutual understanding between the different sections of the country. It has been a part of Mr. VAN BUREN's policy to conquer the whites by division.—He has fostered local prejudices, jealousies and animosities. He has spent his money in the south against the north on the questions of abolition and the tariff. His emissaries in this quarter have been busy in exciting ill blood against the south; and the vain hope was entertained of creating a serious diversion from the whig ranks by the anti-slavery nomination for vice presidency. The machinery of southern commercial conventions for the last two or three years has been managed with reference to this question. The sub-treasury has been urged, on the express ground that it would be beneficial to the south. In the case of the north, in every quarter there has been a movement intended to array section against section, and interest against interest; in the belief that the whites might be thus broken up and conquered, while the bond of a common interest would be strong enough to keep the negroes united.

What is proved by the result? How it laughs to scorn the factious tirades of Mr. VAN BUREN in the columns of the *Washington Globe*. How little has been effected by the wild outcry of the *Richmond Enquirer* against the abolition of general HARRISON! How utterly unavailing have been the appeals of CALHOUN, McDEFIE, PICKENS and their associates to the fears and interests of the south.—We find Georgia allying herself with Maine—Virginia taking her stand as a candidate in *Massachusetts*—North Carolina echoing back the whig thunder from New York. The efforts of the administration to sow discord and animosity have not only completely failed—they have brought about a result the very opposite of that which was intended. More cordial than ever before the north and south are united—in feelings, interests and hopes. They have rallied on a common ground of RESTORATION AND REUNIFICATION—and are willing to lay aside all less worthy considerations, devote themselves to the accomplishment of this great work, and adjust all questions of difference and dissent at a more fitting period. Never before have we witnessed throughout the country a spirit that augurs so well for the perpetuity of the UNION, as that which now animates the heart of the people.

As nothing but a mighty necessity could have produced this extraordinary state of the public mind—we have no fears that it will be lightly disturbed. The sympathy and union between the now dominant party of the south and the north, will give a tone and color to the policy of government by a new administration, and will cement interests and attachments too strongly to be easily discovered. Great conflicting questions will be adjusted to a spirit of concession and compromise. We shall see no violent war waged of local prejudices, and no party quarrels. We shall hear nothing more of reducing the free labor of the north to the level of southern slavery; nor of letting loose upon the south the fanaticism of northern abolition. We may look forward in exciting confidence to an era of PEACE, UNION and PROSPERITY.

From the *smile of November 12.*

It is announced by the official organ of the federal executive that general HARRISON has been elected to the presidency of the United States; with an intimation that the result has been achieved by a process which does not entitle it to be called an election. "It is," says the *Washington Globe*, "a mockery to call this an election. It is a result brought about, not by the free action of the popular will, resulting from the popular intelligence, but by the defiance of it. It is the first instance in our republic of the triumph of the power of money over the intelligence of the country."

This eulimatory on republican institutions appears in a journal in the confidence of the federal executive; and receiving many thousands annually from the treasury of the United States. This journal is sent at the public expense to all our foreign legations, and is read at every court in the civilized world. A few months since it put on record the general HARRISON, in all his battles, was a fugitive from the British arms. For weeks it has been filled with the foulest libels on the character and conduct of this illustrious soldier, and with the grossest perversions of our national history. There is no stain on Mr. VAN BUREN's person or public career more disgraceful than the fact that he has employed the public money, in recompensing venal scribblers for the base depreciation of a competitor for the presidential chair. Whatever pretensions Mr. VAN BUREN may have had at any time to the character of a "gentleman"—henceforth he must be content to abandon them. He has encouraged and stimulated a warfare upon general HARRISON, which has been waged with the weapons of calumny and falsehood. If he had conducted the contest with decency, no one could have complained of any severity of censure and invective. But he has employed mean instruments, and exhibited a malignant spirit; and what is worse, he will not retract. He has refused the rebuke that has been administered by the American people.

Mr. VAN BUREN now insults the freedom of this republic by announcing through his official organ that the election of general HARRISON has been carried by the agency of MONEY. It is the result of bribery and corruption, falsehood and fraud. The electoral college has been packed by British gold. The 13,000 property in NEW YORK, the 10,000 in INDIANA and VERMONT, the 20,000 in KENTUCKY, the 15,000 in MASSACHUSETTS, the 25,000 in OHIO, the 10,000 in PENNSYLVANIA, the 10,000 in ILLINOIS and bankers. So little virtue is there in the American people, that they can be purchased by thousands and tens of thousands. Such a farce and mockery is republican government, that the most overwhelming majority of popular suffrage is only an indication and proof of corruption and fraud! This is the aspect in which the recent election is considered by the administration, and presented to the wonder and indignation of mankind!

From the stand assumed by the *Globe*, we are almost induced to believe that Mr. VAN BUREN will occupy similar ground in his message at the next session of congress. He will read a lecture on horrible discontents and abominable frauds! He will tell us that the whole country has been bought and sold with the exception of himself. Mr. BUTLER, STEVENSON, KENDALL, BLAIR, EDMONDS, and few other worthies of similar immaculate reputation, there are no honest men in the country. The cities, he will tell us, instead of being seats of only pure and virtuous men, are seats of intelligence and virtue; and the agricultural districts, the homes of the hardy native yeomanry, are the abodes of profligacy and corruption. The election in his eyes, is a "mockery." The ballot box is only an engine of fraud. The system of republican administration is a farce and a failure.

We are not surprised at these rabid manifestations of the official press. Our hope is that they will induce no corresponding violence in the whig journals. We have achieved a splendid victory over the administration, and we are proud of our popular triumph has been won, without parallel or precedent in history. Let us so enjoy its fruits, as to prove ourselves worthy of our brilliant success. A high responsibility now rests upon the whig party of the union. They come into power when the people are impoverished by the extravagance of the republican groans under the burden which have been imposed upon it. To restore its institutions, and reinvigorate its shattered system, will require time and patience—prudence and wisdom. The boldest sagacity may be required to prevent the work of restoring shanty and symmetry from the chaos which has been piled up about us by the ten years labor of these architects of ruin.

We hope therefore that the whigs will enter calmly and with dignity on the career that is before them. The joy with which every patriot must contemplate their glorious achievements is too sacred to waste itself in the idle exultation of ordinary triumph. Our victory is itself its own best celebration. We cannot add to it, by feyval or boisterous rejoicing, by processions, by the firing of cannon, or the burning of gunpowder, or the blaze of bonfires. We have no heart for such manifestations of the earnest and devout gratitude in which we contemplate the perils that have surrounded us, and the triumph with which we have emerged from them. Never before, since the institution of governments, have a PEOPLE won a victory over POWER—thus glorious and bloodless. Let us show

that we rightly appreciate its momentous consequences, by abstaining from any other expression of our joy and gratitude than may accord with a victory which is to restore tranquility to distracted councils, peace to an agitated country, bopu and happiness to an afflicted PEOPLE.

From the *Twentieth Century*.

We copy below a very just and able article from the New York Evening Post, as to what has been decided by the result of the recent election beyond a mere change of men. It shows clearly the utter lack on the part of Harrisonism of any thing like the higher political aims upon which parties generally are and always should be organized. When citizens go to the polls the presumption is that they have other motives for voting than the mere personal elevation or depression of this man and the other man—something beyond individuals and mere principles and measures in contemplation—that they are not only opposed to certain doctrines and certain actions, but are likewise in favor of a particular course of government, which they desire to see put in practice. All this appears, on one side at least, to have been lost sight of in the past contest. It is true that in sections of the country, but not in every part of it, the rallying cry was hostility to Martin Van Buren and the independent treasury, but nowhere was the inquiry generally made, "What was in connexion with this man, of Harrison?" It was merely Harrison—Harrison and nothing. The name was not, and is not, identified with a single principle or outline of action. There was opposition, to be sure, to the present constitutional mode of collecting and guarding the public revenue, but not a hint at a substitute. There was to be no constitutional treasury, it seemed; no responsibility to the people on the part of those entrusted with the money of the people; but it was impossible to learn whether the abolition of the bank or state banks, were the place of existing arrangements, and it was equally impossible to ascertain the kind of currency to be received in place of gold and silver, for public use—whether it was to be paper depreciated five per cent., or paper depreciated twenty per cent. Such was the case throughout, and, though this shooting in the dark and riding without saddle or bridle has for once proved an effective mode of electorizing, yet we must say that it does not appear either rational or creditable.

From the N. Y. Evening Post.

A victory has been won by the enemies of the democratic party; but what has been decided by it, beyond a change of men in office? Upon what question of government or legislation has the nation given its judgment by electing Harrison? Let us see.

So far as the election was influenced by corrupt means so far as it was bought with money, which every body knows was used more profusely—vastly more so than was ever before by any party in the United States, nothing was decided. There were in some quarters a frightful looseness of morality in regard to corrupt voting, greater than any ever known in this country, and of this the whigs by means of the immense funds which they raised, were enabled to take advantage.

But although the whig vote was greatly increased by these foul practices, we are not willing to believe their majority was owing to this cause. There prevails throughout the country much discontent. The whigs are angry because the whig party need themselves to aggravate that discontent, and to turn it against the administration, and have been in a great degree successful. They made many honest people believe that because the hard times and low prices came on under the administration of Van Buren, that the whig party were to blame for the hard times and low prices. They reasoned precisely as the worthy fisherman on Long Island Sound, who used to affirm that the building of a certain light house was the cause of the spotted fever, and the whig party were to blame for the fever prevailing in the very same year. A vast many people, of right intentions but weak heads, were fooled by this kind of reasoning, and made up their minds that a change was necessary, or at least that it would be well to have a change of administration by way of experiment.

Allowing all due weight to these causes, we believe that this will be found to have wrought by far the greatest effect in giving the majority to the inconstant, to the anti-democratic party. Supposing this to be the case, the whig party are to be congratulated upon what great public measure or course of measures has the nation in electing Harrison, pronounced its opinion?

Not surely on the question of a national bank. The whigs would not allow that question to be presented to the people, and yet admit that it was involved in the election, and not only kept it out of sight, but in some instances vehemently and angrily

south, the interests of the whole union, will call upon us to pursue the same illustrious example of '98, '99, '90. With a view of preparing us all for this achievement, we shall begin to lay before our readers in our next paper, the resolutions of '98, and Madison's report of '99. Let us be all eyes and ears right again—and what better can we do than sound the bugle note of the democracy of '99?

Meantime we lay before our readers the following very interesting extract of a letter from one of the most distinguished men of Pennsylvania—

Extract of a letter from Philadelphia, Nov. 13, 1840.
 "Intend of stopping under defeat, we feel that we are all summoned to new and higher duties. Rough times before us, but we must meet them and conquer. The democratic principle and all its modes of administration, are in more danger than in Jefferson's time; the confederacy against them being more extensive, the money power greater, and the alliance with England far more universal, with the means of rendering it far more potent and quick, than ever heretofore. Add to these the new and terrible danger from abolition, which the south will have to wake up before the 8th of March, whether as a home or an international question."

What do the whigs propose to themselves by Harrison's election, now, that they have sung him, and drunk him into power? What are their intentions? Look at them here in Pennsylvania where their principles in politics are as well known as anywhere. When they take the state administration into their hands at the close of '35, Mr. Biddle and the whigs ruled every thing, through gov. Ritner, for three full years, at the close of which, they left the affairs of the state in the most wretched confusion. What have we had? We had broken banks, broken faith, general stagnation of business, and I know not what amount of individual and public calamity of all sorts. This was seen and confessed by all parties—at least, the sensible of all. Mr. Biddle's great bank which was to work wonders under its new charter from the state, when thus fresh from federal intermeddling, and all other whig projects of that day, having worked nothing but mischief here and over half the union, before earning disrepute and ruin, and leaving the same party in the city of Philadelphia, where for seven years they have had uncontrolled sway, and mismanaged the city in all ways, increasing the taxes enormously without corresponding benefits, and draining the beautiful city of its wealth (in some amount) by abuses and jobbing seeking to think of. Are these the forecasts of whig policy on a national scale? I fear so. I fear things much, which I cannot stop to enumerate. You have yourself well understood a portion of them in your letter, and will understand the rest better than I do. We must not, my dear sir, lay down our arms. We must not disband. We must not relax a muscle. Mr. Van Buren has acted consistently, firm and cool, and has been well supplied with all our objects and principles, and sustained them nobly to the last. Well might he exclaim with Brutus—

"I shall have glory by this losing day."

More than Octavius, and Mark Anthony,

By this vile conquest shall attain unto me."

"Virginia, the mother of states, and of statesmen, how proudly does she stand forth in her independence, intelligence and spirit, not to have been the dupe of the miserable delusions to which others have yielded! Boast of your state, you have a right to do so; we will all do you homage, if we do you justice."

"What would your Washington have thought of Webster in 1812 or your Jefferson and Madison, of the annually countenanced of their principles, than which no clown upon the stage could have acted a longer part? Your justly renowned commonwealth, now stands almost alone in her moral grandeur."

From the Pennsylvania (Virginia) Jeffersonian.

After a long and arduous struggle, extending through twelve years, and accompanied by vicissitudes of aid and hope and distressing fear, the whig party, have at last reached the goal of success, and have now an opportunity to carry out practically the principles which they have heretofore advocated as conducive to good government, and the happiness and prosperity of the country.

That this opportunity will be readily embraced, we do not entertain a doubt. We look forward confidently to the time when all the promises made by the whig party will be redeemed, when the abuses of government will be corrected, and the constitution as it was intended by its framers will be the supreme rule and guide of the federal administration.

Gen. Harrison comes into office under many advantages. He is the choice of at least twenty states, and has earned a majority of at least one hundred electors.

The anti-slavery cause will meet after his inauguration, will contain in both branches, a majority of those who are friendly to his administration, and be

will have the greater portion of the virtue and talent of the republic from which to select his cabinet officers.

With these advantages, we may hope that the pledges made by his friends will be fairly redeemed, and that amidst his two incoherent professions he will perform, in its moment of need, the duty which he will perform of promises on the faith of which that power was attained.

In connection with this subject, we extract from the Boston American the following article, the tone and temper of which we much approve:

THE RESULT—THE CONSEQUENCES.—For all practical purposes the presidential canvass is at an end, and the majority by gen. Wm. Harrison is chosen to occupy the chief of Washington. It is decisive as to leave him at liberty to pursue what we cannot doubt to be the bent of his own inclination—the large and liberal policy of a nation's favorite, governing for a nation, and not for a party.

Some days will yet elapse before all the details of the battle and the victory can be ascertained, and the feverishness of the public mind, while the strife was raging, has not yet subsided into that calm and rational tone to which alone any arguments as to the future should be advantageously addressed.

Meantime, however, we may throw out a few suggestions—not, certainly pretending to speak for any one but ourselves—as to the course which we still hope the new administration will pursue.

The position that we have already assumed, that gen. Harrison will be the president of the whole country, and not of a party, of itself establishes a marking contrast between the new administration and that which will succeed, and carried out to its legitimate consequences, includes, necessarily, a return, a real and bona fide return to the true standard of appointments to office. "Is he honest, is he capable, is he faithful to the constitution?" will now be the first question to every appointment, and we do not think it can be answered affirmatively, no supplementary merit of party services, or personal devotion will be permitted to avail.

The standard of official appointments will be raised, and those who will be required to fill the offices they hold. But, more than this—they will be required to attend to their duties, and leave all those connected with electioneering, with missionary services as parties, attending public meetings, making speeches, and otherwise bringing the "patronage of the general government into conflict with the freedom of elections," all such duties they shall be required to leave to others, or lose their office.

The standard of "the fitness" will be repudiated as a rule of action. Changes, indeed, should be made, must be made, not only in cabinet and diplomatic appointments, which for the most part must take their rise and color from the head of the administration, but also among the incumbents have made themselves self-sustaining in politics.

When it shall be seen that men who do step out of the line of their duties to mingle in party strife are punished for their misdeeds, those who shall succeed them will learn the invaluable lesson of minding their business, and letting the people mind theirs.

We are more emphatic on this point, from the brazen and notorious impudence with which the custom house officers of this city have interfered, both in this state and other states, in the recent election.

We have seen them at the polls buying up voters, slawhanging, belting, bullying and challenging voters, and have felt that such a course of interference on the part of federal officers ought to be severely rebuked.

On the contrary, however, when men in office have confined themselves to the single exercise of their official duties, without obtruding themselves offensively upon their neighbors, or seeking to interfere with them, and are diligent, competent and faithful in the execution of their public trusts, we hope, we presume, they will not be disturbed, whatever be their political preferences.

From the Savannah (Geo.) Republican.

MODERATION IN VICTORY.—The extreme composure as well as gratification with which the whigs of the United States receive the news of their victory, the absence of all public demonstrations, and the rejoicings, are so many convincing proofs of their proper American feeling. It is and ought to be evident to all that a party which tempers victory with the moderation of all public rejoicings, and the confidence of the whole country. The course of public rejoicings, processions, and festivals are abundant, but we have seen nothing more than sober republican manifestations of the most unmingled joy and satisfaction. For thirty years, for the last twenty years, and even, when the election of Jackson and Van Buren, the thunder of artillery was heard from the lakes to the ocean. The joy felt by true Americans resides

in the heart, and the great whig victory just achieved, has been celebrated by the friends of liberty, by a proper and unpretending interchange of heartfelt congratulations. Pending an election, processions and the firing of guns may be excused, but, in an hour like this, the prevalence of the cheering and the shouting, and the importunate characters to admit of mirth and exhilaration.

From the Green River (Kan.) Gazette.

THE PROSPECT. The great agony is over. The battle has been fought, and the victor is chosen. Harrison will come into the presidency with the almost unexampled approbation and enthusiasm of the citizens of the union. It is altogether probable that he has obtained the vote of every state except two, and that he has secured the assent of the vast sentiments of the citizens of these two or three are doubtless in his behalf. In the result of this contest of liberty against executive power—the people against their own agents, and those who aimed to enslave them—there is much to encourage the patriots of our revolution and the friends of liberty and republican institutions throughout the world. The glorious results of this election will give strength, stability and prosperity to the democratic institutions of the country. It will give us every friend of liberty and of representative government with a confident assurance that the people, when properly aroused and enlightened, are competent to govern themselves, and that they will not long submit to unauthorized encroachments upon their rights—to high-handed oppressions, violent pledges, and insolent disregard of their feelings, and their interests by their own agents.

The history of the two last administrations discloses a series of errors, locomotions and wrongs of profligate poverty, party subversion, and contempt of the feelings, interests and rights of the people, that will constitute a dark page in its annals, and which will read with wonder, disgust and indignation by enlightened freemen in all succeeding times. These pages will be rendered doubly dark by the brightness and purity of the pages that will precede and follow them. Authentic history will portray the conduct of J. Q. Adams as one of the purest, brightest and best since the organization of the government, and from the well-defined and established character of Harrison, as a patriot and statesman, we look forward with confidence to the future. The new administration is pure and useful. We confidently rely upon his fully realizing the wishes and expectations of the real whigs and his true friends. "That he will serve but one term," and that he will not permit the patronage of the government to be used for the "freedom of elections." That he will not attempt to influence the deliberations of congress. That he will not remove an honest and competent officer from office for party purposes. That he will appoint no more members of congress, or those who have been declared unworthy of office by the people themselves, and that he will curtail the exercise of executive discretion and power, and the expenditures of the government. In a word, that he will struggle with honesty, to reform the abuses introduced by the late administrations, and give purity, efficiency and usefulness to our representative system of government.

From the Lancaster (Pa.) Eagle.

Whether our cause is again triumphant, in the re-election of Mr. Van Buren, or whether it is temporarily borne down by the extraordinary efforts and monstrous appliances of federalism, cannot yet be known. But we have felt that the cause of the people that make foul success, disgrace, and defeat upon our part, honor; and because such was the means brought against it, it has fallen to rise and rise with renewed strength and a firmer ascendancy. The progress of democratic principle—the principles that government is instituted for, and should be directed to, the equal advantage of the many—not the exclusive advantage of the favored and aristocratic few, is onward. It may be delayed, but it cannot be defeated. Another and another conflict may eventuate before its final triumph. The politics of the revolution endured many a privation, and fought many a battle, before they redeemed this fair land from the thrall of British arms. And yet you think that the influence of British gold will be less easily conquered? Not—not less easily, nor yet less certainly! For one, I see motives for renewed exertion growing out of the past contest, but not a reason for despair.

From the Boston Post.

It will be seen that the democrats of this city, and indeed of the state, have done grandly, and increased their vote largely since last year—but the whigs have not done so well. We are obliged to submit with as good grace as possible to our defeat, confident of better luck next time.

The result of the election in Massachusetts, a great many more votes polled than there were last year.

A uniform for sale.—Inquire at this office.

The uniform. We offered our uniform for sale, yesterday, but the whigs have spent so much money in "playing pipe," they could not raise enough to buy it; so we shall keep it until 1842, when we shall have a chance to wear it again. Governor Davis' aids will be obliged to appear in citizens' dress.

[*There is every probability that John Davis of Worcester*—nicknamed "Ironhead"—has been elected governor of Massachusetts for one year from the 1st of January, 1841. Wish you happy new year, John.

All those with whom we have met. Please call one at a time, approaching our office from Washington street, and departing through congress street, keeping in a line, so as not to block up the highway.

We're not alarmed. We shall run our flag out a little while this morning, merely to dry them—therefore we beg our whig friends not to be agitated at the sight. We assure them that general Harrison and Mr. Davis have both succeeded. The whigs won't believe it until we say so, if the Atlas should swear to it for a month.

[*If you are doomed to be whipped, there is a satisfaction even in having it done so effectually that there is no mistake about it—we do not like any of your half and half business—give us a decisive triumph or a decisive defeat.*

The whigs behave very well about their victory—they were as polite and good natured yesterday as gentlemen need be, and the democrats evinced that cheerfulness which ever accompanies a conscientious discharge of duty.

That's the punk. The democratic boys of ward One paid us a visit last night, and gave us three as hearty cheers as their throats were capable of delivering—stick to it lads, and before you are men you will see a democratic president.

[*There is some fun about the whigs, after all. On a banner in a whig convention, held somewhere "out west," was the following:*

K. K. K. K. K.

Kludrhok Kandidate Kon Komt K Kette.

MISCELLANEOUS ARTICLES.

HARRIET LIVERMORE. Those of the readers of the Messenger, and others, who listened some years since to the public lectures, of Miss Harriet Livermore, in which she labored upon the wrongs of the "poor Indian," and dwelt much upon the near approach of the millennium, will doubtless be gratified to learn her whereabouts.

Eight years ago she lectured in our own city of Richmond, since which time she has visited many of the tribes of our western Indians, and at one time proposed to spend the remainder of her days with the red people in the vicinity of Fort Leavenworth, but her intentions were frustrated, she says, by the machinations of the commander and the Indian agents, who wished to dislodge her. Perplexed and disappointed, she was then led to exclaim "what shall I do?"—and a still small voice seemed to reply—"peace be unto thee;—then shalt go to Jerusalem." Accordingly we have before us a letter from her, dated in the confines of Judaea. Yes, twice has this, in many respects, extraordinary woman, visited the sepulchres of the prophets; and now she says, "it is to die there."

Believe what we may, there is something simple, beautiful and affecting in all this; this unsensational faith, this self-sacrificing obedience, this spirit of duty. It is a spirit akin to the primitive Christians; a spirit, which the selfishness, the expediency, the greediness of gain, and the matter of fact character of the age in which we live, are fast extinguishing from mankind. It is akin to that which saved the good, yet, even the great Obelisk, great with small means, and the pastor and legislator of the secluded Ba de la Roche. Miss Livermore may accomplish nothing to be hereafter blazoned on the roll of fame; but the simple lives of truth and duty paramount in her own mind will bring to her its "own exceeding great reward."

At the date of her letter she had scarcely reached her place of destination, and it is accordingly difficult to obtain gratifying to her private friends, but of hardly sufficient interest for the public eye. It abounds with sentiments of the most ardent piety, and faith in Him who has hitherto protected her in her solitary pilgrimage, and who has promised to "temper the wind to the shorn lamb." It must be borne in mind that she travels alone, apparently unaccompanied by any of our missionary laity.

At Gibraltar she was hospitably entertained by its worthy consul, Mr. Sprague, who seems not unmindful of the apostolical injunction to "entertain strangers." With a pleasure highly creditable to

her heart, she dwells upon the many proofs of kindness and benevolence she experienced in his amiable family, and the substantial comforts they provided for her long and perilous journey.

While entering the bay of Malte, she was saluted with the familiar air of "Hail Columbia," played by a Maltese, who came alongside, and thus did honor to her country. She threw him some coin, while her thoughts were far away with the home and country she should see no more.

On her arrival at Valletta, she was met, with particulars of the city made holy by the footsteps of the Saviour, and the witness of his death and resurrection. The remarkable aspect of the times, the change of the seat of war between civilized communities, from the East to the West, and the concurrent testimony of prophecy, whether to be understood literally or otherwise, seem to point out this portion of the earth as a theatre on which great events are yet to be revealed. The circumstance of the Rotschilds holding a mortgage of the Holy City, which seems to be well authenticated, adds not a little to the peculiar interest with which all eyes regard this interesting portion of the world.

[*Southern Literary Messenger.*

MARY JENISON. The history of Mary Jenison, a name of some notoriety in our annals, is thus written in a letter from the Genesee Valley, N. Y., to the Commercial Advertiser:

The Gardow reservation, to which I have referred, and upon a section of which general Brooks resides, was a tract of ten thousand acres which the Seneca Indians reserved in their sale to Robert Morris, in 1797, conferring it upon Mary Jenison, the celebrated "white woman," who resided upon it till her decease, a very few years ago, she died, or fifteen years ago. Mary Jenison was truly a remarkable woman. She was of Irish parents, and was born at sea on their passage to America in 1742 or '43. Her parents settled on what was at that time the frontier of Pennsylvania. She had an uncle in the command of Washington, who fell at Braddock's defeat. In the spring of 1755, Mary, her parents, two brothers and several inmates of the house, were taken prisoners by a party of half a dozen Seneca Indians and four Frenchmen. They were all hurried into the woods, and the whole party murdered afterwards, Mary alone excepted. She was exposed to all the hardships and privations of a prisoner until her arrival at Seneca town; where she was adopted into an Indian family, as daughter, and henceforward treated with kindness and respect, living life, and for a season meditating upon the means of escape. These being frustrated, she at length resigned herself entirely to the Indian life and customs. At a proper age, she was married to a Delaware Indian, whom she loved, and by whom she had one or more children. She visited our frontiers several times, and occasionally resided among the Shawnee Indians.

Her husband died, and she afterwards married a Seneca chief, living in the Genesee Valley, at about the beginning of the war of the revolution. Her Seneca husband was a man of blood, but kind and affectionate to her. She retained her family name, Jenison, and also the English language, which she spoke fluently, until the day of her death. But although she had been religiously instructed by her parents, she embraced the religion of the Indians, and, in a word, became thoroughly Indianized; adopting and becoming enamored of all their manners, habits and customs throughout. Her life was full of incident and wild adventure. The Indians ever entertained an exalted opinion for her, and she was evinced by the Gardow treaty—embracing a rich section, both of interval and upland, upon which she resided until her death. In obtaining this grant, or reservation, moreover, she showed all the cunning of her adopted people. Mr. Thomas Morris, who conducted the treaty for his father, has told me that when the request was made to him for a reservation for "the white woman," he supposed they meant only a farm of some two or three hundred acres, but that the woman herself, by artfully inducing certain bounds with which he was not exactly familiar, actually overreached them, and obtained the large tract already mentioned, including the whole of the Gadow flat, and the romantic walls of rock and hill within which they were sequestered.

During the war of the revolution her house was often the quarters of col. Brant and col. John Butler, when making their incursions upon the frontiers of the colonies. She attended the treaty of Genesee State, by general Schuyler, in 1775, and her life taken down in writing, from the year 1725, was full of incident and adventure. She would not throw off her Indian costume even after the white population had completely surrounded her residence; but adhered to the Indian customs with the utmost tenacity to the last. She was rich, not only in land,

but in herds and flocks, and had tenants who worked her lands. One of her sons was educated a physician, and obtained a surgeon's commission in the navy, dying a few days ago on the Mediterranean station. In many respects Mary was a valuable woman—humane and benevolent—and doing great good among the people of her adoption.

MONUMENT TO GEN. MERCER. One of our reporters has obtained, through the kindness of Messrs. John Struvers & Son, the following description of the monument which is to be erected at Laurel Hill on the 23d instant, and beneath which the remains of the gallant MERCER are to repose after their removal from their present resting place (Christ church yard on Second street) on the 26th instant.

The lower base upon the ground is plain, four feet six inches square, and seven inches in height; over this is another base, plain and moulded, three feet eight inches square, and sixteen inches in height; from this rises the shaft, at the four corners of which will appear a chaste and classic pilaster, between which, and carved upon the panels of the die, will appear the inscriptions; the die will be two feet ten inches square, and three feet three inches in height; over this will be a cornice, upon which is sculptured an American sword and scabbard, crossed, and surrounded by a radii or glory. This was the piece which was exhibited at the Franklin institute. It is three feet two inches square, and thirteen inches in height. Upon this rests the plinth of the urn, which is plain and ornamented, is two feet square, and eleven inches in height. The whole surmounted by a tripodical urn, supported by three Roman auries. The urn is two feet four inches in height. The total height of the whole monument will be nine feet six inches.

Below we give the inscription, precisely, we believe, as they are to be engraved upon the panels of the die:

[*United States Gazette.*

[*Principal front facing the east*]

Dedicated to the

Memory of

GENERAL HUGH MERCER,

who fell for the

Sacred Cause of Human Liberty

and American Independence

in the

Battle of Princeton.

He poured out his blood

for a

Generous Principle,

[*West side*]

GENERAL MERCER,

a Physician of

Frederickburg in Virginia,

was distinguished for

His skill and learning.

His gentleness and decision,

His refinement and humanity,

His elevated honour,

and his

Devotion to the Great Cause

of

Civil and Religious Liberty.

[*North side*]

GENERAL MERCER,

a native of

SCOTLAND,

Was an Assistant Surgeon,

In the Battle of Clouds,

and

The Companion of

WASHINGTON

In the Indian Wars of 1775 and 1776.

He received a

MEDAL

From the Corporation of

Philadelphia.

For his Courage and Conduct

In the expedition against

The Indian Settlement of

KITTANNING.

[*South side*]

THE

ST. ANDREW'S SOCIETY

of Philadelphia,

Offer this humble Tribute

To

An Illustrious

BROTHER.

"When a grateful posterity shall bid the trophic memorial rise to the martyrs who sealed with their blood the cause of our empire's liberties, there shall not be wanting a monument to his whom

WASHINGTON

Mourned as the worthy and brave

MERCER."

[*Cutler's Memoirs.*

CHRONICLE.

AMERICAN ORNITH. The Great Western brought down some fine specimens of these large birds, new entirely to us of this region. They are three in number, quail tail, nearly four feet, and resemble their nameake of the old continent in action and external appearance. A gentleman of Chautauque county has them in charge.

Buffalo Con. Jds.

ASTRONOMICAL PHENOMENA. In Manchester, England, there was recently observed on the sun, a perfectly round and well-defined spot, the diameter of which was apparently one-twelfth of the sun's disc. It passed slowly across the face of the sun from west to east, and was visible for about an hour.

AMERICAN PRESENTS.

Born. Inaug. Term ex.
George Washington, Feb. 22, 1732 1798 66th age.
John Adams, Oct. 19, 1735 1797 do.
Thomas Jefferson, April 13, 1743 1801 do.
James Madison, Mar. 5, 1751 1836 do.
James Monroe, April 2, 1759 1817 do.
John Quincy Adams, July 11, 1766 1826 53d.
Andrew Jackson, Mar. 12, 1767 1829 50th.
Martin Van Buren, Dec. 5, 1782 1837 59th.

BANK NOTES. Twenty dollar notes of the Mechanics' and Farmers' bank of New York are in circulation in this city, altered from two dollar notes. They may be distinguished by the difference in the vignette, which in the genuine is to be found over the signature of the cashier, and in the altered notes at the other end over the signature of the president.

JAMES BIRNEY, esq. the abolition candidate for the presidency of the United States, arrived at New York on the 24th in the Great Western from England.

CANAJOHARA VILLAGE, N. Y. was nearly destroyed by fire on the night of the 19th inst.—About forty buildings were destroyed, chiefly dwellings. Loss probably will exceed \$100,000, mostly insured. There were two stores burned, Fero and Trevis's, with part of their stock, partly insured; and Walls and Baker's, and a portion of their stock, no insurance—both stores owned by the estate of the late Henry Lieber.

CLEVELAND, OHIO, POPULATION. Males 3,169, females 2,962—total 6,071. In 1830 the population was 1,076, gain in 10 years 4,995.

COLUMBUS, OHIO, POPULATION. White males 2,917, white females 2,441—total of white 5,457, colored males 317, females 236—total colored 578—grand total 6,045.

CONNECTICUT. The population as ascertained, is 310,131. In 1830 it was 273,717; increase 12,130.

CUTTON AND RICE— Charleston S. C. Nov. 21.

Stock on hand Oct. 1, 1840,	732	8,401	825
Received since,	286	34,793	6,376
	1,038	38,194	7,491
Exported and on ship board,	219	27,223	5,961

Stock on hand, 759 10,969 1,149
There is somewhat more animation in the market—sales at \$10.00. The impression seems to be that the receipts of the season will be from 80 to 90,000 bales.

At Columbia sales at 8 1/2c.
New Orleans, Nov. 19. Sales of the three first days of this week 12,500, and of this week the week about 18,000 bales; arriving at New Orleans 8,222 bales. At this time last year 18,184.

*Prices—*Liverpool classification—Louisiana and Mississippi ordinary, 74 1/2; middling, 82 1/2; middling fair, 83 1/2; fair, 91; good fair, 10 1/2; good and fine, 11 1/2.

DEATHS, during the last week in Baltimore 41, of which 10 were under two years of age, and 12 were colored, 9 free and 3 slaves.

WM. P. DARNES, whose trial at St. Louis has excited so much attention, was found guilty of "manslaughter in the fourth degree," which subjected him to a fine of \$500.

ELECTRICITY. It has been ascertained from careful and often repeated experiments, that the electric fluid travels at the astonishing and inconceivable velocity of two hundred thousand miles in a single second of time! So that if a wire was passed around this globe of ours this subtle agent would traverse the circumference, about twenty-four thousand miles in about the right part of a second.

A WAR IN ASIA. This fall of the St. Onofre, a vessel from Asia, was lost last year born unfortunately attended. The Tartars, Comacs and Cabardians brought in 30,000 wild horses. It also collected

10,000 horses of finest breeds, 50,000 oxen, cows, bulls, steers and heifers, 100,000 sheep, 10,000 swine—these were run every morning. A Circassian horse, rode by its owner, gained a prize of 25,000 roubles. Two horses from Kashg. in Tartary, were the next in success. A Circassian horse, however, gained a race extending to the length of six French leagues, with a stake of 500 dollars, and all the twelve horses which ran against him, each of which was worth 1,000 roubles.

FLOOR REMAINS as at last quotations; at Charleston, S. C. 230 lbs. Baltimore and Richmond sold at \$5 1/2c.

THE GERMAN REFORM CHURCH. From the proceedings of the late general synod of this church, we learn that the subscription number attached to the union, exclusive of the synod of Ohio, exhibits an aggregate of about 200 ministers, 60 congregations, and 75,000 members. The periodicals of this church, the "Weekly Messenger" and "Zeitschrift," are reported to be liberally supported, and an effort is being made to swell the subscription list of each to at least 5,000. Their literary and theological institutions, located at Mercersburg, Pa. are in a very flourishing condition; and at the late meeting of their general synod, it was resolved, during the centenary year 1841, special efforts should be made to raise an additional sum of 100,000 dollars for the complete and permanent endowment of the institutions, in connection with the cause of beneficent education. [Patrol.]

JUNIATA COUNTY, PA. has a population of 11,079; of which 5,512 are white males, 64 colored, 5,438 are white females, 35 colored.

INDIA RUBBER. This most remarkable article, which only a few years ago was sent to this country as ballast, now sells, in a fine state, as high as 10s. to 11s. per pound, when spun into thread. One firm spins as much India rubber thread every week as would reach from London to Canton, the country it is imported from. There are twelve patents for this article, and these patents have cost more to defend in law than the amount paid for India rubber since the article has been known to us as of any value. Experiments are now making in England and France to apply the article to the cure of consumption. [London paper.]

INDUSTRY. The hon. John Quincy Adams, who is now 74 years of age, delivered a lecture before the Boston Association in his lecture hall on Monday evening last; he went there from Boston the same day. On Tuesday evening, he delivered a lecture before a similar institute in New Haven, and on Wednesday evening he lectured before the New York Association in the Broadway tabernacle in New York city. On Thursday evening he delivered a lecture before one of the Brooklyn associations; and on Friday evening he delivered a second lecture, on faith, before the New York lyceum.

LAKE ERIE HARBORS. The British government have directed a survey and report of the condition of all the harbors on Lake Erie in the province, and the roads leading to them, with the view to their improvement.

THE LAW OF NEWSPAPERS. We learn from the Boston Courier that Judge Williams, in a late case before the common pleas, laid down the law in relation to a question interesting to editors of newspapers, as follows:

1. Where a subscriber to a newspaper orders it to be discontinued, and it continues to be left at his residence, the presumption is, in the absence of any evidence to the contrary, that it is left by the subscriber's orders, and upon a promise to pay for it.

2. If a newspaper is left from day to day for a person at his place of business with his knowledge and consent, and he expresses his consent, or if he has reason to believe that it is left under the expectation that he is to pay for it; in that case he will be bound to pay for it, unless he gives notice to discontinue it.

THE LOG CABIN STATE. We claim this title for Pennsylvania. In this state—in this county—in this town, the impudent sneer of the Baltimore Republican at G. N. Harrison's poverty was first publicly resented, by inscribing the "log cabin" upon the banners of the people. Here, in Harrisburg, the first republicans in the world, and the first of our principle, and of our contempt for the sneers of the officeholders. Soon after the article appeared in the Baltimore Republican, declaring that, with \$2,000 a year, Gen. Harrison would be content to live in the log cabin and drink cold water; it was suggested that the people should reward the author of this sneer by electing him, and therefore the writer of this drew a log cabin, which was painted on a transparency and exhibited on the 20th of Ja-

nuary. Since that time log cabins have become famous. Thus it will be seen that here Harrisburg was started, and here his "log cabin" was started also. After this, who will doubt our claim to the title of the log cabin state! [Harrisburg Chron.]

NEW HAMPSHIRE. The population of New Hampshire in 1800 was 483,555; in 1810, 214,460; in 1820, 244,161, and in 1830, 269,638. It now contains a population of 254,181. Increase during the last ten years 14,845.

OXALIC ACID. It may be important to mention especially in this case of loving acid, that two ounces of magnesia, mixed with about a quart of water, or the same quantity of common whiting, thrown into the stomach by any means (stomach pump being readily and most preferable on such occasions), will effectually neutralize and render inert this most active poison.

[Albany Daily Jds.]

PHILADELPHIA CITY AND COUNTY. The census is completed so far as to exhibit the following result:

City of Philadelphia in 1840,	93,773
Do. do. 1830,	86,499

Increase in ten years,	13,296
------------------------	--------

County of Philadelphia in 1840,	165,049
Do. do. 1830,	108,454

Increase in ten years,	56,595
Aggregate of city and county,	258,922
Increase since 1830,	69,961

SHIP BUILDING. The first vessel built in New England in 1840, at Plymouth, and was a large boat or shallop. The second, was the "Blessing of the Bay," a vessel of forty or fifty tons, built by Gov. Winsthrop, in 1631, at Mistic, now Medford, and launched on the fourth of July. The third was built in 1634 at the Indian harbor, (Marblehead) by the "Salmon people." This vessel was one hundred and twenty tons burden, and called the "Daire." In 1641, the "Plymouth people" built another of fifty tons.

SILK. The Tennessee silk society held their annual meeting last month. Some very fair specimens were exhibited.

STEAMERS. A new line. The New York Commercial directory announces that the preliminary of a project for a new line between that port and England is nearly completed, and that the keels of four gigantic vessels of 2,000 tons, with engines of 800 horse power each are to be laid. They intend to improve the existing steamers, and to make the passage in ten days.

The great Russian war steamer, Kamskatic, built under the superintendence of Messrs. Schuyler, N. York, at the yard of Mr. William H. Brown, was launched in dry dock on the 24th inst. Burthen 2,049 tons.

The steam ship Neptune, Rollins, arrived at Havana on the 12th inst. in three days from Charleston. She was expected to leave for New Orleans on the 13th, to resume her station in the Texas trade.

STEAMBOATS. The Queen of the West, arrived at New Orleans on the 26th, in four days and twenty-two hours from Cincinnati.

STEAMBOAT ACCIDENT. The steamboat Persian on her way from New Orleans to St. Louis, when a few miles below Napoleon, Arkansas, collapsed a flue, by which nineteen persons were instantly killed and thirty badly scalded, principally deck passengers. The total number of the sufferers in a New Orleans paper, according to which, but 12 persons are ascertained as yet to have been killed. The Vicksburg Sentinel of the 11th inst. states, that the melancholy accident occurred "after a well contested race between the Persian and the Queen of the United States." The Sentinel adds, that this "accident may be relied upon as correct," as it is given upon the authority of the captain of the Meteor.

STOCKS. United States bank in New York 65.

TOBACCO. The shippers of this article say that tobacco if weighed in the spring and then lies until sold, will shrink in weight forty or fifty pounds per hoghead. [N. Y. Jour. of Com.]

WESLEYAN UNIVERSITY. The catalogue of this institution for the academic year of 1840-41, gives the total number of students at 135; of which there are seniors 34, juniors 43, sophomores 29, and 23 freshmen. The rev. Dr. Olin, recently arrived from Europe, will, in a few days, assume the duties of president of the university.

WHEAT. At Baltimore, Maryland white \$1 00 @ 15. Red 90 1/2 cents.

NEWS BY MAIL. NEWS BY MAIL.

FIFTH SERIES. No. 14.—Vol. IX.]

BALTIMORE, DECEMBER 8, 1840.

[Vol. LIX.—WHOLE No. 1,323.

THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

THE REMAINS OF NAPOLEON. The French frigate *Belle Poule*, commanded by the prince de Joinville, accompanied by the Favorite sloop of war, reached St. Helena on the 8th October, from France. The remains were received with due respect. The mortal remains of Napoleon were to be taken on board the frigate on the 15th October, that being the day on which Bonaparte arrived at St. Helena, 23 years ago. In the retinue from France for the purpose of the prince are counts de Choiseul, Las Cases and Marchand, and generals Bertrand and Gourgaud, and four of Napoleon's former domestics at St. Helena.

There is a sarcophagus of ebony by the "Belle Poule," for the purpose of holding the coffin of Napoleon. On board the "Belle Poule" is a chapel fitted up for its reception, which is lined with black velvet, in small panels, sprinkled all over with silver stars, festooned with silver cord and tassels.—There is an altar, with a crucifix over it, at one end of the chapel. This sarcophagus is supported at the corners by four eagles. On the top of it is to be placed an embroidered black velvet cushion, and on the cushion a crown. Suspended to the ceiling, immediately above the crown, a ball with a cross on the top of it, and under the ball the emblem of justice. In the chapel are also four pyramids to hold candles; suspended to the ceiling are four vases to burn incense; there is also a rich velvet pall, which is said to have cost 25,000 francs, to cover the sarcophagus.

MUNITIONS OF WAR. The N. Y. Commercial Advertiser says that the naval forces of the different powers, now in the Mediterranean, are presumed to be as follows:

France—Twenty sail of the line, ten frigates and ninety smaller vessels, including steamers.

England—Sixteen sail of the line, four frigates and twenty smaller vessels.

Russia—Ten sail of the line and eleven frigates, corvettes and brigs.

Austria—Two sail of the line and five smaller vessels.

Egypt—Seventeen sail of the line and forty smaller vessels.

Turkey—Three sail of the line and nine frigates, corvettes, &c.

Sardinia—Four frigates, corvettes and brigs.

United States—One sail of the line, one frigate and one corvette.

Total, two hundred and sixty-five vessels.

Vol. IX—No. 14.

A correspondent of the N. Y. Journal of Commerce, writing from Macao under date of 22d June, says—

Nothing is known of the intentions of the English government, but it is conjectured that Canton will not be attacked; that the Bogue forts will be taken possession of, and the river blocked; and if the force then move immediately to the north. If they go to Peking at once, they will be unsuccessful; the probability is that they will take possession of Chusan, or some similar position, and operate from thence on such points as seem to offer the best chance of distressing the Chinese without great loss of life. These probably are the months of the grand canal with them. There are parties who believe this will be sufficient; but to me it seems wholly inadequate to the end proposed; which, as I have often written, is virtually to revolutionize the immense empire. Such a result may be brought about, but only I think by a system of intimidation, and such a show of force as shall convince the Chinese that resistance is wholly useless. The may be affected without difficulty, by a resolute power; for the great cities of China, on the coast, are wholly defenceless, their forts every where dilapidated, and their arms, matchlocks and bows, almost rusted. But the fear is that the English will be contented with a little, and they will not take proper steps to secure even this permanently; but a few days may enable us to form a better opinion of what is to be done hereabouts.

Meanwhile the Americans are in Canton; almost all their ships are out of the river, and they will not take proper steps to secure even this permanently; but a few days may enable us to form a better opinion of what is to be done hereabouts. The Americans are in Canton; almost all their ships are out of the river, and they will not take proper steps to secure even this permanently; but a few days may enable us to form a better opinion of what is to be done hereabouts. The Americans are in Canton; almost all their ships are out of the river, and they will not take proper steps to secure even this permanently; but a few days may enable us to form a better opinion of what is to be done hereabouts.

Bohea	lbs. 191,554	Twenky	lbs. 3,120,249
Congo	16,633,225	Hyon Skin	115,091
Opium	129,251	Hyon	1,446,525
Canton	9,066	Young Hyson	650,292
Souping	636,998	Imperial	283,710
Hung Muey	101,475	Gunpowder	596,687
Puac	242,514		
Orange Pekoe	835,195	Green	6,206,609
		Black	18,609,987

Total lbs. 24,826,596

To which must be added about a million and a half sent to Singapore for transhipment.

The correspondent of the Courier gives the following statement of the export of tea to England since 1st October last:

Bohea lbs. 191,554 Twenky lbs. 3,120,249

Congo 16,633,225 Hyon Skin 115,091

Opium 129,251 Hyon 1,446,525

Canton 9,066 Young Hyson 650,292

Souping 636,998 Imperial 283,710

Hung Muey 101,475 Gunpowder 596,687

Puac 242,514

Orange Pekoe 835,195 Green 6,206,609

Black 18,609,987

thrown out of employment by the cessation of the foreign trade, was so astounded, and it was thought they might possibly break out immediately after all the foreigners shall have left Canton.

The Chinese proclamation. The following curious affair has been issued by the Chinese authorities: *Promission of rewards for destroying the English.* An offer of rewards which will truly be awarded to any one who shall destroy the English.

1st. Whether civil or military officers, soldiers or people, whoever shall be able to take an English man-of-war carrying eighty great guns, delivering the same to the mandarins, shall receive the reward of \$20,000. For a smaller vessel, carrying fewer guns, less will be given. For every great gun less the reward will be diminished \$100. Whatever the great vessel contains—besides the great guns, weapons of war and opium, which must be given up—the mandarins, excepted—such as clocks, watches, clothes or money—all these in addition shall be awarded to the takers of the vessel! Again to any one who shall destroy a great man-of-war of said foreigners, not leaving any of the vessel, or substantial evidence being produced of the same—shall be given the reward of \$10,000. For a smaller one less in proportion.

2d. Whoever takes an English merchant vessel, shall have as a reward what the vessel contains—excepting the vessel, great guns, implements of war and opium, which must be given up to the mandarins—such as goods and money. In addition to which, for a large vessel with three masts, the takers shall receive the reward of \$10,000; two and a half masts, \$5,000; two masts, \$3,000. For taking an English barge (sloop) or passage boat, \$300; a small one, \$100.

Whether large or small, for the destroying or sinking of each English vessel—substantial evidence being produced of the same—the proportion of one-third of the foregoing rewards shall be awarded.

3d. For taking alive a foreign mandarin or officer, on inquiry should it be ascertained that he is the said man-of-war's chief officer, the reward shall be (\$5,000); if a second officer, or any other officer, more or less, according to his rank and office—his rate of pay—for every degree lower, the reward shall be diminished \$500.

4th. For killing foreign mandarins or officers—substantial evidence being produced of the same—one-third of the proportional reward for taking such alive shall be awarded.

5th. For seizing alive Englishmen or parsons, whether soldiers or merchants, for each one a reward shall be given of \$100; for each one killed—substantial evidence being produced of the same—\$20. As for taking the black devil, it ought to be decided whether they are soldiers or slaves, and the reward granted accordingly!

6th. For taking *Han vessels*—Chinese—who supply the barbarians, or deal in opium, the same on trial being condemned, decapitated and their heads exposed; for each of such \$100 reward; besides these, for those of less crime, a less reward will be given! Translated by I. J. R.

June 24th, 1840.

TEXAS AND MEXICO.

Galveston papers of the 15th of November say: "We are further convinced," says the Galveston Courier, "from intelligence received lately by the office of the Post, from Corpus Christi bay, that there has been no serious collision between Austin (centralist) and Canales (federal). At the latest accounts, Canales was making rapid marches from town to town, in the direction of Tempico, and every place he visited declaring in favor of the 'constitution of 1824,' and joining in his march against the 'Houston Star,' of the 11th, contains the following:

Success of col. Moore's expedition. We learn by letter from Austin, received by last night's mail, that on the 21st ult. the troops under the command of col. Moore came in sight of a large Cumanche camp, on the head waters of the Colorado, about 200 miles northwest of Austin, which they attacked, and succeeded in killing about 150 Indians, captured 82 prisoners, and about 500 horses and mules. Among the captives were two American soldiers. Col. Moore, with his command, arrived at Austin, on the 7th inst. and was received by the inhabitants with the highest demonstrations of joy and commendation.

NATIONAL AFFAIRS.

PRESIDENTIAL ELECTION.

According to the requirements of law, the electors of president and vice president were on Wednesday last the 24 December, to assemble at the seat of government of their respective states, and cast their ballots for president and vice president. They are to make three lists of the votes. One of these is sent by a special messenger, appointed by the electoral college of each state, to Washington, and is to be delivered to the president of the senate, on or before the first Wednesday of January; another is required to be forthwith forwarded to the president of the senate by mail; the third is to be forthwith delivered to the district judge of the United States in the district in which the electors assemble. If a list of votes shall not have been received at the seat of government on the first Wednesday of January, the secretary of state is required to dispatch a special messenger to the district judge for the list left with him.

On the second Wednesday of February, congress is required to be in session, and the certificates of the votes, which have been received, are to be opened by the president of the senate, in presence of the house of representatives, and counted, and the persons elected ascertained and declared. The presidential term commences on the fourth of March.

In case of the removal, death, resignation, or inability of the president, the vice president executes the duties of president until an election. If there be no president or vice president, the president pro tem. of the senate executes the duties; and if there be no president of the senate, the speaker of the house of representatives does the duty. In case the offices of president and vice president are both vacant, the secretary of state is to notify the executives of the states, and to give public notice of an election of electors, to be held at the time and in the manner of the regular election, if there be two months after notice before that time, if not, the next succeeding year.

RESULTS—so far as ascertained.

STATES.	Harris-son.	Van Buren.	Harris-son.	Van Buren.
Maine,	10	0	46,612	46,201
New Hampshire,	0	0	23,483	31,918
Vermont,	0	0	32,426	19,008
Massachusetts,	14	0	72,913	62,868
Rhode Island,	4	0	6,157	3,181
Connecticut,	8	0	31,212	24,888
New York,	43	0	228,512	212,519
New Jersey,	9	0	82,262	69,004
Pennsylvania,	30	0	144,018	143,675
Delaware,	3	0	5,967	4,672
Maryland,	10	0	33,328	25,754
Virginia,	0	22		
North Carolina,	16	0	46,376	33,782
South Carolina,	0	11		
Georgia,	11	0	40,319	31,989
Alabama,	0	7		
Mississippi,	4	0		
Louisiana,	0	2		
Arkansas,	0	2		
Tennessee,	15	0		
Kentucky,	15	0	58,459	82,616
Ohio,	21	0	148,141	124,780
Indiana,	8	0	65,276	63,581
Illinois,	0	4		
Missouri,	0	4		
Michigan,	3	0		
	234	60		

Necessary to a choice 149.

WHICH IS THE BANNER STATE?

The whigs at an early stage of the electioneering for the next president, proposed to designate which-ever state should give the Harrison ticket the largest majority, as **THE BANNER STATE**. There has been considerable rivalry for the honor, and the whig candidates, for the most part, have been anxious to be designated as the banner state, but because not one Van Buren candidate was elected in their recent election; the state, every county in the state, and every hundred in every county in the state, having elected for all officers without exception, the whig candidates, leaving out one man of their opponents in place.

A writer in the Delaware Journal on the signature of the old revolutionary appellation of "The Blue Hen's Chickens," who urges their pretensions, says: Delaware is not under the same portion of the union with but ten thousand votes which can bring at one election to the aid of old Tip, and his friends two senators in congress—that is, one twenty-sixth part of the whole legislative power of the nation.

"Delaware is indeed the little one among the sisters of the great American family; and because she is the little one, she is entitled to be the pet, provided she has done most for the family according to her means." Sure I am she has been compelled to work hardest.

YAMONT aspired to the honor, not only by giving what it was supposed would be the largest proportional majority, viz: 14,088, out of an aggregate of 50,792 votes, being 27.73 and a fraction per cent. on the whole vote, but also because in all the vicissitudes of the whig party, whilst every other state in the union has at one time or other wavered from the faith, Vermont remained invariably firm; never yielding to the Jackson or Van Buren policy.

KENTUCKY, however, comes in with their claim, not only as having given in fact the largest proportional majority—that is, a majority of 25,574 out of an aggregate of 91,105 votes, being 28.09 and a fraction per cent. on the whole vote, but also as having given the largest of all the majorities, notwithstanding her majority of 4,300 of her own statesmen, who was amongst the foremost of the candidates looked to by the whig party, and whose claims were postponed upon the occasion. Upon this tack, old Massachusetts comes in also with high pretensions for distinction.

MARYLAND bases her claim upon the fact, that the nomination of Harrison and Tyler was first made by Maryland—at the whig state convention of 1835. The proposition, if we mistake not, came originally from the delegate from Frederick county to that convention.

THE BANNER COUNTY. Designation is claimed by Worcester, Massachusetts, which gave Harrison the largest aggregate majority, viz: 4,772. Lancaster, Pennsylvania, the next highest, gave a Harrison majority of 4,300.

The comparative majorities in Tennessee in some instances is still larger. Sevier county gave for Harrison 936, Van Buren 47; and Jefferson county gave for Harrison 1,911, for Van Buren 131—being more than fourteen for one.

There was an actual and splendid banner at stake between the two counties of Kentucky, Shelby and Mason, which should give the largest Harrison majority. Shelby bore of the prize, but it was a very poor bit as will be seen by the following returns: The Commonwealth insists that it is so near a draw that each county deserves the prize, and the central committee should present them both with banners.

Harrison.	Van Buren.	Her.	major.
Shelby,	1,070	508	1,002
Mason,	1,556	564	992

It will thus be seen that Mr. Van Buren got four more votes in Shelby than he did in Mason, while general Harrison's majority in Shelby is ten more than it was in Mason.

The nearest match of the parties, occurs in Jasper county, Georgia, where, at the October election for congressmen, 496 votes were given for the candidates on each side—and at the presidential election, Harrison and Van Buren each received exactly 496 votes.

The following nine counties in the U. States gave majorities over 3,000 for the Harrison electoral ticket.

Counties.	States.	Majorities.	No. of votes polled.
1. Worcester,	Massachusetts,	4,772	15,484
2. Lancaster,	Pennsylvania,	4,206	15,150
3. Windsor,	Vermont,	3,206	7,630
4. Massachusetts,		3,160	16,750
5. Kennebec,	Maine,	3,296	10,469
6. Genesee,	New York,	3,243	10,866
7. Suffolk,	Massachusetts,	3,218	12,001
8. Erie,	New York,	3,100	10,474
9. Alleghany,	Pennsylvania,	3,047	12,193

Total,

32,517 114,073

The majorities in any six of these counties will overbalance Van Buren's majorities in all the six states that he had majorities. Three of the above counties, it will be observed, are in Massachusetts. Suffolk county comprises Boston and the town of Chelsea. Windsor county, Vt. gives the largest majority in proportion to the votes polled. The Van Buren party have some counties fully a man for any paraded by their opponents. Jackson county, Alabama, for instance, gave Van Buren 2,115, and Harrison only 58 votes.

The Globe thus notices these pretensions:

Whig premium flag. The federal papers having nearly exhausted the "reported" (which is usually the official) majorities in the several states for their candidate, are now casting about to find out which state, county, city and township are entitled to flags, for having given the largest federal majority in proportion to their population. Most of them concur in opinion, that Vermont is their flag state,

Windham county, in the same state, the flag county; Boston the flag city, and some township in Mississippi—which they do not name, but say it gave but one democratic vote, and the person who gave it offered the judges \$10 (the kind of money they also omit) to let him take it back—in the flag township. They have not named the devices for their flags; but we suppose the ruling passion of the several places will govern. As Vermont is composed chiefly of abolitionists and antislavery, the most appropriate flag for that state, and the county in it, would be a negro in chains, and a Moslem in gales. Boston and Mississippi, being renowned for broken banks, we suppose that a flag with the device of a paper null upon it, would be the most appropriate for those places.

Nothing is said about the "standard bearers;" but as Mr. Blaine is the head of both the abolitionists and antislavery in Vermont, we suppose that he will be selected in that state. The presidents and directors of the broken banks in Boston and Mississippi stand out, in bold relief, as the first persons to bear the paper null flags.

It strikes us that the federalists have omitted to make provision for the most numerous and most meritorious of their troops—those who have borne the brunt and decided the battle—in allude to the "piper layers." What could they have done without them? Nothing. Look at the counties we enumerated last night in Ohio, where they beat the census all hollow. In the little county of Delaware, they beat the census 987 votes. They would have had a flag by all means, and Lenoxy, the pipe layer, should be the standard bearer. As it is late, and our foreman wants to put the paper to press, we have not time to think of a device for it.

ELECTORAL VOTES GIVEN AT EACH OF THE ELECTIONS for president and vice president since the formation of the government.

Date.	No. of President.	Vice president.
1789	69 G. Washington	John Adams
1792	135 G. Washington	John Adams 77 George Clinton 60
1796	138 John Adams 71 Thomas Jefferson 69	Aaron Burr 50
1800	138 Thomas Jefferson 64	Aaron Burr 74
1804	176 John Adams 64	Thomas Pinckney 55
1808	176 James Monroe 162	George Clinton 66
1812	176 James Monroe 122	Elias Clinton 112
1816	176 James Monroe 122	Elias Clinton 112
1820	176 James Monroe 122	Elias Clinton 112
1824	176 James Monroe 122	Elias Clinton 112
1828	176 James Monroe 122	Elias Clinton 112
1832	176 James Monroe 122	Elias Clinton 112
1836	176 James Monroe 122	Elias Clinton 112
1840	176 James Monroe 122	Elias Clinton 112

There is no doubt now that the vote will be in 1840 294 W. H. Harrison 73 Van Buren 60 R. M. Johnson 324

THE VICE PRESIDENT. Some gentlemen of Charleston, S. C. belonging to the V. B. party have addressed a letter of inquiry to the hon. JOHN TYLER, in view of the possibility that he may be called upon to fill the chief executive chair. After summing up their objections to gen. HARRISON, with whom Mr. Tyler has been associated in the late political canvass, they say:

Finally—sir, with the opinions and declarations of gen. Harrison, as here collected, and particularly in the last of the two preceding queries, do you believe that any sensible man ever so qualified to guard and promote the liberties and the happiness of our country—that such a man can be a republican in any just acceptance of the term?

The concluding portion of Mr. TYLER's letter in answer runs thus—

I unhesitatingly declare it as my firm conviction that William Henry Harrison is qualified to guard and promote the liberties and happiness of his country, because he is the stern and unflinching advo-

*Neither candidate having received a majority of all the votes, the election was made by the house of representatives, in which the vote being given by states, stood John Quincy Adams 13, Andrew Jackson 7, W. H. Crawford 4. Mr. Adams was of course elected.

cate of popular rights, and the uncompromising opponent of the bold and daring assumption of power which have of late years been claimed and exercised by the chief executive magistrates of this country; because he regards the public offices of the country as created for the benefit and advantage of the people, and not for the political advantage of the president, and in that spirit, utterly, and denouncing the right, on the part of the president, to remove from office one "who is honest, capable and faithful to the constitution," to make way for another, whose chief recommendation is to the office, a vulgar, vulgar and clamorous demagoguery and partizanship because he would carry with him into the administration the principles of Jefferson, and would require of the officeholders to abstain from interfering in the election, and to bestow their attention to their duties, in place of the active partizanship which is now every where exhibited—because he is committed, by his principles, to recommend and to urge upon congress the adoption of such measures as will ultimately in the committee of the public moneys to other hands than the president's, so as effectually to separate the purse from the sword—because he is in favor of economy in the public expenditures, in opposition to that wasteful course of extravagance which has attracted the public moneys to increase in ten years, from \$13,000,000, exclusive of the payment of the public debt, to near \$40,000,000 annually—because he is the sworn enemy to corruption, and the lover of virtue—because in his election to this office, he has solemnly and faithfully secured that greatest of all reforms, without which, the effort at reformation is hopeless, viz: the limiting for all future time, the presidential term of service to a single term of four years—and because he is an honest, a patriotic, a virtuous principle; and a patriot in practice. I might find other reasons to the history of his past life—a life devoted to the service of his country—nor I have felt unworthy your inquiries. I am, gentlemen, truly and freely to your inquiries, I am, gentlemen, your most obedient servant, JOHN TYLER.

TREASURY NOTES—According to the monthly report of the secretary of the treasury there were outstanding on the 1st inst. \$4,333,332 28, a considerable portion of which is on interest.

DEPARTMENT OF STATE. Official Information has been officially received by the department of state of the erection of six new light houses on the coasts of France; of which the following notice is published for the benefit of vessels sailing in that part of the world:

1. *End of the Strait of Gibraltar*: 49 deg. 29 min. 65 sec. longitude 3 deg. 29 min. west of Paris; the light situated on the fort, about 55 feet above the level of the sea, and may be perceived, in fine weather, at the distance of three leagues.

2. *Port Navarre*: the light situated on the point of the Morbihan; the light situated on the point, about 70 feet above the sea, and is visible, in fine weather, at the distance of 3 leagues.

3. *Cape Verde*, about one mile north of the entrance of the basin of Arcahon, in latitude of 44 deg. 38 min. 43 sec. longitude 3 deg. 35 min. 18 sec. west of Paris; the light situated about 200 feet above the level of the sea, and visible at the distance of 6 leagues.

The above are on the Atlantic coasts. The following are on the Mediterranean, near the mouths of the Rhone.

4. *La Camargue*. In place of the small light-bouy on the east bank of the entrance of the old Rhone, a new one, of the first order, and fixed light has been established on a tower, at the height of about 95 feet above the level of the sea, in latitude of 43 deg. 20 min. 30 sec. longitude 2 deg. 20 min. 30 sec. east from Paris; the light visible at the distance of 6 leagues.

5. *Port de Camus*, in latitude of 43 deg. 12 min. 30 sec. longitude 3 deg. 11 min. 40 sec. east from Paris; on the left side of the entrance of the port, 90 feet above the level of the sea; visible at the distance of 3 leagues.

6. *Port de la Caudal*. Another light on a tower at the end of the new mole, on the right side of the entrance of the port; in latitude of 43 deg. 10 min. 30 sec. longitude 3 deg. 10 min. 30 sec. east of Paris; visible at the distance of 3 leagues.

This second light will prevent all possibility of making Clotet for Cassis.

TRADE AND COMMERCE.

COFFEE—from Rio Janeiro. The following statement of the shipments to the United States for the last three months, and for the corresponding period of last year, shows a deficit of 73,756 bags, or near 12,000,000 pounds. The exports from Rio to Europe last month were 55,575 bags.

Shipments of coffee to the United States.

1839.		1840.	
July,	29,229	July,	9,822
August,	50,263	August,	25,809
September,	59,210	September,	29,913
139,402		65,546	

COAL AND IRON TRADE. The value of the coal and iron of Pennsylvania when the industry and enterprise of the country shall be again called into activity may be surmised, when we are acquainted with the following facts recently stated by the rev. Dr. Buckland, president of the Geological Society of London, to the annual address to that society. Dr. B. says, in speaking of a new work published by the society, of the "Economic Geology," which forms part of the memoir connected with the map of Cornwall and Devon, Mr. De la Bache has placed, in a more prominent light than has ever yet appeared, the value of the geological resources of England, and the statistics upon political economy; and proves, by tabular documents, the important fact, that the average value of the annual produce of the mines of the British islands amounts to the enormous sum of £29,000,000, of which about £8,000,000 arise from iron, and £9,000,000 from coal.

This value is estimated of the iron after fusion into pig. The coal is valued at the pit's mouth.

Now the average cost of coal in Great Britain at the pit's mouth is seven shillings, and the quantity mined is stated by other political economists to be 30,000,000 tons per annum, which approximates very closely to Dr. B. Bache's calculation.

Let us suppose that one half of the coal raised in the mining districts, and that the other half is carried to a market (from the Tyne and Wear they ship 4,000,000 tons) at a cost of one dollar and fifty cents per ton. The total cost then per annum of 15,000,000 tons, the place of consumption, would be the enormous amount of \$67,500,000. In these facts may be seen the basis of the prosperity of the greatest nation of Europe.

McClulloch very properly says, "It is hardly possible to exaggerate the advantages England derives from her vast beds of coal." And again, "our coal mines are the principal sources and foundation of our manufacturing and commercial prosperity."

[Phila. Nat. Gas.]

THE COLONIAL TRADE. The Portland Advertiser says that a memorial to be presented to congress it is presumed, is now in that city and numerous signed, upon the subject of the British trade with the colonies. There is no commercial law, even the semblance of reciprocity in the trade. "Our vessels are not admitted to all British colonial ports, where custom houses are established, in like manner as British vessels are, into the ports of the colonies. There are they subjected to carry all the productions of this country, to her ports, and freely offer them for sale. Our fish oil and salted fish, the staple articles of our New England states, is prohibited by her altogether, in the colonies; the ports to which we may trade are limited also; and the articles which we are allowed to take there, taxed more liberally than like articles, entered and coming from the colonial ports in British vessels. The monopoly of a large proportion of the carrying trade by British vessels, operates injuriously to the American vessels, a trade which they enjoy the principal share of prior to the opening of those ports.

The plaster trade alone, of which there is probably more than one hundred thousand tons annually, and employs a large amount of tonnage, is now almost wholly imported in British vessels, the annual freight on which probably amounts to one half million of dollars. This was a trade greatly advantageous to United States vessels, prior to the opening of the ports to us, and from which we are now driven in a great measure, and it is only from certain free ports, and at a select price, the American vessels are allowed to take; while British vessels are privileged to take it direct from the quarries, and at a diminished price, equal at least, to the amount of freight from the quarries to the place of exportation.

SEIZURE OF THE BARQUE JONES. On the 7th inst. we mentioned that the barque Jones, capt. Gilbert, had been seized by H. B. brig Dolphin, on suspicion of having been concerned in the slave trade, and that she was at St. Helena on the 9th of September.

By the Ann McKim the following particulars have been received. The Jones belonged to Messrs. P. I. Farnham & Co. of New York and to a slave at Salem.

The barque was left from the coast of Africa with part of her original cargo laden at Boston, consisting of lumber, furniture, glass, salt, fish, &c. together with a quantity of ivory and palm oil, and about \$9,000 in gold and silver. Having completed her business at St. Helena, where she sold a portion of her lumber and glass, having ready for sale, the mate and part of the crew became disorderly, and refused to return to the coast of Africa and complete their voyage agreeably to their contract. This proceeding detained the vessel. Meanwhile the mate threatened to desert, and to engage a prize in H. B. M. brigantine Dolphin, lying in the Roads, of which captain Gilbert took no notice, not apprehending any trouble from a British officer, without first being called upon for some hearing, particularly in the case of a vessel having ready for sale, the mate and part of the crew became disorderly, and refused to return to the coast of Africa and complete their voyage agreeably to their contract.

On learning that an officer was on board the barque demanding the papers, captain Gilbert and the supercargo, Mr. Saxon proceeded on board, and found their vessel in possession of an officer and crew of the Dolphin, who refused their admittance on board, denying them so much as a trunk of wearing apparel. Returning to the shore, capt. Gilbert, through the American consul, addressed the commander of the Dolphin, also the governor, the former returning his letter unopened, and the latter declining any interference in the business. During the following day, the cargo of the barque was overhauled, every part of the vessel ransacked, and the money taken was sent to British officers, and within articles, such as shoes, tobacco, &c. and the latter distributed among the crew.

During Sunday night, the barque was taken under charge of a lieutenant, midshipman and eight seamen from the Dolphin, and a British officer, steward and mate belonging to the barque, leaving the remainder of the crew on board of the Dolphin; one of whom, a boy, being on shore the morning of Ann McKim's arrival, confessed that all they found on board the barque was five sets of hand cairs (an unusual small number for a merchantman), three wooden spoons, bought by the steward on the coast, a quantity of codfish, upon which the British officer stated he had on one occasion seen slaves fed—together with a few trifles on one sitting on the table, and set to keep a quantity of powder dry when originally shipped at Boston; these were the only items discovered to justify them in their proceedings.

Liquor was taken on board the barque, and the mate kept in a state of intoxication most of the time. He was regularly examined by the American consul, and papers deposited with the American consul, where they still remained. The chronometer was on shore, which was likewise seized upon by the commander of the Dolphin.

Shortly before the commander of the brig, meeting captain Gilbert on shore, accused him in the street, and shrilly demanded his manifest. With this exception there was no communication with any one belonging to the barque except the mutinous mate and crew.

The men left on board the Dolphin were uncomfortably situated, from the fact of a part of them declining to say the barque was not bound, neither had been on any illegal voyage. The Dolphin's company were beginning to doubt themselves as to the propriety of the steps of H. B. M. officers, and did not believe they had secured a prize. Not the slightest suspicion existed at St. Helena as to the vessel being engaged in any illegal business, and, although the proceeding seemed unwarrantable, and doubtless a wrong in taking the vessel away without any hearing from the captain, the agent, Saul Solomon, esq. or the American consul, W. Carroll, esq. solely listening to the mutinous mate, who, as the steward, seemed to be the chief leader in the business.

Captain Gilbert and his supercargo were to leave for the United States the first vessel after the Ann McKim left. It is supposed that the Jones will be taken to Sierra Leone.

THE ARMY.

Promotions and appointments in the army of the United States since the publication of "General orders," of July 21, 1840.

First regiment of dragoons.
Brevet 2d lieut. Richard B. Ewell to be 2d lieut. 1st Nov. 1840, vice Gaither, resigned.

Second regiment of artillery.
Second lieut. Wm. B. Blair to be 1st lieut. 4th Nov. 1840, vice Brantley, deceased.

Fourth regiment of artillery.
Second lieut. Thomas Williams to be 1st lieut. 6th October, 1840, vice Tufts, deceased.

Fifth regiment of infantry.
First lieut. George H. Regnier to be captain 5th August, 1840, vice Day, deceased.

Second lieutenant Ferdinand Cox to be 1st lieutenant. 31st August, 1840, *vice* Ingram, promoted.
Brevet 3d lieutenant James W. Caldwell, 2d infantry, to be 2d lieutenant. 5th August, 1840, *vice* Cox promoted.

Brevet 2d lieutenant Stephen D. Carpenter to be 2d lieutenant. 12th Oct. 1840, *vice* Paul, resigned.

Second regiment of infantry.
Brevet major Joseph Plympton, captain 5th infantry, to be major. 23d Sept. 1840, *vice* Loomis, promoted.

Third regiment of infantry.

Second lieutenant James M. Smith, to be 1st lieutenant. 2d Oct. 1840, *vice* Blanchard, resigned.

Brevet 2d lieutenant Oliver L. Shepherd, 4th infantry, to be 2d lieutenant. 4th Oct. 1840, *vice* Smith, promoted.

Brevet 2d lieutenant Joseph L. Folsom, 9th infantry, to be 2d lieutenant. 18th Nov. 1840, *vice* Peyton, dropped.

Brevet 2d lieutenant Wm. B. Johns, 9th infantry, to be 2d lieutenant. 18th Nov. 1840, *vice* Lindenberg, dropped.

Fourth regiment of infantry.

Second lieutenant Robert M. Cochran to be 1st lieutenant. 4th Oct. 1840, *vice* Grandin, resigned.

Brevet 2d lieutenant Henry D. Wallen, 3d infantry, to be 2d lieutenant. 4th Oct. 1840, *vice* Cochran, promoted.

Fifth regiment of infantry.

First lieutenant Caleb Smith to be captain. 22d Sept. 1840, *vice* Plympton, promoted.

Second lieutenant Carter L. Stevenson, to be 1st lieutenant. 22d Sept. 1840, *vice* Sibley, promoted.

Brevet 2d lieutenant Pinkney Lugenebel to be 2d lieutenant. 22d Sept. 1840, *vice* Stevenson, promoted.

Sixth regiment of infantry.

Major Gustavus Loomis, 2d infantry, to be lieutenant. 22d Sept. 1840, *vice* Green, deceased.

Eighth regiment of infantry.

First lieutenant James M. Hill to be captain. 28th Sept. 1840, *vice* Bonnell, deceased.

First lieutenant Henry McKavett to be captain. 1st Oct. 1840, *vice* Phillips, resigned.

Second lieutenant George C. Brown to be 1st lieutenant. 28th Sept. 1840, *vice* Hill, to be 1st lieutenant. 1st Oct. 1840, *vice* McKavett, promoted.

Brevet 2d lieutenant Henry Wardwell, 7th infantry, to be 2d lieutenant. 28th Sept. 1840, *vice* Lincoln, promoted.

Brevet 2d lieutenant Robert P. Macley, 6th infantry, to be 2d lieutenant. 1st Oct. 1840, *vice* Browne, promoted.

Medical department.

Richard F. Simpson, of Virginia, to be assistant surgeon. 1st August, 1840.

William E. Woodward, of Georgia, to be assistant surgeon. 1st Oct. 1840.

Reappointment.

W. H. T. Walker, late 1st lieutenant, 6th infantry, to be 1st lieutenant. in the same regiment, to take place next below Lieut. Todd, and to rank from the 1st Feb. 1838, the original date of his commission.

Resignations.

Captain J. A. Phillips, 10th infantry, 30th Sept. 1840.

First lieutenant A. G. Blanchard 3d infantry, 1st Oct. 1840.

First lieutenant J. C. Fletcher, 6th infantry, 10th Nov. 1840.

First lieutenant W. G. Grandin, 4th infantry, 3rd Oct. 1840.

Second lieutenant E. A. Paine, 1st infantry, 11th Oct. 1840.

Second lieutenant E. B. Gaither, 1st dragoons, 31st Oct. 1840.

Ast. surg. M. C. Leaveworth, 30th Sept. 1840.

Ast. surg. Samuel Fory, 31st Oct. 1840.

Ast. surg. Elias Hughes, 31st July, 1840.

Rev. Jasper Adams, chaplain, 13th Nov. 1840.

Deaths.

Lieut. col. John Green, 6th infantry, at Tallahassee, Florida, 21st Sept. 1840.

Capt. William Day, 1st infantry, at St. Louis, Missouri, 4th Aug. 1840.

Capt. Joseph Bonnell, 6th infantry, at Philadelphia, Penn. 27th Sept. 1840.

First lieutenant D. H. Tufts, 4th artillery, at Detroit, Michigan, 4th Oct. 1840.

First lieutenant B. J. Brander, 2d artillery, at West Point, New York, 24 Nov. 1840.

Memorandum. The name of William Smith, a captain of the corps of engineers, having been changed by the legislature of the state of New York to William Davidson Fraser, he will hereafter be known and recognized accordingly.

The St. Augustine News of the 20th inst. says: It is rumored that all the posts are to be destroyed except a few necessary depots; wagons sold, company officers to march on foot, and the old system of hunting the enemy to be revived.

Head quarters, army of Florida, Fort King, Nov. 16, 1840.

Order No. 87.—Part II. The Indians having acted with their usual want of faith, the armistice is at an end; the commanding officers of the different regiments and posts, will therefore be prepared to act offensively at the promulgation of this order.

111. The general commanding has reason to be gratified with the zeal and energy heretofore displayed by the officers and troops under his command, and in calling for increased energy on their part, he is confident his wishes will be met, and he anticipates the happiest results from the approaching active campaign.

Should the enemy hereafter appear with the white flag, they are to be made prisoners, and diligently guarded until further orders. By order of Brigadier General ARMISTEAD. W. J. NEWTON.

Lieutenant and aid-de-camp.

R. Ridgely, adjutant 3d artillery.

THE NAVY.

On the 12th inst. the U. S. brig *Conestoga*, "engaged in a triangular survey" of the coast of the United States, anchored off Apalachicola. The journal says the entire coast of Florida is to be accurately surveyed.

The U. S. frigate *Constitution*, com. Claxton, and schooner *Shark*, captain Bigelow, sailed from Puna, 3d October, 1840, all well, for Paya and Calao. They visited Guayaquil in the *Shark*, and exchanged salutes with the town.

At the same time, the *Don Victor*, Rocaforte, gave com. Claxton and all his officers a grand entertainment. All were very much gratified with their visit to Guayaquil.

The Yorktown sloop of war, commander Aulick, has crossed the bar from the navy yard to the anchorage off the naval hospital, Norfolk, bound to the Pacific.

The U. S. brig *Enterprise* arrived at Rio Janeiro early in October, from Bahia, with the brig *Malke Adel* as a prize, seized by the U. States consul at Bahia on a charge of piracy. The Journal of Commerce says:

"The *Malke Adel* touched at Fayal, bound to the Pacific, and put into Bahia for supplies. If we are rightly informed, the crew consists of the captain at some merchant vessel, and it is said the captain of the *Malke Adel* does not deny it. This individual abandoned his vessel at Bahia, and is now in this city. We understand he attempts to exculpate himself by saying that his fired upon said vessels to bring them to order to discomport and regulate the chronometers." The same paper of the next day, Oct. 9th, contains a card from Joseph Nunez, captain of the *Malke Adel*, in which he denies that he abandoned his vessel at Bahia, but states that she was seized by the *Enterprise* in the night, when he and two passengers were on shore. He further states, that he had brought with him all his papers in due form, and a passport from the Brazilian government, which he would exhibit to the public in due time.

National Intelligencer. We invite attention to the annexed communication. It is from a highly intelligent and responsible source, corrects some of the errors of the Boston press, and furnishes some valuable information as to ship building, and particularly with regard to several of the prominent vessels of our navy.

[N. Y. Times.]
The Boston Mercantile Journal of the 12th inst. contains some remarks on the sloop of war *Boston*, now ready for sea in the harbor of New York. The worthy editor, who by the by is an excellent seaman, says "a clean run is in important when fast sailing is desirable; but does not seem to be considered such by the chief constructor. By not attending to this point, many fine ships belonging to the government have been spoiled."

The editor is wrong in his conclusion. The chief constructor holds the doctrine of a clean run to be correct, and he has always practised on that principle. His ships are among the sharpest below in what is usually called the run, and thus he considers it impossible to fast sailing; and in fact, when he and he also considers that great capacity at the load floating line is essential to hydrodynamic stability. In support of this doctrine I shall quote the writings of distinguished mathematicians and naval architects as Enophras, which was as Charles Dupin, Atwood and admiral Chapman, the celebrated Swedish constructor.

1st. "A deficiency in stability is frequently of the most serious consequences. It may cause the loss of a ship on a lee shore; it may prevent a ship in a heavy sea from engaged with an enemy from French her lee gun."

2d. "Le Scipion, Le Hercule, Le Pluton, French ships of the line, are instances of the want a stability. Alterations in the distribution of the ballast were made, additional quantities were put on board;

but no increase of stability was gained by these arrangements, and it was only by doubling them with light wood to the thickness of a foot at the extreme breadth, and ten feet under water, decreasing to four inches length and depthways, which corrected the defect. Here it was evident that the defect of instability was not so much owing to a want of extreme breadth; but in diminishing the breadth at the place of flotation too quickly fore and aft."—To this case may be added a more recent one in the *Caledonia*, British third deck ship.

3d. "The form of a ship's hull, its body, and the weight of its armament are the chief terms in the composition of stability, and they are only to be attained in the requisite degree by full dimensions near the load water line, with sufficient capacity."

4th. "The water section is the most important element in the whole, because the stability of the ship depends principally on it."

5th. "The most easy and advantageous way of obtaining stability is by a large area of flotation, and great fullness between wind and water; or which is the same thing, by keeping the centre of gravity of the displacement at as short a distance as possible below the water's surface. The old notion long entertained by constructors of ships, that a flat floor gives stability, led them of course to increase the breadth of the ship as much as possible at the floor, at the greatest depth below the surface of the water. In conformity with Atwood's demonstration, ships ought to be for the sake of stability, made as broad as possible at and near the water's surface, and they must consequently be less broad at the floor. It will now be seen that a great breadth at the depth of the floor is calculated to retard the motion of the ship, more than an increase of breadth at and just below the water's surface."

6th. "The principle by which, however, for a fast sailing ship, which the present state of our knowledge would lead us to adopt as the best calculated for fast sailing is that which is determined by making as large an area of flotation, and as much rise in the floor, as is necessary to give the least possible displacement in the whole, which the centre of gravity of the displacement is at the least distance below the water's surface."

7th. "We must also increase the area of the load water section, so as to give a sufficient degree of stability, which is necessary to give the least possible displacement below the surface of the water in order to obtain the maximum of stability and the fastest rate of sailing."

8th. "Increasing the breadth of a ship within the limits of the parts immersed and emerged by inclination, certainly adds to the stability, and has been found beneficial in many instances, and may probably be tried with advantage in many others."

It was in accordance with this principle here laid down, that the *Franklin*, the *Boston*, and their sister ships, and the frigate *Macedonian*, have been constructed.

The character of the ships indicate the correctness of the principle, and the validity of it, cannot now be impaired by the mere opinions of any person. Some there are who seeing a ship capacious in her after part and at above the load water line, may suppose erroneously that this fullness extends to the keel. One test of a vessel's fitness for fast sailing is the draught of water, and the ships constructed by the chief architect drew a greater difference of draught of water at the time of launching than any ships of their class in the navy.

The act of congress for building ten sloops, gave an opportunity to the constructors to try their skill.

The ships were to be of the same dimensions, and to have a light of draft water. The chief constructor, then attached to the navy yard at Philadelphia, gave the drawings and models for the *Boston*. This ship on her first cruise gave such ample proof of her excellence, and combined the qualities of fast sailing, quick working, capacity and stability, to so great a degree, that the navy commissioners gave directions for the remaining sloops to be built, to be of her model, and that she was a form was never considered an important requisite by the chief constructor. It is well remembered that the Boston papers of that day, spoke in terms of commendation of this vessel, which I recommend to the special attention of the editor of the Journal.

The difference of draught of water of the ten sloops, excepting the *Falmouth*, is here unjoined, and from this statement it will be seen whether the remark of the editor of the Journal was correct or not. Perhaps he can furnish the draught of water of the *Falmouth*!

The launching draft of water of the

Boston,
Vincennes,
Fairfield,
St. Louis,
Concord,
Vandalia,

Was all 18 feet 5 inches, forward 9 feet 2 inches, difference 4 ft. 3 in.

The foregoing ships are alike in form, and were drafted by the chief constructor.

The launching draft of water of the

Warren was all 12 feet 2 inches, forward 10 feet 7 inches, difference 1 foot 7 inches.

Natchez was all 11 feet 10 inches, forward 9 feet 9 inches, difference 2 feet 1 inch.

Lexington was all 12 feet 10 inches, forward 9 ft. 1 inch, difference 3 feet 9 inches.

Falmouth, no information.

The chief constructor claims no agency in the construction of these four ships. The Falmouth was planned and built in the Charleston navy yard under the Board, and was intended by her constructor to be a superior ship. How far she succeeded, I leave for others to determine.

The characters of a part of the first named six, as drawn by their commanders, is here added, and any conversant with the subject, will be able to determine what credit is due to assertion without proof.

Character of the Boston—Jan. 1826. We sailed from Boston with a strong wind from W. N. W. and stood out of the bay with single reefed topsails, fore-and-aft main top-gallant sail, steering before the wind until abreast of Cape Cod, the ship going 10 knots per hour. After hauling up S. S. E. to go out of the south channel, took the third reef of the topsails, and took in the main top gallant sail. She averaged eleven knots and could have carried whole topsails and main course at the time. The observed latitude near land justified the distance given by the log, being seventeen miles to the south of that account. I had occasion to stay her several times under topsails and courses, and she worked admirably, and no doubt will combine all the good qualities that a vessel need possess. She is very stiff, and bears her canvass as well as any ship I have sailed in.

Character of the Vincennes—Jan. 1827. I have reason to think that of far as my experience and observation has gone, I must confess myself in better opinion of her greatest superiority is in sailing close hauled, with as much wind as she can conveniently carry, double reefed topsails and courses to—Under top gallant sails, royals, and under any sail, her sailing appears to be extraordinary, both from her velocity through the water, and her capacity for holding a good wind. With the wind abeam, or a point forward or aft of it, under any sail, but more especially to strong breezes under low sail, she appears to possess greater excellence than is usually found in vessels of her class. The chief excellence of this vessel evidently consists in the great facility with which she performs all maneuvers, and her capacity to carry a great deal of sail without straining or losing her. She appears to steer and work more readiness and advantage than the ships I have heretofore sailed in, and from these circumstances I am disposed to think in the points specifically referred to, her carrying, working and steering, she is almost unrivalled.

In a head sea, with fresh and strong breezes, under reduced topsails, courses, &c. she can compete on a wind with any vessel.

For comfort and security generally, equal to any, and superior to most vessels.

In the only northern experienced wharf at anchor in Valparaiso bay, she rode beautifully, with but little strain to her cables.

My regard for the Vincennes is based upon a knowledge of her most excellent and superior qualities, and I will only add, that if she was my own vessel, I would do what I propose, and try to better her what I think she nearly is already, a nonpareil. [Note:—The proposition was to alter some part of her internal arrangements.]

Character of the Fairfield—1831. I have never sailed in a finer vessel. She steers well, bears her sail well, works well, sails well, and in short, has all the properties which could be desired in a ship.

To the following questions the answers are answered.

How does she sail close hauled in a top gallant gale?

Answer. Fast, and bears her canvass well.

How does she sail close hauled in a topsail gale?

Answer. The same—fast, and bears her canvass well.

How does she sail under reefed topsail and courses?

Answer. Admirably.

How does she steer, wear and stay, under all circumstances?

Answer. As well as could be desired.

How does she lay to in a gale, and under what sail does she behave best?

Answer. Close reefed maintopail, reefed fore-sail and balance reefed spanker or stern mizen. She is very comfortable, unless it blows extremely heavy, when the main topsail alone I find to be the best.

How does she sail with the wind on the beam?

Answer. Her best sailing.

How does she sail with the wind on the quarter?

Answer. Her best sailing.

How does she sail with the wind aft?

Answer. Her worst sailing—rolls easily and is easy on her masts.

How does she stand under her sails?

Answer. Very well.

At a subsequent period the following additional testimony was received.

The Fairfield arrived at Norfolk having had a passage of 66 days from Valparaiso. She has proved to my perfect conviction that she possesses all the best qualities of a ship. She sails well under any and all circumstances, and I think there can be no better sea boat.

Character of the St. Louis. The St. Louis is an excellent ship, possessing more good qualities than any other vessel. In sailing in, to reaching, laying to, or sailing by and large, she is the safest and most manageable ship I have been in. She sails 9 and 10 knots by and large with great ease, and I have frequently made 11 and 12 knots for 24 hours.

The frigate Macedonian has been cited as being too full in the run, and for not possessing the qualities which should characterize a ship of war. The launching draft of water of this ship was all 17 feet 4 inches, forward 16 feet 10 inches, difference 5 feet 4 inches.

This difference of draft of water was greater than that of any ship in the service, and compared with the Brandywine, Potomac and Columbia, whose launching drafts are given below, shows it to be a full four feet more than either of those last named. Her character will be seen in the reports below.

The form of her stern has been censured on account of its appearance. If those who criticized this ship had been aware of the reasons why the chief constructor chose that form, perhaps their observations would have been spared.

The objections to the sterns of frigates then stood, excepting the United States, (it is full 13 years since the plan of the Macedonian was drawn) and those on the stern, excepting two, which I have bettered, was, that the chase guns could not clear the stern when run out for firing, and it was to remedy this defect, that the stern of the Macedonian was formed as it is.

It must be borne in mind that this ship was intended to sail on an even keel, or nearly so, to have a light draft of water. These two points are not favorable to fast sailing, and in addition to these disadvantages, she was filled in from the keel to the load line to fit her for the exploring expedition, of which she was to form a part; and she now presents a solid mass of timber from her load line downwards, with all the joints and hulls caulked.

In there a man who will assert that fillings or a high poop conduce in any degree to fast sailing? Will they not rather say that both are injurious? Notwithstanding the outcry raised against this ship, it will appear that she sails and works well. It was no fault of the constructor if she did not perform quickly at first, when in a trim different from that designed for her, and the sailing qualities of vessels are not intended to depend on this single point.

This ship was constructed on the same principles as the Boston, and her qualities indicate their correctness.

Launching draft of water of the

Brandywine, all 16 feet 6 inches, forward 12 feet 6 inches, difference 4 feet.

Potomac, all 16 feet 8 inches, forward 12 feet 6 inches, difference 4 feet 2 inches.

Columbia, all 16 feet 6 inches, forward 12 feet 4 inches, difference 4 feet 2 inches.

Character of the Macedonian, 1839. About the qualities of this ship as a sea boat, there can be no difference of opinion. She is easy, dry, stands well under her canvass, and is, so far as we could judge, weatherly.

We crossed the Gulf stream with a strong wind, almost a gale from N. E. with a short tumbling sea on the beam and quarter, which incommoded her as little as I think it could have done any ship of her class.

The pilot who brought on into this bay, (Pensacola), expressed an opinion that a strong wind from the outer bar to the entry, with a light breeze, she moved and worked quicker than any of the sloops on this station would have done under the same circumstances, excepting perhaps the Levant.

The Macedonian outalls, with ease in every way, the Erie and Ontario, and sails with it, she does not outsail the Levant. One quality of great value, a ready obedience to her helm, she has in as much perfection as any ship can have. On our return to port, we beat over the bar and round the shoal called the Spit, with the wind at N. W. as much of it as we could carry single reefed topsails to, and vary unsafely in faster. No ship could work better, or stand up better under her canvass.

I have to inform you that the alterations made in the trim of the Macedonian, and the cleaning of her bottom, have much improved her sailing. On the passage from this place, (Eastport), we found that we could spare about half her canvass to the sloops. My opinion now is, that the Macedonian is a fast ship, going free, and a fair sailing ship on a wind.

When we left New York there was only 4 inches difference in the draft of water taken at single anchor with 30 fathoms of chain out. The improvement in the working and steering of this ship, is remarked by every one, and she is the easiest ship that I have ever been to see in."

So much for the character of these ships, and I think that they will bear a comparison with foreign ships of war.

British naval architects, with all their experience and with all the science aided as they have been by eminent men of the profession, are still seeking the true form. Their perseverance and research may enable them to reach the designed goal.

As far as the experience of this country has gone, it shows that those ships which have the greatest length in proportion to their breadth, are the fastest sailers. In this country ships are built and launched by naval architects, and here their duty seems to be; the equipment, the quality and position of the ballast, the dimensions of masts and yards, and trim of the ship, are determined by other persons.

The ship departs on a cruise, is found not to answer the expectations formed of her, and she is pronounced a failure. The constructor alone is censured, and sometimes without an effort on the part of the commander to alter the trim of the ship and test her qualities under different circumstances.

A case is on record which shows that shifting two guns from the bow to the stern, made a brave sailing ship a fast one.

We have cases in our own navy of a similar character. Witness the frigates, the States and Constitution. That errors may have been committed in the construction of ships of war is not denied, and on a subject so complex as naval construction, where opposing qualities are to be brought together, and the ship is not to be looked for, but close observation on the character of ships ably drawn by their commanders will do much to improve the science.

The commander and architect must have free communication with each other, and with a knowledge of a ship's character, and of her dimensions and calculated elements, the size and position of her masts, the quantity and distribution of her ballast, defects may be remedied in succeeding vessels; but improvement cannot be expected, if there should be no harmony amongst those who are to associate for this purpose.

Superiority must not be claimed unless justly awarded to superior talents and attainments.

It is hoped that the foregoing statement of facts will satisfy the editor of the *Merchants Journal*, that the chief constructor has not deceived him, and sure which has been attempted to be cast on him.

H. 8.

Russian steam frigates. The frigate *Kametchka*, was launched at New York on Wednesday,

is thus described in the *Times*.

The *Kametchka* is, in appearance, about the size of the Great Western, though her actual dimensions are somewhat larger. She is pierced for 16 guns. At present she does not draw more than about nine feet water, and her machinery and armament on board she will probably draw from 16 to 17 feet.

Her masts and spars look rather dwarfish, but this, perhaps, arises from her great height above the water; when brought to her bearings by the weight of her masts, her funnels, guns, &c. we dare say it will appear come it full in every particular.

The *Kametchka* was constructed for the emperor of Russia, by Mr. William H. Brown, from a model furnished by the officers of the Russian navy, and her build promises great speed. Her bow and stern are decorated each with a double headed eagle, surmounted by an imperial crown. The cabins are spacious and convenient. They are to be fitted up, we understand, for the use of the officers of our packet ships.

She is very strongly built, of solid red pine, white and live oak. Her engines will be about 500 horse power. They are being made by Dunham & Brown. The following are her dimensions and armament:

Glocester,	98	179
Charlston,	50	86
West Greenwich,	71	63
Corenty,	203	164
Exeter,	48	108
Middletown,	47	13
Brant,	225	77
Tiverton,	120	135
Little Compton,	94	34 11
Warren,	201	34
Cumberland,	225	139
Racine,	142	113
Cranston,	142	113
Hopkinton,	109	84
Johnston,	112	89
N. Providence,	149	62 1
Barrington,	192	82
Foster,	97	156
Burrillville,	97	156

There was but one scratched vote given. That was in the sixth ward of Providence. The name of Jesse Howard was erased and that of Wm. Rhodes inserted. The totals therefore stand:

Harrison.		Van Buren.	
Nicholas Brown,	5,212	Henry Bull,	3,263
George Engs,	5,212	John D'Wolf,	3,263
Wagner Weeden,	5,212	Jesse Howard,	3,263
William Rhodes,	5,212	Thos. J. Taylor,	2,263
Majority for Harrison,		1,950	
Add New Shoreham,		27	

1,977 being about 23½ per cent. This is the largest vote ever given in the state. Scattering votes are not counted in an electoral section, a plurality electing on the first trial.

NEW YORK.

The *New York and Erie line of rail road*, we are glad to hear, is vigorously prosecuted, and in a state of great forwardness. Over one-half of the whole line from Tappan to Dutchess, was laid, in either completed or in prosecution. The work is of the best order, with the heaviest kind of rails, and is to be carried on with great animation during the winter. It is not at all improbable, therefore, that New York city will strike Lake Erie by the way of the southern tier of counties before it reaches Buffalo through the New York and Albany road. In the meantime the Bostonians are also pushing on their road with equal animation. There is a glorious strife thus for the trade and enterprise of the west.

Canals. What a splendid exhibition does the subjoined statement show of the great resource and increasing wealth of this state.

The amount of tolls received this year prior to the 4th week of November, viz. is \$1,752,672 97 being an increase of \$1,726,291 55 over and above the actual receipts of 1839, which were \$1,616,382 92. The commissioners of the canal fund, estimated as a basis for the loans necessary to complete the enlargement by 1845, an annual increase of 7½ per cent. which for the present year is 121,228 65 being less than the amount actually received on the 22d ult. 1,787,610 67

by the sum of \$15,062 90. Should the remainder of this season prove as favorable to navigation as was the last, and the navigation is entirely free throughout the whole line of canal, the entire increase for the present year would probably exceed two hundred thousand dollars, or about 50 per cent. more than is necessary to sustain the calculations of the canal board. [N. Y. Star.]

A proclamation, by William H. Seaward, governor of the state of New York. Gov has been pleased to preserve our lives during another year, and to bless our land and make it very piteous. Health, peace and liberty has dwelt among us, and religion has ministered its divine counsels and consolations. No danger has menaced us from abroad, nor has the alarm of intestine emotion, sedition or tumult disturbed the quiet of our dwellings. The clouds have not been withered from the earth their timely rain, nor the sun its genial heat. The plough has not been stayed in the furrow, nor has blight or mildew diminished the abundant harvest.

We have exhibited to the world the sublime spectacle of millions of freemen, carefully discussing the measures and policy which concern their welfare, and peacefully committing the precious trust of their interests and hopes to the care of their chosen magistrates. While our confidence in the stability of republican institutions is thus strengthened, their benign operation has been manifested in the away of mild and equal laws, the enjoyment of

equal privileges by all classes of citizens, the security of personal rights, and the intellectual and moral improvement of society.

In remembrance of these signal and manifold blessings and privileges, it becomes us to lift up our hearts and ascribe all the power and glory to Him who looketh down from heaven and considereth all them that dwell upon the earth. I do, therefore, in pursuance of a custom sanctioned by the people, set apart and appoint THURSDAY the seventeenth day of December next, to be observed throughout this state as a day for the annual offerings of PRAISE, THANKSGIVING and PRAYER. I respectfully recommend to my fellow citizens to abstain from all secular occupations on that day; to gather themselves in their solemn assemblies; to render to our Heavenly Father the homage of hearts softened and warmed by his abundant goodness; to commit to his tender care the poor, the neglected and the oppressed, and to supplicate a continuance of His favor to this people throughout all generations. However we may be separated by opinions or associations, all the citizens of the republic have equal political rights, and have the same motives to desire its peace, happiness and perpetual prosperity. The church of the living God is one, and embraces all those who in humility of spirit receive his holy faith, and through divine aid seek to keep his commandments. Let us therefore in perfect harmony and charity, one with another, as patriots and Christians, inspire Him to sustain and bless all our civil and religious institutions, and to dispense to us abundantly that heavenly grace without which in the Lord Jesus Christ, leads through the way of virtue here to the blessed society of the redeemed in his everlasting kingdom.

Given under my hand and the privy seal of the state, at the city of Albany, this ninth day [i. e.] of November in the year of our Lord one thousand eight hundred and forty.

WILLIAM H. SEAWARD.

By the governor,

SAMUEL BLATTENFORD, private secretary.

NEW JERSEY.

Finances. The expenditures of the state, during the past year, were as follows:

State accounts	\$2,946 03
Legislative expenses	3,369 75
Legislative salaries	42,720 50
Incidental expenses	5,945 72
State prison	1,216 30
Transportation of criminals and costs of conviction	3,930 00
State arms	605 00
For instruction and support of blind	1,925 01
" " deaf and dumb	2,252 81
Revolutionary pensioners	1,994 50
Military officers	270 00
Expenses	946 81
Painting	2,272 00
Postage	1,069 25
State library	289 75
Constables attending supreme court	289 75
Accounting to \$67,524 45. The regular receipts amounted to \$81,539 67; being as follows:	
Dividends on stocks	\$30,000 00
Transit duties	30,267 39
State tax	20,000 00
Peoples' taxes	553 28
Interest on bond	510 00

Thus after paying the ordinary expenses, a balance remains of \$14,005 19; which together with a balance of \$9,518 15 in the treasurer's hands, amounting to \$23,523 34, is now on deposit in banks of the state, excepting \$17,000 00 in Camden and Amboy rail road bonds, and \$315 25 due from two churches of Paterson.

School fund. The revenue from the school fund during the year has been \$64,818 14 as follows:

Bank tax,	\$24,153 72
Dividends on stock,	1,180 40
Interest on loans,	10,500 00
State lands at Paterson,	29,974 02

Of this amount \$30,000 were distributed among the counties, and \$740 25 applied to the defraying of incidental expenses. \$9,018 11 of the bank tax has not yet been received, being the amount levied upon the Morris canal.

The revenue this year exceeds these sums, by \$29,068 11. The excess last year of revenue above the expenditures, viz. was \$7,191 18. The sale of the state lands at Paterson this year, has produced \$28,000.

The whole amount of the school fund is \$319,202 63. [State Gas.]

PENNSYLVANIA.

Congressional. Charles McClure, (V. B.) has been elected a representative to congress from the 1st district, to fill the vacancy occasioned by the decease of William S. Ramsey.

Electoral election returns.

Harrison.		Van Buren.	
J. A. Shulze	144,010	James Clark	143,876
Joseph Riter	143,896	Geo. G. Raipier	143,874
Levis Passmore	144,021	Geo. W. Smith	143,863
J. P. Westhill	144,018	Benj. McMillan	143,869
Thos. P. Cooper	144,019	Frd. Stearns	143,866
Joe. Gillingham	144,022	Wm. H. Smith	143,870
Amos Ellmaker	144,021	J. F. Steinman	143,872
A. R. McIlvaine	144,023	John Dowlin	143,870
John K. Zevlin	144,016	Henry Myers	143,867
Robert Bitman	144,020	Daniel Jacoby	143,870
Wm. S. Hendrie	144,023	Jesse Johnson	143,860
J. J. Ross	144,023	Jacob Able	143,870
Peter Bittler	144,020	Geo. Christian	143,865
Wm. Adams	144,021	Wm. Schooner	143,869
John Hower	144,019	Henry DeHaff	143,870
Wm. McIlvaine	144,018	Henry Logan	143,872
John Dickson	144,020	Frd. Smith	143,872
Joe. McKeehan	144,018	Chas. McClure	143,873
John Reed	144,020	J. M. Gemmill	143,784
A. B. Williams	144,021	M. Hellenbach	143,863
N. Middlewarth	144,015	Leonard Plois	143,876
Geo. Walker	144,027	John Horton, jr.	143,871
B. Connelly	144,021	Wm. Philson	143,871
Joseph Markle	144,021	John Morrison	143,871
J. F. Fordyce	144,018	Wesley Fort	143,871
T. T. McKim	144,019	Wm. Harrison	143,871
Harmer Danay	144,016	Wm. Wilkins	143,870
Jos. Buffington	144,017	A. K. Wright	143,872
Henry Black	144,017	John Finley	143,870
John Dick	144,014	Stephen Barlow	143,863

The highest Harrison elector has 143,872.

The highest Van Buren elector has 143,794.

Harrison majority, 138.

The lowest on the Harrison ticket has 143,890.

The lowest on the Van Buren ticket has 143,863.

Harrison majority, 327.

Candidates for governor. The Van Buren party appear very generally to sequence in the re-nominating governor Porter for a second term. The whig party are now starting candidates, and there seems to be no lack of them if we may judge from the following, extracted from the U. S. Gazette:

Candidates. We have given place to two suggestions relative to the candidates of our party for governor. Mr. McKenyon, of Washington, and Mr. Dana, of New York, were announced as candidates at that time. We see to the papers of the interior the name of judge Banks proposed with earnestness. The hon. Richard Biddle and Walter Forward, esq. are also mentioned. And we look also to see in our next Lancaster paper the name of Mr. Siroch, of that county, brought out. And it has often been a matter of surprise with us, that George Chambers, esq. of Franklin county, has not been looked to as a candidate for the first office in the commonwealth. We have a few more also in the southeastern portion of Pennsylvania, whose names will be suggested when the time for such matters shall arrive.

Resumption of specie payments. In relation to the question, whether the banks of the state will resume by the 15th of January, as required by law, the Pennsylvania says:

"We have availed ourselves of the opportunity afforded by the visit of the governor to this city, to ascertain whether his views on this grave subject remain unchanged, and if it affords us much pleasure to be able to assure you that on the best authority that no postponement of the day of resumption beyond the 15th January next, will receive his approbation. He is anxious as any one can be, to allude the commonly from embarrassment and distress; but he is not of opinion that it is the true mode of ministering this relief, to entail upon us for a day longer than is already allowed, the hopeless evils of the present suspension."

A few weeks ago we supposed from what we met with in the public journals, that there was no doubt of the resumption of specie payments by the 15th January; and we are not at all surprised that now appears in the journals of both Philadelphia and New York, it is questionable whether that object can be effected. There are more difficulties in the way than the public were apprised of. We have been looking with no little anxiety for an exposition of the real state of affairs. A writer in the Philadelphia Sentinel, over the signature of "A Citizen," has drawn the curtain to a certain extent, and as he appears to be in possession of facts, we avail of them for the information of our readers, without pretending to endorse his conclusions.

To the editor of the American Sentinel:

Sir: It is not without reluctance that I propose to obtrude my views upon the public in reference to the great topic of the day, the resumption of specie payments. Under the misapprehension that our bank south says that important subject becomes

daily more obscured, and it seems indisputable that this community should have some light thrown upon it, if not from a very luminous, at least from a disinterested source. With these views, the present discussion is commenced. The public is anxious to understand the position of our banks, and their practice speak so vaguely that we need priests who understand the rites to interpret their meaning. In the absence of such, the uninitiated must attempt it.

Desiring to treat the subject with perfect fairness, though in plain phrase, I will state what are presumed to be actual facts, and what are the difficulties.

1. The Bank of the United States cannot resume on the 15th of January next, the day appointed by law, without assistance.

2. The following banks, owing to their involvement with that institution, are in an equally helpless condition, viz:

The Farmers' and Mechanics' bank,
The Philadelphia bank,
The Bank of Pennsylvania, and several other banks of minor importance.

3. The Girard bank, the Commercial, the Mechanics' and the Southwark banks, and possibly one or two others, are not involved in the same difficulties, some not at all, and others only to a limited extent.

The United States bank being admittedly the most helpless, it behooves us to examine into its actual condition in order to determine what measure of assistance will be likely to accomplish the desired object.

In the absence of positive data, we will assume its liabilities to be as follows, viz:

Circulation including 2 millions of post notes,	\$12,000,000
Deposites,	3,000,000
Bank balances due to banks	
in this city,	\$2,500,000
Elsewhere,	1,500,000
	4,000,000
Total,	\$19,000,000
Of this sum the city bank balances, say,	\$2,500,000
And a portion of the circulation here by the city banks, say,	4,000,000

Equal to \$6,500,000 would, of course, form an instantaneous demand upon the specie fund of the Bank of the United States on the day of resumption. But, if it is understood, the bank has \$3,000,000 of specie.

But there are not the only items of demand obligations upon that bank which would immediately appear. Large sums held by it on deposit, and a considerable portion of the foreign currency, if it is reasonable to suppose, would also be demanded, together with a very large amount of its notes, now in the vaults of the country banks, and in the pockets of the people because of their inability to obtain any other medium, would be immediately replaced by the issue of banks in better credit, to which institutions the U. States bank would thus become a debtor.

What the aggregate of these demands would be, it would be hazardous to estimate; but when the crippled credit, and intangible resources of the Bank of the United States are considered, it would not seem extravagant to suppose that one-half of her immediate liabilities would be immediately called for. This, if our suppositions approach to accuracy, could not fall far short of ten millions.

The specie we have estimated at three millions, and we know of no masses of specie balances elsewhere which would increase the available means. But, have we not put the sum likely to be immediately demanded on a resumption "which will not command the public faith," too low? Prior to the late suspension the demand circulation of the Bank of the U. States was about four millions, and now ten. It is likely that it will range hereafter higher than heretofore! Undoubtedly not. Still leaving the whole sum to be demanded at ten millions, and the immediate cash resources at three millions, how is the specie to be provided? The excess of obligations, or in other words, deficiency of means, is six millions. It has recently been alleged in the public prints that certain of the banks in this city, in with the Farmers' and Mechanics', Philadelphia, Pennsylvania, and others, all entirely dependent for their means of resumption, on the resumption of the Bank of the United States, have agreed to borrow of the eastern banks, two millions and a half of their specie, and others, all having 12 and 15 months to run, for the purpose of loaning the same to the Bank of the United States.

Let us examine the operation of this measure. The New York Express, the Journal of Commerce and the Boston Courier all aver that the million and a half which Boston is to lend, and the million which New York is expected to lend are already here, and that therefore, there will be no transfer of

money from either of those cities to this consequent upon the above loan but on the contrary, that its only effect so far as they are concerned, would be to place balances on interest and make them payable at a fixed date, which are here now on deposit without interest, and not payable at any fixed date. We propose to the contrary, that the U. S. bank in the shape of private deposits we have no means of knowing, but it is probably considerable.

We will suppose, however, that the whole sum should be immediately applicable to the uses of the Bank of the United States. What then? The deficiency of actual means as compared with actual demands after exhausting the specie will still be four millions and a half. It will be seen that in what we proposed the note and the specie are the banks themselves carrying any portion of the weight of the Bank of the United States, which some of them have expressed a willingness to do. The effort on their part would prove a fiasco. They lack both the disposition and the power to do so.

The question has been examined thus far on the hypothesis of the loan of two and a half millions being a bona fide loan of money from distant cities. But, if the view it has been shown to be entirely inadequate to the proposed object. But how much more inadequate,—indeed, how infinitely ridiculous will it appear when it is known that the eastern banks refuse to loan a dollar, except on institution of their own credit, and that the majority of the post notes in small sums, either issued by themselves or issued by the Bank of the United States, and bearing their endorsement! And this absurd proposition, we are told; has been accepted by the banks, who were deputed to represent our banks in the foreign cities. Will not this community with one voice rebuke a committee so little acquainted with the nature of the business they undertake to negotiate? Does not every one perceive that our banks, after having undergone the humiliation of suing to their inferiors for assistance, have put it into the power of the lenders to abstract the sum borrowed from their own vaults.

It is, indeed, some consolation that several of our institutions have conducted their business as to save themselves from this degradation. But strong banks, the sound banks—so called by the Journal of Commerce—they, alas! are thus fallen!

The first and second heads of the subject proposed when this essay was commenced, after what has been said, may be disposed of in a few words. The project of a resumption of specie payments by the bank, alluded to on the plan suggested is absurd and impracticable. A resumption based upon it will fail; the banks undertaking it will be involved in an intricate labyrinth of difficulties, and the effects upon our present banking system may be fatal.

As to the third head, viz: What course will it be proper for the Commercial, Mechanics', Girard, and other banks similarly situated, to pursue, in case the project of resumption above referred to should, as it probably will be abandoned, it is not easy to determine. That these institutions, judging from their independent bearing, are in a situation to resume, and maintain specie payments without the other banks, and at all hazards, seems probable. But, will the interest of the community be best promoted by their so doing? This is a grave question. If the situation of the other banks were hopeless, we should have no difficulty in deciding in their favor. For it is certain that so long as the banks do not pay specie they are in a most precarious position. Yet would the resumption of a small portion of our banks restore the currency in the west and south? Certainly not. And without that restoration could our resumption, so few in number, furnish and maintain a circulating paper medium convertible into coin at pleasure, adequate to the wants of our people? It is clear that they could not. What then would be the object of their resumption? Vain glory. The object is not equal to the sacrifice. The inconvenience of two currencies now suffered by our citizens would be increased, not diminished, by a partial resumption. The restoration would be advertised. The resuming institutions would be made for their own ruin in a civil war, and would be assisted by the non-resuming, and by those persons having claims on them from abroad. Our own citizens, much as they desire specie payments, would not acquiesce in the measures for specie made for their ruin by the banks, whilst others would be willing to receive in full payment of them, paper of equal nominal value, which they could purchase at a depreciated rate. Thus new difficulties would encounter us at every step.

In the state of things it will naturally be asked—what then is to be done? No question is more

easily answered. The Bank of the United States is unable to resume, on her own resources, on any day fixed by law. Certain other of our institutions are equally unable to resume. This is the fact. All rhodomontade is useless. All attempt to disguise the truth by false pretensions is idle. The politicians are so divided, so hazy, so hazy the loan of smaller sums to these banks on their post notes to be immediately discounted here and converted into specie on their instant resumption to bring it about; but they well know that any such movement on their part would be a confession of their weakness both of intellect and means. They well know that the error of our resumption of 1835 was, that it was based on the same fallacious principle, (though in a different form) that is now advocated by them for the revival of the currency.

Our banks should have the manhood to look at the subject directly and without flinching, and to take their measures afterwards, according to their best judgment. In our view, their duty is plain. Let the directors of the United States bank, the fair and honest, and in such condition (the days of delusion are past) to the legislature of the commonwealth as soon as it assembles, showing the efforts they have made to conform to the law; let them submit an outline of their proposed plan, and let the legislature meet to meet their wishes, let them give such pledges, as men of their standing, will command respect that they will, honestly and zealously as they have done, pursue the course most likely to bring the immediate liabilities and active means of the banks into a just ratio with each other; and ask with frankness of manner and integrity of purpose for such an extension of time, in the present suspension law, as will enable them to put their institution in a condition to meet resumption. This could probably be accomplished in another year. Let these views in the shape of a memorial, together with the statements forming its basis, be submitted to the other institutions, and let those institutions, in the report of their committees, the abundant and cogent reasons at their command, to show its propriety. No difficulty should exist in the banks agreeing to publish monthly statements of their progress, and to submit to the public the sincerest efforts to bring themselves into a proper position to resume specie payments at the period fixed in the new law.

There are many reasons, independent of those derivable from our own local situation, which would suggest to the directors of the currency to even urge the propriety of the measure. A prominent one may be named here, viz: the overthrow of the existing national administration, and the induction of a new chief, with different financial views into the seat of government at Washington, on the 4th of March next, soon after which the great question of the currency must be taken up by the collected wisdom of the nation. Shall our institutions, unprepared as they are, rush into danger and plunge into the jaws of death, at a moment like this. Is it the part of common prudence to do so?

In conclusion, it cannot be too earnestly urged upon the directors and executive officers of our banks to treat, in the present emergency, with the same manliness and candor as to its important bearing upon the interests of society, and instead of averring that their respective institutions are each in a situation to resume, but for the weakness of the currency, to submit to the legislature the truth of the general positions herein assumed.—All these positions are simple: it has not been deemed necessary to involve the question in any of the details of political economy; to show the probability of a complete restoration of the currency to the propriety of a protective tariff. Such a plan of treating the subject would have induced us to wander too far from our main object, which was to show that too far of our banks could, on the scheme suggested, save themselves from the extreme suspension on the 15th of January next, and that those which can sustain themselves would accomplish no public good, but much evil, by resuming on that day, which they would only be justified in doing in case the legislature should refuse to extend the period of the present law. Such a refusal on the part of the legislature would seem, under the circumstances of the case, highly improbable, and we have already in this country, and in France, to the great advantage of the subject of the currency, to feel no apprehension of any hostile action on the part of our present enlightened chief magistrate.

A CITIZEN.

DELAWARE.
Election—official.

County.	Van Buren.	Harrison.
New Castle,	2,184	2,530
Kent,	1,095	1,301
Sussex,	1,688	2,451

4,972 6,963
4,972

Harrison majority, 1,091

The above is the average vote for electors in each county. The majority of the highest white elector, P. F. Causey, over the lowest Van Buren, N. Clark is 1,108.

MARYLAND.

The presidential electoral college of this state, assembled in the senate chamber at Annapolis on the 24 inst. all the members being present.

Gov. George Howard, was elected president, and

Ed. J. H. Nicholson, secretary.

The nomination of gen. WILLIAM H. HARRISON, of Ohio, for president, was made by J. L. Kerr, esq. of Talbot, and that of JOHN TYLER, of Virginia, for vice-president, by R. J. Bowie, esq. of Montgomery, and the ten votes of Maryland were cast for them; after which the college adjourned sine die.

Queen Anne's county census. According to the Sentinel, the whole population of this county is 13,169. Whole number of whites 6,450—males 4,253, females 2,297. Whole number of blacks 6,519—males 3,410, females 3,109. Free—males 1,307, females 1,233. Slave—males 2,169, females 1,876. Employed in agriculture 2,972, in commerce 31, in trades 93, in navigation 86, in the learned professions 28.

VIRGINIA.

The governor's proclamation of the 23d of November, announces that

Arthur Smith, of Isle of Wight,

John Cargill, of Sussex,

James Jones, of Nottoway,

William R. Baskerville, of Mecklenburg,

Charles Vanecey, of Buckingham,

Richard Logan, of Halifax,

Archibald Stuart, of Patrick,

William Jones, of Gloucester,

Austin Brockmeyer, of Fairfax,

John Gibson, of Prince William,

J. D. Halyburton, of New Kent,

Thomas J. Randolph, of Albemarle,

Walter Holmes, of Spotsylvania,

Isaac Hurner, of Fauquier,

James Gibson, of Hampshire,

William A. Harris, of Page,

Jacob D. Williamson, of Rockingham,

William Taylor, of Rockbridge,

Augustus A. Chman, of Monroe,

James Hoge, of Pulaski,

William Byars, of Washington,

Benjamin Brown, of Cabell, and

John Hindman, of Brooke,

have been duly elected electors for and on behalf of the state of Virginia, to vote for a president and vice president of the United States. The electors are required by law to meet at the capital in the city of Richmond, on the first Wednesday in December inst, by the hour of ten o'clock in the morning.

The Virginia college of electors assembled in the capitol on the 2d inst. and cast the vote of this state for Martin Van Buren, for president, and Richard M. Johnson, for vice president of the United States.

Arthur Smith, of Isle of Wight, voted for Mr. Polk, of Tenn. for vice president, instead of Col. Johnson.

The legislature convened at Richmond on the 1st inst. Mr. Nass (V. B.) was elected president of the senate—Mr. Good, of Wheeling, one of the whig members, not being present, gave the Van Buren party a majority of one. Were all present, each party would have sixteen senators.

Mr. SOUTHALL, of Albemarle, (whig), was elected speaker of the house. The vote stood,

For Mr. Southall, 67

For Mr. Goode, of Mecklenburg, (V. B.) 60

Four whigs and two V. B. absent. Three seats vacant—one from Frederick, one from Fairfax—both contested on the return—and one in Louisa, where the member elect has resigned.

The house proposed to the senate to go into the election of a U. S. senator on the 4th inst.

State debt. The public debt of the state of Virginia, according to the Norfolk Beacon, is at the present time, \$6,500,000, exclusive of its liabilities under acts authorizing loans for works of internal improvement, which amount to \$2,442,120 mrs.

Congressional candidates. Colburn Powell, esq. of Loudoun, is announced as a candidate to represent in congress the district of Fairfax, Loudoun and Fauquier.

Mr. McCarty declines a re-election.

University of Virginia. The Richmond Whig says, that the visitors have appointed Nathaniel P.

Howard, esq. of Richmond, professor of law in the university, to supply the vacancy occasioned by the death of professor Davis. Mr. Howard is a young gentleman of accurate and extensive legal acquirements, and one of the most elegant and accomplished scholars in the state.

A Charlottesville paper says:—"Pike Powers, esq. has been temporarily appointed to fill the mathematical chair, vacated by the death of professor Bonycastle."

NORTH CAROLINA.

United States senators. The hon. W. M. Pamung and hon. W. A. Graham, speaker of the house of commons, have been elected senators to the congress of the United States from North Carolina—the former for six years from the 4th of March next, and to fill the unexpired term of Mr. Brown; the latter to fill the unexpired portion of the term of Mr. Strange, which is two years. The vote stood, for Mangum 99, Graham 98, Brown 63 and Strange 64.

Official returns of the election for president.

COUNTIES. Harrison. Van Buren.

Ashe,	1,194	895
Beaufort,	678	469
Bertie,	861	309
Bladen,	496	385
Brunswick,	346	314
Buncombe & Henderson,	350	239
Burke,	1,436	452
Cabarrus,	1,623	309
Caldwell,	891	353
Carter,	1,082	184
Caswell,	454	186
Chatham,	2,176	1,109
Chowan,	1,124	608
Columbia,	530	138
Craven,	204	545
Cumberland,	666	50
Currituck,	612	950
Cherokee,	142	668
Davids,	414	113
Durham,	3,411	383
Dublin,	283	807
Edgecombe,	283	807
Franklin,	1,374	1,374
Gates,	374	689
Granville,	328	278
Greene,	932	775
Guilford,	297	215
Halifax,	2,300	414
Halifax,	604	556
Haywood,	431	521
Hertford,	398	199
Hyde,	431	89
Iredell,	1,750	325
Johnson,	597	649
Jones,	243	132
Lenoir, (not received)		
Lincoln,	1,000	1,558
Martin,	291	596
Mecklenburg,	1,060	1,246
Montgomery,	1,136	105
Moore,	529	493
Nash,	431	163
New Hanover,	78	797
Northampton,	293	1,042
Onslow,	500	393
Orange,	143	690
Paquotank,	1,639	1,448
Perquimans,	693	134
Pitt,	214	501
Randolph,	627	291
Richmond,	1,344	269
Rowan and Davie,	820	102
Rockingham,	1,880	725
Rutherford,	679	506
Sampson,	547	905
Stokes,	1,802	510
Swain,	653	74
Tyrrell,	3,272	1,061
Wake,	1,191	812
Warren,	390	83
Washington,	1,026	149
Wayne,	105	734
Wilkes,	532	54
Yancy,	1,450	114
	415	290
	46,378	82,782
	38,782	

Harrison's majority, 12,994

Hon. H. W. Connor, V. B. representative of the Lincoln district in congress, has given public notice of his intention not again to be a candidate.

SOUTH CAROLINA.

On the 25th ult. the two houses concurred in a proposition to go into the election of electors on the 1st inst.

Members of the legislature—1840.

Senate—45 members.

Abbott—D. Douglas.†
All States—Edward T. Heriot.
Barwell—Amos Patterson.
Clarendon—J. W. English.
Clarendon—S. P. Dulose.
Crist Church—James S. Rhett.
Chester—Dr. John Douglas.†
Chesterfield—Dr. Thomas F. Fow.
Darlington—William H. Cannon.†
Edgefield—J. S. Jeter.
Fairfield—Austin F. Peay.
Greenville—Amos Patterson.†
Horry—W. H. Johnson.†
Kershaw—William McWille.†
Lancaster—W. McKenna.†
Laurens—Thomas F. Jones.
Lexington—Lemuel Boush.†
Marion—D. Gatz.†
Marlborough—D. C. Mordock.
Newberry—F. B. Higgins.†
Orange—J. M. Field.†
Pendleton—B. Hoge.†
Prince George, (Winway)—R. W. F. Allston.
Richland—James Gregg.
St. Andrews—John Rivers.†
St. Bartholomew—Simon Medier.
St. George—Thos. Carr.†
St. Helena—Richard De Treville.
St. James, (Goose Creek)—John Wilson.
St. James, (Santee)—S. J. Palmer.†
St. John, (Berkeley)—H. Dawson.
St. John, (Columbia)—John Jenkins.
St. Luke—Dr. J. Fickling.†
St. Matthews—Dr. T. J. Goodwyn.
St. Pauls—J. B. Grinnall.†
St. Peter—Henry Bond.†
St. Philip and St. Michael—Daniel Elliott Hugor, and Ker Boyce.†
St. Stephens—T. L. Gourdin.†
St. Thomas and St. Dennis—F. D. Quash.
Spartanburg—John Crawford.
Union—W. K. Clowney.†
Williamsburg—D. D. Wilson.
York—J. D. Witherspoon.†
†Elected this year. †New members.

House of representatives.

Abberville—A. Ruff, D. L. Wardlaw, Jno. Chiles.
Joel Smith, and John Swillen.
All Saints—Randall.
Barnwell—Edmond Bollinger, S. W. Trotti, C. R. Carroll, J. C. Brown.
Chester—F. W. Davis, John W. Rice, and J. L. Jackson.
Chesterfield—J. W. Blakney, and Stephen Jackson.
Christ Church—Andrew Ribben.
Clarendon—Levi F. Rhame, and Hy. J. Smith.
Clarendon—John D. Friserson, W. J. Reynolds, and G. S. DeSchamp.
Darlington—A. D. Sims, and Isaac D. Wilson.
Edgefield—J. Sheppard, J. Tompkins, W. S. Cottrah, Dr. R. C. Griffin, M. L. Boutan, and D. Atkinson.
Fairfield—E. G. Palmer, Jos. A. Woodward, W. J. Atton, and Dr. John M. Myers.
Greenville—S. M. Fille, H. Smith, T. E. Ware, and B. F. Perry.
Horry—E. A. Benjamin.
Kershaw—James Chestnut, jr., and Lewis J. Patterson.
Lancaster—Massey and Conner.
Laurens—Geo. Anderson, Charles Williams, R. H. Speers, and Dr. Wm. Irby.
Lexington—Paul Quattlebaum, and Jacob Wingard.
Marion—D. Palmer, J. C. Betha, and H. M. Davis.
Marlborough—Win. T. Ellerbe, and Chas. H. F. Dudley.
Newberry—Simson Fair, C. B. Griffin, and T. H. Pope.
Orange—D. F. Jamison, and Dr. J. G. Guillard.
Pendleton—W. Robinson, J. McFall, J. Gilmer, C. Kingsley, J. W. Conner, and W. Hunter.
Prince George, Winway—John I. Middleton, A. H. Belin, and T. G. Carr.
Richland—No election declared—the whole returns submitted to the legislature.
Spartanburg—J. E. Henry, H. H. Thomson, Wm. R. Poole, John R. Richards, and John W. Hunter.
St. Andrews—Wm. I. Bull.
St. Bartholomew—B. G. O'Bryan, D. S. Henderson and David Walker.
St. George, Dorchester—David Gavin.
St. Helena—Thomas Fuller, jr.

St. John, Berkley—James Ferguson,* and Robert McKelvey.*

St. John, Colleton—Wm. Murray,* and a fix between Daniel F. Jenkins, and Hugh Wilson, jr.

St. James, Santee—John Blake.*

St. James, Goose Creek—Geo. H. Smith.*

St. Luke's—Albert Rhett,* and R. W. Singleton.*

St. Matthews—Dr. A. T. Darby.*

St. Philip and St. Michael's—Wm. Aiken, Ed.

Frost, W. D. Porter,* John Phillips, A. G. Magrath,

B. F. Hunt,* C. G. Memming, John Huger, G.

B. Eckhard, Otis Palmer,* R. R. Palmer, John

Schaeffer,* T. D. Elliott,* James M. Walker,* B. R.

Carroll,* W. W. Konhardt,* nod R. W. Roper.*

St. Pauls—Wm. Washington.

St. Peter's—J. Lartigue,* and Dr. E. Ripley.*

St. Stephens—John Palmer.*

St. Thomas and St. Dennis—Robert Elfe.

Union—Z. P. Herndon,* Wm. Gist,* Dr. M. A.

Moore,* and James R. Jones.*

Williamsburg—A fix between Dr. W. B. Buford,

and Mr. Moxton.

York—James M. Love, Robt. T. Allison, Abram

Hardin,* and John A. Alston.*

* New members. Those in italics are whigs.

The legislature of South Carolina assembled on Monday, the 23d ultimo. The speaker, Aaron Patterson, was unanimously re-elected speaker of the senate, and D. L. Wardlaw re-elected without opposition speaker of the house of representatives. Both houses being organized, the governor (B. K. Henegan, on whom the duties of the office devolved after the decease of governor Noble) transmitted his message on Tuesday the 24th.

The whigs held a meeting at Charleston on the 26th ult. preparatory to a public dinner to W. C. Parson, at which it was

* Resolved, That we are indebted with great gratification the able and meritorious exertions of our senator, the hon. Wm. C. Preston; our late representative, hon. Waddy Thompson, and our distinguished fellow citizen, Hugh S. Legare, throughout the struggle now so happily terminated. These gentlemen have added greatly to their previous well earned reputation, by their eloquent orations in defence of liberty, and by their gallant resistance to a bitter and intolerant majority at home, have deserved well of the country at large.

"That we tender to the hon. W. Thompson, in his regretted retirement, our sincere thanks and cordial esteem.

"That we take no peculiar pride in the elevated position and extensive popularity of hon. Hugh S. Legare, and ardently wish that the time may soon arrive when his native state shall more properly appreciate his worth, and again avail herself of his valuable services.

"That we offer to the hon. Wm. C. Preston, the warmest expressions of our confidence and admiration—unmoved by menaces and unhurt by calumny, he has long been among the foremost to manly and consistent opposition to the destructive measures of an unprincipled administration. We exhort him to persevere in his honorable course, and pledge ourselves to sustain him to the utmost of our ability, by a cordial and unshrinking support."

Extract from Gov. Henegan's message.

P. The school system.—"Our free school system has lately attracted especial attention. I trust that, from the many reports of the commissioners to our late governor, you will be able to derive important aid in the patriotic and benevolent effort to place, and to secure a more useful and correct foundation. Without presuming to give you even the outlines of a system, I would respectfully submit a few remarks on the subject. The pay of the teachers is altogether too moderate. The very small compensation may be said, without much of a figure, to poison the whole system. If we value professions by their usefulness, none can be more important than that of the teacher. His duties are most arduous and laborious, and his occupation in life calls for a rare combination of talent and character. The foundation of a complete education can be surely laid, only in our elementary schools. The importance of a thorough English education, is too generally and justly believed, in our modern systems, and our youth is hurried into the study of the ancient classics, without even a decent knowledge of their own tongue. It is a humiliating fact, that many, fresh from the walls of college, cannot write a paper without betraying their ignorance of the structure of our language. This is no imputation upon the professors, as young men are not sent there to learn the rudiments of English, but are presumed to know them before their admission. It is not my design to deprecate the dead languages, or a knowledge of their literature, but that education is imperfect, indeed, which looks too exclusively to such an attainment.—

A critical knowledge of our own language, with its literature, should be the primary object of attention, and, under no circumstances, should this be neglected. There can be no occasion for this neglect, as the thorough knowledge of our language only facilitates the acquisition of another. It is no easy matter now, to acquire a good English education in South Carolina. A who would offer to teach alone, could not calculate upon making his bread. Our modern notions require something else; and hence every head of a petty country school, advertises to give instruction in Latin, Greek, Italian and French, and those higher English branches, which can be properly taught only in a college. To know what Homer and Horace wrote, and to be able to read the Grecian and Roman anthologies, is regarded of more importance than the knowledge of our own history and country. The legislature can do something to reform this state of things, by elevating the character of our free schools, and requiring that applicants for admission into the college, should be examined in certain English departments, with which now they are only presumed to be familiar.

There is a more important relation, however, between the teacher and the pupil, than the merely intellectual. It is the moral relation. How vastly important the teacher should possess the requisite moral qualifications; that he should be able to give that kind of instruction which alone can qualify us for the higher duties of life, which alone can qualify us for eternity. The education of the mind is the education of the heart, together they constitute what will be for our children to continue in the depths of native ignorance. I would not convert our free schools into theological seminaries; but it becomes the legislature to guard, in every proper manner, the morals of the children, and protect them against those sinister influences which make them any thing but good and useful citizens. In the words of a distinguished modern writer, "education consists in teaching what makes a man useful, respectable and happy." It is all important to elevate the character of the teachers of our free schools. The relation between teacher and pupil is of a most responsible nature, and involves all that importance which belongs to authority, on the one side, and submission on the other. In addition to literary qualifications, no one, if possible, should neglect the education of the youth of the state, who is deficient in moral character. Who, I would ask, are the teachers of our free schools? are they men to whom the legislature can commit, with confidence, the great business of education?

What is the amount of their literary qualifications, and what is the tone of their morality? It is not my design to indulge in unnecessary remarks upon this subject, but truth requires me to say, that as a class they are grossly incompetent to discharge their high and sacred functions. So far as my observations extend, with but few exceptions, they are very ignorant and possess a very easy morality. With the poor pay allotted them, we cannot reasonably calculate upon a better state of things. The men who take charge of our public schools, and accept so miserable a pittance as the reward of their labor, are they who cannot get employment on any other terms.—Necessity forces them to make the offer of their services, and necessity forces the commissioners to accept them. It is now in South Carolina a reproach to be a teacher of a free school, as it is regarded a price fierce evidence of a want of qualifications. Men will not embark in the business of education, from mere motives of patriotism. You cannot command superior talent and attainment, without adequate compensation. The lawyer, the physician and the artisan, bestow not their labors gratuitously, and upon what principle of reason or justice, can it be expected, that he who has qualified himself, by years of severe toil, for the most useful of all professions, shall labor at a salary which will not supply the wants of nature.

Exports from Charleston and Savannah. The Charleston Courier exhibits the following table of exports from South Carolina and Georgia through their two principal seaports, during the last year.

Charleston exported the last year:

225,181 foreign, } bales of short cotton,

60,178 coastwise, }

288,369

12,300 from Georgetown,

31,569 total, at \$30 the bale, \$9,047,070

19,310 bales San Islands at \$75, 1,448,250

100,000 barrels of rice, at \$20, 2,000,000

Total, \$12,495,320

Exclusive of domestic productions of minor consideration, but which it included in the estimate, would swell the export of South Carolina, to at least \$13,000,000.

Savannah exported the last year:

189,842 foreign, } bales of short cotton,

76,290 coastwise, }

10,587 from Danco,

266,678 total, at \$30 the bale, \$8,000,340

5,108 San Islands, at \$75 the bale, 608,000

\$50,000 casks rice, estimated at \$20, 1,000,000

Total, \$10,208,340

The exports, therefore, of South Carolina and Georgia, nearly the whole of which pass through the ports of Charleston and Savannah, amount to the aggregate of \$23,308,340.

The Courier remarks that the amount of exports from Charleston and Savannah is nearly five times that of the port of Baltimore; while the population of the two former cities together is less than one-half the population of the latter.

Election returns—official. The Millidgeville Journal publishes the following as the aggregate of the votes received by the presidential electoral candidates in Georgia:

Harrison ticket. **Van Buren ticket.**

D. L. Clinch, 40,349 W. B. Bulloch, 31,889

J. W. Campbell, 40,349 M. Echols, 31,889

G. R. Gilmer, 40,347 F. Wooten, 31,884

W. E. Ezzard, 40,341 J. Anderson, 31,881

C. Dougherty, 40,340 Groves, 31,881

Joel Crawford, 40,338 S. Beall, 31,877

A. Miller, 40,337 J. Robinson, 31,877

S. Grantland, 40,336 E. Hardee, 31,865

C. B. Strong, 40,336 W. B. Wolford, 31,857

J. Whitehead, 40,328 Jones, 31,855

E. Wimberly, 40,328 J. Bates, 31,850

The aggregate whig majority is 8,577.

General Clinch and Mr. Campbell, the two highest upon the Harrison ticket, are 8,380 votes ahead of Mr. Bulloch, the highest on the Van Buren ticket. And general Wimberly, the lowest on the Harrison ticket, is 8,390 votes ahead of general Bates, the lowest upon the Van Buren ticket.—Twenty votes cast for the Harrison ticket, and fifty the Van Buren ticket.

The whig majority in the congressional election in October, was 3,845—and the aggregate vote 74,096.

Legislature. A resolution being under consideration in the senate for procuring, on the 4th inst. to the election of a senator of the United States, to succeed Mr. Louisa on the 3d day of March next, a motion was made by Mr. Jones, a Van Buren member, to lay it on the table for the remainder of the session. Some half a dozen Harrison senators being absent, and advantage being about to be taken of a majority in the senate thus obtained by the Van Buren party, on the suggestion of Mr. Miller, the Harrison members of the senate withdrew in a body. After they had withdrawn, the secretary proceeded to call the names of the members in order to record the yeas and nays. After the call was made, the president declared that there was no quorum. The senate adjourned over to the following day, when they again met; and after some discussion, took a recess for an hour, in order to ascertain whether some arrangement could not be made to settle the difficulty. At the second meeting of the body, a motion was made to lay the resolution on the table for the present, which was carried by a vote of 63 to 18. The senate then proceeded to the regular business, a point of which was a preamble and resolution in regard to the constitutionality of a national bank.

Alabama.

United States senator. Hon. W. R. King is re-elected senator in accordance with this state's declaration from the fourth of March last. The vote in the legislature stood as follows:

W. R. King (V. B.) 75

G. C. King (Whig) 15

We understand from the Monticour that in the senate there are 21 Van Buren and 12 whigs, as the line has been heretofore drawn. At this election for senator, Messrs. Watrous and Ross, both whigs, were absent. In the house of representatives, the parties are 18 to 18. The senate then proceeded to the regular business, a point of which was a preamble and resolution in regard to the constitutionality of a national bank.

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Mr. King is one of the oldest members of the senate, having represented Alabama in that body ever since it became a state. He was chosen vice president pro tem, at the close of the last session when Col. Johnson left the chair.

State debt. The amount is \$10,560,000, and is invested in the capital stock of the banks.

We learn from the *Wetumpka Argus*, of the 25th ult. on the authority of a gentleman direct from Tusculoo, that the official majority in Alabama is 5,547.

MISSISSIPPI.

The fires. We have been recently conversing with a friend from Mississippi, who represents matters there as, in most respects, not at all improving. There is a good deal of emigration from the state, of sundry kinds, in different directions; but principally to Texas. There are but few new comers.

Lands, when sold at all, go for a mere song, in comparison with the rates common two or three years ago. Plantations, which would then have commanded forty or fifty dollars per acre, can now be had for five and ten dollars; and in some cases, even below the least of these figures.

A vast quantity is bound by judgments of court; but little yet is sold under the hammer, in consequence of an appraisal law, which operates as a stay of execution. By this law, lands are to be appraised; and, if, when offered by the sheriff, they fail to bring two-thirds of their valuation, the debtors hold on twelve months longer, when the lands are to be sold, unconditionally. In some of the courts, the sheriffs disregard this law; but generally the state courts and authorities are governed by it. At the end of the year, in some cases not many months hence, a vast deal of land will be brought into market and sold at an enormous sacrifice.

The depreciation in the price of lands, of course affects everything else in a greater or less degree. Negroes have fallen one-half. Corn, of which large quantities have been raised this year, is about forty and fifty cents. Hogs are being raised to great abundance, for the farmer has discovered that, with cotton at seven cents a pound, he must raise his own "hog and homony" and not be dependent upon the upper country for it.

The banks are in the worst of cases possible. The feeling is one of deadly hostility; and every plea put in by the debtor of any bank, against the sale of the bank, is favored both by court and jury. The Brandon bank is, it is known, shut up. The same may say they can pay, and they may pay others, if the public at large, who are in debt, will pay them. Shetton, the president of the bank, of whose flight, so many stories are told in the newspapers, is still in Brandon, from which place he has not passed, a distance of twenty miles, for a year past.

As one good effect of hard times in Mississippi, he mentions the flight from the state of a goodly portion of the rowdies and ruffians who infested it. Connected with this course, may be the successful operation of the five gallon law. Our informant states that the reduction in the number of coffee houses, in the several towns and villages, is really astonishing. And the law is very generally carried into effect.

Upon the whole, Mississippi seems to be under the salutary operation of sundry depopulating medicines, that are cooling and purifying her system. The temptations for investment in the state will be almost non-existent; and cash being paid up, men will feel settled and certain in their business operations as planters. The experience of the past will serve as a good lesson for some five or two years at least; and if cotton keeps down at a "fair living price," the spirit of speculation will not be excited. Under these circumstances, Mississippi will start afresh; and with her vast natural resources and her enterprising population, will surmount present obstacles; and "go ahead," with more alacrity and vigor than ever. [St. Louis Gazette.

LOUISIANA.

Banks. There are sixteen banks and banking companies in Louisiana, according to their last reports. Their nominal capital is \$54,950,000. Their capital paid up is \$41,763,214. In real estate and other investments, \$3,850,555. Their circulation on the 31st of Oct. was \$5,360,143. The amount of specie in their vaults on that day was \$3,398,298. The "capital gained and profits undivided" of all the banks in the state is \$6,892,650.

The ren. H. B. Barlow. D. D., professor of moral science and belles lettres, in the August college of Kentucky, has been unanimously elected to the presidency of the college of Louisiana, at Jackson. The late postmaster of New Orleans has, according to the reports of the papers of that city started

for Texas, both a defaulter to government and an absconding debtor to individuals. He had carried off considerable property with him, and his creditors have started in pursuit, with hopes of overtaking him. His name is McQueen.

The Bulletin says: "We learn that the government is not the only sufferer from the Swartwoutism of the late contractor of this city. Private individuals are taken in for large amounts. Several creditors of the absconding defaulter have started in hot pursuit, and some hopes are entertained of overtaking him before passing the confines of Texas."

ARKANSAS.

The official returns for the election of governor show that, of 10,953 votes cast, Archibald Yell received 10,554; H. Smithson 392, and Scims J. Judge Cross, (administration) was elected to congress by a majority of 2,500.

The boundary line between the United States and Texas, when established, it is said will leave Miller county, Arkansas, wholly within the limits of Texas.

The Arkansas annual conference of the Methodist Episcopal church, commenced its fifth session in the city of Little Rock, on the 4th inst. bishop Beverly Waugh of Baltimore, presiding, about thirty ministers were present and several others were expected.

KENTUCKY.

Congressional election. John H. Thompson (whig) has been elected in the Harrodsburg district to fill the vacancy in the present congress, occasioned by the late death of Mr. Anderson.

Bank of Kentucky. We have before us a circular, dated 28th October, from the officers and directors of that bank, giving a statement of its actual condition, and explanations concerning the forged certificates of stock issued by Lewis, the cashier of the Schuykill bank in Philadelphia.

It results from investigation, that near 19,000 shares of this spurious stock had been issued—of which 147 have been surrendered since, by the party with whom they were placed. A process for tracing and discriminating between the forged and fair stock, is now in progress, which, it is believed, will completely succeed.

Mr. Anderson's opinion is unhesitatingly expressed, that "the entire proceeds of the sale of the spurious stock of the Bank of Kentucky, amounting to upwards of \$900,000, were appropriated for the use and benefit of the Schuykill bank." It is added, that the Schuykill bank has ample means to refund this money—and to it the holders of the spurious stock must look. The state of the bank may be thus summed up:

Resources.

Notes discounted and bills of exchange,	\$4,702,737
Bonds in the state of Kentucky and the city of Louisville,	1,630,000
Due by other banks,	393,324
Specie,	503,351
Notes of other banks,	342,829
Suspended debt in suit,	253,000
Sundries,	\$47,419
	\$8,113,190

Liabilities.

Capital stock, (1,700,000 owned by state)	4,699,057
Notes in circulation,	2,089,613
Deposites,	358,090
Surplus, consisting profit & loss,	
1st July,	805,182
Interest and premium on,	
exchange since,	99,385
Contingent fund, &c.	110,000
Sundries,	617,567
	423,983
	8,113,190

Ohio.

The annexed table shows the fluctuation in the currency in this state for the past year:

Fluctuation in the Ohio currency.

Circulation.		Specie.	
June 1, 1839,	\$1,688,903	June 1, 1839,	\$1,688,903
Sept. 30, 1839,	\$1,077,692	decrease,	1,069,309
Jan. 1, 1840,	\$654,887	increase,	519,717
Apr. 1, 1840,	\$356,299	increase,	298,587
July 1, 1840,	\$391,205	increase,	431,009
May 1, 1840,	\$363,770	decrease,	24,346
Oct. 1, 1840,	\$696,756	increase,	318,986

Notwithstanding the steady reduction in currency and bank accommodations evinced in this table, the amount of business done in the state has been large, and during the last few months constantly increasing. The following in relation to the trade of Ohio is from the New York Herald:

"A table of arrivals of produce at the port of Cleveland from the interior, and the clearances of goods for the interior, in four months, to the 1st instant of this year, as compared with last:

Amount of property cleared and arrived at the port of Cleveland, for four months of this year and last.

Arrived.	Clearances.
June, 1840,	\$9,877,563
July,	\$11,267,818
Aug.,	\$9,331,660
Sept.,	\$8,742,606
June, 1839,	\$9,877,563
July,	\$11,267,818
Aug.,	\$9,331,660
Sept.,	\$8,742,606

"The arrivals at Cleveland indicate the exports of Ohio, and the clearances the imports. The former, it will be seen, have more than doubled in each month, and yet the exports have not increased. This amount of produce has been raised and brought to market in the face of the severe contractions of the banks. Prices have, indeed, been low, but the sales have been clear of speculation, and have, as is evident in the gradual fall of the price of specie, as well as above table, brought the state out of debt, notwithstanding that during the last month the imports have increased. In the month of June, the amount cleared at Cleveland was little more than one-fourth the amount cleared in the same month last year.

Business has, however, been gradually accommodating itself to the contracted state of the currency, and the imports have increased, until in the month of September they exceeded those of last year. If the exports have been made at low prices, the imports have been made at corresponding rates. The value of the produce of Ohio has held the same proportion to the merchandise purchased; the substantial farmers have enjoyed the same rate of exchange, and have had to pay their debts to the storekeepers and merchants, who, in their turns, have been able to settle their bank debts at home and abroad."

Banks. From the same source we copy the following statement of the condition of all the banks in Ohio, with two or three exceptions:

Liabilities.	
Capital,	\$9,191,263 53
Due to banks,	151,897 21
Circulation,	\$8,697,006 17
Deposites,	1,990,743 85
Other liabilities,	1,094,480 09
	\$16,426,422 83

Assets.

Notes and bills discounted,	\$10,522,817 22
Due from banks,	680,761 73
Bank notes on hand,	888,620 00
Specie,	1,229,236 12
Other liabilities,	2,795,094 00
	\$16,426,422 83

In consequence of no return from the Clinton bank of Columbus, the Commercial Bank of Cincinnati, the Bank of Sandusky, and the error of \$1,000 in the apparent surplus in the return of the Farmers' and Mechanics' bank of Steubenville, we can make no comparison with the last returns. By the above statement, the immediate liabilities appear to be 6,200,000 dollars against the immediate means of \$2,800,000, or less than two and a half per cent.

ILLINOIS.

The Van Buren official ticket is elected; by what majority it is impossible from the contradictory returns to make out—they vary from \$25 to \$300. We wait for the official statement.

The legislature. Governor Carlin has published a proclamation, convening the legislature of Illinois on the 23d of November ultimo, "to receive, and consider of, any communication that may be made to them," touching the interests of the state. The *State bank of Illinois.* The *Savanna Journal* says: "Col. Maier has returned from New York, and we believe it is now understood that the State bank is ready to resume specie payments. It is understood that the Bank of Illinois and the Cairo bank are ready to resume. They will wait, we presume, the action of the banks in other states."

Forgan county—census.

Free white males,	9,915
Free white females,	8,918
Colored males,	28
Colored females,	40—
	19,154

The prairies. The *Morning Courier*, a new daily paper recently established at Springfield, Illinois, has an interesting paragraph respecting the hide of emigration through that state to the still farther west. It says:

"According to our own observation, (for we have travelled much during the past season), the tide is setting on the various lines of travel towards the 'land of promise.' The prairies have, the whole season, been literally blocked up with 'movers'—wagons, and their representations, people coming and exchanging horses from the east to the west in 1840, to add another state to the national constellation, had they all located in a single territory. Missouri, Iowa, Illinois and Wisconsin, have received a large portion of the 'new comers.' Ohio, but a few

years since the war, is now the starting point for the far west. The upper Mississippi is no longer the utmost verge of that unrelieved and interminable territory—residents beyond talk of a still farther west, and but a few years are now swelling waves will break on the Rocky Mountains, and the quiet valleys of the Columbia will teem with a people whose progenitors dwelt in rugged New England, and looked upon the Alleghanies as the impassable boundary of the western world.

MICHIGAN.

The following table shows the aggregate vote in the state in 1839, and 1840, as far as received:

	1839.	1840.
Woodbridge, W. Farnsworth, V. B. W. F. B.		
Allen, 217	199	85
Branch, 392	475	50
Berrien, 462	389	2
Barry, 113	87	26
Chippewa, 22	42	20
Cass, 1,064	1,053	3
Cass, 508	467	143
Clinton, 119	139	50
Easton, 217	153	90
Genesee, 1,092	826	126
Hillsdale, 657	535	138
Ionia, 194	218	10
Ingham, 194	190	50
Jackson, 1,831	969	385
Kalamazoo, 328	258	10
Kalamazoo, 879	655	200
Livingston, 578	683	123
Lapeer, 396	332	80
Leeward, 1,640	1,604	283
Macquinn, 41	52	2
Macomb, 907	796	150
Monroe, 755	923	100
Oakland, 1,965	1,816	19
Ontonagon, 18	167	26
Shiawassee, 198	129	133
St. Joseph, 561	705	40
St. Clair, 482	345	80
Saginaw, 60	83	8
Van Buren, 186	167	50
Washtenaw, 2,352	1,836	500
Wayne, 1,999	1,921	31
	19,008	17,710
		3,461
		538

Whig majority, 1,903

The above are all the counties in the state. Only two of them are estimated, but it is probable some of the others are not exact. They are near enough, however, for all practical purposes.

The election of 26 whigs and 11 V. B. men to the assembly is ascertained. It is stated, also, that there will be a whig majority in the senate.

MISSOURI.

The legislature met on the 18th Nov. Colonel Sterling Price was elected speaker of the house. The votes for officers stood V. B. Van Buren to 38 whig. In senate, Mr. Watson (V. B.) was elected secretary, vote 17 to 16 whig. Colonel Benton was present at the organization.

The first Episcopal convention for the state of Missouri was duly organized, and began its sitting in St. Louis on the 17th ult. bishop Kemper, presiding, rev. P. F. Parker, secretary.

Rev. P. R. Minard delivered the sermon at the opening of the convention, from the text: "Obey them that have the rule over you."

The great Mullanphy estate. The last St. Louis Argus says:—Yesterday the court of chancery decided that the trusts set forth in the will of the late John Mullanphy, &c. are null and void.

This decision, if sustained by the supreme court, will effect more property than any other ever rendered by a judge in the western country.

The opinion of judge Lawrence is represented to us as one displaying extraordinary learning and most profound research.

The value of the vast estate of Mullanphy is estimated at several millions of dollars. As so much property is involved, and the principles of law governing the case novel, we have no doubt the chancery decree will be published.

Drums of Clay county. White males 3,383; white females 2,991; slaves, male and female 1,777; free blacks 32—total 8,283.

Number of persons employed in agriculture 2,900; in commerce 97; manufacturers and trades 192; navigation 1; least professions &c. 23; deaf and dumb (over 25 years of age) 3; blind; insane and idiots (at private charge); academy 1; number of scholars in the same 85; primary and common schools 11; scholars in the same 336; scholars at public charge 49; number of persons above the age of 20 years who cannot read and write 352.

*Estimated.

Pensioners. There are six pensioners for revolutionary and military services:

Names.	Ages.	Names.	Ages.
James Sewell,	81	Richard Simms,	86
James Jewell, sen.	74	John Major,	81
John Evans,	64	James Willis,	78

Census of Cape Girardeau county. White males 4,134; white females 3,904; slaves, male and female 1,235. Total population 9,266.

Horses and mules 8,855; sheep 10,203; neat cattle 12,857; swine 88,528. Amount of grain produced in 1839: Wheat 41,235 bushels; oats 111,383 bushels; potatoes 24,577 bushels; tobacco 229,131 pounds; 1,523 bushels; corn 481,635 bushels; wheat 15,321 pounds; value of poultry at all kinds \$15,428; value of home made goods \$49,457; total capital invested in manufactures \$81,210; invested in dry goods, groceries and other stores \$90,000.

Governor's message.

Gentlemen of the council, and house of representatives: I conceive it to be my first duty, on our present meeting, to direct your attention to the presidential favors which our common country has experienced in the degree of health dispensed towards its citizens, and the unusual abundance with which the soil has rewarded the labor bestowed upon it. The unparalleled improvements in our territory present an interesting index to the general happiness of the people, which should excite within us the warmest feelings of the most profound gratitude towards the author of those favors and the gracious dispenser of all good.

Boundary line. The excitement produced by the intrusions upon the rights of the citizens of Iowa, by the authorities of Missouri, near the boundary line, has subsided. The prosecution commenced under the laws of the territory against a sheriff of Missouri, has been discontinued, and no further attempts have been made by the authorities of that state to exercise the jurisdiction north of Sullivan's line. The committee of congress, in the house of representatives, at the last session, after an elaborate examination of the subject, were of opinion, that the legitimate boundary line, as defined in the original act of congress and in the constitution of the state of Missouri, would begin at the centre of the Des Moines rapids in the Mississippi river, and run from thence on a parallel of latitude due west, which would be several miles south of the line contended for by the authorities of this territory.

The committee, at the same time (this opinion was expressed, recommending that the line commonly known as the old Indian boundary, or Sullivan's line; and reported to the house of representatives in congress a bill to establish that as the permanent boundary line between the state of Missouri and the territory of Iowa. This report appeared to be founded in equity. This line had been generally conceded as the boundary between Missouri and this territory. It had divided the survey on general districts and the land districts of the U. States lands. The citizens who purchased land south of this line did so with the impression that they were purchasing in the state of Missouri, and those who purchased north of it, with the belief that they were purchasing in the territory of Iowa. The purchasers of these lands were engaged in their purchases by their localities. Some preferred being in Missouri and others in the territory. Were this line now altered, it would be attended with the inconvenience of rendering the line on both sides of it. We therefore trust that the bill, as reported, will be passed by congress at the ensuing session, and that the line thus designated may be finally established as the boundary between the state of Missouri and the territory of Iowa. A strictly legal line might embrace within this territory a small portion of the inhabitants south of this line, yet we have never had a desire to embrace within the limits of this territory any tract of country that had been purchased by individuals at the land office in Missouri and settled upon by them as being within that state—and I trust that the same liberal feelings will be reciprocated by the inhabitants of Missouri towards our citizens.

Indian affairs. At the special session of the legislative assembly, a memorial was passed, memorializing the president of the United States to cause the annuities due the Sac and Fox Indians to be paid in the hands of families, or in such person as a majority of the nation might require. The memorial was immediately transmitted to Washington, but previous to its arrival an order had issued from the Indian department, dated 18th of August, 1840, directing the agent for the present year to pay to the chiefs as heretofore. On the 28th of September the Indians were assembled at the agency for payment. They arrayed themselves into two parties. One party wanted the money distributed on principles of justice and equity among the dif-

ferent bands and to the heads of families. The other party contended for its payment to a few of the chiefs, to be distributed by them alone. I was present on the occasion, and addressed both parties. I advised them to consider the difference among themselves—read and explained to them the treaties, as well as the intercourse law of the United States, and the regulations of the Indian department. I also explained to them the order of the Indian department of the 19th of August, and informed them that, according to my understanding of the order, the money must be paid to the same chiefs and braves that received it last year. I had the names of the chiefs and braves read to them, and asked them to meet in friendly council by themselves without the interference of any white men, and to decide among themselves as to the receipt and distribution of the money—and told them that when they had agreed among themselves the money would be paid them. The council adjourned in the evening, and the chiefs and braves who received the money last year were expected to have met in friendly council next morning to arrange their difficulties and receive their money. But some arrangements appear to have been made at the agency during the night, unknown to me, that frustrated the council to be held on the morning of the 29th, and Keokuk through the agent, had advised me to meet the chiefs and braves on the money, which he did that morning. The removal of the money from the Indian country caused great excitement and dissatisfaction among the Indians. When maj. Pitcher left the agency he informed me that he intended to be in the Indian country, that some mischievous individuals have been impressing upon the minds of the Indians the belief that the annuity will not be paid until spring. This was calculated to disunite them with the government, to difficulties more than they could, and endanger the peace of our borders. I therefore, with a view to check these evils, issued a preliminary order to the agent on the 18th of October, directing him to deliver to the chiefs and braves apart for the payment of the annuity for 1840, and to pay it to the same chiefs and braves whose names were found to the receipt roll of last year. This I conceived to be in strict accordance with the order of the department, and to be in accordance with the number about 30, and are distributed about equally among the different parties; and should the money be paid to them in accordance with my order to the agent, and they be left to dispose of it among themselves, without the interference of any white men, I have little doubt but that it will be distributed among the different bands justly, and be paid, as far as it will go, towards the liquidation of their just debts. But should the payment, from any consideration, be much longer delayed, there is danger that the excitement produced by its postponement will burst beyond the bonds of restraint and the Indians commence fighting among themselves and thereby endanger the peace of our frontier. I have conceived it to be my duty to present the foregoing facts for the information of the legislative assembly. It is certainly our duty to look to these things, to be watchful of their operation and of the movements of the Indians, and to take any necessary steps to surprise and subvert any means under our control to sustain peace and harmony among our Indian neighbors as well as between them and our citizens, we should be prepared to make every effort to prevent any further enlargement of the peace of our frontier. I have in report to the Indian department, given a detailed account of the situation of the Indians with a full explanation of my views as to the cause and probable issue of the matter, and would respectfully suggest that now exists among them. The situation of this nation, in connexion with the Winnebagoes who have recently been removed to the tract of country within this territory, known as the neutral ground, and the Sauks, Menomonees, Kickapoos, and partly on the Sac and Fox country, should admonish us to be on our guard and to depend upon ourselves for defence in case hostilities should be commenced by them. In consideration of this state of affairs, I would respectfully suggest to the legislative assembly the expediency of authorizing by law the organization of a number of mounted volunteer riflemen, any one company at least in each regiment of militia in this territory, with authority to the commandant of each brigade to increase the number to a battalion within his brigade, and to provide for calling them into service in case of Indian depredations or threatened invasion. This precautionary measure can do no

harm and may ultimately secure our frontier from an Indian war.

Depot of arms. The secretary of war informed me some time since, that the department had determined to establish a depot of public arms and munitions of war at Rock Island, to be supplied to the citizens of the territory under proper regulations, should the same be wanted to enabled them to defend themselves against Indian hostilities, but I have not yet heard that any have been deposited at that place.

Form of government. The votes given at the late general election for and against a state convention, were elected by a large majority. The sentiments of the people of the territory thus indicated will necessarily require all further legislation on the subject at the present session. The people have, by their votes, expressed their preference for a territorial government for the time being. It will therefore become my duty to adopt a regular financial system for the territory, by which the territory will be enabled to control funds sufficient to meet the necessary expenses incidental to territorial affairs. I would, therefore, recommend to the consideration of the legislative assembly a revision of the financial laws so as to provide a revenue sufficient in amount to meet the actual wants of the government, distributing the burden and the benefits among every class of the community upon principles of exact justice to all. The duties of the territory will respect to the views of the subject, to which I solicit your respectful attention.

Finances. On an estimate forwarded to the treasury department of the United States by the executive of the territory, estimating the expenses for the year 1840, there were appropriated for the pay and mileage of members of the present legislative assembly, for the pay of officers, for printing, furniture, stationery, fuel and all other incidental expenses, \$27,050. This sum is deemed sufficient to meet all necessary expenses. I would therefore recommend to the consideration of the legislative assembly the propriety of confining the expenditures authorized by them, within the appropriation.

Dues. The secretary of the territory informs me that there are upwards of six thousand dollars due to individuals for furniture, stationery and services rendered to the legislative assembly at the two first sessions, and for which no funds have been provided for payment. This is a heavy debt to the treasury department with my estimate for the expenses of the year 1841, and solicited an appropriation to meet it.

This method of contracting debts with individuals beyond the means of payment, is practicing a deception upon the public creditors, and ought, in my opinion, to be carefully avoided.

Appropriation bill. By reference to the appropriation bills, it appears that there were allowed to the clerks and officers of the territory in each year at the two first sessions the following sums, to wit: first session, to the clerks and officers of the council, \$2,800, and to the clerks and officers of the house of representatives, \$3,300; second session, to the clerks and officers of the council, \$2,525, and to the clerks and officers of the house of representatives, \$2,925. These aggregate sums were embraced in the appropriation bills, but there is no law in existence in the territory that defines the duty to whom this money is to be paid, and compensation allowed to any such officers. Until such a law shall be passed, establishing the number of officers and fixing their compensation, it will be impossible for the executives to comply with the annual requisitions of the executive and treasury department in furnishing him a correct estimate of the sum necessary to defray the current annual expenses of the legislative assembly of the territory. The states generally define by law the number of clerks and officers employed in each branch of the legislative assembly. By the laws of Ohio, the number of clerks and officers to each branch, and the compensation of each, are specially defined. According to the laws of that state, the compensation of the clerks and officers of both houses of the legislative assembly, for a session of seventy-five days, would amount to \$1,200. In this territory, at the first session, it amounted to \$6,150, and at the second to \$6,450. These statements are submitted to the consideration of the legislative assembly, with a request that a law may be passed to provide for organizing the legislative assembly, defining the number of officers to be employed, together with the compensation allowed to each.

In recommending this measure, I disclaim any desire on the part of the executive to prescribe to the legislature the number or character of officers to be employed in their respective branches, or the compensation to be allowed to such officers. The

legislature is the proper judge in these things; and it is but fair to presume that it will employ none but such as are necessary to the convenient dispatch of business, and that a compensation adequate to the services of such officers will be allowed them respectively.

Conclusion. I am not aware that any important general subject will be presented for legislative action. Your predecessors have passed laws embracing all general subjects. Their recent enactments would seem to require their continuance in force, excepting in cases where they may have been found defective. Frequent changes of general laws are always attended with inconvenience to the people, and should be altered only with great caution. Should any subject require the attention of the legislative assembly be communicated to the executive during your session, it shall be promptly laid before you; and you may rest assured of the co-operation of the executive in all measures that are calculated to secure the prosperity of our country and to advance the physical, intellectual and moral condition of its inhabitants.

That all your efforts may harmonize in promoting the public good, in the sincere desire of gentlemen, your very obedient servant.

ROBERT LUCAS.

Burlington, Iowa territory, Nov. 3d, 1840.

FLORIDA.

The Union bank of Florida. By a table published in the last Florida, the immediate liabilities of the bank were \$683,800. Assets \$127,400. By the same table, we learn that on the first April last, the liabilities were \$1,236,800. Assets only \$85,430. Now this is unfair. The only accounted assets are collected and not a note given by individuals is considered good, according to this table—not even the advances made to the different public works are accounted at a dollar. These liabilities and assets are set down as immediate. It is true, but we are to suppose that every debtor to the bank is not only insolvent, but absolutely does not possess sufficient property wherewith to pay a per centage on his debts. We would not be understood to favor any of the banks, we condemn them in all their misconduct, but it is wrong rather too far, to attempt to persuade us that Florida currency is only worth six cents on the dollar.

[Appalachicola Gaz.]

THE PUBLIC LANDS.

We find in a late number of the *Madisonian* over the signature of "Curiosity," the following very interesting compilation of facts concerning valuations and sales of the public domain:

At the present session of the public has been called to the consideration of the various schemes, executive and legislative, which each session of congress has produced, either for the disposition of the public lands, or for alterations in the manner of their disposal.

One of the favorite measures of a certain class of politicians has been to graduate the prices according to the periods in which such lands have been in market, although each one graduates the scale by which the object is to be accomplished in such manner as suits his own views and opinions. In support of this scheme, one of the principal arguments is, that, unless some such plan is adopted, the lands will never be sold at the present minimum of \$1 25 per acre, and the designations usually given to such lands are "waste," "refuse," &c. by those who have little or no sight of the fact, that, as a country is settled, tracts that in the first instance were refused as comparatively valueless, in most cases necessarily become of more value than those having the same natural advantages were in the first settlement of the country; as also, that the opening of new lines of communication by roads and canals is continually bringing the more secluded parts of the country, and all practical purposes, nearer the market, and hence raising a value to the soil not possessed without them.

While thinking upon the subject some time ago, my attention was called to a preparatory measure taken by a distinguished senator, many years since, in case this project for effecting by ascending to the estimated value of the unoccupied lands; and, having obtained a copy of the replies to that resolution, I was induced to procure copies of the statements of sales since that period, and to make estimates to see how far the prices were raised, and to see the nature of those estimates has so far surprised me, that it is thought they might furnish you with some new views of the subject, and I therefore offer them for your consideration, with a remark that I have been content to make estimate only upon the basis upon which to make accurate calculations can only be found upon the files of the land office, and I hope that measures will be taken, by those having the power, to obtain accurate and precise statements. The preparatory measure alluded to was a resolution

passed by the senate on the 25th. April, 1828, by which the president was "requested to cause the registers and receivers of the respective land offices in the different states and territories to be directed to make a report to the commissioner of the general land office, (in time to be by him laid before the senate at the commencement of the next stated session of congress, upon the quantity and quality of the land remaining unsold in their respective districts on the 30th day of June, 1828, after having been offered at the minimum price of one dollar and twenty-five cents per acre, so as to show how many acres remain so unsold; what proportion thereof (as nearly as can be estimated) consists of first rate land; what proportion consists of land unsold after the 30th of June, 1828, to the average value of the whole, per acre; with such remarks upon the character of said unsold lands, and the length of time which they may have been in market under the laws of the United States, or subject to be given away, or otherwise disposed of by foreign sovereigns, before they came under the dominion of the United States, as may be necessary to give the senate a just conception of their present actual value."

The answer to this resolution were communicated to the senate by the land office on the 9th December, 1828, and I shall now proceed to give the substance of some of those replies, (it would extend this communication too much to give all of them, with a brief commentary, stating the actual sales of the unsold lands, to the 30th September, 1837, not having the data before me to continue the calculations to a later period; merely mentioning that I have been compelled to take one half of the entire sales of 1828 as the amount sold during the year 1827, and the other half as an official statement for that period could be found.

In Ohio. The *Zenithville* officers reported 647,955 acres as unsold, at one first rate, and all as having been in market since 1804.

Facts. To the 30th September, 1837, about 636,700 acres of this land had been sold at \$1 25 per acre.

The *Steubenville* officers reported 181,835 as unsold, having been in market since 1800; none first rate, and the average value \$1 per acre, or in all \$131,835.

Facts. To 30th September, 1837, 127,000 acres sold, produced at least \$159,375.

The *Woodstock* officers reported 162,643 acres unsold, which had been in market for twenty years; none was first rate, and 40,660 acres unfit for cultivation; the average value 90 cents per acre, or all to be \$146,379.

Facts. The sales to 30th September, 1837, amounted to 166,107 acres, producing about 207,634 dollars. All the land reported as unfit for cultivation was thus sold in 9 years at the same rate as is paid for the choice lands in western districts.

The *Delaware* and *Bucks* (Tiffin, &c.) officers reported 1,641,914 as unsold, having been, on the average, in market for 7 years, and classed 205,239 as worth \$1 12 1/2 cents per acre—410,478 acres at 75 cents—615,718 acres at 60 cents, and 410,479 acres at 12 1/2 cents per acre, or, in "general average," 50 cents per a re, or \$820,957 for all.

Facts. To the 30th September, 1837, 1,250,972 had been sold at the minimum, producing about \$1,563,715, or \$747,758 more than the estimated value of all the unsold lands included in the same September, and there were 390,932 acres then remaining unsold. These sales, it will be perceived, not only embrace all the lands included in the 1st, 2d, and 3d classes, but even some that were valued but 12 1/2 cents per acre.

[No new lands have, it is believed, been exposed to sale in either of the three districts first named since 1828, nor have their boundaries been altered. In the last some unimportant former Indian reservations may have been opened, but if so, some therein have been much more than counterbalanced by the reservation from sale of all the lands within five miles on each side of the Maumee river for canal purposes. In addition to the sales, it should be observed that more than a million of acres have been granted to the state, (for roads, canals, &c.) which have been located since 1828, and so far as these selections have been made in those districts, they should also be considered as so much sold; and as in making the selection, the value of the acres that the word lands were not taken, it is apparent that the actual sales of the inferior qualities are much greater than would appear by reference to the sales alone.]

In Indiana. The *Vincennes* officers reported 3,406,445 acres as unsold, 1,826,750 acres of which were offered in 1807—1,363,654 in Sept. 1816—and 216,040 in June, 1821—estimating 851,611 as first rate, 851,611 as second quality, and 1,708,223 as third quality.

Facts. To the 30th September, 1837, 1,952,000 acres had been sold, but all reported as first and second rates, and about 250,000 of the third rate.

The **Crawfordville** officers reported 1,952,260 acres as unsold, and one-half or upwards of 970,000 acres of that amount as being unfit—all having been in market between 5 years and 10 years.

Facts. To the 30th September, 1837, 1,952,300 acres had been sold.

The **Indianapolis** officers reported 1,542,102 as unsold, of which 736,540 were worth \$1 per acre, 420 as third rate at 75 cents, 385,420 fourth rate at 50 cents, and 308,120 acres as unfit, and of no value. Had been in market from 1820, '21 and '22. Total value of all the lands, \$1,351,575.

Facts. To the 30th September, 1837, 1,565,700 acres, or all of the first four classes, and part of the refuse class, had been sold, producing \$1,957,125, and leaving near 290,000 acres then unsold.

The **Fort Wayne** officers reported 4,546,000 acres as unsold, 300,000 of which were first rate, and very little totally unfit for cultivation.

Facts. To the 30th September, 1837, 2,326,000 acres had been sold.

The **Jeffersonville** officers reported 1,490,926 acres as unsold, nearly all of it having been offered for sale in 1807 and 1808, estimating 7,446 at \$1 25 per acre, 148,092 at 75 cents, 521,322 at 50 cents, and 745,466 at 25 cents per acre. The total value being \$689,478.

Facts. To the 30th September, 1837, 866,247 acres had been sold at the minimum, about 1,007,810 dollars, thus making the sales exceed the estimated value of all the unsold lands, by about \$560,300, although 640,000 acres remained unsold, and showing that not only all in the 1st, 2d and 3d classes, but about 60,000 acres of the 4th, or 25 cent class, had been disposed of at \$1 25 per acre.

[No change, it is believed, has taken place in either the Vincennes, Jeffersonville or Indianapolis districts since 1828, nor have any new lands been brought into market in either of them. A part of the Crawfordville district has been taken away, and a small quantity of lands may have been brought into market in that and the Fort Wayne district since 1828. Out of the Crawfordville and Fort Wayne districts, and from lands subsequently ceded, the LaPorte district has been erected, in which, from late in 1833, in 1834 and 1835, 1,149,700 acres have been sold, but how much of this quantity was estimated in the unsold portions of the old districts is not known. It should also be observed that by far the greater portion of the lands granted the state for roads and canals about 500,000 acres, has also been taken out of the unsold lands in those districts since 1828.]

IN INDIANA. The **Edwardsville** officers reported 2,857,857 as unsold, having been in market since the years 1810 and 1825. Of this quantity 118,469 acres, as first rate, were valued at \$1 25 per acre; 684,083, as second rate, at \$1; 537,037, at third rate, at 50 cents; and 1,185,228 as unfit, and worth only 10 cents per acre, making the total value \$1,541,639, and the average 45 cents per acre.

Facts. To the 30th September, 1837, the sales amounted to 1,462,870 acres, for about \$1,830,000, about \$490,000 more than the estimated value of the unsold lands, and yet leaving 1,325,000 to be disposed of.

The **Paletta** officers reported 1,496,000 as being unsold, and as having been in market for 6 or 8 years.—Of this quantity 598,400 acres were good soil, 699,200 acres thin soil, and 198,400 as being unfit for cultivation, and the average value being 30 cents per acre, or \$745,800 in all.

Facts. To the 30th September, 1837, 686,838 acres had been sold for about \$819,960, or \$106,000 more than the estimated value of the whole unsold lands, and still leaving 1,812,000 acres to be sold.

The **Springfield** officers reported 1,947,224 acres as unsold, of which 212,620 acres were good, and worth \$1 25 per acre, and 1,234,704 unfit, and worth but 12 1/2 cents per acre, and the total value to be \$282,613.

Facts. Up to the 30th September, 1837, 1,607,461 acres were sold, producing \$2,063,000, or \$1,010,000 more, than they estimated all the lands to be worth, and yet leaving \$15,000 to be sold, and showing that about 1,390,000 acres of the land, which they estimated as worth only 12 1/2 cents per acre, had been sold at \$1 25.

IN MISSISSIPPI. The **St. Louis** officers state the unsold lands to be 2,129,426 acres, and that "they may be characterized as the remnants and refuse of nearly 40 years' picking and culling under the Spanish government, and few of the value of the lands of the United States;" that "there is not one quarter section of first rate land" in the district, and that 1,661,670 acres were unfit for cultivation; that 15 cents per acre would be a fair average, making the total value of all the unsold lands \$233,000.

Facts. To the 30th September, 1837, 568,000 acres had been sold for \$711,000, or \$245,000 more than they estimated all the unsold lands to be worth, and leaving 1,660,900 for future disposition.

The **Franklin** officers reported 2,709,000 unsold, in market for from 5 to 10 years, and that after selling 150,000 at \$1 25 per acre, they thought the residue could not be disposed of except at a greatly reduced price.

Facts. To the 30th September, 1837, 948,900 acres had been sold, at the rate of \$1 25, or nearly 900,000 acres more than they thought could be sold except at a greatly reduced price.

The **Jackson** officers reported 4,420,025 acres as unsold, estimating 88,600 acres as being worth \$1 25 per acre, 4,331,425 at 50 cents, and 100,000 at 25 cents, making the total value about \$653,000.

Facts. To the 30th September, 1837, 350,100 acres had been sold, or all the good lands, and 241,800 acres of which were estimated at 12 1/2 cents, producing within \$237,000 of the entire value of all the lands, while there remained 4,100,000 to be disposed of.

IN LOUISIANA. The **Orleans** officers reported 1,206,517 acres as unsold, valued at \$1,917,700, being a general average of 26 3/4 cents per acre.

Facts. To the 30th September, 1837, 917,100 acres were sold, producing \$1,146,000, or about 100,000 acres more than the estimated value of all the unsold lands, and yet leaving 472,000 to be disposed of.

The **St. Helena** officers made no report as to the quantity of the unsold lands, but estimated their unsold lands to be at the rate of 50 cents per acre.

Facts. To the 30th September, 1837, they sold 274,800 acres at the rate of \$1 25.

IN MISSISSIPPI. The **Choctaw** (Mount Salus and Jackson) officers estimated that 3,230,778 acres were unsold—very little first rate, 2,280,778 of middling quality high land, of which one-half was too broken or too poor to sell at \$1 25, and 1,000,000 acres as unsaleable. Average value of the whole 25 cents per acre.

Facts. To the 30th September, 1837, 2,872,400 acres had been sold at the rate of \$1 25, thus not only including all they reported of a middling quality, and of which they said the one-half would never be sold, but also the 2,280,778 acres of which they considered as unsaleable. Taking the lowest estimate, 50 cents per acre, the total value by their calculation would be about \$970,000, while in truth the portion sold has produced \$3,490,000, and the unsold lands are worth \$3,000,000 at the same rate.

IN ALABAMA. The **Huntsville** officers reported 3,222,984 acres unsold, having mostly been in market for ten years—thus there were very little if any first rate lands, and that the greater portion was mediocre and unfit for cultivation.

Facts. To the 30th September, 1837, 592,400 acres had been sold and 400,000 granted to the state.

The **Cuba** officers reported 2,416,162 acres as unsold.

Facts. To the sales to the 30th September, 1837, amounted to 2,332,260 acres.

The **Tuscaloosa** officers reported 3,149,206 acres as unsold, most of it having been in market for 7 years—that none of it was first quality, and that they believed "that there is not exceeding ten thousand acres fit for cultivation"—the average value being 5 cents per acre, or all at \$157,465.

Facts. To the 30th September 1,665,780 acres had been sold, producing \$1,332,000, and leaving 2,084,000 acres unsold.

The **Sparta** officers reported 5,502,735 as unsold, being in market from 1823 to 1827, 697,371 acres estimated to be worth \$1 25 per acre, and 1,815,364 as unfit, the general average being 40 cents per acre.

Facts. To the 30th September, 1837, 351,300 acres had been sold.

[To check it is thought, has been made in the year 1838, in the old officers of a portion have been taken from the Cahaba district and another from the Tuscaloosa district, and a small portion added to the last district. The Demopolis district has been ceded to the old officers, and the lands of the Tuscaloosa and St. Stephen's districts have been taken from the Choctaw session of 1833. In this new district 1,154,000 were sold from 1830 to 30th September, 1837, but what proportion of this amount was unsold in the old officers on the 30th June, 1838, it is impossible to estimate.]

These comparisons of predictions with results will not only show the reliance which is to be placed upon estimates, even by those best qualified to make them, but also the value of the color of the soil, but will also show that the fact of lands having been in market for many years is no evidence that they will not be sought for with avidity as the country becomes settled.

While upon this subject, I trust that you will agree with me in the hope that some correspondent who possesses the means of doing so will inform us what are the minimum prices fixed by the different states upon the lands granted them by congress for canals, roads, colleges, &c., for I am under the impression that these minimums have varied from \$3 to \$17 per acre, thus showing that although many of those states yearly memorialize congress for a reduction of the price of the public lands, yet when those lands become their property the minimum is increased instead of being lessened.

If these estimates should call the attention of any person qualified to go on with the investigation to a consideration of the subject, or on the means of procuring a more correct and proper working of the present land system, I shall be more than repaid for the trouble I have been to in making them.

Yours, CURIOSITY.

BURIAL OF THE REMAINS OF GENERAL HUGH MERCER.

From the U. States Gazette, 26th Nov.

The spirit of patriotism that is exhibited in the generous sacrifice of fortune and life for the commonwealth, so eminently deserves the applause of the generous and the good, that we are not astonished when the sacrifice is consummated, that the tears of a people should bedew the tomb of a patriot, and the pious history be instructed to write the eulogy of a record of an generous devotion. The spirit of a man to nation's independence, if permitted to revisit the glimpses of this earth, and note the proceedings of those who benefit by his successful sacrifice, must be grateful to find, that not only are his name and deeds held in grateful remembrance, but that the quiet of peace allows a generous people whom his death benefitted, to think how they may express their appreciation of the great objects of his devotion, and how display by the world their enthusiasm for equal rights and national independence, by all approving honors to the name and character of those from whom they derive the blessing.

Yesterday presented to the world the sublime spectacle of a whole section of our commonwealth going to do honor to a noble and a martyr in our country's cause, by conveying the remains of general HUGH MERCER from the grave at Christ church, with imposing ceremonies, to a resting place at Nashville, Tenn., in a most regrettable sacrifice at once of his exceeding worth, and the admiration of his excellency by the present generation. The voice of the preacher was heard—the eloquence of the eulogist was listened to with delight. The doors of the church were open, the windows were under the direction of colonel John K. Murphy. The whole line of troops were marshalled on Walnut street, their left resting on Sixth street. The streets through which the escort passed on their way to the grave were literally filled with people; and around Washington square was gathered an immense mass.

The muffle drums were beating funeral marches to the grave.

THE SPECTACLES.

Shortly after 9 A. M. the remains of general Mercer were removed from the church, and placed in a horse drawn by four black horses, the coffin palled with a craped American flag with cords and tassels. The First City troop (which had served at Princeton in the engagement in which General M. was killed) having been detailed as a guard of honor, formed around the hearse, and the carriage containing the committee and cortege, proceeded towards the First Presbyterian church, at Washington square. In the meantime, the Saint Andrew's society, and Scots' Thistle society, and the members of the Independent Church, from thence proceeded to the church. Within Washington square was placed two brass field pieces, which were fired every minute during the progress of the procession. They were manned by the First City troop, and were under the direction of colonel John K. Murphy. The whole line of troops were marshalled on Walnut street, their left resting on Sixth street.

The streets through which the escort passed on their way to the grave were literally filled with people; and around Washington square was gathered an immense mass.

The arrival of the remains at the church was hailed by the firing of one of the guns to the square; and almost immediately there was some done away by a detachment of the First City troop, and placed on a raised staging immediately in front of the speaker's stand.

By this time the galleries of the church were crowded with the beauty and fashion of our city, they being seated in the galleries for the purpose of the arrival of the coffin, the doors were thrown open to admit visitors with tickets, and the body of the church was soon completely filled.

CHRONICLE.

APALACHICOLA. Here we came November 14th, wild ducks, (the geese go to St. Joseph, and ascribe for stock), turkeys, venison and the finest fish in the world, all on the table at once. The bright days, frosty mornings, moonlight nights, and an unclouded sky, impart cheerfulness, strength and pleasure. No mosquitoes, no fleas nor any of the plagues of less happy climes. In a few days we shall have vessels from the Havana, laden with the fruits of the tropics; we already have the choicest products of the north, all contributing to the general comfort, luxury and convenience. Truly this is the Canaan of the Gentiles, for we have no Jews amongst us. Accompanying all these advantages, we have the music of some dozen high pressure steam engines, making the very poetry of sound. Who would not live in our city? [*Apalachicola* done.]

"ATHERIAL OLEINE" is the name given in England to a new material for burning in Argand and other lamps—superior to, and one third cheaper than sperm oil. Query? Is it our omelette?

BOUNDARY QUESTION. A work, illustrated by eight maps, entitled: "The right of the United States of America to the maritime boundary claimed by them," by Albert Gallatin, "is to be issued in a few days."

BUKKER HILL MONUMENT FAIR. The total receipts of the late fair at Boston, were \$32,836 95—total expenses, \$2,801 45; net proceeds, 30,035 dollars and 53 cents.

A CAMACHEE CHIEF, recently died, at the advanced age of 118 years. On the week previous to his death, he was out on a hunting expedition with some of his tribe, and caught two wild horses with a noose.

THE CANALS of both New York and Pennsylvania were still navigated at our latest advice.

THE "COME OUTERS," says the Boston Courier, are a sect recently sprung up upon Cape Cod. Their leading or sectarian views are said to be: 1. Opposition to a regular ministry. Every one should be his own priest. 2. Opposition to regularly organized churches. Every one at church by himself. 3. A disregard of the Sabbath; all days are alike. Their object seems to be to preach against preaching, to organize against church organizations and to hold meetings on the Lord's day to put down the Christian Sabbath.

COTTON at New York, Charleston, &c. remains firm at former quotations.

At Savannah, sales of the week 1,879 bales at 8½c.

At New Orleans, the receipts of the last week were heavy, the demand active, and prices ½ ct. advance on former rates.

Liverpool classification. Louisiana and Mississippi ordinary 71½; middling 81; middling fair 8½; fair 91; good fair 10½; good fine 11½.

CORN. Price at New York 54½d.

COUNTERFEITS of the "New York Safety Fund" \$5—made by obliterating the "Millington bank" and substituting "New York," are abroad.

Five dollar Georgia bank are circulating in Cincinnati. They hardly can be called imitations.

DEATHS during the last week, in Baltimore 44; of which 18 were under the year of age, 14 were from colored and 1 slave.

EXCHANGE. New York on England 108½; on France 51 17; Philadelphia 123; Baltimore 121; Richmond 8; Charleston 13; Augusta 34; Savannah 34; New Orleans 2; St. Louis, Louisville and Cincinnati 54½; Nashville 8; Michigan 9; Wisconsin 124.

FLOUR. The American Almanac states that the largest amount of flour in value exported from the United States in one year, was exported in 1817: being 1,479,195 bbls.—worth \$17,291,824. The largest amount in number of bbls. exported in one year, was in 1831, being 1,806,329, and worth \$10,243,019. The highest price of flour per barrel on the seaboard since the year 1790, was in the year 1796, when it was sold for \$1 65. The low rate in 1826, when it sold for \$1 65.

Flour in New York for Genesee 54 87; Michigan 54 75; Howard street and Georgetown 54 25; Richmond, (Clark & Co.) 56 25.

At Baltimore prices continue at 84 57½c; 92 24; intermedium of the week 17,196 bbls. and 1,515 half bbls. At Richmond 84 57½. At Savannah 84 25. At Louisville 54 60. At Rio de Janeiro, Oct. 8th, 1839; exchange 32½d.

FIRE. At Louisville, on the night of the 24th Nov. property to the amount of \$70,000 was destroyed. Messrs. Stewart, and Hewitt, Allison &

Co. between 5th and 6th streets were the principal sufferers.

The bagging factory of Messrs. Ater and Boswell at Lexington, Ky. took fire on the 24th ult. and was entirely consumed.

The iron of Sylvanus Holbrook, ex of Northbridge, Mass. used for the manufacture of cotton and wool, formerly the property of the Northbridge manufacturing company, was burnt on the 13th ult. loss estimated at \$20,000.

THE FISHERIES. The Yarmouth (Cape Cod) Register says the fishing business has been bad all the past season. The catch of mackerel has fallen off immensely. The cod fishing business is in a better condition, but this has fallen off also.

GEN. W. H. HARRISON reached Frankfort, Ky. on the 24th, and left for Lexington on the 25th, on private business. He is in excellent health and was received at the various stages of his tour with every demonstration of respect.

Gen. Harrison was born on the 9th of February, 1774. He will therefore be 67 years of age in February next.

THE LAKE. *Depth of water.* The Buffalo Advertiser says, "Lake Huron is about 800 feet deep, and the depth of Canadigua and Seneca lakes has never been satisfactorily ascertained." The early settlers, many of them, on their borders believed they were unfathomable. The Seneca lakes also fills a chain of fearful depth. "One of the most recent instances of deer falling into water is a river, laid down on the map as the Saguenai, that discharges into the Gulf of St. Lawrence, some 200 miles below Quebec. It is rather a sluggish stream, but with an average depth of nearly 800 feet, becomes so slow through an immense forest produced by some swift convulsion of nature."

JAMAICA. The Northampton Courier says: "A large company of gentlemen started from this place on Monday morning for Jamaica, West India islands. Most of them are mechanics who are employed by the governor of this island to erect necessary buildings for the purpose of making silk, which he intends to make a staple commodity."

MARRIAGE IN PROHIBITED DEGREES. At the last general convention, a committee, consisting of H. U. Onderdoek, Moore and Brownell, was appointed to report at the next general convention, a circular soliciting the repeal of certain laws of consanguinity and affinity. In this report, which will be one of much importance, the case of marrying a deceased wife's sister will be of necessity prominent. We allude to the subject at present in the allusion to the fact that the pamphlet has been published in England advocating the repeal of the law in that country which prohibits marriage within the degree of affinity just mentioned. A circular soliciting the repeal has unhappily received many signatures from among the clergy, and the measure is said to receive the countenance and active co-operation of the archbishop of Dublin, and the bishop of Landaff. [Churchman.]

"MERCEDES," a commerce of the days of Columbus by Cooper, is in press.

MICHIGAN, contains, according to the census, 212,000 inhabitants.

PACKET SHIPS AND STEAM SHIPS. The shortest passage made in 1839, from New York to Liverpool, by a packet ship, was 17 days; the shortest passage of a packet ship, during the same year, from Liverpool to New York, was 22 days. The shortest passage made by a steam ship, from New York to Liverpool, during 1839, was in 13½ days; the shortest passage made by a steam ship, from Liverpool to New York, during the same year, was in 16 days. [Sun.]

A PATENT RIGHT, it is said, has been sold for Scotland alone, for \$25,000, by Mr. Burden, of the Troy iron works, for compressing and giving form to the ball iron, as it comes glowing from the furnace.

SAVANNAH, GEORGIA. The population of the city is 11,214 persons, being an increase of 3,438 over 1830. 299 persons are engaged in commercial pursuits, 701 in manufactures and trades, and 121 in learned professions. The exports for the year 1839, of cotton, rice, lumber, &c. amounted to \$12,000,000. The commercial capital invested in this city is computed to be between \$3 and \$4,000,000.

STOCKS. At New York U. S. bank 65; of Philadelphia, U. S. bank 67½; Illinois bank 75; Arkansas bonds 81.

The Philadelphia board of brokers have adopted a rule to charge a commission of one quarter of one

per cent. on the par value of all stocks, loans, &c. without regard to the market price. No commission to be less than 64 cents per share on any stock, the par of which is less than twenty-five dollars.

[Philadelphia Inquirer.]

THE SILK BUSINESS. There is no subject aside from politics, which is creating more interest among every class of people at the present time, than that of the culture of silk, for the purpose of making it one of the staple commodities of this country. Almost every person is awake to the subject; and very many, from the little experience and information they have been able to get in the trial of making silk have come to the conclusion, "that the day is not far distant when more than enough of silk will be made in this country to supply her own markets, and of as good quality as that imported." We have seen a number of samples of sewing silk, of late, made by persons in this vicinity, which fully equals the Italian silk, both in strength and durability. Letters have been sent us from different parts of the country, for information upon this subject, as to the result of the experience of those in this place, who had been engaged for some time past, in feeding worms and making silk; and we intend, after every political campaign is over, to give this subject, among others, little attention, and receive such information from our friends as they may be willing to give to the public, in aiding the advancement of the silk culture. [Northampton Courier.]

STEAMERS. The British Queen left New York on the 1st inst. with fifty passengers, \$420,000 in specie, and a full freight of merchandise, and a very large amount of bills in payment of dividends on stocks, &c.

STEAMBOATS. The ill-fated *Persian* has reached St. Louis. The Bulletin says: "We learn from the officers that twenty-five of the unfortunate sufferers have already died, and that there are two more must die soon. There are nine others scalded who will probably recover."

The Express, owing to some derangement, exploded her boilers on the 15th ult. about fifteen miles below St. Stephens, Alabama. Five or six persons were instantly killed, and a number badly injured, among the latter were the captain, McGuns, Anderson, Smith, and Weaver, steward. A large quantity of the cargo, consisting of iron, to which one of the boilers was blown—the other was blown overboard.

The W. W. Fry, a new iron steamboat from Louisville, intended for the Alabama waters, has been heretofore, for the benefit of the passengers publish a card, commending her highly.

The Flying Dutchman, with a heavy cargo, bound for Louisville, struck a snag at Deadman's Island, 30 miles below Natchez, and sunk in seven minutes, a total loss.

The Elbe, bound for St. Louis, was sunk at Buford's Landing, 150 miles below the mouth of the Ohio, a total loss.

The Bunker Hill is aground high and dry at Wilson's bar, mouth of Red river; and the *Massachusetts* at Salt river, her main stib broken.

TEMPERANCE. During the year ending 30th September last, 8,832,718 gallons of spirituous liquors, and 6,473,210 gallons of wine were imported into the United States, being 278,430 gallons more of spirits than has been imported in any one year for the last six years. Friends of the temperance reform, wake up!

TEMPERANCE IN RUSSIA. A letter received from Mr. Baird at the office of the American Temperance Union, states, that he had a very pleasing interview with the emperor of Russia, at his palace at Paskovitz, Yzen, and that the emperor, a distinguished Russian nobleman in Constantinople was so convinced by reading the history in German, of the evils of drinking ardent spirits, that he agreed to pay the government the sum which the retailers had undertaken to pay for the same, in order to have no brandy sold on his extensive estates; a feat worthy of the best times of temperance in any country.

THE THEATRE. Holliday street, Baltimore, was sold at auction on the 21st inst. B. I. Cohen, esq. was the purchaser for the price \$20,000. The machinery and fixtures \$1,000.

WHEAT. At New York \$1 00; at Baltimore 80 ¢ for hom inferior to prime red. Sales of Pennsylvania at 94 ¢ for red, 99 ¢ for white. At Alexandria 15 ¢ to 20 ¢ bushels red sold at from 55 ¢, 89 ¢, according to quality. White \$1 05.

NILES' NATIONAL REGISTER.

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BY REMITTANCE BY MAIL. "A postmaster may enclose money in a letter to the publisher of a newspaper, to pay the subscription of a third person, and frank the letter, if written by himself."—Amos Kendall.

Some of our subscribers may not be aware that they may save the postage on subscription money, by requesting the postmaster where they reside to frank their letters containing such money, he being able to satisfy himself before a letter is mailed, that it contains nothing but what refers to the subscription. [Am. Farmer.

NILES' NATIONAL REGISTER.

THE INDEX AND TITLE PAGE of the VIII. vol. new series, or fifty-eighth vol. of the entire work, was forwarded to the subscribers by the last mail. The delay in receiving it, the editor hopes, will be compensated in this patron by the enlarged and comprehensive method he has adopted, of placing in the index the entire contents of the volume, and that in the simplest form for reference, and which, though immensely more laborious to the compiler, renders the work beyond comparison more convenient and useful to the reader. The index now occupies four, two pages—formerly it was comprised in four to six pages. The value of a REGISTER depends greatly upon the index. Nothing is more vexatious than to look for an article which we know is somewhere in a work, and are unable to find it.

To have had in the course of the fourteen months elapsed since the present proprietor took charge of the Register, five indexes to compile for it, in order to supply prior omissions and keep up with the current volumes, has been an amount of labor which no one could estimate of by merely measuring the pages they occupy in type. To have had this to perform under the exceedingly embarrassing circumstances of the work itself, with the deferred means of nearly three months to bring up, and all the arrangements incident thereto in the accounts and financial concerns of the establishment, and that too, at a time so unpropitious for any enterprise requiring money as a means for its accomplishment, has been a task of no ordinary labor and anxiety. In the midst of these difficulties, indefatigable perseverance alone could accomplish what has been done. His course has been onward through them all, cheered no less by the evidence of what has been accomplished, than by the hopes of what is in prospect. The work it often more brought up in complete, and its series of the history of the times since the commencement of the publication in 1811, is uninterrupted. The kind indulgence of those pa-

trons of the work who have practically sustained it through its days of adversity, is a proof of the estimation in which it is held, and the increasing patronage which he has received is the more grateful to the editor, when he considers the circumstances under which it has been extended.

It is as a NATIONAL REGISTER—a record of passing events, a faithful transcript of the times, and depository of valuable documents and statistics, that the publication is designed, and as such has acquired a character of available estimate in foreign countries as well as throughout the United States. Possessing nearly all the advantages of a daily newspaper, directed in a great measure by their errors, and entirely without their heavy columns of advertisements in which so few take an interest, and those few only for the day, the REGISTER rises from oblivion and preserves in a convenient form for reference, all the most important and authoritative articles of the newspapers contained, and which, but for such a depository, would often, in a short time, be required for in vain. Whatever is material, belonging to the history of the times, is recorded in the pages of the Register in a form to be available for future use, and the editor is confident of the utility of the day as to furnish a fair and impartial development of the principles avowed, or attributed to, every party, as it rises or falls, at the same time avoiding carefully all participation in the bitter animosities which are so often engendered by party strife. Discarding the high literary and fictitious which are so abundant elsewhere, the Register is proposed as a MATTER OF FACT RECORD, where impartial truth may be found in reference to men and measures. More astute interesting to the student of history, and the statesman, than the closely printed pages, issued every week, than in the columns of almost any daily newspaper for the same time, and with this decided advantage, that it is furnished in a form suitable for preservation and convenient for reference, and that too, at considerably less than half the cost of a daily paper, if postage be included in the calculation. After service it purport as a journal of the day, it is retained and becomes one of the most valuable of books in the library of its patron, to the pages of which he may in after-time recur for the establishment of facts in which none of us can be without an interest. A publication having such an object and such advantages ought to commend itself to generous support. Experience has suggested that the work is susceptible of material improvement, which the editor is ambitious of effecting, so soon as he can command the requisita means. For which however he has to depend entirely upon the punctuality of his patrons.

EXTRA SESSION OF CONGRESS. A Cincinnati paper suggests, that the probability of an extra session should admonish such of the states as have not yet elected representatives, to make provisions for such a contingency. So far as Maryland is concerned, the law directs the governor, in such case to issue his proclamation for an election at a period prior to the usual time. It is probable that the other states have observed the like precaution.

It is not surprising that the article is, to express surprise and regret at having seen any advertisement intimating. Congress has but this moment assembled and organized for the purpose of legislating, not only for the period between this and the first of March, when their term expires, but until the constitutional period for the re-assembling of congress. The confederate of all parties would protest against adopting the idea that such new president is of course to have an extra session of congress convened upon his inauguration. The necessity of this instance, it strikes us, may arise from inexcusable neglect in the present congress to perform the duties which lie before them. An extra session is advised mainly under the impression that there may not be adequate means provided for the discharge of the duties of the session. The present congress devolves the duty to see to that, and it is not fair to presume that they will so far fail to the performance of their obligations. On the contrary we have a right to expect that the duty will be performed. The very suggestion that it may be postponed, because an extra session is contemplated, strikes us to be exceedingly impolitic as well as improper.

The constitution has wisely provided that the executive term shall commence, not with the commencement, but with the conclusion of the congressional session. Few men, perhaps no man, especially if he has never served in the executive cabinet, could at once feel himself entirely at home in assuming the highly responsible duties required of a chief magistrate of this union. Time is required even to apprise him of the views and relations of the respective members of the cabinet which he assumes from various sections of the union to aid him in council. Much is to be learned of the various ramifications of the departments, in their practical details—as well as of general state policy, before he feels entirely qualified to "advise" the legislative department of the government. The machine by which twenty millions of freemen can be well governed, is necessarily complex, and requires some proficiency and an educated mind to manage it well.

In cases of emergency, or of a failure in the present congress to leave the country with ample provision for the period of recess, an extra session would be indispensable, but it is surely unwise, not to say illiberal, to predicate upon such supposition. The new executive, in the regular department of the time which the constitution affords, to familiarize himself with their stations and prepare with due deliberation, any proposition for a material change of national policy.

FROM TEXAS AND MEXICO.

Infamous treachery. The New Orleans Bulletin of the 30th ult. brings us Tampico dates to the 17th, and Vera Cruz to the 4th, showing a most atrocious specimen of treachery.

The circumstances are briefly these: On the defeat of the federal army at Morelos in March last, Canales, Molano and Cardenas, escaped to Texas, where they were hospitably treated by the people. After failing to engage the Texas government in their plans in Mexico, they persuaded a number of the youth of Texas to join them in an invasion of the country, holding out the hope of an easy march to the city of Mexico, then in a state of revolt. On arriving at Rio Grande, it was ascertained that the revolution in Mexico, had pervaded a failure. This produced a secret opposition among the federal chiefs, to buy peace with the dominant faction at home by an act of perfidy to their foreign allies. They were consequently decayed into the interior as far as Victoria, and delivered over to general Monreal. Here, on the 25th, the Texans were abandoned to the enemy, five times their number. They were slaughtered with arms in their hands, fighting heroically to the last. One hundred and fifty of them were thus butchered.

At Matamoros, the inhabitants celebrated this great victory with bells and cannon!

The correspondence between general Arista and these bloodhounds, leading to the catastrophe is published in the Bulletin.

LAST. Refusal of the Xenophones. Since our publication of yesterday, in which the accounts from our correspondent at Matamoros left more than 100 young Texans at Saltillo, about to be sacrificed at the shrine of cowardice—we have received a communication from Texas by the New York, Mr. Ed. Dwyer, of San Antonio, who has communicated to us some new and heart cheering facts. Mr. D. was only six days from San Antonio to Houston, and on the journey put up at a house where Col. Jordan (the commander of the 114 Texans whom the Mexicans had planned to murder) had just before stopped for refreshment, Mr. Dwyer learned, and has no doubt of the correctness of the information, that when the Texans became convinced of the intentions and treachery of the Mexicans, they retired by themselves to a walled enclosure in the vicinity, determined to face the worst. At this time the citizens of the place, considering the contest at an end, opened their houses and shops and gave the soldiers whatever they wished to eat or drink.

The consequence was, that the bulk of them got badly drunk; and in this situation they were ordered by their commander to attack the outlaws, (as the Texans were termed). The battle commenced about 2 P. M. The Texans, who were well protected from the fire of the assailants—and were moreover well armed, and abundantly supplied with ammunition. The result was, that

the ignorant and intoxicated towards who assailed them, incapable of inflicting injury, were slaughtered on all hands. At this juncture, the besieged sallied forth and captured three pieces of artillery, which they turned upon their enemies, and mowed them down like grass. More than four hundred of the treacherous *loves* were left lifeless on the ground on that night, by this small branch of the Anglo-Saxon race.

The Texans, having cleared the field, supplied themselves with apparel (of which they were much in want) and other spoils of victory, and commenced their march homeward, and pursued their way without molestation—having lost only four companions killed in the fight, and one who died from disease.

[The above is confirmed by another letter from a responsible source.]

NATIONAL AFFAIRS.

PRESIDENTIAL ELECTION.

RESULTS—so far as ascertained.

STATES.	Electoral vote.		Aggregate vote.	
	son.	Buren.	son.	Buren.
Maine,	10	0	46,612	46,201
New Hampshire,	0	7	25,483	31,919
Vermont,	7	0	32,443	19,009
Massachusetts,	14	0	72,913	52,366
Rhode Island,	4	0	5,157	3,181
Connecticut,	8	0	81,212	24,888
New York,	42	0	225,512	212,519
New Jersey,	8	0	83,662	31,034
Pennsylvania,	30	0	144,018	12,675
Delaware,	3	0	6,967	4,872
Maryland,	10	0	33,529	28,754
Virginia,	0	28	41,405	42,818
North Carolina,	15	0	46,376	33,762
South Carolina,	0	11	40,249	31,989
Georgia,	11	0	28,471	33,991
Alabama,	0	7	28,471	33,991
Mississippi,	4	0	11,296	7,596
Louisiana,	0	3	11,296	7,596
Arkansas,	0	3	11,296	7,596
Tennessee,	15	0	58,495	32,616
Kentucky,	15	0	58,495	32,616
Ohio,	21	0	188,141	124,780
Indiana,	9	0	68,376	51,685
Illinois,	0	5	45,537	47,476
Missouri,	0	4	22,911	21,106
Michigan,	3	0	22,911	21,106

284 60

Necessary to a choice 148.

The following is the result of the presidential election, stated thus:

NEW ENGLAND STATES.

STATES.	1840.		1836.	
	Harrison, V. Buren.	Whig, F. Buren.	Harrison, V. Buren.	Whig, F. Buren.
Maine	46,612	46,201	15,239	22,990
N. Hampshire	26,108	32,761	6,228	20,097
Vermont	32,443	19,009	20,990	14,029
Massachusetts	72,913	52,341	42,247	34,474
Rhode Island	5,213	3,263	2,710	2,964
Connecticut	81,299	25,282	17,419	19,291
	214,935	177,957	106,163	113,855

MIDDLE STATES.

STATES.	1840.		1836.	
	Harrison, V. Buren.	Whig, F. Buren.	Harrison, V. Buren.	Whig, F. Buren.
New York	225,506	212,506	138,543	160,115
Pennsylvania	144,018	124,675	87,111	91,475
Maryland	33,529	28,754	22,364	22,364
New Jersey	33,362	31,034	26,892	26,347
Delaware	5,963	4,872	4,738	4,155
	412,760	420,903	285,136	311,060

WESTERN STATES.

STATES.	1840.		1836.	
	Harrison, V. Buren.	Whig, F. Buren.	Harrison, V. Buren.	Whig, F. Buren.
Ohio	148,157	124,782	105,405	96,918
Indiana	65,276	51,695	41,282	32,480
Kentucky	58,495	32,616	36,355	33,435
Michigan	22,911	21,106	4,080	7,260
Illinois	45,537	47,476	14,983	15,095
Missouri	22,911	21,106	4,080	7,260
Tennessee	58,495	47,476	35,962	26,120
	399,424	382,157	247,093	225,435

SOUTHERN STATES.

STATES.	1840.		1836.	
	Harrison, V. Buren.	Whig, F. Buren.	Harrison, V. Buren.	Whig, F. Buren.
Virginia	41,405	42,818	33,368	30,261
North Carolina	46,376	33,762	23,626	26,910
South Carolina	40,249	31,989	10,000	10,000
Alabama	28,471	33,991	19,068	19,068
Mississippi	2,000	9,685	9,685	9,779
Arkansas	2,500	1,239	2,400	2,400
Louisiana	11,296	7,596	3,383	3,653
Georgia	40,264	31,933	24,850	22,126
	169,332	162,620	101,750	124,397

South Carolina choosing her electors by the legislature, there is no means of ascertaining the popular vote—estimate 10,000 Van Buren majority.

From the following table it will be seen that every section of the union gives Harrison a majority, and also what has been the whig gain since 1836:

	1840.	1836.	Whig.	F. B.
New England,	36,948	21,857	7,692	27,924
Middle states,	21,857	21,857	—	—
Western states,	67,267	21,568	58,143	22,827
Southern states,	7,212	—	—	—
	133,284	21,568	58,143	21,568
Har. maj. 1840,	36,375	—	—	—
Whig gain since 1836,	169,839	—	—	36,375

THE ANNUAL TREASURY REPORT.

The annual report of the secretary of the treasury, yesterday laid before congress, states the receipts and expenditures for 1840 as follows:

Receipts.

The receipts and means for 1840, exclusive of trusts and the post office, have been as follows: The available balance on the 1st of January, 1840, is computed to have been \$2,246,749 00

During the three first quarters of the present year, the net receipts from customs were 10,689,884 73

During the same period from public lands 2,630,217 25

Miscellaneous 77,660 98

Estimated receipts fourth quarter from all other sources 3,800,000 00

These make the aggregate ordinary receipts for the year \$17,197,763 01

Add the estimated receipts of principal and interest in 1840, out of what was due from former deposits 850,000 00

Add also the estimated receipts from fourth bond of the United States bank 2,500,000 00

Add for the issue of treasury notes, instead of others redeemed 5,440,000 00

Aggregate from these additional sources \$8,750,000 00

Which make the total means in 1840, as ascertained and estimated \$25,234,512 01

Expenditures.

The expenditures for 1840, exclusive of trusts and the post office, have been as follows: For first three quarters, civil, diplomatic and miscellaneous 4,118,218 61

Same, military 8,750,774 52

Same, naval 4,620,316 35

Which, together with the (though higher by other departments) for all expenses for fourth quarter 5,000,000 00

Aggregate of current expenses, whole year \$22,489,349 51

Add for funded debt and interest for cities of District of Columbia, ascertained and estimated 100,000 00

Redemption of treasury notes, including principal and interest, for three first quarters 3,629,306 61

Estimate of notes that will be redeemed in fourth quarter 425,000 00

Making the aggregate of expenditures or payments \$26,643,656 12

Leaving an available balance in the treasury on Dec. 31, 1840, computed at 1,590,855 89

\$28,234,512 01

RECEIPTS AND EXPENDITURES FOR 1841.

Receipts.

In hastily running our eye over the report, we gather that the receipts under existing laws are estimated to be probably as follows:

From customs, \$19,000,000

From lands, 3,500,000

Miscellaneous, 80,000

Expected balance in the treasury, Jan. 1, 1840, 1,850,835

Due from banks expected to be made available, about 220,000

A power will exist under the act of 31st March, 1840, to issue treasury notes till a year from its passage expires, but not to make the whole emission outstanding at any one time exceed five millions of dollars; this will furnish addi-

tional means equal to the computed amount which can be issued at the close of the present year, about 342,618

Expenditures.

Ordinary purposes, if congress make no reduction in the appropriations requested by the different departments, estimated at \$19,250,000

This would leave, at the close of the year, a balance estimated at 5,473,473

But certain payments must also be made on request of the funded and unfunded debt, unless congress authorise contracts to be formed for extending the time of their payment; thus there will be required on account of the funded debt 149,200

Redemption of treasury notes, if all the others be issued, which can be under the present law, as then the amount of the year 1841 will probably not exceed 4,500,000

Estimated balance in the treasury at the close of the year 1841, after all payments whatsoever \$824,273

This is all the information which, in the highest glance we could give the report of the secretary, we were able to extract for the information of our readers. The report will be issued at large at an early day. [National Intelligencer.]

REVENUE CUTTERS ON WINTER SERVICE. The following is a copy of an order recently issued in respect to the employment of the revenue cutters at Boston, Mass. Similar orders have been issued to the officer designated to command during the cruise, in the cases of the *Madison*, at Wilmington, Delaware; the *Yearger*, at Norfolk; the *Van Buren*, at Baltimore; and the *Jackson*, at New York, varying only as to the cruising ground, places where they are to obtain winter supplies, and to what port they are to return at the close of the cruise.

It is hoped the efforts of these vessels will prove efficient in preserving many lives and much property, in the winter inclemencies, on our northern coast: [Globe.]

Treasury department, Nov. 30th, 1840.

Sir: As the season approaches which so much suffering and distress experienced by vessels bound to ports of the United States, from long voyages, may be alleviated by the agency of the revenue cutters, while cruising on the coast, in discharge of the duty assigned by law, I have thought it advisable to designate the revenue cutter Hamilton especially for that service, and to assign you to the command of her. Accordingly, you are directed to ship a sufficient crew, and to put the vessel in a condition for effective service.

To enable you to afford the required assistance to vessels and crews in all cases of distress, it will be proper that you should have an extra number of hands for the cruise, and that you should carry provisions, fuel, water and other necessary supplies. In such quantities as can be conveniently stowed, and as, in your opinion, the necessities of the occasion may demand.

Thus prepared, you are directed to cruise on the coast as far north as Portland, and to call at Portland month occasionally, at least once in every month, keeping as close to the main land as may be consistent with the safety of the vessel, and not going into port oftener than you may be required to do so from stress of weather or want of supplies. On all such occasions you will immediately report to the department the cause of such return to port. When supplies are required during the winter, you will of course obtain them at Boston.

While cruising you will speak all vessels approaching the coast which you may fall in with, and afford to those requiring aid or relief such assistance as may be adapted to their condition and necessities, and as it may be in your power to render.

And that any supplies thus furnished may be duly accounted for, you will charge them at the cost value, and take the bills of the masters of the vessels to which they may be delivered, or their owners or consignees, for the amount.

After the severity of the weather shall have passed, you will return to Boston and deliver the bills thus taken to the collector for collection, who will be instructed how to dispose of the proceeds.

You will immediately report to the collector at Boston what supplies are needed before you commence your cruise, he having been instructed to

provide them on your making such report to him. I am, respectfully, your obedient servant,
 Levi Woodbury, sec of the treasury.
Captain Joseph Sturgis, commanding the revenue cutter Hamilton, Boston, Massachusetts.

THE NORTHEASTERN BOUNDARY. The St. Johns (N. B.) Courier states that the British commissioners appointed to run the boundary line between the American possessions of Great Britain and the United States, have finished their labors for the present season, having completed the survey of the due north line from the river St. John to the Beaver stream, on the Moitis. From thence the commissioners proceeded up the St. Lawrence to the river Otter, with the intention of passing up that river and examining the highlands at its sources. They started the last week in October for that purpose, but heavy and continued snow storms forced them to relinquish their operations. From the river Otter the commissioners proceeded to Quebec; from thence, lieutenant Broughton, R. E., one of the commissioners, went to New York, on his way to England. Mr. Featherstonhaugh, the younger, remains at Quebec for the present, making up the returns and completing the plans.

The boundary. Mr. Lilly, one of the gentlemen attached to professor R. W. Nick's party of boundary commissioners arrived here in the western stage on Thursday, from New York on his route to head quarters, whither the government has dispatched information relative to the river St. John, which the American commissioners require in making out their forthcoming report. Mr. L. informs that in his late survey, he explored nearly the whole extent of country between this place and the St. Lawrence, which he represents as a most desolate and barren region. Nothing but bogs, lakes and marshes, with some broken and irregular ridges of highlands, covered with a stunted growth of moss clad trees, under the eye of the surveyor, St. John some fifteen or twenty miles. The different parties after exploring the sources of nearly all the streams and the rivers in that section, rendezvoused at Tremacouta the 21st ult. from whence they proceeded to Quebec and N. York. The parties that went up the Kennebec and the Kennebec, understood, have also returned, thus completing the whole American survey, with the exception of running the meridian by lunar observations, (which would be caused by the weather) and the great question at issue, at the present time, is whether the line goes under the direction of major Graham, who is encamped on Park Hill, about 7 miles to the S. W. of Woodstock, and which cannot be completed under two years if extended to the St. Lawrence, as it probably will be. [Woodstock Times.

RESUMPTION IN PHILADELPHIA. It is generally known that a negotiation has for some time been in progress, between the banks of Boston and certain banks of Philadelphia, having for its object the complete and entire resumption of specie payments by the banks of that city. This object is desirable in every point of view, a determining whether a sound or a depreciated currency shall prevail not only in Philadelphia, but throughout the country south and west of that city, seems likely to be determined through the negotiation now existing between the rival cities of New York and Philadelphia. As much misapprehension exists in relation to this matter, some facts and remarks connected with it may be interesting to the public, and enable them to correct some of the erroneous views which exist in certain quarters.

It is well known that the embarrassment of the United States bank was the cause of the general suspension which took place in Philadelphia in October 1839. The fact of that city thought proper to unite their fortunes with that of the United States. They all stopped payment in compliance to their favorite idol, whose credit they thought it necessary to do—by which, in their opinion, could do. By degrees they withdrew their own notes from circulation, and left the United States bank to supply the entire circulating medium of the city. They did more, they joined in a representation, to the legislature of Pennsylvania, which had the effect of procuring the passage of a law suspending the existing penalties applicable to delinquent banks, until the 15th January, 1841. In all this, we think Philadelphia was acting in a manner unworthy of herself—she inflicted an injury to the amount of millions on New England, by refusing to fulfil her contracts except in a currency greatly depreciated. She has let go by the person who favored her suspension during the long stagnation of business, when capital was lying idle in New York and Boston, and freely offered to her on her own terms.

At length she has, in some measure, come to her senses. The Bank of the United States has so far improved its condition, that an intelligent committee of its directors, after a laborious investigation into the state of its affairs, have certified to its ability to commence and sustain specie payments, or to borrow the 15th January next, provided the debt of five millions due to the other banks of Philadelphia shall be extended from 9 to 15 months.

To this proposal the banks of Philadelphia have assented, provided they can obtain a similar credit or extension for one-half the sum, being about the balances due from the banks of Philadelphia to New York and New England. For this amount of two and a half millions of dollars, the principal banks of Philadelphia (except the United States bank) propose to give their own negotiable notes, payable in New York, at the like terms of 9 to 15 months, with interest at the rate of nine per cent. This proposition was the result of a visit to Boston, made by a committee of the Philadelphia banks. It is doing that Boston has for the last six months been urging Philadelphia to do, and to effect which, New York has constantly offered her co-operation. The proposition has been favorably received in Boston and its vicinity, certain of her banks, with those in the neighborhood of some mercantile houses connected with manufacturing establishments, have made up the sum of one million and a half of dollars, and New York has been invited to furnish the remaining million. This has been done by the Boston committee, and the Philadelphia banks, who stated as a reason for this mode of application, a wish to complete the whole transaction through one party, and did not conceal that they felt a reluctance to apply to New York, under an apprehension that they might altogether.

The application they made met a favorable reception from certain influential individuals, who viewed it as a matter of great public utility, which should not be defeated by a mere question of form, but the banks generally, the great banking interest, considered the mode of application through Boston highly objectionable, as implying a state of feeling in New York which did not exist, but stated generally that if Philadelphia had asked for the loan of a million of dollars or a much greater sum to enable them to resume, it would have been granted without the slightest difficulty. Under these circumstances, one of the New York banks gave a formal invitation to the Philadelphia committee to come on to New York and negotiate directly with the New York banks, with strong assurances of success in the course of doing so. The Boston committee joined their recommendations to this course, and stated in a mode in which the object could probably be effected.

But by this time the Philadelphia committee had caught the infection of diplomatic etiquette and had become as difficult and timorous in matters of form as the banks of New York. It would be beneath their dignity to treat with New York directly, after having indicated a different course, and after having put themselves in the hands of the Boston committee—and thus this important object is in a fair way to fail altogether.

It would be absurd however to suppose that this point of etiquette is the real difficulty—where there is a will it is easy to find a way. New York cannot be insensible to the immense importance to her trade of her restoration of the currency throughout the whole United States, which she has so long immediately follow upon a resumption in Philadelphia. But New York is unwilling to be instrumental in assisting the United States bank to resume, under the belief that by withholding her aid that she would be compelled to assume a state of liquidation, under the law passed at the instance of the legislature of Pennsylvania requiring the resumption of specie payments on the 15th January next. Supposing this result would follow, it may be asked, would it be better to let the banks go to push matters to this extremity. Supposing the law to be permitted to settle and wind up its own affairs, there can be no doubt that much more can be saved from the wreck for the stockholders than if it be forced into a legal liquidation under the law. It is true that on the supposition that the banks were to be considered a moral agent, its misdeeds have been such as would fully justify the highest degree of penal retribution. But if cannot be viewed in this light. It is admitted that Mr. Biddle has been sole manager of the bank and sole author of its misdeeds, and public opinion is visiting upon him the only penalty in the power of the community.

It is true the directors may justly be charged with sins of omission, and it is impossible to approve the course of the actual state of affairs, but to resist the suspension. But the losses caused by a liquidation would fall on the stockholders, who in a

moral point of view must be considered entirely innocent.

It is also a question whether it is good policy unnecessarily to inflict the severe blow upon all American credit and all American institutions in Europe which would result from putting this institution into a state of acknowledged bankruptcy. But that is not the question. However much it may be wished the Bank of the United States will not go into liquidation. It cannot be forced into it without the co-operation of the Philadelphia banks, and that co-operation they will not give. The banks of Philadelphia cannot continue in suspension after the 15th January, without the forfeiture of its charter, under the late law of Pennsylvania; but they are not the mistake. The bank will throw itself upon its charter, and obstacles be sustained on this constitutional ground that a subsequent law cannot enlarge the penalties imposed to the charter. The other banks of Philadelphia will probably bring themselves within the terms of that law, making the note of the United States bank the only currency of the city.

The practicability of this course is so fully relied on in Philadelphia, that it fully accounts for the indifference of their committee to the completion of the arrangement, and doubtless be sustained on the point of etiquette which alone stands in the way.

The Philadelphians are a peculiar people in the matter of currency. They have a strange fondness for inconvertible paper—and it is not improbable that the banks of Philadelphia are laboring under the imaginary evils which they apprehend. It is probable that they should actually venture upon a specie representing currency. Thus the real question for New York and Boston to decide is whether the present system shall be continued as is, or whether they shall put their balances upon interest, and the best security, payable in a sound medium, and thus establish at once a sound currency throughout the entire country.

No one doubts that the security of the Philadelphia banks is the most undoubted character, and as the notes bear an interest of six per cent, it would seem that the transaction involves neither risk nor sacrifice. At the same time it accomplishes a national object of immense importance.

To Boston and New York, it is a restoration of their commerce to the old channel, which has been choked up and obstructed during the past year. To Philadelphia and Baltimore it is also a restoration of credit, and a relief from all the causes of a depreciated and fluctuating currency.

There are those amongst us who apprehend that it would cripple the banks of Philadelphia and occasion a pressure in the money market. We believe there is no ground for these apprehensions. The bringing into available use so much southern paper now dead and useless, will add greatly to our resources. The vaults of the banks of Philadelphia and Baltimore are abundantly supplied with specie. Their resumption will occasion no drain upon ours. On the contrary, the arrangement will open the now closed vaults of these two cities to the ordinary calls for specie, which has now to be met by New York and Boston exclusively. We believe that the apprehensions of an immediate pressure on the money market as growing out of this arrangement, or from other causes in either of those cities, are wholly unfounded.

It is true, that a considerable quantity of specie has been deposited in the banks of Europe, but it has consisted almost entirely of Mexican dollars, in consequence of a late rise in the price of silver as compared with gold. These shipments have not diminished the stock of the New York banks to a dangerous extent, and it is unnecessary or check their operations at all. In the current time, the rate of exchange has fallen so low as to put an end to all question about the shipping of gold to Europe. A large cotton crop is going to market, whilst our own crops have been unusually good, and we are enabled to apprehend on the score of an unfavorable balance of trade.

Others apprehend that this measure will only be patching up a rotten concern, and that the United States bank will be unable to continue specie payments after commencing them. But in this matter, we may surely trust the sagacity of the Philadelphia banks, who have not agreed to this arrangement until they were permitted to examine the books of the bank, and were entirely satisfied on this point. And amongst the banks were men who had been as distrustful of its condition as any in the community. It is true that Philadelphia can and ought to resume without this loan—but she will not do so. And on a consideration of the results, there should be no hesitation in granting it. [Boston Advertiser.

The New York Express, of Friday, 21. M. says—The local banks in Philadelphia, not being members of the United States bank, have made a direct application

to the banks of this city for a loan of a million of dollars. The application was accorded to stone by all the banks that had met this morning to take the matter into consideration. Nearly the whole was taken, and the balance would be by the banks that were to consider the matter.

"A committee from Philadelphia and Boston were here to negotiate the loan, which was for nine and eighteen months, to be represented by Philadelphia post notes. The sum of two and a half millions had previously been taken by the capitalists of Boston, and this million is in addition. It is represented that this sum will be abundant supply to enable all the banks in Philadelphia to resume. The question of resumption may, therefore, be considered as settled."

The Philadelphia Inquirer of Saturday says: "The intelligence from New York was agreed to the resumption movement is favorable. It is now believed that the banks of that city will yield to the proposition that has been before them for some time, and thus the loan of \$2,500,000 will be obtained. The prospect, therefore, at the close of the week, may be said to be decidedly favorable."

NAVY SPEAKER FUND. In the house on Thursday the speaker communicated the following message from the president of the United States:

To the hon. R. M. T. SPEAKER.
Speaker of the house of representatives:
SIR: I herewith transmit a letter from the secretary of the navy pension fund, to which the attention of congress is invited, and recommend an immediate appropriation of \$151,352.39, and that there will be payment of pensions becoming due on and after 1st January, 1841.

M. VAN BUREN.
The letter of the secretary transmitted to the above message states that the amount of money on hand to pay pensions is \$19,647 and that there will be required in addition, for the year 1841, \$151,352.39, of which \$51,470.73 will be wanted on the 1st of January next. That the nominal value of stocks owned by the fund is \$155,739; that the stocks have greatly depreciated, and that the best of them is to be sold on the 15th of this month to reimburse money borrowed from the Bank of America and for payment of pensions to become due 1st of January.

UNITED STATES versus WM. PRICE. In the U. S. District court, Saturday, Judge Thompson presiding, the case of the United States vs. Wm. Price, came on in order upon the calendar. It was an action of debt, in which the plaintiffs sought to recover \$50,000. Mr. Price appeared in person, moved a postponement of the trial, and read a long affidavit in support of the motion. The affidavit embraced a correspondence between Messrs. Price and his attorney John A. Morrill, and Mr. Buller, the district attorney, and set forth that as Mr. Price had been unable to obtain of Mr. Buller a bill of particulars of the above debt, it was necessary to the defence that time should be allowed him to procure the items from the department himself. Mr. Buller opposed the motion, but the court ordered the case go off for the term.

[N. Y. paper.]

NATURALIZATION CASE. In the circuit court yesterday, before Judge Hale, a question was brought up for discussion which interested a good many people in this quarter, and involves some nice points of legal construction. The point touched is the extent of the rights of citizenship conferred by the treaties of cession with reference to Louisiana came into the possession of the United States. All the "rights, privileges and immunities" of citizenship were stipulated by treaty to be given to the "inhabitants" of the country ceded—and the fact of being in the country at the time of the change of flag, has been taken in general as sufficient to entitle a man to American citizenship. But occasionally—sometimes at elections when votes were counted up closely, a distinction has been drawn which is plausible and has now been made the subject of judicial examination. This distinction confines the privileges granted by treaty to those who were subjects of the edifying power at the time of treating—and so excludes a large number of those who were transient residents or inhabitants of the territory, and not subjects to the sovereign. For example, an Irishman residing in Florida, but not a subject of Spain, would not by the treaty with the United States, by which Florida was ceded, acquire the rights of an American citizen. His claims towards the new government, as he did towards the old—an alien who must be naturalized, by the law of the place—the *lex loci*, to become a citizen. In this position are many persons who have for many

years been enjoying the undisputed rights of citizenship in this state.

THE ARMY.

Maj. gen. Macomb, we learn, was visited on the 23d ult, with a slight shock of apoplexy. This is the second attack of that nature the commander-in-chief has experienced.

A report reached us a short time since, that gen. Altkin had experienced an attack of paralysis, but letters from the general himself, dated Jefferson barclay, contradicts the statement. He is performing duty and capable of taking the field.

Maj. gen. Gaines and his family arrived at Cincinnati from St. Louis, a few days since. Before leaving, the general delivered a lecture to the Mechanics institute of St. Louis, upon the national defence, a subject which he seems to have much at heart.

After the lecture, the general's lady, Mrs. Gaines, addressed the audience for some time "upon the horrors of war." Her remarks drew forth immense applause—they were taken down by a short hand writer, and have been published.

The general and his lady reached Baltimore during the present week.

Little Rock, (Arkansas), Nov. 11.

The troops. Companies A, C, G and I, of the 3d United States Infantry, arrived here on Friday last, and immediately embarked for New Orleans on board the steamer Corvete and two keels. These troops presented an unusually clean and soldierly appearance, when the long march from Fort Towson is considered; they also appeared in excellent health and spirits. The only event of an untoward nature which occurred on the march was the murder of a man named Osborn, by a comrade; both parties to the company I. It is worthy of remark that not a single case of desertion took place on the route from Fort Towson to this city. The number comprising these four companies is three hundred and fifty-two, rank and file. The officers accompanying the battalion are: Maj. H. W. Clegg, J. B. Clark and L. N. Norris, lieuts. J. M. Smith, S. D. Dobbin and G. R. Field, A. C. S. & A. Q. M. and Dr. Griffin, ass. sur. U. S. A.

But we cannot express any satisfaction at the withdrawal from our frontier of a force which was never deemed more than sufficient to hold the Indians on our border in check for a short time, or until the militia of our state could be marched to the assistance of our regular troops. The present outbreak among the numerous tribes placed on our immediate border, but, should such an unfortunate event take place, we think our state will be found miserably deficient in that protection which ought to be afforded her by the great government.

(Gazette, (Indus.))
The ship Zenobia has arrived at Savannah from New York with a detachment of recruits for the 3d regiment U. S. artillery now serving in Florida, accompanied by major Thomas Childs, 3d artillery, commanding; lieut. W. H. Churchill, 3d artillery, acting adjutant; lieut. H. W. Weasels, 2d Infantry, A. C. S. and acting quartermaster; surgeon R. S. Satterlee and assistant surgeon J. K. Barnes, U. S. A.; lieut. B. Bragg, 3d artillery, commanding company I, of recruits; lieut. F. O. Wise, 3d artillery, commanding company K, of recruits; lieut. R. F. Baker, 7th infantry; W. Gilham, 5th Infantry and G. H. Thomas, 3d artillery; and L. S. Irwin, 6th infantry.

Headquarters Army of Florida, Fort King, Nov. 24, 1840.

SIR: I have the honor to acknowledge the receipt of your letter of the 10th inst. I support the army is now, and will remain in pursuit of the enemy. Every inducement is, however, held out to them to treat. The bands of Halick Tustouggee and Tiger-tail are pursued by a detachment of the 2d infantry. The 7th is now in the field. The dragoons, of which six companies are on the upper St John's, are actively employed at that station. The 8th regiment leaves this morning for Tampa, scouring the country on the route, against the Waboo and other hiding places on the Withlacoochee. The 6th regiment is in the country between the Hillsborough and Withlacoochee. The 1st regiment is scouring along the gulf shore, below Tampa, with boats, accompanied by a steamer and lighters.

I have deemed these movements necessary, as the entire bands of the enemy have confined themselves to the swamps and along that coast, from whence they make predatory excursions; and it is there and there alone that they can be most annoying to our troops.

To the north of Fort King, they make occasional incursions, but to bring them to a sense of what they ought to do, their families and strongholds must be broken up.

The delegation are at utter astonishment at the manner in which Halick Tustouggee and his party led them, as they had given no aid and the party repeated assurances of their devotion to emigrate. This want of faith has not deterred me from using exertions to communicate with the Seminole, and I have dispatched three of the delegation, with their consent, to hold intercourse with their relations and friends.

I will continue every exertion to fulfil the requirements of the government, by treaty or otherwise. I shall leave this place in a few hours for Tampa, where I shall be most anxious to see the Seminole, direct accordingly. I am, sir, very respectfully, your obedient servant,

W. K. ARMISTEAD,

Brig. gen. com. army of Florida.
The hon. the secretary of war.

THE NAVY.

The United States store ship *Relief*, lieut. J. S. Nicholas, sailed from New York on the 2d inst. for the Pacific Ocean, with stores for the U. S. squadron there. The following is a list of officers:—J. S. Nicholas, esq. lieut. commanding; Wm. Sheppard, lieutenant; Edward Storer, special storekeeper and acting purser; John L. Woods, sailing master; Nelson Pinkney, ass't. surgeon; Washington Gwathmey, passed midshipman; Wm. Minder Polk, midshipman; Louis Baker, storekeeper's clerk; L. Byers, purser's clerk.

The Norfolk Beacon of Wednesday says: "The U. S. sloops of war York Town, commander Adair, and Dale, commander Gauss, bound to the Pacific, will, we learn sail to-day or on to-morrow. Commodore Shubrick will, on yesterday, on which occasion a salute was fired."

The British ship of war, St. George, of 120 guns, which was lately launched at Plymouth, cost, in building, £33,521, which, according to a Plymouth paper, with £30,000 for equipment, a little exceeds the old estimate of £1,000 a gun.

STATES OF THE UNION.

NEW HAMPSHIRE.

United States senator. The hon. Levi Woodbury, secretary of the treasury, was on the 2d inst. elected a senator in congress from this state, for six years from the 4th of March, 1841, in place of hon. Henry Hubbard, whose term of service will then expire. In the election, Woodbury received 145 votes, and James Wilson 73. The vote was ten to fifteen against him. In the senate, the election of the house was contested 12 to 7. A letter to the editor of the Boston Atlas, dated Concord, N. H. Dec. 2d, says: "Mr. Woodbury received the nomination in caucus last evening at the seventh ballot, on the first of which he received 33 to 49 for Mr. Hubbard."

VERMONT.

Roman ocre—discovery of the mine. The recent discovery of an ocre mine in Vermont, promises to be of great importance, in every point of view. The article is superior to any thing of the kind now known to be in existence. The best ocre now in use is obtained from Rochelle, France; but the Vermont ocre must eventually supersede this article of traffic. The Vermont ocre forms a surface of marble smoothness, which is entirely impervious to water, and is of course extremely durable. When saturated with oil, instead of shrinking and drying away, it swells and increases in size. It occurs in a part of the Green Mountains. It was discovered on a small stream of water, the superincumbent mass of earth or decayed vegetable matter having been washed away by the action of the stream. The attraction of the water, by which it was attracted by the color of the ocre, and the absence of that scum or crust on the surface of the water, which uniformly accompanies oxide of iron. The ocre is found in a rich layer over the surface of the ground, then follows a stratum of mica state, and then another layer of earth. The mine is worked now at the rate of twelve barrels per day. A barrel weighs three hundred pounds, and the price ranges from nine to ten cents per pound.

NEW YORK.

The electoral college. This body assembled in the senate chamber on Tuesday afternoon, the 1st inst. At a clock, the hour prescribed by law, the hon. John C. Spencer, secretary of state, pursuant to custom, called the college to order. The electors chosen by the people of New York were then read over, and every one of the forty-two electors present to be at his post. On motion of general PETER B. FOSTER, seconded by SAMUEL OGDEN, of Delaware, general JAMES BURNES was chosen president of the college. On taking the chair, gen. Burnes briefly and impressively addressed the audience, referring to the revolutionary struggle, in which he

had borne a part, to the jubilee which in 1783 proclaimed the victory won and American Independence achieved, and to this second year of jubilee in 1810, which had revived his hopes, till now well-nigh extinct, that the blood-bought liberties and precious institutions of our country would be perpetuated forever.

On motion of Mr. Ogden, ELISHA JENKINS, of Columbia, was chosen secretary to the electoral college.

The hon. GIDEON LEE then rose and said that he held in his hand a resolution to which he anticipated the unanimous assent of the electoral college. For the last six thousand years sudden changes in the existing institutions or chief rulers of the various nations of the earth had always been attended by bloodshed, by violence, or by war. It had pleased the Almighty so to order things in this country, that a complete change in the executive officers of the government had been brought about without infringement of the public peace or injury to the rights of individuals. He desired to acknowledge what he believed to be the interposition of Divine Providence in the affairs of the American people, and with this view he submitted a resolution, inviting a clergyman to attend and open the proceedings of the college to-morrow with an appropriate prayer.

The resolution of Mr. Lee was unanimously adopted, and Messrs. Gideon Lee, Phineas L. Tracy and A. Schellenger Jervis appointed a committee to carry it into execution. The college then adjourned to meet again this morning at 10 o'clock, when they will proceed to vote for president and vice president.

The senate chamber yesterday was crowded to excess, and all seemed struck by the venerable aspect of the body to which the people of New York have entrusted so high and solemn a duty.

Although a large proportion of the electors are aged men, there was, as already remarked, a single vacancy in the college. The fire of patriotism successfully resist the chilling fogs of age.

The electors chosen by the people of the state of New York, re-assembled at the capitol on Wednesday morning the 11th inst. to cast their votes for persons to fill the high and important offices of president and vice president of the United States. At 10 o'clock the electoral college was called to order by their venerable president, the hon. James Burt. The hon. Dr. Campbell, in a complimentary invitation extended to him by the electors, opened the proceedings by a most solemn, eloquent and impressive address to the Throne of Grace, thanking Almighty God for the signal benefits bestowed upon this nation, imploring His favor and protection for coming years, and invoking His richest blessings upon those to whom the administration of our national affairs was about to be committed.

The minutes of the meeting on Tuesday having been read, on motion of Mr. Gideon Lee, the college proceeded to vote, by ballot, for a person to fill the office of president of the United States. The roll of the electors was read by the secretary, and as the name of each elector was called he dropped his vote into the ballot box handed to him by a messenger. When all had voted, the president appointed Mr. Lawrence, of New York, and Mr. Lee, of Seneca, to sort and count the ballots. After a brief interval the tellers announced that forty-two votes had been cast, and that they were all for WILLIAM HENRY HARRISON, of the state of Ohio.

A peal of applause burst forth from the numerous audience as the result was announced.

The college, on the motion of Mr. Lee, next proceeded to vote, by ballot, for a vice president of the United States. The votes having been all given in, the tellers, appointed by the president, after counting the ballots, announced that forty-two votes had been cast, and that they were all for JOHN TYLER, of the state of Virginia.

Another round of applause succeeded the second report of the tellers.

Certificates of the persons voted for as president and vice president of the United States, and of the number of votes given to each, respectively, were then signed by the electors in succession, to be transmitted to the seat of government.

Harrison W. Romney, of the county of Upster, was unanimously elected by the college as messenger to carry the votes to congress; and Albert Crane, one of the electors, as the messenger to deposit a list of the votes with the judge of the northern district. Resolutions of thanks to the president of the college, to the tellers, the secretary of state, and to the rev. Dr. Campbell, were unanimously passed—and then the convention, after a few short stirring remarks from the aged president, adjourned.

Names of the electors of president and vice president of the United States, for the state of New York, for the year 1810, with their ages.

James Burt	80	Thos. Burch	42
Peter B. Porter	64	John J. Knox	49
Eliza Jenkins	71	Peter Pratt	69
Abraham Rose	75	Eldridge G. Marick	38
John T. Harrison	85	Jacob Livingston	68
Jos. L. Lawrence	64	Alb. C. Balcorn	58
Joseph Tucker	52	John James Spauld, jr.	37
J. Phillips Phoenix	50	Dan. Hibbard	49
Pierre S. Williams	52	John Williams	49
Richard Van Cortlandt	78	R. Davis Noxen	52
Alb. White	64	Albert C. Balcorn	58
Nathaniel Du Bois	64	Charles Bradish	62
Peter G. Sharp	65	Gideon Lee	62
Harvey Watson	49	Grattan H. Wheeler	37
G. P. Griffith	41	William Garbutt	53
McIntyre	65	Samuel L. Tracy	49
Eli Stimson	67	John Wheeler	45
Josiah Hand	45	Philip Orin	62
Keyes P. Cool	46	Henry R. Seymour	56
Jonathan Wallace	53	Davis Hurd	52
Henry P. Voorhes	49	John C. Ogden	66

NEW JERSEY.

Election returns—Official.

1840.	Har.	V. B.	1836.	Har.	V. B.
Atlantic	4,451	4,845	new county		
Bergen	977	1,346	1,716	1,942	
Burlington	8,417	2,405	3,032	2,105	
Cape May	696	194	489	239	
Cumberland	1,497	1,190	1,188	998	
Essex	1,636	1,696	1,448	3,393	
Glooucester	2,388	1,773	2,377	2,203	
Hudson	732	501	new county		
Monmouth	1,830	2,733	2,114	2,319	
Mercer	2,022	1,494	new county		
Middlesex	2,014	1,083	2,002	1,749	
Monmouth	2,953	2,880	2,344	2,549	
Morris	2,549	2,150	1,801	1,774	
Passaic	1,362	962	new county		
Salem	1,552	1,302	1,334	1,056	
Somerset	1,721	1,345	1,456	1,343	
Sussex	1,171	2,932	910	2,389	
Warren	1,419	2,466	1,041	1,604	
	33,351	31,084	26,137	25,592	
	31,084		25,592		

Harrison's maj. 2,317 Harrison's maj. 545

The official congressional vote is annexed.

For the first column	For the second column
Ayerick	33,310
Dickerson	31,100
Kennedy	31,315
Maxwell	33,315
Vroom	31,138
Ryall	31,138
Randolph	33,321
Killa	31,098
Cooper	33,272
York	33,299
Killa	31,116

Census. It will be seen by the annexed totals of the several counties, that the whole population of the state is 573,372, in 1830 it was 330,779—increase 52,493.

1830	1840
Atlantic	13,250
Bergen	24,798
Hudson	9,436
Essex	44,637
Monmouth	32,578
Passaic	16,721
Burlington	22,856
Morris	25,445
Glooucester	20,341
Warren	20,366
Sussex	21,769
Salem	16,035
Rosemont	17,451
Cumberland	14,383
Midlesex	21,881
Cape May	5,824

PENNSYLVANIA.

Business of Pittsburg. Our business season, now nearly closed, has been one of unusual fluctuation in facilities for transportation of merchandise by river and canal; prices of our local manufactures and articles of the various products of our soil, and also in our money operations and exchanges, and in taking a retrospect of our spring and fall business, and reflecting upon the probable future, there is much to stimulate and encourage our merchants, mechanics and farmers.

For the last twelve months we have been well tried in the financial crucible, but have come out brighter and purer, and the effect, we trust will be to raise our standard of punctuality higher and higher.

Our city now occupies a most enviable position in a commercial point of view—on the one hand we have the great line of canals and rail roads connecting us equally with Philadelphia and Baltimore, and on the other hand, by our cross-cut canal intersecting the grand Ohio canal at Akron, we have easy and cheap access to Cleveland, Detroit, Buffalo and adjoining lakes and country; and by our rivers we have intercourse with every important or important point in the mighty west.

At the present time all communication by our canals is suspended, and will, of course, continue so during the winter, yet we shall have ample means of transportation by land, between our city and Philadelphia and Baltimore—to the former by wagon lines connected with the rail road at Chambersburg, and to the latter by wagon entire; and we take this

opportunity of assuring our friends abroad that sufficient means of conveyance may be had, and are now in operation for the transportation of merchandise to, or products and staples of the south and west to the eastern cities.

At present, merchandise of various kinds is coming from Baltimore to our city at one dollar per 100 pounds, and from Philadelphia by rail road, &c. in like proportion, and it is hoped the different transportation lines will continue to offer inducement by low rates of carriage so far, at least, as they can do it with safety to themselves.

VIRGINIA.

U. S. senator. The resolution from the house of delegates to elect a U. S. senator next Monday, was taken up in the senate yesterday, and after great deal of debate, was lost by a *divo* vote. Before the final question was taken there was a motion to amend by substituting a more distant day, which was carried by a *divo*. (Richmond, 21c.)

Presidential election returns—Official.

	1840.	Har.	V. B.	1836.	Har.	V. B.
Accomac	719	239	617	30		
Albemarle	734	281	617	114		
Alleghany	171	171	30	153		
Amelia	166	240	83	180		
Anne Arundel	372	329	246	285		
Baltimore	1,204	454	821	302		
Berks	301	215	114	245		
Beggsford	919	558	511	452		
Berkley	599	372	880	260		
Botetourt	407	578	181	799		
Brooke	350	516	181	413		
Brunswick	262	177	289	289		
Buxton	202	109	15	43		
Buckingham	475	520	296	468		
Cabell	481	436	192	206		
Campbell	899	467	219	477		
Caroline	899	467	219	477		
Charles city	173	90	103	31		
Charlotte	818	327	245	332		
Charlestown	298	558	248	388		
Calverton	262	228	241	216		
Cumbarland	174	191	102	138		
Clark	302	235	168	161		
Dinwiddie	141	95	79	88		
Elizabeth city	137	187	119	88		
Essex	946	321	230	176		
Fairfax	683	533	429	363		
Fayette	199	183	129	136		
Flavanna	334	153	82	300		
Floyd	579	279	214	245		
Franklin	569	515	348	530		
Frederick	753	743	231	518		
Giles	226	298	159	254		
Glooucester	247	179	177	136		
Goodland	120	332	60	377		
Grayson	455	589	50	812		
Greenbrier	545	505	871	211		
Greenville	110	156	102	171		
Greene	62	280	183	753		
Halifax	372	364	183	753		
Hampshire	729	605	396	407		
Hanover	450	462	268	386		
Harrison	487	290	225	137		
Hartwood	828	1,341	246	601		
Henrico	458	568	287	546		
Henry	311	191	238	213		
Isla of Wight	86	583	49	323		
James city	141	9	109	4		
Jefferson	667	662	409	266		
Jackson	258	211	113	152		
Kanawha	827	324	497	238		
King & Queen	282	208	199	275		
Kiug George	165	129	148	53		
King William	115	306	6	185		
Lancaster	170	87	98	76		
Lee	275	459	62	330		
Lewis	356	616	144	243		
Logan	186	139	87	157		
Louisiana	1,260	891	980	285		
Lunenburg	275	475	110	458		
Lunenburg	228	302	132	302		
Madison	83	532	82	307		
Mathews	130	220	64	131		
Mason	304	400	20	170		
Mecklenburg	319	561	306	420		
Mercer	146	125	new county			
Middlesex	101	123	63	96		
Monongalia	681	1,236	209	681		
Marshall	458	568	239	297		
Monroe	408	423	223	585		
Montgomery	338	261	163	890		
Morgan	179	145	46	100		
Navamond	338	359	385	166		
Nelson	404	227	118	242		
Norfolk county	661	475	830	163		
Norfolk county	529	298	234	98		
New Kent	195	196	108	67		

Northampton	324	24	284	6
Northumberland	182	300	77	185
Northway	132	190	70	174
Nicholas	178	120	119	53
Ohio	923	287	120	239
Orange	321	125	217	249
Page	43	528	18	217
Patrick	83	90	177	284
Pendleton	309	468	217	382
Philadelphia	876	616	641	829
Pilot Knob	107	210	28	85
Powhatan	176	210	161	176
Potomac	142	161	New county.	
Preston	296	464	116	300
Petersburg	245	253	125	125
Prince Edward	260	361	106	273
Prince Anne	402	274	198	56
Prince George	124	237	71	154
Prince William	167	398	86	232
Randolph	450	321	283	160
Rappahannock	251	306	171	196
Richmond	635	528	409	379
Richmond city	550	176	455	128
Richmond county	177	151	118	108
Richmond	256	1,411	129	782
Richmond	261	298	106	365
Roanoke	159	255	New county.	
Scott	252	444	10	316
Shenandoah	192	1,218	52	735
Smyth	279	505	185	228
Stafford	368	373	195	192
Spotsylvania	358	368	207	262
Stafford	265	295	118	178
Surry	95	195	41	108
Sussex	116	247	46	213
Tazewell	113	486	259	269
Tyler	325	438	113	228
Washington	364	625	70	604
Westmoreland	282	81	150	62
Wood	513	392	113	219
Wythe	92	3	112	809
Warwick	92	3	41	6
Warren	110	300	56	163
Williamsburg	83	7	67	4
York	192	12	98	8
	41,405	42,818	23,382	30,503
		41,405		24,382

Van Buren's majority 1,418

Message of the Governor, 1st Dec. 1840.

Fellow citizens of the senate and house of delegates:

In assembling again as the representatives of the people of Virginia, it is proper that our hearts should acknowledge with humble gratitude, the blessings which have been conferred to our commonwealth by the Supreme Ruler of events. The instructions of experience are designed to teach nations the necessity of a firm reliance on Him in whose hands are all human destinies; and no people have ever been more abundantly blessed than that of our sires. While many portions of the earth, and some parts of our own country, have felt the ravages of war and pestilence, the year is about to close with us as it commenced, in peace and security. Our fields have yielded their accustomed harvest to the industry of the husbandman; the skill of the mechanic and the enterprise of the merchant, have enlarged the sphere of their usefulness and their reward, and every citizen has reposed in confidence under the solid sure protection of our laws! If we have sometimes had occasion to lament the imperfections of the best and the wisest of human institutions, a comparison of our condition with that of the most favored of our race, will not fail to inspire us with confidence to gratify our national pride. Though we have recently witnessed a period of extraordinary excitement, I am not aware of any instance in which the laws have failed to protect the injured, or to punish the offending. It cannot be otherwise, so long as our moral rights and obligations are sanctioned by an enlightened popular will, and sustained by those simple, yet stern virtues, which are the indispensable elements of free government.

Resources. Though agriculture is the predominant interest of our state, it possesses almost unequalled advantages in its climate, its geographical position, its capacious bays and rivers, its mineral productions, and its supplies of water power, for commerce and manufactures. The success which, under the disadvantages of a fluctuating population, and an imperfect system of landholding, has attended every department of industry, leaves no doubt that when at last shall have sailed still farther in the development of our natural resources, our commonwealth will have thus realized the vivid conception of national wealth and grandeur which animated its early settlers. Our energies are recovering rapidly from the effects of those large contributions in population, wealth and enterprise, which we have

made to the new states, and while our own citizens now find it better to remain and improve their native soil, European emigrants and citizens of other states are seeking homes in our fertile western territories or filling up the places of those who have left us, too often under the delusive hope of improving their condition. The indications of agricultural improvement are decided and cheering, particularly in many of our counties below tide water; and the astonishing increase in population and wealth, which is exhibited by our whole trans-Alleghany country, assures us, that though we have given more than one western empire to the union, yet like the Roman father, we are not impoverished by our generosity. But, at such moments, to us as beholders, the application of agricultural societies, and the well-directed efforts of our agricultural journals, are improving the old system of cultivation, and adding active and powerful stimulants to the energies of our production.

Trade. It is to be regretted that the means of acquiring accurate statistical information with regard to the comprehensive interests of our state, are not more satisfactory. Such information would at all times be of great value to the legislature, and of great importance to other departments of the government. Our commerce seeks such diversified channels along the whole line of the Chesapeake, through our own ports, those of the District of Columbia and the state of Maryland, and the waters of the Ohio and the west, that it is difficult to form any correct estimate of its total value. Though the regulation of its external interests has been confided to the federal government, it is nevertheless our duty to watch over those domestic resources which supply the foreign market, and to see that they receive a just protection. I would, therefore, call your attention to the oppressive and unexampled burdens to which one of our principal staples has been long subjected, and I submit whether it is not expedient for us, through our representation in congress, to enforce the just claims of our tobacco planters, to a reduction of the enormous duties imposed on tobacco, by most European governments. In some instances, duties are exacted on one thousand pounds of the bagged, while luxuries from the countries imposing them, are admitted into the United States duty free, and no article of commerce is subjected to any like the same tax. It is difficult to conceive, by an article which ranks second in the exports of the United States, and which enters so largely into the consumption of civilized and savage man, should have been selected as the subject of such a system of taxation, or why the injurious effects of this duty have not been urged in a more emphatic manner than these just and reasonable claims of foreign commerce. It has been stated by those who were well acquainted with the subject, that the different European governments, interested (and many of them deeply) in the tobacco trade, derive an annual revenue, by means of impost on American tobacco, larger than the whole current revenue of the United States. The beneficial consequences of a reduction of these duties, would soon be felt by an increased demand, and better prices for this valuable product of our soil.

The great perfection attained by our millers in the manufacture of flour, has given to our brands the highest reputation in our own country and in foreign markets. The manufacture of cheap cotton cloths, of iron, paper, salt, glass, &c. in our state has been rapidly extended, and already reached a point, which it may be considered as having attained a successful competition with the best articles manufactured elsewhere. The cities of Richmond and Petersburg, Lynchburg and several other cities, are employing very large amounts of capital in manufactures, and are displaying an energy which will soon entitle Virginia to a high rank among the manufacturing states.

Our imports, like those of all the states, have been affected by the frequent fluctuations of foreign commerce within the last few years, but they indicate a progressive improvement, which encourages the belief, that at no distant period, our foreign trade will move in more direct and natural channels than those in which habit, rather than necessity, has so long confined it. The amount of our exports exhibits a striking contrast with our importations, and shows beyond doubt that we possess abundant means for deriving those advantages which this branch of commerce which are now enjoyed chiefly by others. The application of steam to marine navigation, while it brings distant nations in closer contact with each other, will probably render useless many of those complicated agencies through which the products of one region have sought a market in another, and as the result of a better acquaintance between different countries will establish a less artificial and more direct system of foreign credit. The mono-

poly of the carrying trade, and of established commercial deposits, as well as the restraints which governments impose on trade, will be brought more under the salutary influence of free competition, by this system of improvement on the great highway of nations. Experience, however, has shown that commerce, like the tides of the ocean, is regulated by its own laws, and that neither the wisdom nor the power of intercessory governments is limited. While we may look with confidence to the sure results of time, it is not within the compass of state legislation, suddenly to change the established order of things with regard to the foreign sale of the staple of the state. The exports of Richmond for the year 1839, amounted to \$3,577,325, while the amount of foreign imports was only \$361,254. The imports and exports of our whole state for some years past, will probably bear towards each other nearly the same relation. While a well regulated system of domestic credit will doubtless greatly facilitate a better and more equal foreign trade, it is necessary also to command that credit abroad, to which our exports entitle us, and I am happy to learn that our merchants are pursuing every means to extend their acquaintance, and establish a more direct intercourse with foreign countries. The time is probably not distant, when through the agencies of steam, regular lines of packets will be established from the ports of the Chesapeake to the westward. One of the inconveniences springing from our indirect foreign trade, is the dependence of our banking institutions on the northern cities. The merchant from Virginia collects his debts in the notes of remote cities, and is obliged to resort to payment for these goods he has bought there and sold here, and thus they accumulate to such an amount as to render our banks generally debilitated, and to make it inexpedient, if not impossible, for them either to continue, or to resume specie payments, without the co-operation of the banks of the importing cities. It is probable also that a larger amount of banking capital is necessary to carry on this circuitous trade, than would suffice to accommodate a more direct foreign trade, while it is certain that we are now subjected to the inconveniences and expenses of the two modes, without enjoying to their full extent the advantages of either.

Banks. The suspension of specie payments by our banks, which occurred prior to the meeting of the senate, has been a source of great anxiety. It is hoped that a speedy and steady resumption will be made, and it is proper that the legislative authority should take steps to facilitate and ensure so desirable and necessary a result. The quarterly reports from these institutions, which have been regularly made since the act of March, 1837, have been regularly made by most of them. The Merchants' and Mechanics' bank, not having accepted the provisions of the act of March, 1837, providing general regulations for the banks of the commonwealth, is not required to make these reports. A statement of the condition of that institution, however, was received in July last, and will be found with the other reports accompanying this communication.

Having received intelligence of a serious defalcation and embezzlement in the Bank of Virginia, in the month of April last, I deemed it my duty under the act of March, 1837, to appoint three commissioners to inspect and report the condition of that institution. Their report, together with the instructions under which they acted, and the correspondence between this department and the president of the Bank of Virginia, are herewith submitted. Criminal prosecutions have been commenced against some of the parties implicated in this transaction. The report of the commissioners, which is a most interesting one to the stockholders of this bank, are the only sources of information as to its condition, to which I have had access. These indicate a very considerable loss to the institution, the effects of which have been serious and extensive, as well as to the individuals. The whole subject is one which will demand your careful consideration. The dividends arising from the stock of this bank, have heretofore constituted an important item in the fiscal resources of the bank, and it is suggested that it might be expedient to provide for their regular continuance, if the condition of the bank shall warrant it, rather than to suspend them until the original capital is restored. This will tend to mitigate the inconveniences which will result from the suspension of dividends, and may be accomplished by adapting the present capital stock to the present resources of the bank. There is no other alternative but to suspend the dividends until the actual losses of the institution have been repaired, in which case it will be necessary to resort to the sale of considerable deficiency in the public receipts from other sources.

The occurrence of so large a defalcation in any bank, without immediate detection, implies great

negligence in its management, and furnishes another proof of the necessity for some additional safeguards to protect the immense interests of society in these institutions. It may be impossible to prevent crime under any system, but it is not very difficult to detect offenders of the class upon whom the vigilance of the general laws of the land, and of the particular laws of banking companies.

The condition of our banks generally, for some years past, has excited much and anxious inquiry as to the analogy between the system of the United States and the system of credit. This system has been exposed to the dangers of its own peculiar structure, and to those which are incident to our plan of government. The conflicting agencies of seven-and-twenty governments, each of which has a legislative and exercised the power of legislation over this subject, continues to present difficulties which exist no where beyond the limits of the United States. The number of local interests to be accommodated, besides the political interests which have been connected with this subject, do not permit the government of any state to close its eyes upon the surrounding cases, which must, to some extent, interfere with, and not control its own policy. Our experience has often suggested the necessity of the removal of the inconveniences which we have felt, did not result necessarily from the peculiar forms of our government, and whether they were not compensated by the evils which we enjoy, as well as the dangers which have been avoided by a liberal and jealous concession of power from the states to the federal government. While the power to regulate the currency, if discreetly used by the federal government, might be a great inconvenience, the framers of our federal compact have been aware that it was one which might be abused for very different purposes. As the power of government must necessarily be confined to frail and fallible men, it is but to guard against too much, and under governments of prescribed, constitutional limits, it is not safe to exercise any power which is not clearly granted or necessarily implied. While we can only influence the other states, as they may influence us, by force, except as they may influence us by their voice constitutionally expressed as one of its constituents, it is impossible for us to foresee what will be the action of either in reference to a subject on which, as much as any other, the whole country is so deeply interested. The federal government, in its fiscal relations with the states, must either employ its own means or those of the states, for the collection and disbursement of its revenues; whether it relies on a national bank, an independent treasury, or on the issue of notes, or of government credit in some other form, or on the state banks, to furnish the medium of collection, and as general or special depositories of its revenue, this revenue must be left to a greater or less extent by any system which it may choose to adopt. The state, therefore, has duties as well as interests, resulting from its intimate association with the other states, and with the federal government, which should not be disregarded in its deliberations on this subject. If we had absolute jurisdiction of this whole subject, or if we were called to legislate on it as an original question, our views and our duties might be very different. But it is proper for us to regard the condition of the country as it really is, and not as our imaginations might depict it. When banks were first introduced, they were intended to be, what they ought now to be, the means of circulating a paper always convertible into specie at the pleasure of the holder. The expectation, however, of legislation, or to mismanagement of the banks, or to both causes, has demonstrated the necessity for a reform of abuses which have been so extensively felt by society.

I would suggest that there is a necessity for more direct and efficient responsibility in the agents or officers to whom the business of banks is confided. This present rate of bank profits on fair business transactions, renders it quite inadvisable for the directors to be made personally liable, without destroying the system; but the responsibility of directors to a greater extent than now exists, even if it should require a premium or salary to induce the acceptance of the office, would be a great advantage. It has prevented only a small portion of the losses which so frequently occur. The commissioners appointed to investigate the affairs of the Bank of Virginia, have expressed an opinion as to the liability of the directors under the act of 1837, as it is properly a question for judicial construction, should arise, I forbear to express any opinion with regard to it.

While it would be unjust and injurious to the corporations and individuals, unnecessarily to expose private credit, publicly to the examination of the bank business, is calculated to render these institutions more safe and useful. The quarterly reports,

now required of our banks, have had the effect, I doubt not, of increasing their caution and vigilance. Though the discretionary power is vested in the executive to appoint a special commission to examine any of the banks, it is a power which was apparently intended for emergencies, and will occasionally, for its exercise cannot well be known until the danger has occurred. It is therefore not remedial. A permanent board of competent commissioners, organized so that a portion of the members would be elected annually, and examined at regular intervals, would probably answer better.

The efficacy of forfeitures and other penalties now imposed to prevent suspension of specie payments, may well be questioned, since they are invoked only in the case of a suspension of specie payments, without inflicting severe punishments on the community for the delinquencies of the banks. I think it is better to subject banks to the payment of an adequate rate of interest on their notes during periods of suspension, as they would be thereby stimulated to resumption, and induced to prevent suspensions by keeping their issues within moderate bounds.

The large amount of stock held by the state in our banks, is not represented at all at meetings of the funds, and only in the hands of directors by a minority. If the state directors die or resign, their places are filled by the remaining directors, so that it may occur that the stock of the state will be wholly unrepresented at meetings of the stockholders and the directors.

While it is reasonable to suppose that those who own the stock of banking companies, and who are to gain or lose by their good or bad management, must best understand and administer to the interests of their constituents, and while it is true that a legislature would constitute, perhaps, the worst of all directors, except an executive, for those purposes, it is equally true, that without general regulations and wholesome restrictions, corporations like state banks, are apt to produce mischievous results to themselves and to society.

FINANCES. The finances of the commonwealth, I will, no doubt, command your early and most deliberate attention. While our public debt is by no means considerable, compared with our resources, and while ample provision has been promptly made to meet all demands on the treasury, it is due to the interests and honor of the state, that our financial resources should be placed on a permanent basis, one which will preserve our faith and credit beyond the reach of suspicion, and accommodate itself with the utmost attainable facility to the means of our citizens. The necessity under which the state has been placed, of raising its revenues from direct taxes, while it cherishes economy and responsibility, and excites a vigilance which is not felt as to our much larger indirect contributions to the federal treasury, has not had the effect of lessening the pressure of the taxes, but, on the contrary, is insensible to any just demand on their public spirit. It is the characteristic of a commonwealth, that whatever is wanted for the public service, is freely given, as the benefits and the burdens are shared by all. The anticipation of the revenue by means of loans, except in cases of great emergency, or where the objects to which the state may lend its credit, will certainly be adequate to reimburse the debt, in stamping and levying a species of taxation, on the industry of the intelligent and patriotic part of the people. If not timely checked, it will end in the establishment of a public debt, to discharge the interest of which, the ordinary revenue will not more than suffice. We are therefore to be reached to the point. Our debt entirely within our means, and compared with that of many other states, it is really inconsiderable. But the present is deemed a favorable period for a thorough examination into our liabilities and resources, and an adjustment of the accounts which will hereafter place our available means more under our control.

The details of our fiscal system have become very complex, not on account of the numerous subjects of taxation, for there are fewer taxes in most other governments, nor on account of rates of revenue assessed for state purposes; for these are lower, it is believed than any state whose jurisdiction and civil list approximate to our own, but in consequence of the multiplied avenues proposed to the various corporations which form parts of it. The two great funds of education and improvement, each of which consists chiefly of stocks of the state and of other corporations, the amount of stock owned by the commonwealth proper in the banks, the state stock held by the banks, and the relations of debtor and creditor, which exist between these several corporations, and between each of them and the state, however convenient they may be found in practice, are so complicated, that the annual report is very intricate. The aggregate public debt of the state is about \$6,720,915.

The commonwealth holds stock and funds in banks and other companies to the amount of	2,543,395 83
The fund for the amount of	1,468,116 60
The treasury for internal improvement to the amount of	7,987,583 82
The sinking fund to the amount of	61,547 15

Making an aggregate of \$12,066,187 80 held by the commonwealth and corporations which it has created, and one which it has borrowed. From the amount of these stocks, viz: 7,987,583 82 dollars, held by the fund for internal improvement, and the amount of them, viz: \$2,714,275 41, which are now productive, it will be seen that a large portion of the stocks held by the state and the state institutions, are not now available, as a means of revenue. Of the aggregate of \$12,066,187 80, the sum of \$6,887,790 74, is either now productive, or may soon become so, and of that portion of the public funds which is now totally unproductive, there is a large amount held in works of internal improvements not yet complete, much of which, it is hoped, will ere long become productive. The aggregate of debt, viz: \$6,720,915 82, and the aggregate of funds, viz: \$5,285,187 80, both include the sum of \$1,247,862 91, of state certificates held by institutions under the control of the state, or in fact by the state itself. Deducting this amount, the debt of the state is reduced to \$5,473,052 91. In estimating the public debt, it is proper to regard the amount of subscriptions authorized, but not yet applied for, on account of some contemplated improvements, viz: \$2,707,520.

It will be seen, therefore, that we have a considerable portion of our debt is redeemable, and many years before it is entirely so. There is, therefore, ample time, and in my estimation, abundant reason, for the establishment of an adequate sinking fund, which will render the redemption of our debt gradual and easy; and in the mean time, the stocks owned by the state and not now productive, shall become so, their proceeds can be applied to augment this fund, or to such other purposes as the interests of the commonwealth may require.

The actual deficit in the revenue of the last fiscal year, exceeded the estimate of the last general assembly, and made it necessary for the executive, under the act of March, 18, 1840, to surmise the treasury to be exhausted. The Bank of the Bank of Virginia, the Farmers' and the Exchange Bank, the sum of \$175,700, prior to the 1st of October, and \$250,000 since that period. If the policy of the state generally is questionable, then can we do so much to increase the revenue of the state, the ordinary expenses of government. The necessity for imposing the tax is only postponed, and its burden is finally increased by the accumulation of interest. This policy of loans in time of peace, commencing at a low rate, and increasing gradually, connected with the operations of our treasury, that it is difficult even now to put an end to it at once, unless an advantageous disposition can be made of some of the stocks held by the state. As very little of the revenue which may accrue will be recanted into the treasury before the 1st of October next, and a large portion of the revenue now in the treasury, will be required to pay the banks on the 18th of the present month, it will be necessary to provide some temporary means of supplying the deficiency. The value of all stocks is of so peculiar and delicate a nature, that a peremptory sale of any large amount, must always affect the price and cause a sacrifice. A discretionary authority of sale, from the Bank of Virginia, in case of a sale, cannot be effected on advantageous terms, in probably the only means by which our stocks can be used to answer the immediate demands of the treasury.

The banks, which have promptly paid the commonwealth during the past year, were required by an act of the last session, to furnish means of paying the interest on the public debt, in specie or its equivalent, when demanded by the public creditors. So far as the public debt is concerned, they were subjected to a loss of the difference between specie and current notes, and as it was incurred for the accommodation of the state, I submit whether it is not proper to relieve them from it.

The public works at Petersburg, the property of the state, is represented as being entirely unproductive, and a charge on the treasury. I suggest, therefore, whether it be not expedient to authorize its sale. It is slightly situated, and may command its price.

I recommend to your consideration the bill prepared with great care by our experienced first auditor, and submitted to the general assembly at its last session, on the subject of our revenue laws.

In 1838, the executive loaned a large part of the federal surplus, to the Richmond and Petersburg rail road company, reserving the right to adopt cer-

ing the benefits of the system has increased, the expenses of their education have greatly diminished. The district schools which have succeeded so well elsewhere, and are so admirably adapted to a dense population, require large contributions in aid of the appropriations from the state. Where one dollar is expended on this plan from the funds of the state, it has been found necessary to raise several dollars from private sources and local taxation. It nevertheless furnishes an example worthy of our attentive consideration, and perhaps the best means of securing its ultimate adoption will be the extension of our present plan, until the necessity of education is more generally felt, and private efforts shall co-operate with the public means to establish schools in every neighborhood which will be accessible to all. Our university and colleges continue to maintain their high reputation for learning, and to dispense the blessings of scientific education, not only to our own youth, but to those of many other states.

The university and the great interests of education, however, have sustained a very serious and melancholy loss in the deaths of professors Bonycastle and Davis. The latter gentleman has met an untimely and tragical end, which has deprived his state of a most useful and valued citizen, and society a generous and liberal friend. His scientific arrangements are about to be made up by the efforts of the visitors for conducting the regular exercises in the classes left vacant by these sad dispensations.

The number of our academies for the instruction of both sexes is increasing, and the standard of education has improved with the supply of competent teachers.

The institution for the education of the deaf and dumb and blind, at Staunton, has admitted a number of pupils during the past year, and I feel assured from my own observation that the instructors and officers spare no pains to fulfil the munificent designs of the state. The building has been commenced on a scale commensurate with the character of an institution liberally endowed for such purposes.

In submitting the report of the visitors to the Virginia military institute, and after a personal inspection, I feel it to be my duty to recommend this institution to your very favorable consideration.—Its officers and instructors seem to be peculiarly qualified for their stations. The school combines the method and discipline of the camp with the advantages of the lecture room. It is emphatically a state institution, where on very moderate terms, the benefits of scientific and practical military education are imparted to the youths of the commonwealth, and to a number of young men who are desirous of an expensive. I found the public arms at the arsenal in excellent order. The cadets from this institution will annually be enrolled in our militia, and will contribute essentially to improve the present defective organization and discipline of this most natural and safe defence of a free country. I commend to you the suggestions of our experienced librarian in his last annual report on the subject of a suitable library for this institution.

I recommend to your attention the defects in our militia system, noticed in the report of the adjutant general. The exact strength of our militia can never be ascertained under the imperfect returns which are now made. It is of the utmost importance that the duty of enrolling and reporting our entire force accurately, should be enjoined under adequate penalties, and that our rank and file should be distinctly arranged in corps according to the service for which they are destined. This is perhaps all that is attainable as to the improvement of our militia, at this time of peace, without incurring very serious expense and inconvenience, but I regard this as indispensable. In order to form the materials for a prompt and efficient force in time of war, it is necessary either to adopt a better plan for training our officers, or to organize our militia in corps into one or more distinct brigades, capable of taking the field on an emergency and serving as rallying points for the troops of the line.

The words voted by the general assembly to certain officers or their representatives have been at length completed, and suitable arrangements will be made for their presentation, when they are received. I have received the resignation of brigadier-general J. W. Pegram of the 15th brigade, occasioned by his removal from the line of his command.

The work at the armory and on the quarters of the officers of the public guard has been executed according to the design of the last general assembly. Many of the arms returned to the armory are in a condition to require repair, and have endeavored to require more frequent and rigid inspections of the arms distributed, but would recommend the subject as one which calls for your attention.

The examinations of various parts of the capital, the arrangements as to the hose, buckets, &c. have

been attended to pursuant to directions of the last general assembly, and the particulars will be reported by the proper officers. I cannot forbear to call your attention to the condition of the capital, and to remind you of the necessity to which my predecessors have so often adverted, of providing means for the preservation of our most valuable records, and the transaction of indispensable public business.

A number of the journals of the general assembly, and some of its proceedings in the most interesting epochs of our history, have never been printed, and as the manuscript is exposed to accidents and decay, it deserves your consideration, whether it should not be printed with a convenient index.

The reports of the superintendent and board of directors of the penitentiary will inform you of the general condition of that institution and its accounts during the year.

The revision of the criminal code, provided for some years since, has not been completed, in consequence of the protracted indisposition of the distinguished gentleman to whom it has been confided. I have to announce to you the death of Richard E. Parker, esq. one of the judges of the court of appeals, long known and appreciated as a distinguished jurist and estimable man.

The police of our common jails is believed to be some times very defective under the present laws, as white persons and blacks, debtors, felons and lunatics, are occasionally confined in the same apartments. I recommend to your consideration the expediency of abolishing imprisonment for debt altogether. Civil executions are intended to subject the property, not the persons, of debtors to the payment of their debts. Imprisonment as a remedy is necessary to the creditor's rights, and as a punishment, it visits the misfortunes cast by the crime of its victims. Its constraints are ineffectual as to the fraudulent, and unnecessary as to the honest debtor. By rendering final process on judgments ineffectual, to reach lands and choses in action, justice may be done without retaining ignominy as one of its attributes.

I have received copies of resolutions, &c. of the legislature of New York on the subject of the public lands of the United States; of the legislature of Connecticut on the same subject, and others on the subject of the tariff; of the legislatures of the states of Maine and Indiana on the subject of the northeastern boundary of the United States; of the legislature of Kentucky on the subject of the public lands of that state. All of which are herewith communicated.

I have also received, and now communicate, copies of certain resolutions and other proceedings of the people of Georgetown, and of other citizens residing in the District of Columbia, complaining of the legislation of congress, and contemplating a retrocession of a portion of the territory of that District to the state of Maryland.

Presidential. I would invite your earnest attention to the defects of our laws regulating the election of electors of president and vice president of the United States. They are so obvious, and some doubt existing whether the act of March 16, 1832, was still in force, that I hesitated at one time whether it was not the duty of this department to convene the legislature. But as this act had been acquiesced in in 1836, I determined, after adopting all the precautions within the reach of the executive, in order to give a fair and unbiased expression to the popular will, to leave the execution of that act, to the legislative assembly, to the intelligence and justice of the people. While difficult to conceive in the execution of any law on this subject, and while mutual complaints of those conducting such an election, may be expected in times of high party excitement, no instance of intentional violation or neglect of the part of the constitution has come to the knowledge of this department. The imputed frauds on the elective franchise, now so frequent in every part of our country, admonish us that it is necessary to guard its exercise as we would cherish a treasure which government cannot rest. Its purity and independence are indispensable to the permanence of free institutions. Without these, parties degenerate into factions, and government itself into a mere form of despotism.

The late presidential election, after being conducted in a peaceful manner, and without excitement, has terminated, I trust, auspiciously for the general welfare of our country. The repose which follows these struggles, and the cheerful deference with which the will of the majority is acknowledged and acquiesced in, furnish the more precious materials to the friends of human liberty, and exhibit the majesty of the people in an aspect which abroad the few, who still claim the right in other countries to govern the many. A victory gained by the suffrages of a free people over countrymen who have dif-

fered from the majority about their common interests, is not an occasion of mere party triumph, but for the united efforts of all men and all parties who desire to reform what is wrong, and to perpetuate what is valuable in our government.

T. W. GILMER.

SOUTH CAROLINA. The state was given to Mr. Van Buren for president and L. W. Tazewell, for vice president.

U. S. senator. The hon. John C. Calhoun was unanimously elected by the legislature of this state to be senator of the United States for the next year for six years from the 4th day of March next, when his present term of service will expire.

GEORGIA.

United States senator. The legislature of Georgia, on the 4th instant, proceeded to the election of a senator of the United States for the year from the 4th of March next, when Mr. Lumpkin's term of service expires. On counting the ballots it was found that JOHN McPHERSON BEECHER had a majority of votes, and he was declared elected.

Banks. The Millidgeville Recorder of the 24th ult. says—The following notice on banks taken from the several bills relative to specie payments by the banks were referred, have reported a bill, requiring the banks to resume specie payment on all their liabilities, on the first day of February, 1841. On failure of any bank to comply with the provision is to cause judicial proceedings to be instituted for the forfeiture of its charter, and the assignment of its assets. The governor is authorized to employ counsel in aid of the solicitor general. The bills of such defaulting banks are not to be received for any public debt except those of the Central bank, and those only for taxes and debts.

ALABAMA.

Extract from the message of governor Bagby.
Domestic slavery. The disposition unhappily manifested in so many quarters, and in such a variety of shapes, to interfere with the question of domestic slavery in those states where it exists under the sanction of the constitution, and which to my mind, has so clearly assumed a political aspect, and to threaten the stability of the government, by putting in most imminent peril the safety of the southern people, renders it an impious duty to bring the subject to the notice of the legislature.

It will not be expected, in a communication of this kind, that I should enter upon a defence of slavery, either as to its condition of the natives, or as a question of abstract moral right. Although it is believed, notwithstanding the depraved and morbid sensibility manifested upon the subject, that the truth of the following propositions is clearly demonstrable—First: In regard to the slaveholding states of this union, enjoy the necessary use of, in greater abundance than the laboring poor, or those who have in labor for subsistence, in any country under the sun; and that they have fewer cares and anxieties than they admit. Second: That if they were emancipated, it would make their condition worse instead of better. Third: Slavery will always exist, as it always has existed in every age and country, under every form of government and modification of human society, in some form, and that that class are better adapted to the condition of servitude than any other. Fourth: Experience has already proven, that all attempts at colonization in the country whence they originally came, are futile and hopeless. Fifth: If the American slaves could be colonized, they could not be in a condition of the natives, instead of imparting the best of the fruits of civilization and civilization to them. Sixth: That slavery existed from the earliest generations after the deluge, if not with the express sanction of the Divine will, without any prohibition; and that the inspired founders of the republic, whose institutions are sanctioned by the Almighty himself. Seventh: There is not a country in Europe in which servitude does not exist, in a more oppressive and degrading form, than the system of slavery in the United States. If there were no other reason, what modern age of morality is entitled to the discovery, that slavery is a great moral evil, the weight of which is sinking the character of this country below the standard maintained by the Goths and Vandals! Was the great and valiant men who framed the constitution, and who were at least as humane and intelligent, as these abolition harpies, who are laboring to subvert an institution as old as society itself, and which, notwithstanding all their efforts, will be co-existent with it?

The framers of the constitution expressly recognized the existence of slavery, by including slaves in the ratio of representation; viewing them as they are, and as they must continue to be, while the principles of the constitution endure, in the mixed light of persons and property. If it be within the de-

cesses of omnipotence, that the distinctions of rank and color are to vanish and be done away, and the servant is to be free from his master, it will only be when the institutions of human society shall give place to that state of things, in the ordering out of which human agency can have no control, and which can neither be accelerated nor postponed by human exertions. Slavery in some form will always exist. It is one of the incidents of society, a faculty only of good or evil, but it has existed from the foundation of the world, and exist it will till time shall be no more.

But while we insist upon our rights, we should never be invisible to our duties as masters. The relation of master and servant is one of vast importance both in a moral and political point of view—more important, perhaps, than any which now exists. The other social relations are viewed in the same light by all civilized nations, and it is easy to conceive of any cause likely to disturb them. With the relation of master and servant this unhappiness is not the case. Let us then, from an exalted sense of what is due to ourselves, and from a sacred regard to humanity and justice, so fulfil this relation as to put those, who are disposed officiously to interfere with our rights, to shame; and to prove ourselves worthy of the superior position in the scale of being, to which has pleased Divine Providence to place us. I feel that it is the duty of the most righteous course on our part will ensure our future tranquillity upon this subject—in fact, from present indications I am strongly inclined to think, that it will not. A fervent attachment to the union of the states, and an ardent desire that it might be perpetuated has rendered me averse to the agitation of any question that would be likely to weaken the bonds which unite us as one people. There is, however, a point in public as well as private affairs, beyond which we cannot pass to a virtuous. And when we see regularly organized societies for the avowed purpose of abolishing slavery, instilling considerable portions of our country, disseminating their pestilential doctrines in every direction—when we see American citizens, unmindful of all the obligations that ought to bind them to their country, confederating with foreigners for the purpose of disturbing rights secured to us by a compact in which the states of the union are parties—when we see the halls of congress flooded with petition after session with petitions asserting the right of congress to abolish slavery in the District of Columbia, (no doubt with a view of extending the same principle to the states) and when we see the press between the states, and importuning them to exert it—when we see the question of abolition made a test for the highest offices in many of the states—when we see state legislatures, in their highest representative capacity, and in the face of constitutions, authorizing slavery as a political evil, and one that ought to be abolished—when we behold the legislature of one state enacting laws giving to runaway slaves the right of trial by jury to decide upon the question of property in said slave, and the trial to take place in a community where slavery is daily denounced as a curse, and slaveholders as monsters and tyrants; and the governor of another state refusing to surrender persons charged with stealing slaves when demanded by the proper authorities—when we see the two branches of the legislature of one of the oldest states in the union, pass a bill through both houses of the general assembly, legalizing marriage between negroes and white people, and the country only to be troubled with the measure by the veto of the governor—when we behold, in various quarters of the union, the professions of a pure and holy religion, and the preteached disciples of its divine and immaculate author, declaring that slavery is a sin, and that the proper excommunication nor excommunicate, and throwing their exertions into the stream that threatens to overwhelm us, by inciting our slaves to acts of rebellion, insurrection and murder; it is time to awake from the state of sanctified slumber in which we have hitherto remained.

Neither are the exertions making in other countries, calculated to allay our apprehensions upon this subject. Within the present year a convention, at which some American members of the assembly were present as members, was held in the metropolis of the British empire, the object of which was the abolition of negro slavery, throughout the world. And the proceedings of this foreign convention, aiming at a total blot out of the rights and safety of one section of the United States, has been heralded through the public mail under the official frank of the representatives of a portion of the people of the United States. Perhaps it is not so remarkable that religious fanatics and political zealots in England, shuddering at the recollection of the horrors of the African slave trade, which combined in its practice the dreadful crimes of kidnapping, piracy

and murder, and in which the Dutch and English were the first, and beyond all comparison the greatest offenders, should be anxious to expiate their own sins by attempting to disturb the relations of master and slave in other countries; but it is greatly to be regretted that any portion of the people of this country should be so much under the influence of their ancient tyrannical masters as to have fallen into the same unhappy delusion.

It is possible, that southern statesmen, fired with just indignation at the repeated efforts of northern and eastern members of congress to interfere with rights secured to them by the constitution of the United States, may have been induced to receive petitions upon the subject of abolishing slavery. It may be possible that this subject is embraced within the comprehensive principle of the inalienable right of petition. If so, that right should be maintained inviolate. The petitions should be received, referred to a committee of abolitionists, who seem to set themselves up as the peculiar guardians of humanity and justice, with instructions to report their views, in order that we may be fully apprised of the extent of their designs. If, on the other hand, this subject does not fall within the scope of the right of petition, it ought to be made felony by a law of the United States to present them. For if the right to present such petitions be not an inalienable right, it is impossible to conceive of any act fraught with more dreadful consequences, or the perpetration of which would justify more more highly penal enactments to suppress. My own opinion is that the only way in which the question of slavery can be presented as a subject to be on a proposition to amend the constitution in this respect.

In view of the dangers impending over us, I respectfully suggest to the general assembly the inadvisability of proceeding to the consideration of this union, and to the world, the views we entertain upon this subject, and which we intend to insist upon in every emergency, and are resolved to maintain at every hazard. I also recommend the adoption of the most effectual measures for suppressing unlawful assemblages of negroes, and the circulation of incendiary publications and speeches among them, and a careful revision and improvement of the laws which relate to the rights of the colored people, in order that they may be able to stand upon the same footing with our own, to adopt the most effectual measures for our mutual happiness and safety. It is perfectly idle for us, no matter what may be the depth and the sincerity of our attachment to the constitution, to debate the propriety of forms of the constitution, while its substance is daily yielding to the rude tide of innovation and fanaticism, which is constantly lashing against it. And if contrary to all the pleasing anticipations of the past, that instrument shall fail to secure to us the great essential objects contemplated by its illustrious founders, it becomes our duty, not only as patriots, but as rational beings, acting under the powerful instinct of self-preservation, to provide new guards for our future security. I am deliberately convinced in my own mind that the period has arrived for the people of the south to act, and to act efficiently on this subject, or their weight and importance in the scale of national existence will be lost, and their safety forever forfeited. According to the reflection, that whatever contrariety of opinion may exist among southern men upon other subjects, they will be true to themselves, and to the compromises of the constitution, and feel and act in relation to it, as our own people.

Electing members of congress by general ticket.
With the view to concentrate more perfectly the political energies of the state as far as practicable, and of commencing the genuine state rights doctrine, I beg leave, respectfully to suggest the propriety of changing the mode of electing members of congress by districts, and of substituting instead thereof, the general ticket system. Every state entitled to a separate independent existence, is supposed to possess a sovereign will, constituted, according to the theory of our government, of the opinions and wishes of a majority of the people. This sovereign will, when ascertained according to the provisions of the constitution, becomes, after all, the great operative principle of representative democratic government. Hence in elections, whatever method is most likely to obtain an expression of that will, and to carry it out in practice, is most congenial to the true theory of our form of government. According to the principles of the constitution, the people of the state are represented in the popular branch of the legislature—the people of the states in their aggregate sovereign capacity—and if it be true, that the will

of this aggregate sovereign constitutes the great cardinal and distinctive feature of representative government, it would seem to follow, inevitably, that whatever method was most likely to ascertain that sovereign will, and preserve it entire, is most conformable not only to the spirit of the constitution, but most conducive in the perpetuity of the sovereignty of the states. The general ticket system, is not only believed to be desirable upon principle, but to be perfectly equitable in practice. It gives to a majority of the whole people of the state, at all times, whatever may be their political opinions, the entire undivided weight of the whole representation in congress. It renders the district system, not only tends to engender an attachment to sectional or local interests, at the expense of the whole, and sometimes to nourish a factious spirit, but to weaken the force of the state representation; and, in some instances, to paralyze altogether in the national legislature. It may be said, however, that it is more convenient to elect by districts; and that persons so elected, are more likely to be informed particularly of the various and minute interests of the district, than if they were selected from the state at large, and elected by general ticket.

This argument naturally divides itself into two branches. Upon the first it may be remarked, that most arguments derived from the mere consideration of convenience, are of a very trifling nature, and require, as not unrequitedly involving a violation of, or departure from principle. The second member of the proposition is believed to be equally destitute of any solid foundation. In the first place, it may be safely assumed, that among the members of the general system, the most suitable and talented individuals, would not only be apt to be indicated by public opinion, but would be selected from the different sections of the state, and would have their claims and qualifications endorsed by a majority of the people of the whole state, instead of a majority of a particular district. And it will hardly be contended that any one is qualified for a seat in congress, whose knowledge is so limited as to be confined to the views, wishes or interests of a particular district. Under every aspect of the question, I am so well satisfied that the general ticket system is most consonant to our democratic representative system, that I recommend it to the most favorable consideration of the legislature. I am aware that the time, and the circumstances under which this recommendation is made, and when every proposition of a public nature, is scrutinized with proper, and sometimes with rigid severity, may subject the proposition itself to some misapprehensions, and the motives which prompt it, to misconception and misrepresentation. But I should consider myself peculiarly unfitted for public employment in these times, and utterly unqualified to command the confidence of the people, if I were to continue to write, if I could, for a moment, permit the hope of applause, or the fear of censure, to render me insensible to the sacred obligations of official duty.

It will not be expected, that I should notice all the topics which will meet your attention, during the deliberations of your present session, I console myself with the reflection, that whatever may be omitted will be supplied by your superior intelligence; and that the people will find in your patriotism and virtue, a sure corrective against any thing I may have recommended, incompatible with the public interest.

INDIANA.

Electing representatives official.

First district.

	Harrison.	Van Buren.
Crawford	435	281
Dabois	284	239
Gibson	424	284
Harrison	285	861
Orange	708	879
Pony	706	863
Pike	474	318
Peru	417	321
Spencer	549	324
Vanderburg	628	370
Warrick	355	662
	6,792	5,714
Second district.		
Clay	338	487
Davies	738	609
Greene	964	734
Knott	1,077	658
Lawrence	859	898
Martin	311	366
Owen	769	604
Putnam	417	1,014
Sullivan	1,111	853
Vigo		
	8,425	6,902

Third dist.		1,273
Clark	1,132	
Floyd	850	796
Jackson	737	
Jennings	909	643
Jefferson	1,674	1,026
Scott	399	361
Washington	1,138	1,891
	6,800	6,082
Fourth dist.		
Decatur	1,298	799
Dea born	1,771	
Franklin	1,183	1,135
Rush	1,836	1,170
Ripley	1,000	623
Switzerland	1,023	733
	7,806	5,855
Fifth dist.		
Adams	194	153
Allen	640	399
Blackford	770	117
Delaware	920	532
De Kalb	177	163
Fulton	241	108
Fayette	1,990	728
Hayne	364	384
Henry	1,632	910
Huntington	143	177
Jay	283	265
Lagrange	391	225
Noble	241	533
Randolph	1,063	1,063
Steuens	238	176
Union	760	611
Wabash	307	195
Wayne	2,569	1,178
Wilkes	144	141
Wells	131	140
	12,035	7,417
Sixth dist.		
Bartholomew	852	703
Brown	60	270
Boone	700	686
Cass	649	678
Hamilton	763	682
Franklin	972	688
Hancock	721	637
Johnson	631	948
Marion	1,636	1,279
Morgan	911	763
Madison	911	625
Monroe	719	943
Miami	312	244
Shelby	1,016	1,070
	11,501	9,852
Seventh dist.		
Benton	26	42
Clinton	602	698
Carroll	737	693
Elkhart	619	698
Fountain	939	1,166
Jasper	73	95
Kosciusko	496	229
Lake	1,069	640
Lake	115	125
Marshall	154	194
Montgomery	1,413	1,222
Parke	1,821	918
Pulaski	51	69
Porter	220	194
St. Joseph	809	444
Tippecanoe	1,508	1,260
Vermillion	727	663
White	206	144
	11,913	9,772
Repartition.		
First dist.	6,792	5,714
Second do.	8,425	6,862
Third do.	6,800	6,082
Fourth do.	12,035	7,417
Fifth do.	12,035	7,417
Sixth do.	11,501	9,852
Seventh do.	11,913	9,772
	65,302	51,604

The highest vote for the respective tickets in each county, was taken in making up the above table.

It will be seen that the whigs have carried all the congressional districts by decided majorities. The greatest change in their favor has been in the first district. At the August election the Van Buren majority was 87; now Harrison has a majority of 1,075, showing a gain of 1,165.

ILLINOIS.		Election returns—Official.	
President.	Nat.	Legislature.	Ag.
Mr.	F. B.	Mr.	F. B.
COUNTIES.			
Alexander	299	421	232
Adams	1,617	1,332	1,417
Bond	513	531	467
Bureau	431	279	407
Brown	391	437	399
Boone	220	222	211
Clay	215	333	241
Clark	667	611	418
Crawford	421	392	227
Calhoun	213	183	381
Carroll	244	69	169
Cass	397	315	323
Cook	1,034	1,989	1,032
Christian	89	147	111
Clinton	326	417	359
Champaign	134	141	106
Coles	1,109	695	967
DeKalb	172	197	270
De Witt	293	316	230
DePage	423	373	384
Edgar	783	720	727
Edwards	311	212	230
Effingham	52	207	65
Fayette	412	615	438
Fulton	1,352	1,347	1,210
Franklin	71	542	94
Green	470	4,773	701
Gallatin	500	1,286	583
Hamilton	198	537	78
Hancock*	1,313	661	1,042
Henry	162	86	83
Hardin	154	132	135
Irroquois	154	175	175
Jasper	178	78	163
Jefferson	100	727	252
Johnson	109	448	87
Jersey	517	360	531
Joe Davises	1,079	680	1,005
Clinton	210	276	210
Kann	800	774	615
Knox	740	541	613
Lawrence	676	597	533
La Salle	1,080	1,038	1,104
Lake	307	297	297
Lee	241	230	256
Livingston	85	78	50
Logan	260	167	241
Marion	174	573	112
Montgomery	311	769	257
Mason	250	377	257
McLean	683	531	663
McDonough	472	427	497
McFeely	346	271	243
Menard	434	376	437
Merced	313	193	311
Morgan	1,533	1,293	1,452
Marshall	209	183	163
Macoupin	632	812	632
Madison	1,701	1,184	1,500
Monroe	370	563	358
Ogle	491	266	420
Peoria	741	767	724
Pope	391	268	514
Pike	1,149	1,037	1,016
Putnam	239	151	245
Perry	331	174	142
Rock Island	426	224	392
Randolph	715	817	715
Shelby	408	751	351
Sangamon	2,000	1,249	1,850
Scott	685	575	683
Stark	167	134	139
Schuyler	732	611	650
Stephenson	371	211	350
St. Clair	989	1,763	922
Tazewell	1,181	661	1,035
Union	79	626	39
Vermilion	1,044	587	708
Wabash	509	251	444
Wayne	265	500	200
White	770	639	749
Warren	711	524	698
Will	753	1,367	666
Whitehead	375	236	313
Winnebago	789	321	637
Washington	149	493	274
Williamson	103	578	99
	45,337	17,176	40,203
	45,337		40,203

Van Buren's majority 1,939

*The vote of Hancock is averaged in the above table. In this county the Mormons reside, and for some cause or other they voted for three of the candidates of the Harrison electoral ticket, and two on the Van Buren ticket.

MISSISSIPPI.
Reigning. John Jenkins, esq. representative elect to the legislature of Mississippi, from Hinds county, publishes his resignation in the Jacksonian Mississippi. He addresses gov. McNutt, thus: "Dear sir: From the result of the election for president of the United States in this county, it appears that there has been a change in the opinion of a portion of the electors of this county since the election of last year, from the cause of democracy to that of the cause of the humbug party of hard core, log cabins, cotton skins, &c.; and not being willing to hold on to political office contrary to the wish of the majority of the people among whom I live, I take the earliest opportunity of tendering to you and my constituents the office I have received at their hands as a member of the legislature from this county, which I hope will be kindly received. With great respect, I remain the obedient servant of the democracy."

ARKANSAS.
The legislature of this state convened at Little Rock on the 24th. The senate organized by electing MARK LEACH president, and the house elected GEORGE HILL its speaker. On the 4th of Nov. was inaugurated.
U. S. senator. Wm. S. Fulton has been received to the senate of the United States from the state of Arkansas on Sunday preceding the 4th of March next, when his present term of service will have expired.

TWENTY-SIXTH CONGRESS—24 SESSION.
Monday, December 8, 1840. This being the day fixed by the constitution for the re-assembling of congress, the members who had received the seat of government attended at this annual hour in their respective halls, but a severe snow storm which occurred the Saturday and Sunday preceding, had so obstructed the thoroughfares, that a sufficient number to form a quorum in either house had not been able to get on. The attending members were summoned for the day.

SENATE.
December 8. A sufficient number to form a quorum not yet being present, the members attending adjourned.
December 9. Mr. Mangum, senator elect from North Carolina, was qualified and took his seat. A quorum having answered to their names, on motion of Mr. Fulton, the secretary was directed to inform the house. A resolution was received from the house proposing a joint committee to wait upon the president and inform him of congress was prepared to receive any communication, which was responded to, and Messrs. Wright, of N. Y., and Huntington, of Con. were named on the part of the senate.
A joint resolution to elect chaplains, was agreed to.

On motion of Mr. Smith, of Indiana, the 31st rule was so modified as to enable the chair to appoint the standing committee, with the exception of the chairman of the committee on commerce.
Mr. Wright reported that the deputation had performed the duty of apprising the president—and the message was soon after received through Mr. Abraham Van Buren, his private secretary. [For which see this day's proceedings of the house.]
On motion of Mr. Hubbard, 3,000 copies of the message, and 1,500 of the accompanying documents were ordered to be printed.

Mr. Merrick then rose, and announced the death of his late colleague, (the hon. Jos. S. Spencer), as follows:

Mr. President: Like all other human enjoyments, the gratification of meeting and interchanging our mutual congratulations again on this occasion is not unamixed with painful and melancholy reflection. To me in an especial manner are the circumstances under which I now live to address you affecting. Your vantage seat, sir, explains the cause. My most excellent and estimable colleague, the hon. John S. Spencer, who for the last several years filled that chair with honor to himself and advantage to his country, is no more. He closed his awful and valuable life in the latter part of the month of October last, at his residence in Worcester county, Maryland, surrounded by his amiable and interesting family, and at peace with God and man. He was it will be remembered, in languid health during great part of our last session, and was often detained from his place here by that cause, which finally obliged him to leave the seat of government, and retire to his own home some time before the adjournment. From the disease which then afflicted him he never perfectly recovered; though there was occasional relief from it by that cause, there was no effectual cure, and he has now left three of his dear and all his scenes forever. He has at different periods of his life filled many of the most important and honorable

trusts in the gift of the people of his state, always possessing, always deserving their entire confidence. His course through life was much more the useful than brilliant order, possessed of a very large stock of sterling merit and virtue, there was about him nothing of ostentatious display. Ever content with the consciousness of doing his duty well and faithfully, he was careless of all other rewards.—None knew him who did not honor and esteem him; and all who knew him will join with me in saying that he has left no purer man behind him.

Mr. Merrick then submitted a resolution in testimony of respect for the memory of the deceased senator, which, having been unanimously adopted, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, Dec. 8. At 12 o'clock the speaker, the hon. Robert M. T. Hunter, took the chair. The clerk called over the names of the members and a quorum being in attendance, it was so announced by the chair.

Whereupon Mr. Taliaferro, of Virginia, submitted the following resolution:

Resolved, That a committee be appointed on the part of this house, to join such committee as may be appointed on the part of the senate, to wait on the president of the United States and inform him that a quorum of the two houses is assembled, and to inform him now ready to receive any communication he may be pleased to make.

This resolution was read and agreed to, and Mr. Taliaferro and Mr. Cize Johnson, of Tennessee, were appointed the committee on the part of the house.

On motion of Mr. Taliaferro, the clerk was then directed to notify the senate that a quorum of the house had assembled, and was ready to proceed to business.

Mr. John Quincy Adams gave notice that it is his purpose to offer to-morrow a resolution that the standing rule of the house, No. 14, adopted on the 23th of January last, be rescinded.

The rule which Mr. Adams will propose to rescind is in the words following:

"No petition, memorial, resolution or other paper, praying the abolition of slavery in the District of Columbia, or any state or territory, or the slave trade between the states or territories of the United States, in which it now exists, shall be received by this house, or entertained by its members."

It being ascertained that the senate would not form a quorum to-day, the house adjourned.

Wednesday, Dec. 9. On motion of Mr. Russell the hour of 12 was adopted for the present, to which the house should stand adjourned—and the clerk was directed to further the members, during the session with such newspapers as he might direct, not exceeding in expense the rate of three daily newspapers.

Some conversation ensued. Mr. Adams admitted that he would be satisfied with a silent vote upon his proposition. Whereupon Mr. Jentler withdrew his motion. It was renewed by Mr. Banks, of Virginia, and after a few remarks from Mr. Cize Johnson, Mr. Lewis Williams and Mr. Adams, the yeas and nays were taken and the resolution was laid upon the table, yeas 83, nays 28.

At half past one o'clock the president's private secretary, Abraham Van Buren, delivered the following

MESSAGE.

Fellow citizens of the senate and house of representatives:

Our devout gratitude is due to the Supreme Being for having graciously continued to us, beloved country, through a vicissitude of another year, the invaluable blessings of health, plenty and peace. Seldom has this favored land been so generally exempted from the ravages of disease, or the labor of the husbandman more amply rewarded, and never before has the relation with other countries been placed on a more favorable basis than that which they so happily occupy at this critical conjuncture in the affairs of the world. A rigid and persevering abstention from all interference with the domestic and political relations of other states, alike due to the genius and distinctive character of our government and to the principles by which it is directed; a faithful observance, in the management of our foreign relations, of the principle of speaking plainly, dealing justly, and requiring truth and justice in return, as the best conservators of the peace of nations; a strict impartiality in our manifestations of friendship, in the commercial privileges we concede, and the aid we require from others; these, accompanied by a disposition as prompt to maintain in every emergency, our own rights, as we are from principle averse to the invasion of those of others, have given to our country and government a standing in the great

family of nations, of which we have just cause to be proud, and the advantages of which are experienced by our citizens throughout every portion of the earth to which their enterprising and adventurous spirit may carry them. Few, if any, remain insensible to the value of our friendship, or ignorant of the terms on which it can be acquired, and by which it can alone be preserved.

A series of questions of long standing, difficult in their adjustment, and important in their consequences, in which the rights of our citizens and the honor of the country were deeply involved, have, in the course of a few years, (the most of our inquiries of long standing, and the most of our immediate predecessors), been brought to a satisfactory conclusion; and the most important of those remaining are, I am happy to believe, in a fair way of being speedily and satisfactorily adjusted.

With all the powers of the world our relations are those of honorable peace. Since your adjournment, nothing serious has occurred to interrupt or threaten this desirable harmony. If clouds have lowered above the other hemisphere, they have not cast their portentous shadows upon our happy shores. Bound by no entangling alliances, yet linked by a common nature and interest with the other nations of mankind, our aspirations are for the promotion of peace, in the solid and civilized triumphs all men prize, and in the generous emulation. Yet it behooves us to be prepared for any event, and to be always ready to maintain those just and enlightened principles of conduct for which our country has so often and so bravely stood. In the shock of conflicting empires, it is only by assuming a resolute bearing, and clothing themselves with defensive armor, that neutral nations can maintain their independent rights.

The excitement which grew out of the territorial controversy between the United States and Great Britain having in a great measure subsided, it is hoped that a favorable period is approaching for its settlement. Both governments are now convinced of the dangers with which the question is fraught; and it must be their desire, as it is in their interest, that this perpetual cause of irritation should be removed as speedily as practicable. I am happy to say that the message you have just received, proposing a commission of exploration and survey provided Great Britain had been received, and that a counterproject, including also a survey of the certain and fixed adjustment of the limits in dispute, was then before the British government for its consideration. The answer of that government, accompanied by additional propositions of its own, was received, through its minister, on the 10th of your session. It was promptly considered; and as we were deemed correct in principle, and consistent with a due regard to the just rights of the United States and of the state of Maine, concurred in; and the reasons for the refusal to receive the residue, with the suggestion on our part, communicated by the secretary of state to Mr. Fox. That minister, not feeling himself sufficiently instructed upon some of the points raised in the discussion, left it to be his duty to refer the matter to his own government for its further decision. Having now been for some time under its advisement, a speedy answer may be confidently expected. From the character of the points still in difference, and the undoubted disposition to bring the matter to a speedy and final conclusion, I look with entire confidence to a prompt and satisfactory termination of the negotiation. Three commissioners were appointed for the purpose of the adjustment of congress, under the act of the last session, to make a general exploration and survey of the line which separates the states of Maine and New Hampshire from the British provinces; they have been actively employed until their progress was interrupted by the inclemency of the season, and will resume their labor as soon as practicable in the ensuing year.

It is understood that their respective examinations will throw new light upon the subject in controversy, and serve to remove any erroneous impressions which may have been made elsewhere prejudicial to the rights of the U. States. It was, among other reasons, with a view of preventing the embarrassments which, in our peculiar system of government, impede any adequate arrangement for settling the territorial rights of a state, that I thought it my duty, as you have been informed on a previous occasion, to propose to the British government, through its minister at Washington, that the inquiry might be taken to adjust the points of difference on the line of boundary from the entrance of Lake Superior to the most northwestern point of the Lake of the Woods, by the arbitration of a friendly power, in conformity with the seventh article of the treaty of Ghent. No answer has yet

been returned by the British government to this proposition.

With Austria, France, Prussia, Russia and the remaining powers of Europe, I am happy to inform you our relations continue to be of the most friendly character. With Belgium, a treaty of commerce and navigation, based upon liberal principles of reciprocity and equality, was concluded in March last, and, having been ratified by the Belgian government, will be duly laid before the senate. It is a subject of congratulation that it provides for the satisfactory adjustment of a long standing question of controversy; thus removing the mutual animosity which has existed between the two nations. A messenger has been despatched with the Hanoverian treaty to Berlin, where, according to stipulation, the ratifications are to be exchanged. I am happy to announce to you that, after many delays and difficulties, a treaty of commerce and navigation, between the United States and Portugal, was concluded and signed at Lisbon, on the 26th of August last, by the plenipotentiaries of the two governments. Its stipulations are founded upon those principles of mutual liberality and advantage which the United States have always sought to make the basis of their intercourse with foreign powers, and it is hoped they will tend to strengthen the commercial intercourse of the two countries.

Under the appropriation of the last session of congress, an agent has been sent to Germany, for the purpose of promoting the interests of our tobacco trade.

The commissioners appointed under the convention for the adjustment of claims of citizens of the United States upon Mexico having met and organized at Washington, in June of our last session, the possession of the government, relating to those claims, were communicated to the board. The claims not embraced by that convention are now the subject of negotiation between the two governments, through the medium of our minister at Mexico.

Nothing has occurred to disturb the harmony of our relations with the different governments of South America. I regret, however, to be obliged to inform you that the late republic of Colombia have not yet been satisfied by the separate governments into which it has been resolved.

The charge d'affaires of Brazil having expressed the intention of his government not to prolong the treaty of 1825, it will cease to be obligatory upon either party on the 12th day of December, 1841, when the extensive commercial intercourse between the United States and Brazil, of our country, will no longer be regulated by express stipulations.

It affords me pleasure to communicate to you that the government of Chili has entered into an agreement to indemnify the claimants in the case of the *Macedonian*, for a cargo of property seized in 1819; and to add that information has also been received which justifies the hope of an early adjustment of the remaining claims upon that government.

The commissioners appointed in pursuance of the treaty between the U. States and Texas for marking the boundary between them, have, according to the last report received from our commissioner, surveyed and established the whole extent of the boundary north along the western bank of the Rio Grande, from the mouth of the river to Mexico to the thirty-second degree of north latitude. The commission adjourned on the 16th of June last, to reassemble on the 1st of November, for the purpose of establishing accurately the intersection of the thirty-second degree of north latitude with the river of the Sabine, and the medium line thence to Red river. It is presumed that the work will be concluded in the present season.

The present sound condition of our finances, and the success with which our embarrassments in regard to them, at times apparently insurmountable, have been overcome, are matters upon which the people and government of the United States may well congratulate themselves. In an ordinary year, however, it may be regarded as an evidence of public prosperity, is seldom conducive to the permanent welfare of any people; and experience has demonstrated its incompatibility with the salutary policy of a prudent and judicious management of the United States. Our safe reliance for financial efficiency and independence has, on the contrary, been found to consist in ample resources unencumbered with debt; and in this respect, the federal government is singularly fortunate and truly enviable position.

When I entered upon the discharge of my official duties in March, 1837, the act for the distribution of the surplus revenues was in a course of rapid execution. Nearly twenty-eight millions of dollars of

earliest in their development, and have been more important in their consequences, than any that have arisen under our complicated and difficult, yet admirable, system of government. I allude to a national debt, and a national bank. It was in these that the political contests by which the country has been agitated ever since the adoption of the constitution, in a great measure, originated, and there is too much reason to apprehend that the conflicting interests and opposing principles thus marshallled, will continue, as heretofore, to produce similar, if not aggravated, consequences.

Coming into office the declared enemy of both, I have earnestly endeavored to prevent a return to either.

The consideration that a large public debt affords an apology, and produces, in some degree, a necessity also, for resorting to a system and extent of taxation which is not only oppressive throughout, but likewise so apt to lead, in the end, to the commission of that most odious of all offenses against the principles of republican government—the prostitution of political power, conferred for the general benefit, to the aggrandizement of particular classes, and the gratification of individual cupidity—a alone sufficient, independently of the weighty objections which have already been urged, to render its creation and its maintenance a necessary and unapproachable absurd. If we add to this, its inevitable tendency to produce and foster extravagant expenditures of the public money, by which a necessity is created for new loans and new taxes on the people, and finally to refer to the examples of every government which has existed, for proof how seldom it is that the system, when once adopted and implanted in the policy of a country, has failed to expand itself, until public credit has been exhausted, and the people were no longer able to endure its increasing weight, it seems impossible to resist the conclusion, that no benefits resulting from its career, so extent of conquest, no accession of wealth to particular classes, nor any, nor all its abundant advantages, can compensate for its ultimate but certain results—a splendid government, and an impoverished people.

If a national bank was, as is undeniable, repudiated by the framers of the constitution as incompatible with the rights of the states and the liberties of the people; if, from the beginning, it has been regarded by large portions of our citizens as coming in direct collision with that great and vital amendment of the constitution, which has secured the powers not conferred by that instrument on the general government are reserved to the states and to the people; if it has been viewed by them as the first great step in the march of latitudinism construction, which, uncontrolled and unchecked, would be a transformation of a little value as an unwritten constitution, dependent as it would alone be, for its meaning, on the interested interpretation of a dominant party, and affording no security to the rights of the minority,—if such are the characteristics of this national ground could have been conceived for an occupying might but determined opposition to such an institution at the present day?

Could a different result have been expected, when the consequences which have flowed from its creation, and particularly from its struggles to perpetuate its existence, had confirmed in so striking a manner, the apprehensions of its earliest opponents; when it had been so clearly demonstrated that a concentrated money power, and a central seat of capital and combining such incalculable means of influence, may, in those peculiar conjunctures to which this government is unavoidably exposed, prove an overwhelming for the political power of the people themselves, when the true character of its policy to regulate, according to its will and its interests, and the interests of its favorites, the value and production of the labor and property of every man in this extended country, had been so fully and fearfully developed, when it was notorious that all classes of the great community had, by means of the power and influence it thus possessed, been infected to madness with a spirit of heedless speculation; when it had been seen that, secure in the support of the executive and judiciary, by which it was surrounded, it could violate its charter, and set the laws at defiance with impunity; and when, too, it had become most apparent that to believe that such an accumulation of powers can ever be given to any one individual, or being abused, was to invite in a fatal delusion?

To avoid the necessity of a permanent debt, and its inevitable consequences, I have advocated, and endeavored to carry into effect, the policy of confining the appropriation of money to the service to which objects only as are clearly within the constitutional authority of the federal government; of excluding from its expenses those imprudent and unauthorized grants of public money for works of internal improvement, which were so wisely arrested by

the constitutional disposition of my predecessor, and which, if they had not been so checked, would have done this time, what they have done in the general government in embarrassments far greater than those which are now experienced by any of the states; of limiting all our expenditures to that simple, unostentatious, and economical administration of public affairs, which is alone consistent with the character of our institutions; of collecting annually from the customs, and the sales of public lands, a revenue fully adequate to defray all the expenses thus incurred, but under no pretence whatsoever, to require the people to contribute a greater sum than was actually necessary to the public service conducted upon the principles I have stated.

In lieu of a national bank, or a dependence upon banks of any description, for the management of our fiscal affairs, I have recommended the adoption of a system which is now in successful operation. That system affords every requisite facility for the transaction of the pecuniary concerns of the government; will, it is confidently anticipated, produce in other respects many of the benefits which have been hitherto to time expected from the creation of a national bank, but which have never been realized; avoid the manifold evils inseparable from such an institution; diminish, to a greater extent than could be accomplished by any other measure, the expense of the patronage of the federal government—a wise policy in all governments, but more especially so in one like ours, which works well only in proportion as it is not too largely for its support upon the public treasury. I have recommended, and I have, I am unweariedly endeavoring to carry out, a policy, which, I believe, will, in the end, forever, all dependence on corporate bodies, either in the raising, collecting, safekeeping, or disbursing the public revenues; and place the government equally above the temptations of favoring a dangerous and unconstitutional institution at home, or the necessity of adapting its policy to the views and interests of a still more formidable money-power abroad.

In the adoption and carrying out these principles, under circumstances the most arduous and discouraging, that the attempt has been made, thus far successfully, to demonstrate to the people of the United States that a national bank at all times, in all seasons, and in all circumstances, is a period when the honor and safety of the nation demand the temporary sacrifice of a policy, which should only be abandoned in such exigencies, are not merely unnecessary, but in direct and deadly conflict with the principles of our government, and to their own permanent welfare.

The progress made in the development of these positions, appears in the preceding sketch of the past history and present state of the financial condition of the government. I have, I am confident, stated fully and honestly the assertion, that all the purposes for which this government was instituted have been accomplished during four years of greater pecuniary embarrassment than were ever before experienced in the history of our country. I have stated fully and honestly the assertion, that all the purposes for which this government was instituted have been accomplished during four years of greater pecuniary embarrassment than were ever before experienced in the history of our country. I have stated fully and honestly the assertion, that all the purposes for which this government was instituted have been accomplished during four years of greater pecuniary embarrassment than were ever before experienced in the history of our country.

If this view of the proceedings of the government, for the period it embraces, be warranted by the facts as they are known to exist; if the army and navy have been sustained in the most efficient manner by law, and which congress deemed sufficient for the defence of the country and the protection of its rights and its honor; if its civil and judicial service has been equally sustained; if ample provision has been made for the administration of justice and the execution of the laws; if the claims upon public gratitude in behalf of the soldiers of the revolution have been promptly met, and faithfully discharged; if there have been no failures in defraying the very large and increasing expenses of the long continued and salutary policy of peacefully removing the Indians to regions of comparative safety and prosperity; if the public faith has at all times, and every where, been most scrupulously maintained; if there has been no ground for any extended and diversified claims on the treasury;—if all these great and permanent objects, with many others that might be stated, have, for a series of years, marked by peculiar obstacles and difficulties, been accomplished, and the government has remained a permanent debt, or the aid of a national bank, have we not a right to expect that a policy, the object of which has been to sustain the public service independently of either of these fruitless sources of discord, will receive the final sanction of a people whose unbiased and fairly elicited judgment upon public affairs is never ultimately wrong?

That there is in the present condition of the individuals, of uneducated and unenlightened nations, have recently existed in this as in other commercial nations, is undoubtedly true. To suppose it necessary now to trace these reverses to their source, and which has been a reflection on the intelligence of my fellow citizens. Whatever may have been the obscurity in which the subject was involved during the earlier stages of the revulsion, there cannot now be many by whom the whole question is not perceived.

Not desisting it within the constitutional powers of the general government to repair private losses sustained by reverses in business having no connexion with the public service, either by direct appropriations from the treasury, or by special legislation designed to secure exclusive privileges and immunities to individuals or classes in preference to, and at the expense of, the great majority necessarily debarred from any participation in them, no attempt to do so has been either made, recommended, or encouraged, by the present executive.

It is believed, however, that the great purpose for the attainment of which the federal government was instituted, have not been lost sight of. Instructed by the experience of the past, and by legislation designed to secure exclusive privileges and immunities to individuals or classes in preference to, and at the expense of, the great majority necessarily debarred from any participation in them, no attempt to do so has been either made, recommended, or encouraged, by the present executive. It is believed, however, that the great purpose for the attainment of which the federal government was instituted, have not been lost sight of. Instructed by the experience of the past, and by legislation designed to secure exclusive privileges and immunities to individuals or classes in preference to, and at the expense of, the great majority necessarily debarred from any participation in them, no attempt to do so has been either made, recommended, or encouraged, by the present executive.

I have been strengthened too, in the propriety of this course, by the conviction that all efforts to go by, by the influence of the great money power, and distrust, to excite jealousies, and to provoke resistance. Instead of adding strength to the federal government, even when successful, they must ever prove a source of incurable weakness, by alienating the people, and destroying the confidence and the voluntary attachment, in its estimation, far more essential to the efficiency of a government strong in the best of all possible strength; the confidence and attachment of all those who make up its constituent elements.

Thus believing, it has been my purpose to secure to the whole people, and to every member of the confederacy, by general, salutary, and equal laws alone, the benefit of their representation, justice, and which it was the end and aim of the constitution to establish, and the impartial influence of which is, in my judgment, indispensable to their preservation. I cannot bring myself to believe that the lasting happiness of the people, the prosperity of the country, or the permanency of their union, can be maintained by giving preference or priority to any class of citizens in the distribution of benefits or privileges, or by any other means, which would sacrifice one portion of the union at the expense of another. I can see in the interference of the federal government with the local legislation and reserved rights of the states a remedy for present, or a security against future danger.

The first, and assuredly not the least, important step towards relieving the country from the condition into which it had been plunged by excesses in trade, banking, and credits of all kinds, was to place the business transactions of the country upon a solid basis; giving and receiving in all cases value for value, and neither countenancing nor encouraging in others that delusive system of credits from which it has been found so difficult to escape.

That the financial affairs of the government are now, and have been during the whole period of these wide-spread difficulties, conducted with a strict adherence to the principle of the equality of the principle, and that by the assumption and maintenance of the stand thus taken on the very threshold of the approaching crisis, more than by any other cause or causes whatever, the community at large has been shielded from the incalculable evils of

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FOREIGN ARTICLES.

The packet ship Columbia, at New York, brings Liverpool dates to the 9th Nov. two days later than our previous advices. Nothing of importance had transpired in the interim except the speech of Louis Philippe, which was considered satisfactory in all quarters. The tone of the public journals is extremely mild and conciliatory, and evinces a disposition to make every honorable concession for the purpose of preserving the peace of Europe. The king proclaims his love of peace, and appoints the representatives of the French nation to assist him in the maintenance of a blessing so essential to the common interests of Europe, to its people, and to the progress of civilization.

The effect of the king's speech of the king of France was favorable to the money market—consols and securities advanced.

Flour was dull—large arrivals from America—corn market supply supplied and the trade dull at previous rates.

AFRICA.

Governor Buchanan writes from Monrovia under date of 21th October, that the colony of Liberia was in an unusually healthy state, and every thing was prosperous and flourishing.

NETHERLANDS.

The prince of Orange, who has recently been advanced to the throne, by the voluntary abdication of his father, the king of the Netherlands, is 49 years of age. He was distinguished at the battle of Waterloo. Among the list of foreign stockholders in the Bank of the United States, as given by a committee of congress, is the prince of Orange as a holder of one million of dollars. [Newspaper Herald.

BRAZIL.

The trade of Brazil. It is stated that the statistics of the kingdom of Brazil, in South America, show that one half of the foreign importations into that country is furnished by Great Britain, while the other portion from the United States is only about one twentieth. Surely our merchants will be on the qui vive in this matter. [Philad. Inq.

BUENOS AYRES.

The affairs of this country says the correspondent of the Journal of Commerce, were in a very critical state, on the 20th Sept. an engagement was daily expected between the armies of gen. Rosas and Lavalle. I rode out the other day to the army, in company with capt. Ogden, of the U. S. ship Decatur. We expected the army with gen. Rosas, and some of his principal officers. The men look as if they will fight hard, and gen. Rosas has one fourth more men than gen. Lavalle, but the troops of the latter are said to be veterans, and the former are about half new. The army is about ten leagues from Buenos Ayres. The new French admiral, Mackay, arrived at Montevideo on the 23d of that month, with two frigates and a portion of the troops, and, on the arrival of the other vessels, would go up to Buenos Ayres. Gen. Lavalle had retreated some sixty leagues from his position in the vicinity of Buenos Ayres, and was expecting an attack from Oribe and the Buenos Ayres generals, whose united forces amounted to 6,000 men; his to 4,000. The latter states that governor Rosas has been tannishing his resistance among the Unitarios, 80 of whom had been shot, and a large amount of property confiscated.

TEXAS.

Galveston dates to 3d December, confirms the accounts in our list of the treacherous conduct of the federalists.

Many of the American volunteers had come in, having escaped from the pursuit of the centralists. One detachment of them retreated from Victoria to the eastern side of the Rio Grande, a distance the centralists, and travelling on one occasion almost ninety miles in twenty-four hours. Accounts had reached Houston, stating the arrival of the detachment under colonel Jordan at Laredo. A detachment of Mexican centralists, two hundred strong had crossed the Rio Grande and ventured into the limits of Texas as far as Aubrey's Banche, for the purpose of ascertaining whether the smuggling of tobacco was carried on, and that pointed in the west. They retired without any mischief, stating that they had strict orders not to molest any but those who were fighting for the federalists.

Major Howard had arrived at Austin from San Antonio. He reports the section of country through which he led his troops, as generally fertile, well watered and timbered. The Indians had crossed the Rio Grande, on the west side of which they had committed many depredations. An English merchant is in Galveston making arrangements to carry on the trade with Liverpool in the shipping of cotton and importation of merchandise. The proceedings of congress, now in session, show nothing of special interest. The French minister, Mr. De Saligny had been introduced to congress, and was received in the most flattering manner. The emigration to Texas seems to be rather on the increase than otherwise. During the last twelve months, it is estimated that ten thousand slaves were introduced.

NATIONAL AFFAIRS.

DIPLOMACY. His excellency the minister of Portugal, to reside at Washington, the commander De Figueiredo de Momo, his lady, six children and eight attendants, arrived in Baltimore on the 11th inst. The wife, from Rio de Janeiro, where he had experienced a severe and dangerous illness. The voyage was beneficial to him, but it is now confirmed by a rheumatic affection.

PRELIMINARY EXERCISES.

The general result in each state having been inserted, as in our last, we shall omit the table of aggregates until it can be inserted complete. Some few counties are yet to be inserted from Tennessee, Missouri and Mississippi.

GIVE US RECIPROCITY IN TRADE OR A DISCRIMINATING DUTY. A series of resolutions has been introduced into the Georgia senate, instructing the senators and requesting the representatives of that state in congress—to use their best efforts to have a law passed at the ensuing session of congress, to tax all French wines, silks and brandies, in proportion to the one which they lay upon our tobacco in their ports.

A PROTECTIVE TARIFF. We recur to this subject again, more however, for the purpose of placing before our readers a few facts connected with it. We last week placed before our views of our own. The subject is one of controlling importance, and destined in a short time to be one of general interest throughout the country, as well as of extended discussion in the national legislature. We last week placed before our readers a table of the exports and imports for the last fifteen years, and aimed to show that the reduction of the tariff of 1823 was the signal for excessive importation, as well as the commencement of a heavy debt contracted in Europe by American merchants. The excess of imports over the exports of the country is estimated to be the amount of the foreign debt due to Europe. We shall endeavor to show for what this debt has been contracted, and point out the beneficial effect of a renewal of the tariff act of 1823 would ensure to American industry. The total amount of imports into the U. S. during the year 1839 was \$157,619,560. Of this sum \$72,047,719 was admitted free of duty. Now let us see for what this last sum was paid to European merchants, and as we have no means of ascertaining the amount in 1839, we will take the year 1837 when the la-

ports were about equal to 1839, the following table exhibits the different articles and the nature of each imported into the country during the year 1836, when the excess of the exports over the imports amounted to sixty million:

Article.	Value.
Cotton manufactures,	\$17,790,157
Woolens,	12,735,430
Wines,	4,332,034
Spirits,	1,917,281
Tees,	5,342,811
Salt,	724,527
Molasses,	4,977,312
Iron and steel,	12,892,648
Crockery,	2,709,167
Silks,	22,980,214
Coffee,	9,653,033
Sugar,	12,514,718
Spices,	1,928,639
Lead,	67,321
Linens,	8,271,213
Hemp,	815,558
Spices,	18,400,281

It will be seen by the above that we paid in 1839 \$22,980,212 for the single article of silks. In 1839 the imports for the same article amounted to \$22,980,212 and yet this article, which comes from France principally, and where our exports are admitted only under the most severe restrictions, comes into our ports free of duty. Need we say a word as to the importance of saving, by imposition of an adequate tariff, this immense expenditure to the nation, now that it is established beyond all question that we are as capable of producing the article of silk ourselves as any other country. Added to this, silk is an article of luxury almost exclusively, and an imposition of duties upon it would fall upon those most capable of bearing them.

But again. It will be seen that the amount of woolen goods brought into the country in 1836 was \$12,735,430. In 1839, under the operation of the compromise bill, reducing still lower the duties on woolen goods, this article exceeded \$13,000,000. This is so much drawn from the earnings of the country. It is so much paid by the manufacturers of this country to those of Europe, and operates as an onerous and oppressive burden upon our manufacturing sections of the union. In 1836 the cotton manufactures imported into the country amounted to near eighteen millions, and probably much exceeded that sum in 1839. This, too, is a heavy tax paid by this country to Europe. We pay also six millions to France for wines and spirits, while our government derives no revenue from this source.

But to whom do we pay tribute? The following exhibits the different countries from which the imports proceed, and the amount for each during the year 1836:

Great Britain and dependencies,	\$86,022,915
France,	37,036,235
Spain,	19,815,690
Netherlands,	8,861,514
Sweden,	1,299,603
Denmark,	1,874,340
Portugal,	672,760
China,	7,254,816
Hanse Towns,	4,994,280
Russia,	2,778,554
Mexico,	5,615,819
Columbia,	1,686,650
Brazil,	7,210,190

During the same year we exported to

Great Britain,	64,487,550
France,	21,441,200
Spain,	8,951,968
Sweden,	700,260
China,	1,194,264
Hanse Towns,	4,663,882
Russia,	911,013
Brazil,	3,094,936

And leaving us indebted to

Great Britain,	21,535,065
France,	16,585,085
Spain,	11,264,022
Sweden,	589,217
China,	6,180,532
Hanse Towns,	330,938
Russia,	1,867,241

\$87,832,670

Showing an aggregate indebtedness to the above seven European governments, about equal to the whole excess of imports over the exports for that year. Now how is it to be paid? Does it use operate as a tax upon American industry? Is it not so much taken from the earnings of the people of this country and paid to producing classes of the old world? After examining the above table, we ask every one if it be not time for us to endeavor to interpose its prospective pressure and check the increasing amount of taxes we are paying to the monarchies of Europe? For ourselves rather than go on in the career which has marked our history for the last six or seven years, we much prefer to return to that system which prospered from 1821 to 1831, when the country went on prosperously, and when we were contracting no debts in foreign countries. (Source *Courier*.)

THIS NAVY.

Commander Vothers has been ordered to the U. S. ship of war *Preble*, vice commander *Brezee* relieved. The *Preble* goes to the Mediterranean.

It is said that the line of battle ship *Columbus*, now at Charleston, N. H., will immediately be fitted for sea. She has been ordered to the Mediterranean, under command of commodore Morris, to relieve commodore Hull and the *Osio*. The Independence goes elsewhere.

The following is a list of the officers attached to the U. S. ship of war *Town*, bound for the Pacific:

Commander J. H. Aulick; lieutenants N. E. Engle, S. C. Gist, C. W. Pickering, H. J. Hartstone; acting master C. F. McIntosh; passed assistant surgeon William L. Van Hook; purser Thomas B. Nally; assistant surgeon, William A. Nelson; passed midshipman William L. Blanton; midshipmen M. K. Warrington, H. K. Stevens, L. Bead, Wm. Nelson, Robert Savage, A. F. Warley, F. L. Conover, R. Aulick; captain's clerk H. L. Hartree.

The U. S. ship of war *Decatur* will at Buenos Ayres on the 29th September, to sail for Rio about the middle of December.

STATES OF THE UNION.

NEW HAMPSHIRE.

Message of governor Page.

Fellow citizens of the senate,
and house of representatives:

In pursuance of an appointment in June last we are again assembled, charged with the high functions, and charged with the responsible duties of legislators. The full consideration of much of the important business then before the legislature was necessarily postponed to this time, and will doubtless receive that attention its importance demands.

Independent treasury. Since our last sitting, that long agitated and most important bill, establishing an independent United States treasury, has received the sanction of the legislative authority of the union, and become the law of the land. The influence of this measure will be felt in all directions in checking the great fluctuations in the nominal prices and value of property, so ruinous to industrial enterprise, by preventing the vast expansions and consequent contractions in the amount of paper money and by infusing a greater amount of the less variable, and universally appreciated and acknowledged measure of value, specie, into our medium of circulation. Its tendency will be to prevent suspension of specie payments by the banks, by compelling them to adhere to the regular and legitimate course of the business of banking, and to restrain expectation that while the revenues of the general government shall be paid in part or wholly in specie, they will be held to the performance of their chartered stipulations with the public, and be called to redeem at least partially, their resources to their holders, with the gold or silver their bills are supposed to represent. To this no bank can offer any valid or reasonable objection, and no solvent and properly conducted bank need fear it.

The withdrawal of the national funds from the custody of the banks, which funds are collected from the whole mass of our citizens for national and not for individual purposes, will also by lessening the means of temptation thereto keep in check that wild and reckless spirit of adventurous speculation, which meets with success only at the expense of the industries and frugal, and which has heretofore covered with disaster and embarrassment the whole length and breadth of our land.— Industry and economy will take the place of idleness and prodigality. Order and regularity in business will come, instead of the hurried and speculation which brings ruin and desolation instead of wealth, in its train. Our importations will be graduated to the actual demands for our consumption; the foreign debts of our merchants will be cancelled; trade will resume its regular and health-

ful course, and as a nation, we shall soon regain, and let us hope continue, in the path of solid prosperity and real independence. Nor is this all: the funds of the general government, the money of the nation will be under its own control, solely kept for its own legitimate use, the prompt satisfaction of all claims upon the national treasury in pursuance with legal appropriations therefor.

The disasters that have happened to our national revenue under the system of bank deposits, can never occur under the independent treasury system. Under the former, we have seen very large amounts of the national revenues deposited in the banks, when all, or nearly all those institutions refused to pay a single dollar in specie to redeem their bills.— We have seen our government, as a choice and well-obliged to resort to the issue of treasury notes with which to meet its liabilities for the want of those funds thus rendered unavailable through the delinquency of the banks depositors. Fortunately for our country it was in time of peace this disaster befell her; had it happened when we were at war with any of the powerful nations of Europe, the extent of the calamities that might probably have befallen her, can hardly be estimated. The experience of the past is the best guide for the future, and it is to admonish us to be prepared for every probable or possible emergency.

The public lands. Among the various subjects which will claim your attention at this time is a new and important factor, the public lands. This is made it equitable and just to all portions of the state will require much labor and patient investigation. I doubt not the subject will receive the early and persevering attention which its importance, as well as its direct regard to economy of time, demands.

Banks. Allow me here to repeat the recommendation made to you in June last, touching "the expediency of making it the duty of the bank commissioners within certain limited times to examine into the affairs of the banks, without being called upon by the governor for that purpose." Although it may be believed the condition of the banks generally in this state precludes suspicion of maladministration or fraudulent designs upon the public, yet the disclosures of the past year show that a bank may keep up its reputation abroad, commending credit with the public for an extensive circulation of its bills, while an investigation of its affairs at home would at once have exposed to view a condition almost and unsafe; and I cannot but believe your examinations made from time to time, as suggested, would at least have prevented such betrayals of public confidence, and the consequent public loss and embarrassment.

Agreeably to a resolution of the house of representatives of the 19th of June last, one of the bank commissioners has made an examination of the condition of the Wolfborough bank. His report of the result of his investigation which has been made public through the medium of the newspapers, will hereafter be specially communicated; as will for the same purpose, the report of another commissioner which is expected. (Made in pursuance of a resolution of the house of representatives of the 19th of June last), concerning the affairs of the Concord bank.

State prison. The state prison is now managed openly on account of the state. Essential alterations and repairs in the workshops, have been made by the present warden, new branches of manufactures have been introduced, and the convicts are all steadily and industriously employed. The government will be enabled to present to the public a never better than at the present time. The results of the labor of the convicts in a pecuniary point of view, we have had scarcely time to ascertain; but your labor is directed to those objects which afford the best prospect of success. The claims for the labor of convicts under the present management have been promptly met and cancelled. The present condition of the financial affairs of the prison will be hereafter communicated to you, and I indulge the hope, that with careful and energetic management, the jailors of the state will be enabled to make necessary purchases, the institution may be enabled to sustain itself, without additional charge upon the treasury, and also preserve the capital invested in its operations.

Criminal law and penitentiary system. The great object of our criminal laws and penitentiary system is to deter men from the commission of offences, by inflicting on them punishment to all offenders; and to protect society from the depredations of the lawless. The present system of punishment by temporary imprisonment, contemplates, not only punishment for the offence, but reclamation of the offender and the system recommends itself strongly to our sense of justice, as well as to our feelings of humanity. It may be readily seen on

locking into our prisons and examining their inmates, that a large portion of them are young men, who have grown up with little parental care, instruction or advice, having never been taught the habits of industry, but allowed to remain idle and ignorant, the natural consequences have followed, and they have gradually sunk in the scale of depravity until at last they have met "the sharp rebuke of inflexible law." In the confinement of the felony cell. There, under the influence of a stern and rigid discipline, the convict has a chance left of redeeming himself. Reflection will force itself home upon him, and reformation may follow. He may, if he will, acquire some honest art of earning a livelihood, and when the term of his imprisonment shall induce him to practice it. Applications for pardon of convicts are of very frequent occurrence, before the term of imprisonment is nearly expired; the practice is believed to be attended with pecuniary efforts to bribe the convict to desert his prison restless and uneasy, under the groundless hope of a remission of part of the penalty annexed to his offence, which he should be taught to expect only, if at all, near the close of his adjudged term of confinement, and then only, in consideration of well-earned example, and apparent determination to lead an amended life.

Judicial system. The operations of our judicial system are matters of profound interest to all classes and conditions of our people. To render the system as efficient as possible, and to secure, as far as possible, within the limits of the constitution, is the appropriate duty of the legislature. The delays and consequent expense, experienced by litigants in our courts of law, have become proverbial. Whether it is to be ascribed to defects in our laws, or in the mode of administering them, I will not assume the province of judging; but whatever the cause may be, the expensive delays attending our administration of justice, is a subject of general complaint, especially in the larger cities of the state. The complaint, if well founded, all will agree, should meet with prompt attention from those who have been chosen by the people and made legislative guardians of the common welfare. In any constitutional remedial measures which the wisdom of the legislature may devise, I shall most cordially co-operate. And I beg leave to suggest for your consideration, the propriety and expediency of dividing some of the more extensive counties in the state, into two or more districts for judicial purposes.

The project of establishing an institution for ameliorating the condition of the suffering insane in New Hampshire, is a subject of intense interest to very many of our people; the success of which every philanthropist will sincerely desire. The general principle of humanity, the unfortunate condition of the class of persons for whom relief is sought, more especially if the bills of pauperism be added to loss of reason, and it may be said, and perhaps truly, the honor of the state, press this subject upon our consideration with almost irresistible force.

If pauperism presents a claim to the charities of the people, which civilized and Christian communities always allow, the relief given being restricted only by the necessity for it, then, indeed, justice as well as a wise and prudent charity seem to urge the grant of a like measure of relief, if possible, in cases when to the strong claims of poverty, are added the fearfully interesting and still stronger claims of insanity. It is to be hoped that the trustees of the state hospital, if enabled in their report (to be made to the legislature at its present session, agreeably to an act passed in June last), to show such reasonable grounds of hope, for its ultimate success in the undertaking, as will command for it the cordial assent of the legislature.

Geological survey. The geological survey of the state under the direction of Dr. Jackson, the state geologist, assisted by Messrs. Williams, Whitney and Baker, has students, has been in progress during the past season. It would be a great advantage if it could be continued in some form, as it has been perfected in one season. It is believed, however, that a mass of interesting information has been collected, and many valuable discoveries of minerals made. A large number of specimens have been collected, and deposited in the state cabinet, and other specimens and assays are now undergoing the test of analysis and assay in the laboratory. Next season it is proposed to take up the survey of all the towns in regular and due order, complete the geological map, and to expect that the report for the year will be as timely as usual. I am informed by the geologist that he will be able to make his first annual report during the coming winter. Interesting and valuable results are expected from this survey; to insure these, it is requested that the survey should be carried out thoroughly and com-

pletely in accordance with the enlightened and liberal policy of the legislature with which the plan originated.

I doubt not it will be your desire to limit the expenses of the session, by its termination at as early a day as may be consistent with a due consideration of the important business now before the legislature; in the adoption of such measures as shall promote the best interests and prosperity of our constituents I shall most cheerfully co-operate.

JOHN PAGE.

Executive Department, Concord, N. H. Nov. 19, 1840.

ALABAMA.

Election returns—official.

Elect.	V. B.	H. mj.	V. B. mj.
Autauga,	501	574	17
Barbour,	1,029	812	846
Butler,	719	274	430
Bibb,	593	478	106
Benton,	483	1,248	
Baldwin,	137	119	19
Blount,	105	730	
Covington,	188	65	123
Conecuh,	541	269	332
Cannons,	1,029	678	261
Cosa,	320	539	
Clarke,	316	590	
Cherokee,	377	753	
Dallas,	1,021	689	333
Dale,	367	672	
DeKalb,	137	771	
Franklin,	637	903	
Fayette,	203	819	
Greene,	1,366	788	578
Henry,	325	321	
Jackson,	315	982	
Jackson,	37	2,147	2,090
Lauderdale,	896	522	374
Lawrence,	619	782	
Limestone,	336	897	
Escalade,	618	887	
Montgomery,	1,134	811	
Mobile,	1,491	1,121	369
Macon,	711	338	393
Nacogdoches,	842	593	247
Monroe,	646	261	253
Madison,	290	1,983	1,592
Morgan,	338	894	446
Marshall,	112	924	782
Marion,	196	535	339
Meritt,	973	828	
Pike,	638	627	118
Pickens,	1,062	779	263
Russell,	691	401	287
Randolph,	279	524	
Shelby,	573	407	166
St. Clair,	42	679	637
Sumter,	1,369	1,180	124
Tallapoosa,	1,276	938	323
Tuscaloosa,	689	788	
Telford,	412	436	
Washington,	263	276	
Wilcox,	773	437	311
Walker,	244	867	123
	28,471	33,991	
		28,471	

Van Buren maj. 5,520.

ARKANSAS.

The following is the result of the election held in this state, on the 1st Monday of November, for electors of president and vice president, as taken from the official returns.

	Harrison.	Van Buren.
John Miller	6,018	John W. Cooke 4,262
John McClellan	6,017	John Ringgold 4,363
Sam. M. Rutherford	6,049	Lewis Evans 4,361
Van Buren majority	1,686.	

INDIANA.

The following is the vote of each candidate for presidential electors received at the late election, as copied from the official returns in the secretary's office.

	Harrison.	Van Buren.
McClellan	63,276	Hendricks 51,630
Marshall,	63,288	Howell 51,328
Payne,	63,267	Owens 51,493
Thompson,	63,308	Seacrest 51,138
White,	63,299	Henley 51,110
Craves,	63,298	Robinson 51,692
Smith,	63,277	Kennedy 51,680
Herd,	63,273	Peaslee 51,666
Sample,	63,297	Lemon 51,534

MISCELLANEOUS ARTICLES.

THOUGHTS AFTER ELECTION. For young women. The heats of election time are over, and we think it might be well for us to look about us for something with which to occupy the minds of our restless population. During the long winter even-

ings our working men need something to take the place of the calculations, the arguments, the wages and the worry war about Van Buren and Harrison. We have had our pagents, our weasens fire, our salutes and our treats; it is time to sit down to the quiet enjoyments of the season.

And a blessed season it is after all. Spring, summer and autumn have each their appropriate delights; and these are mostly enjoyed under the blue heavens and in the balmy air; but winter, eleventh winter, is the time for in-door comfort, the quest of knowledge and the flow of affection. They may talk of it, but who does not know that the yearning tenderness of young hearts put forth their claspings tenderly most lustily between Thanksgiving day and the return of the blue bird? Now, when uly days begin to throw their dancing flames over the snug sitting room when the piping of the viol tells how close the house is; when Jack frost drives the rosy children to wait about the father's knee, or roll half asleep upon the rug; now is the time when the working man, who has not been of cattily gifts, a wife, and abundance of little olive oil, will, as his tale, learn fully what is meant by the happy syllable, home.

The rivals of our home are many and fearful.—Among the direst is the drinking place, whether known as porter house, grog shop or tavern. The man who spends his evenings in these stygian fumes, soon grovels and wallows away half his civilization. Where ought he to be, but by his own warm fireside, rewarding his wife for the solitary labors and vexations of the day, and receiving on his own part those clear but invaluable pleasures, which are as much above the delirium and rhabdomy of the bar room, as the light of day is above the glimmer of a dipped candle. I am no enemy to tavern keepers. They use good sense, their own friends are not strangers to the stranger and the traveler ought to be remembered and repaid, but they ought likewise to be freed from the horrible enormities which proceed from their phials of madness and death. The worst effects of ill conducted taverns are felt, not by the wandering man, for whose behoof the inn is instituted, but the throng of villagers and neighbors, who have, or who ought to have, homes of their own, who need no tavern, and who seek shelter from their love, from love of excitement, or from beastly appetite.

Go into any town, and abide for a few days at one of these mans of alcoholic temptation. Mark the men who from day to day enter the ever open doors. Some are there for hours, some at frequent intervals; some are maddened by the state of affairs either in the lazing upon the porch. You have before you the representatives of the indolence, the loquacity, the mischief, the mischief making, and the insolvency of the place. Is there one of them who drives a handsome business? Is there one of them who wears his own earnings on his back? Not one. Is there one of them who is reputed for philanthropy, public spirit, or successful talent, in any department? Not one. Is there one of them who enjoys the sobriety, the clear spirits and the ray line of health? Not one. That increasing plethora and sluggish growth is not the sign of strength. The cheek is flabby and the hand is soft. That redness of the eye and nose is not the color of genuine health. That snoring and final laugh is not the sign of a healthy mind. That radiance of the face before the tavern becomes a sludge.

Al! if that bar room could be adjured to testify, if those books, redolent of brandy and spiced with the marks of many a tumbler, could be put to the question, if, after every name, you could read the history of the drunkards who have dropped one by one, how would the hideous revelation save the very not for his swinish indulgence! The spell, however, is not broken, because the true Lethe is ever near. The first touch of consciousness is quelled by brandy and water. Hence it is, that the tavern brawler is often hopeless. He drinks till he feels himself half ruined; he is wretched; he drinks to drown his wretchedness; he does drown it, and his soul along with it. Oh hapless youth! before he gets to the break away, by a sudden, an agonizing effort or you will be the victim.

The brandy house and home are antagonistic powers—deadly foes, irreconcilable rivals. If you wish to exult in a man's house and break his own wife's heart, introduce him to his own house. You can give him pleasure of attraction at home, the drinking place will have none. Has he a virtuous, sensible, intemperate, comely, loving wife, and endeavoring father? No matter. His leisure hours are not for them, but for the loungers at the bar and pool. He will assign business, or the expectation of a review, or a visit to a customer, or any one of a thousand pretexts to take him and to keep him there. There he is, at noon and at night, and on the Sabbath. Until habit has steeped him, he sneaks thence. Given leader, he

becomes a fixture of the establishment. Every drinking place has its retinue of attendants, known to every passer by. The tavern sign is not more familiar than the tavern signs. Homeless creatures! each of whom in some bright or humble sphere, might have been enjoying such innocent delight, around the domestic altar, as could make this world a type of paradise!

To young men, beginning life—especially to newly married men, the counsel is reasonable. *Reverence the fireside.* Admit no rival there. Let your chief joys be shared by her whose fate has forsaken all other trials and hopes for you, by those who must labor, hour or disgrace from your course of life. Sit in the bar room and purloins of intoxication. It is to thousands the avenue to infamy. Help to rid those industrious men who preside over public houses, and succumb to the need and necessity of leading some men into drunkenness and drunks into despair—help to rid them of this unpleasant part of their office.—They pocket their grief for these results. You cannot but believe so. Help them to wash their hands of the horrible sin.

[Newark Daily Advertiser.]

REPORT OF THE D'HAUTEVILLE CASE. We have received from Philadelphia a large volume of two hundred and ninety-five pages, octavo, containing a full report of the D'Hauteville case, in relation to which so much has been said and published during the last two or three years. Legal proceedings were commenced in this matter last summer, upon a writ of habeas corpus, before the judges of the court of general sessions for the county of Philadelphia. The hearing lasted several weeks, and the case was conducted with much ability by W. B. Reed, J. M. Scott, and J. R. Ingersoll, for the relator. Mr. D'Hauteville, and J. Caldwell and W. M. Meredith, equires, for the respondent, Madame D'Hauteville. The opinion of the court was delivered by judge Barton on the 14th inst. and was in favor of the respondent.

It appears, that in the year 1837, Mr. David Sears, a highly respectable and wealthy citizen of Boston, Mrs. Sears and several of their children, among whom was the respondent, made a visit to Europe. While in Paris, the latter became acquainted with the relator, Mr. D'Hauteville. The respondent, then Miss Ellen Sears, was a beautiful girl of about eighteen, possessing an intellect elegantly cultivated, and the most refined manners. D'Hauteville was a young gentleman of about twenty-five years of age, a native of the same land. He was the son of very respectable parents. His father had lived near Geneva. After a short acquaintance between the parties, Mr. D'Hauteville made proposals of marriage to Miss Sears, which were at first rejected. These proposals were, however, renewed, and after the arrangement of some preliminary touching pecuniary affairs, they were married.—The marriage took place at Montreux, in August, 1837. It seems that almost immediately after they were united, difficulties arose between them, and the time which the respondent spent in Europe, previous to leaving her husband to visit her father's family in Boston, was a season of great unhappiness. In the early part of 1838, Madame D'Hauteville, with the consent of her husband, came to this country on a temporary visit. Since her arrival here, however, owing, as she alleges, to some views expressed in letters from her husband written to her father and herself, she became fixed in a determination not to return. On the 27th of September, 1838, she made public notice of her marriage, was born in Boston. In the month of July, 1839, the relator came to this country, and has since been engaged in fruitless endeavors to regain his wife and child.

From the allegations of the respondent it is satisfactorily shown, that the marriage of Madame D'Hauteville was a sacrifice, the result of an unwillingness, on her part, to recede from an ill-considered engagement, into which in extreme youth, she had imprudently allowed herself to be drawn, and with which she afterwards complied, under the influence of a mistaken sense of duty. That she would not have thus complied, or been married to the relator at all, if she had not been assured that her father would not be opposed upon points which she deemed necessary to her happiness and welfare, and which she did not then consider her wishes as unreasonable. That from the moment of their marriage, Mr. D'Hauteville deemed himself absolved from all obligations of engagements, and that he had, in consequence of ill-treatment, many of them committed in total disregard of the feelings and interests which had formed the subjects of his engagements before marriage, and by a continued system of oppression,

made his wife's situation insupportable, to such a degree that her life and her reason were threatened, and had in some measure sunk under the weight of her oppressions, until her soul fled from the scene of them because, under medical advice, indispensable. That she came from Europe, accordingly, under his assurance, and in the belief, that he would at least endeavor to open the way for an improvement in her condition.

That in this expectation she was disappointed, and that on the contrary, his letter of the 21st of July, 1838, presented as the only condition of her return, such terms, as would have insured, the refusal and continuance of her stay in a great degree than before, and in a degree which it would have been beyond her strength to have borne. That the impression thus produced upon her, in connection with the past, is one of incurable alienation, and results in the loss of any remaining affection for him, and in the conviction, that the incompatibility between them is irreconcilable, without the total extinguishment of feelings and sympathies which she has not the strength, and which it is not her duty to abandon. That her return to his society could not take place without a renewal of the state of health of mind and body, under which she had sunk when her return to the United States first became necessary, and that, in consequence of her feelings and of her power of future endurance, she could not perform to him the duties of a wife, and therefore cannot return to him.

These facts are clearly and cogently proved in the respondent's answer by the testimony of the parties and the testimony of the witnesses. Out of his own mouth Mr. D'Hauterville is proved to be a selfish, priggish, bigoted, tyrannical and cold-hearted young man, who has not been let loose from the apron strings of his mother, and who has not the heart or the soul to appreciate the excellencies of his young, beautiful and self-sacrificing wife. The fellow appears to have been disappointed in regard to the pecuniary arrangements of the marriage, for he told his wife that he had expected a more liberal sum, saying that he had been much sought after, and could have married the richest lady in *Switzerland*.

The dominant fault of his character appears to have been morbid jealousy, not the offspring of affection, but arising from a desire of exclusively appropriating every thing to self, and a consequent unwillingness to permit the most harmless and innocent association with others. The mother and sister of Mrs. D'Hauterville were the victims of this foolish jealousy. And here we take the opportunity to remark, that throughout the whole of this unhappy affair, Mrs. Sears, the mother of the respondent, appears not only wholly blameless, but evidently struggled, with all the means of moral and natural affection and the patience and forbearance of a Christian matron, to bear the differences between her son-in-law and daughter. Notwithstanding she was treated with insupportable rudeness both by Mr. D'Hauterville and his worthy mamma, Mrs. Sears appears to have borne every thing uncomplainingly for the sake of her child.

Among those, upon whom Mr. D'Hauterville looked with an eye of especial jealousy, were his wife's countrymen and countrywomen, the acquaintances of her early days, whom they frequently met during the winter and spring which followed her marriage, for whom and whose customs he seemed, on all occasions, to entertain a strong dislike, the result of prejudice and morbid jealousy, concealed before marriage. After the departure of her father from Europe, neither Mr. D'Hauterville nor any of his family who shared with him those prejudices, were at any pains to conceal them. He would not treat her countrymen and countrywomen, or her young friends whom they met, with common civility. On one occasion he received a letter from his wife's eldest sister, a married lady, from whom she had been separated longer than from any other member of her family, and who, in answer to his request, he had written about the time of their marriage. This letter was her sister's reply. It was the first intelligence received from her after her marriage. She eagerly asked to see, and earnestly desired to read it. He refused to let her look at it, or to state what it contained, giving no reason whatever, except that he desired to keep his letters to himself, and he begged she would never ask to see any letters from any of her family to him. She shed tears of disappointment and he sought him, in every manner that she could, to let her know what her sister said, to which he only replied by locking it up in his desk; she never saw this letter again.

Mr. D'Hauterville's ideas of the necessity of female subjection to the more powerful sex, are worthy of Blue Beard himself, and such as no one but a tyrant and a fool would attempt to enforce in this

enlightened age, when woman has been elevated to the equality of a reasonable companion to man. One of the lady's first lessons took place about a fortnight after her marriage, and it was illustrative of the discipline to which she was subjected. Her mother and sister were about to drive in their carriage, and she proposed to accompany them. She mentioned her wish to her husband, who consulted her with one with his mother, and she said, *she must remain at home*. He told her that she had not asked him properly, in French, saying said, "Je veux aller," "I wish to go, or 'I will go.'" Instead of "Je desire d'aller," "I desire to go." What a pragmatic fool!

If he chanced to take the wrong seat at table, or to violate any of the numerous ceremonies prevailing at his father's house, she was reproved for it in a manner impressively offensive, and the body of a young man would look on appalling, and see his young foreign wife, who had sacrificed so much for him, treated with the rudeness of a menial. The scriptural studies of Mr. D'Hauterville likewise appear to have been somewhat extensive. He undertook to support his views in regard to marital authority by quotations from the Bible. Of the character of his lessons, the tendencies may be seen in certain verses, to which he called his wife's attention in a letter written in the month which followed her departure for America, some of which are as follows:

1 Corinthians, xii. 8, 9, 11.

3d. But I will have you know that the head of every man is Christ, and the head of every woman is the man, and the head of Christ is God.

8th. For the man is not of the woman, but the woman is of the man.

9th. Neither was the man created for the woman, but the woman for the man.

11th. Nevertheless, neither is the man without the woman, neither the woman without the man, is the Lord.

Ephesians, v. 21.

Therefore as the church is subject unto Christ, so let the wives be to their own husbands in every thing.

1 Tim. ii. 11, 12, 13, 14.

11th. Let the woman learn in silence with all subjection.

12th. But I suffer not a woman to teach, nor to usurp authority over the man, but to be in silence.

13th. For Adam was first formed, then Eve.

14th. And Adam was not deceived, but the woman being deceived was in the transgression.

1 Peter, iii. 5, 6.

5th. For after this manner in the old time, the holy women also, who trusted in God, adorned themselves, being in subjection unto their own husbands.

6th. Even as Sarah obeyed Abraham, calling him Lord; whose daughters ye are, as long as ye do well, and are not afraid with any amazement.

We have given but few specimens of D'Hauterville's unfeeling conduct, but can refer our readers to the voluminous history of the case in this report, with the assurance, that they can not fail to rise from the perusal with no very great respect for the qualities either of his head or his heart.

The letters of Mrs. D'Hauterville, written as most of them were at the age of seventeen, convey a most exalted idea of her character, her intellect, and her superior worth. Their simple and serene style presents a remarkable contrast to the cold, artificial, caustic letters of her husband.

We select the following letter from Mrs. D'Hauterville to her father, more for its brevity than its superiority to the other specimens of her correspondence:

Ellen S. D'Hauterville to her father, on his departure for America, written six weeks after her marriage.

"Hauterville, August 50.

"The time approaches, my dear father, when we must separate, and I cannot bear the thought that weeks and months must pass away before we may meet again; for I shall not be able to write you."

I see you have as I cannot but feel to the quick that heart-breaking feeling, that the cord is being severed which binds me to my home, that I am no longer, as it were, one of you, and that henceforth I shall not be there to participate in your joys and sorrows, as you have so sincerely done in mine.

My dear father, from my heart I thank you for your increasing kindness and sympathy in all that I have suffered. You have often soothed my regrets, and softened the bitterness of heart, which has sometimes stolen over me. Do not believe that in future, I shall allow myself to give way to any of those feelings which, were I assure you would disapprove. On the contrary, I shall find my happiness in being able to see that of General and of Mrs. D'Hauterville. God will not leave me unwarded. At times, I cannot prevent myself from looking back with sadness to the vacant seat which is left

in my own delightful home, I have the consolation of knowing that I have not dined from the path which I knew to be right, and that I deserve your approbation and your blessings; this thought will sustain me through many dark moments. The recollection of the happiness which you have been the means of bestowing upon me, during the whole course of my life, which has never been staided with a single cloud, with I am sure, or at all, or for, give you great pleasure, and it is a thought which is of great comfort to me, that the intercourse between us has been so marked by constant love and affection. Tell my dearest Anna and Horrie my heart's desires to see them soon. I understand that we may not long be separated, but I cannot prevent my tears from falling fast when I think of them. Tell them dear father, how I have suffered, and they will pity my distress, and not think I have deceived them, which is a thought I cannot bear. Farewell—my prayers will follow you by sea and by land. Bless your child, dearest father, when you are far away, and sometimes recall the devotion of your attached daughter. (Signed) ELLEN S.

Our naming add to Mr. D'Hauterville, is to hurry back to his anxious mamma with all possible expedition, and never to stray out of the reach of her anxious arms until she gives him permission to put off his swaddling clothes.

[N. Y. Evening Signal.]

REPORT ON THE FINANCES, FROM THE SECRETARY OF THE TREASURY ON THE STATE OF THE FINANCIAL TREASURY DEPARTMENT, Dec. 7, 1840.

The undersigned respectfully submits to congress the following report on the finances:

He has great pleasure in announcing that during the year ending on the 1st of January, 1840, the revenue reduced; and, though the revenue has not proved so large as usual, all the public engagements have been met with promptitude.

1. The receipts and means for 1840, exclusive of treasury notes, are as follows:

The available balance in the treasury on the 1st of January, 1840, is computed to have been \$2,246,749 00

The data on which this conclusion is based, are connected with the actual receipts and expenditures in 1839, and with the unavailability of a portion of the public funds, may be seen in the statement annexed.

During the first three quarters of the present year, the net receipts in treasury notes were 10,689,824 75

During the same period, the net disbursements from lands were 2,659,217 25

Miscellaneous receipts for the same time 77,660 88

Estimated receipts for the fourth quarter from all these sources 3,300,000 00

These make the aggregate of ordinary receipts for the year \$17,197,762 01

Add the estimated receipts of principal and interest on the 1st of Jan. 1840, of what was due from former deposit banks, but not available on the 1st of Jan. 1840 \$850,000 00

Add also the estimated receipts from the fourth quarter from the United States bank 2,500,000 00

Do. from the issue of treasury notes, instead of others redeemed 5,440,000 00

Aggregate of these additional sources \$8,790,000 00

This make the total means in 1840, as ascertained and estimated \$28,234,312 01

It is proper to remark, that about \$700,000 of the sums computed to be received within the year, from the banks above described, have not yet been received to the 1st of Jan. 1840, but, in conformity to expectation, there should be allowed to pay any part of them until next year, it will make a difference to that extent in the preceding results.

II. The expenditures for 1840, exclusive of trusts and the post office, have been as follows:

For the first three quarters, civil, diplomatic and miscellaneous	\$1,118,218 64
For the same time, military	8,730,784 52
For the same time, naval	4,620,316 35
Estimated by this department (though higher by the others) for all expenses during the fourth quarter	5,000,000 00

These make the aggregate of current expenses, for the whole year

\$22,489,349 51

Add for funded debt and interest for that of the cities of the District of Columbia, during the year, ascertained and estimated

100,000 00

Redemption of treasury notes, including principal and interest, as contained during the first three quarters

3,629,306 61

Estimate of notes that will be redeemed in the fourth quarter

425,000 00

This will make the aggregate of payments of or expenditures of all kinds

\$26,618,653 12

Leaving an available balance of money in the treasury on the 31st Dec. 1840, computed to be

1,500,955 89

\$28,224,612 01

The funds on hand, considered not available for public purposes, at the commencement as well as at the present year, are described particularly in the statement annexed.

Previous to the close of the year, should congress pass any new appropriations which may be immediately expended, an additional charge to that extent will thus be imposed on 1840; and if amounting to any considerable sum, it might prudently be accompanied by some provision of new means sufficient for its payment.

III. The condition of the public debt next demands consideration.

An exhibit of the particulars of it, whether funded or unfunded, and of the payments made within the year on account of both, is annexed.

Probably none of the former kind of debt exists now in our country, except what has been incurred, or the evidence of it mislaid, as all ever claimed, whether incurred in the revolution, or since, has been promptly discharged. It is fortunate that no new debt of a permanent character has been recently created by the general government, and the undervalued, for reasons formerly explained, which need not be here repeated, has uniformly considered it sound policy never to incur one in time of peace. But it will be recollected that congress, by an act passed in May, 1836, engaged to pay the interest on the interest-bearing payment of a debt due from the cities of the District of Columbia to certain individuals abroad.

The principal amount of £ 1,500,000, and it was to be paid in yearly instalments of \$60,000 each, beginning the 1st of January, 1841. But the interest was payable quarterly, and, during the last four years, has been regularly discharged by the treasury.

Within this past year, notice has been received from the agent of the creditors that payment of the first and subsequent instalments of the principal is desired to be made, when due, with punctuality. To insure a compliance with that wish, it will be necessary, besides meeting the interest quarterly, to advance \$60,000 of the principal at the commencement of the ensuing year, and the residue must be paid, in like amounts, annually hereafter, till the whole is discharged.

The canal stocks, assigned to secure these payments, can, by the terms of the agreement, be sold to aid in reimbursing them. But, in the first instance, the money is to be taken from the treasury, under existing laws, which appropriate sufficient to discharge all outstanding debts; and a sale, if able to make the advance, will probably be at a great sacrifice. Congress may, therefore, in its wisdom, think further legislation on the subject expedient.

This is all the funded debt not due, and likewise all of it not paid, except as, before explained, the intolerable portion has never yet demanded.

In respect to the unfunded debt, such small sums as were created prior to 1837, and still remain unpaid, must, it is presumed, be in that condition some accident, which has prevented a request to be made for payment.

Nor has any of it, which was incurred since, fallen due, without being discharged whenever claimed.

The whole balance of the four emissions of treasury notes since October, 1837, which was

outstanding on the 1st instant, amounted only to \$4,433,822. This is but \$1,675,498 more than that the close of 1839, notwithstanding the great decline in our revenue since, and the unexpectedly large expenditures of all appropriations connected with the Florida war, and the further adjustment of claims in behalf of the United States.

Had these events not happened, less even than that amount of notes would have been issued, and the treasury might, with ease, have redeemed within the year the amount that was outstanding.

It could have done the same, with most of them, had congress, at the last session, passed the declaratory act concerning the tariff, modified the system of drawbacks to correspond with existing laws, and adopted the propositions made for gradually increasing the price of the public lands, as well as forming new land districts.

It must be gratifying to learn, however, that though incommoded by the failure of those measures, and the unexpected circumstances before enumerated, the department has been enabled, by other means under its control, to redeem every note presented, and to pay, with punctuality, all debts that have fallen due.

The success of the general government has thus been preserved so rich, that, instead of sacrificing its securities at large discounts, as in this and foreign nations some have been compelled to do with public stocks, the treasury notes have continued at the close of the year, to be at a premium of 7 per cent, and subject even to the stoppage of that rate, sixty days' notice.

In fine, on a review of the whole subject, our situation respecting a public debt of any kind will be found a most improved one. Regardless of an indication—either of the good state of the national credit, or of the ample resources of the general government, or of the discreet legislation relative to its fiscal concerns, it will be difficult to discover many areas more prosperous in the respect, whether in the annals of this or any other country.

IV. The exports and imports within the year ending September 30, 1840, exhibit several striking peculiarities. While the foreign commerce of the country continues the chief basis of the revenue of the general government, and is indicative of the extent of our surplus produce, the statistical returns in relation to the subject must excite constant attention among statesmen and political economists, as they are so important to the nation.

The exports during the year are computed to have been \$131,971,930. This amount is quite \$10,512,351 more than in 1839, notwithstanding the reduced price of some of our great staples, and is larger than ever existed before in our history. Of the whole exports, only \$17,809,333 were of foreign origin. This left those of domestic origin at \$114,702,617, being \$6,543,937 more than in any previous year.

During 1840 were about 104,805,891 dollars. This shows the great falling off from the previous year of \$37,286,241. It furnishes, likewise, the principal explanation of the extraordinary diminution which has occurred in the revenue from customs; a diminution, however, which has been caused in part, by evasions of the laws, new judicial constructions left uncorrected, and the payment of too large sums for bounties and drawbacks, under an omission in the existing tariff to reduce them in the case of goods reduced in price.

The difference between our exports and imports has usually been in favor of the latter. Several years ago it ranged that way about seven millions of dollars annually; but of late, the average has been in our favor, and in 1839, the excess of imports having been, in 1836 even, \$61,316,993, and in 1839, \$11,063,716. But during 1840, the extraordinary occurrence of a reverse in this state of things has taken place. Such a circumstance as this, except the case of the imports, is believed to have happened previously only six times since the constitution was adopted; and then, never to an extent beyond \$7,916,513. Now, however, with, under any inflation, and in some important articles with a great increase of price, the excess of imports is not only more than ever was known before, but quite fivefold greater, being computed to equal \$26,766,039.

This excess having failed to produce the usual corresponding increase of imports, but, on the contrary, having been accompanied by a diminution never previously equalled in amount, except under the influence of the embargo in 1809, the whole matter furnishes another proof of the hazardous fluctuations of the commerce of our country, which congress has been requested so repeatedly to guard against by some permanent provision.

It is also a strong illustration of the probability of the conjecture expressed in the last annual report, that the country had become alarmingly in-

debt abroad, in part on ordinary mercantile credit, but chiefly on stocks of corporations and states.

To meet what would soon be in demand alone, it was then supposed would require twelve or thirteen millions of the exports; and which, in that event, would of course furnish no returns in return. It is, therefore, most follow yearly, that the old stocks are redeemed, unless new ones can, for some time longer, be sold; and the difficulty too deferred, though merely at the expense of increasing the evils which ultimately attend them.

But it is a source of great satisfaction to witness the indications which the unprecedented amount of exports, during the last four years, has given of the continued prosperity of the country.

Notwithstanding some depression in particular branches of business, or in particular places, the general prosperity has been such as to create a large surplus of products, and to enable us to send abroad immense and increased values of them, however great the complaints have been as to low prices.

These official records are some of the most authentic tests of truth, amidst contradictory conjectures on topics like these. They show that we have been able to spare, in exports of domestic production during the last four years, more than \$89,720,000 in value; which in our previous term of that length, since the adoption of the constitution, have they exceeded \$339,417,622. Except in the last two series of four years, they have never gone beyond \$239,576,201, and in the last series, only \$197,187 to 1819. The whole tonnage of the country has also advanced within the four years past, more than 20,000 tons.

Seldom, indeed, if ever, has the navigating interest, one of our great exports of our sailing and increased commerce, been so prosperous as within the last twelve months.

It is true that a portion of the increase in exports may be attributable to some alteration in the habits of the community, not connected with additional wealth.

The disposition in families to rely less on their own resources, and obtain more by means of mercantile exchanges abroad as well as at home, has, without doubt, not, grown more rapidly of late years than formerly, and tended to augment both the imports and exports beyond what the real increase in the amount of products would indicate. Yet the great excess of exports during the last few years, and those of the last four years, are so far from these circumstances. Granting, however, that some of it has, the consequences to that extent, and in another view of the subject, are not so well calculated to excite gratification. The increased dependence which the change of habits, in selling and buying so much more of what is consumed, has occasioned between different countries and those engaged in different avocations, as well as the increased credit thus demanded through many new ramifications of our commerce, combined with other causes, most every pursuit to the evils attendant on fluctuations in prices, on bank expansions, and revolutions in commerce, have probably exercised an influence on the events of the last four years not inconsiderable nor salutary. Combined with other causes, it must certainly have tended to create a wide and unfavorable alteration in public manners; and may, in time, inflict an injury on the morals and character of the nation, which will more than counterbalance all the gain to the nation.

V. The estimates of the receipts and expenditures for 1841 next demanded attention.

The actual receipts and expenditures in that year can, of course, be so regulated by congress, through new legislation, as to be as near as possible to what may deem proper. But the undersigned can neither increase nor diminish them; though a duty is devolved on him, in respect to the subject, while at the head of the treasury, which he now proceeds to perform, of presenting some opinion concerning the amounts to which, under the existing laws, and the calls of the different departments, they are likely to attain.

He will further suggest any general changes which may appear to him expedient, as well as any new means deemed necessary to meet all the business, which, it is apprehended, may be imposed.

The estimates for the ordinary receipts and expenditures in the ensuing year differ some millions from what will be actually received and expended in the present one.

It is calculated, however, that the difference will be what is always most desirable—some increase of the receipts, and a further diminution of the expenditures.

The estimates for the latter, in the present year, were made less than those of 1839; and the results have corresponded. Indeed, it is a cause of much gratification that the expectations before mentioned, of materially reducing the public burdens,

have been verified to so great an extent. Thus, the expenses of 1838 fell below those of 1837; while the expenses of 1839, notwithstanding the continuance of the Florida war, were nearly eight millions below those of 1838; and it is expected that the expenses of 1840 will be from two to three millions still lower, or quite ten millions less than those of 1838.

They would have been nearly twelve millions less, had not that war continued, and unusually large payments been made to Indians, under old appropriations.

It is believed that the ordinary expenses of 1841 ought to fall some millions below those in 1840; as the pensions have diminished by deaths, fewer Indians remain to be removed, several extensive public buildings have been mostly finished, and hostilities with the Seminoles must be nearer to a close.

More details concerning the estimates for the next year will be proper, and will illustrate the correctness of some of the preceding results.

It may be stated, from the best data in possession of this department, the receipts, under the existing laws, will probably be as follows:

From customs,	\$19,000,000
From lands,	5,500,000
Miscellaneous,	50,000
Add the expected balance in the treasury, available on the 1st Jan. next,	1,580,855

The aggregate of ordinary means for the next year would then be

24,160,855

There will be nothing more, either of principal or interest, due from banks, which is likely to be made available, except about

220,000

A power will exist under the act of 21st March, 1840, to issue treasury notes till a year from its passage expires, but not to make the whole emission outstanding at any one time exceed five millions of dollars.

This will furnish additional means equal to the computed amount which can be issued at the close of the present year, being about

342,618

Hence, there may be added, from these several sources, so much as to make the whole means for the next year

24,723,473

On the other hand, the expenditures for 1841 for ordinary purposes, if Congress make no new appropriations required by the different departments, are estimated at

19,250,000

This would leave a balance in the treasury, at the close of this year, equal to

5,473,473

But certain payments must also be made on account of the funded and unfunded debt, unless Congress enter into contracts to be forborne, extending the time of their payment. Thus there will be required—

On account of the funded debt, chiefly for the cities of this District

119,200

For the redemption of treasury notes, if all the others be issued, which can be under the present law, as then the amount returned within A. D. 1841 will probably not exceed

4,500,000

\$19,250,000

Estimated balance in the treasury at the close of the next year, after all payments whatsoever

\$824,273

Thus it will be seen that if the whole of these charges, both ordinary and extraordinary, should be required to be extinguished in 1841, the estimated means will be sufficient for that purpose, but may not, besides, leave so large a balance in the treasury as is convenient, and thus tends to obtruding any difficulty which might arise from that circumstance will soon be considered by itself.

For some further general view of the grounds of the estimate of the expenditures for 1841, it will be necessary to advert a few moments to the new and old appropriations from which those expenditures are to be made.

The new ones, proposed by the different departments for the service of 1841, amount to \$16,621,320 28.

Viz: civil, diplomatic and miscellaneous,	\$3,450,740 13
Military,	7,725,440 91
Naval,	5,445,139 21

Besides these, certain permanent appropriations under existing laws will become chargeable on the treasury during the next year, in sums as follows:

For ordinary purposes.

Military,	\$584,000
Public debt, including interest and first instalment in the District of Columbia,	149,200
Redeeming treasury notes,	4,500,000

These would make the new charges, for ordinary purposes, under both new and permanent appropriations, amount to \$17,455,520 28. But, including the public debt and the redemption of treasury notes, these charges would be \$22,124,720 28.

It will be perceived, therefore, that the aggregate of actual expenditures during 1841 has been computed to be \$17,764,480 higher than the estimated amount of new and permanent appropriations—This is not only not only because small overruns have doubtless occurred in the latter, and unavoidable omissions, as will be seen by the notes, but some new private bills, granting money, may be passed by Congress, and a greater proportion of the appropriations may be expended than the law (though reduced as much as three or four millions less than at the end of 1839) may be expended in 1841, than will be left unexpended of the new charges imposed. These last two items are usually computed to exceed the law. The departments calculate that \$8,661,123 of the old appropriations will be required to complete the purposes originally contemplated by them.

They propose only to apply about \$3,748,904 of them to the service of the ensuing year, without reappropriation; and the residue, amounting to \$4,912,219, is expected will go to surplus fund. They estimate the whole of them at the close of the year to be \$10,549,905.

VI. A few more explanations of other grounds for the estimate of receipts and expenditures for the next year may be useful.

It will be noticed that the estimates for both are founded principally on the existing laws. Should Congress, therefore, alter the tariff, so as to increase or reduce the duties, the expected amount of receipts must of course be varied in that proportion. So it must be if Congress make any essential change in respect to the public lands, and either passes a graduation bill, and creates new land districts which surveys are ready for large sales, as this would increase the immediate receipts, or, on the other hand, it should distribute the proceeds of the sales among the states, as Congress has done, the revenue applicable to the purposes of the general government, and render a resort to new taxation, an increased tariff, or a loan, indispensable, to the extent of the distribution.

On the contrary, the reductions in business which have been lessened somewhat, because the importation of certain articles paying a duty, will, in 1841, be partially postponed to 1842, in consequence of the great reduction in the tariff on them which will take place in the latter year under the existing laws.

So have they been on account of the greater proportional bounties and drawbacks which are now returned on several articles, and some beneficial operation anticipated from the independent treasury.

On the contrary, the reductions in business which have occurred since the middle of 1839, and which affected the revenue of some other countries as well as our own, and the protracted suspension of specie payments by many of the banks, which has continued over a large part of the United States since October of that year, will probably terminate soon, by the salutary reaction of great commercial principles; and that event must be accompanied by a considerable increase of imports and duties. The amount of the latter, therefore, has been estimated higher than that of the actual receipts to the present year, but not so high as they were in 1839 by about ten millions, nor so high as many anticipate they will be. But if the banks do not speedily resume, it is to be feared that the estimate will prove larger in fact than in theory, and thus tends to obtruding any difficulty which might arise from that circumstance will soon be considered by itself.

The revenue from lands must continue to be lower under the present laws than might otherwise be expected because that portion of the vast sales in 1835 and 1836 which were made to speculators, must for some years longer, come into the market in competition with the government, and the migration to Texas, as well as the continuance of the suspension of specie payments by the banks over much of the west and southwest, is likely to operate injuriously somewhat longer, though probably with a force much diminished.

In respect to the estimates for expenditures, it need only be observed here, that any considerable addition made by Congress to the new appropriations called for, would require a provision of further money to meet them, corresponding in amount; and any discussion in those appropriations would also

redress, in a similar manner, the amount of means otherwise necessary.

VII. It is proper to advert next to the best mode of advising any inequality between the anticipated receipts and expenditures, either in 1841 or 1842.

It has already been shown that the whole amount of receipts in 1841 will probably be sufficient to discharge all ordinary expenditures, and those parts of the outstanding debt, funded or unfunded, which may have been provided for by Congress. A considerable balance in the treasury may require more than will probably be left after satisfying other purposes. The raising of any sum for that object in 1841, could, however, be obviated by authorising a contract with the Government, for a period not exceeding the period of payment for a portion of the temporary liabilities falling due in that year. Yet, in the opinion of the undersigned, the best mode of providing for this case would be, without either an extension of this kind, or a loan, or a further issue of treasury notes, or a change in the tariff; but merely by lessening the appropriations for the service of 1841 below the estimates, or passing such declaratory clauses as to the present tariff, and such acts as to the public lands, as have heretofore been urged on the consideration of Congress.

The arguments in favor of some further diminution in our expenditures, and the general items in which the reduction is considered most compatible with the public interests, were so fully exhibited in the last two reports as to render a repetition of them unnecessary.

It was then believed that the laws could be altered so as to admit of safely curtailing the appropriations at once, to such an extent, that the expenditures would not exceed, in the aggregate, the revenue or eighteen millions yearly. After more of the pensions terminate, and the removal of the Indians is completed, they could be beneficially contracted to even less than that amount. Such a reduction as is first adverted to, seems, therefore, proper to be adopted now, since it could be effected without the probability of injury to any useful national establishments, would promote public frugality, and supercede the necessity either of higher tariffs, direct taxes, or permanent debts.

If it should become the emergency measures before suggested, such as a declaratory act to enforce the present tariff, a suitable modification of the drawbacks and bounties; and the passage of bills graduating the price of public lands, as well as extending suitable districts for the sale of them, would be likely, if taking effect early, to yield a suitable supply in the course of the year.

It will be observed, however, that though, under either of these arrangements, though might be obtained within the whole of 1841 for the object contemplated, yet not a due or sufficient proportion in the first quarter; because by that time all the measures are not likely to go into full operation, nor much of the anticipated increase to happen in the actual receipts of duties under existing laws. Unusually heavy expenses will also fall on that quarter in the next year. In addition to a full portion of most of the current expenses, and the whole pension payments for the first half of the year, and one-fourth of a million, or more, for all the annual fishing bounties, there will be imposed on most of the charges for the whole year connected with the session of Congress and private bills, as well as large payments for taking the census, and for the first instalment of the debt of this District; several of them as fully as in 1840.

From these circumstances, and the considerations that all which is due from the banks may not be then paid, and that the balance in the treasury, under the policy adopted by Congress of late years, will of necessity be small, while the fluctuations and inequalities are very great between the receipts and expenditures in different portions of the year, to which we are constantly exposed from causes that have on former occasions been explained at length, it must be obvious that entire safety requires a contingency fund to be seasonably collected, or the executive to obtain at any time within 1841 such subsidiary means as may be needed for a few months, and as may be sufficient to enable the treasury punctually to discharge, during that year, all the liabilities which may be seasonably collected.

There is another contingency under the existing laws, as to duties, which requires attention, with a view to be properly prepared for it; though legislation concerning the subject is not necessary so early as in the other case, because the event on which it depends cannot really happen before 1842.

Thus the progressive reduction of the present tariff, which has been going on since 1833, will, after December, 1841, take effect to a much larger extent than heretofore. Nearly two millions and a half of dollars will then be deducted at once.

On the 1st of July afterwards, at least two millions and a half more of duties will be removed; making an aggregate, in six months, of quite five millions. If the imports there should not differ much from those in 1838, this would leave an income from them, not probably exceeding ten or eleven millions of dollars yearly. It will therefore be necessary to make corresponding reductions in the expenditures of 1842, or reasonably provide otherwise, in some prudent manner, to supply any wants likely to happen from this cause.

Should congress conclude that such reduction in the expenditures cannot properly be made, and that the imports for 1842 will not increase beyond those in 1838, the amount of the deficit would, in these events, probably differ but little from five millions. Such a deficiency would, under these circumstances, be likely to become permanent, and may be considered the first of that character which will occur under the tariff act of 1840.

The idea that such a deficiency in time of peace ought to be supplied by issue of treasury notes, or by a loan, has never been entertained by the undersigned. Nor can it be countenanced by any sound politician either in this country or in Europe. The inquiry then recurs, what other mode would be more eligible? When we possessed an extraordinary surplus, it was considered prudent by congress to make deposits with the states, with a view to be returned in emergency, and to invest a portion of it safely and productively, so as to be realized in such an event. It would therefore be consistent with that arrangement to recall, in 1842, such part of the surplus as may be then needed. But that course, however, appears to be very likely to be adopted, since the former power given to this department to recall these deposits has been taken away by congress.

Is another practicable mode would be to resort to direct taxes. But this is so unobjectionable to the general habits, and so incongruous to the opinions of most of our population, that its adoption is not to be anticipated. Some other permanent resource must then be looked for, and this choice will probably rest between the large reduction of the interest on, and the other accompanying measures before specified, and such extensive modification of the present tariff. Explanations have heretofore been given by the undersigned in favor of the former course; and it would probably prove more efficacious to meet the emergency, if the reduction be pushed vigorously, and especially if the imports after 1841 shall exceed those in 1838 which is regarded as probable.

But congress may not coincide with him in opinion on these points, and, for covering the contingency, may consider the adoption of some permanent change in the tariff as preferable, and as not so likely to excite the present session, to give full notice of its character, before going into operation, in order that different interests most affected by it shall have time to become gradually adjusted to its provisions.

In that event, it might be supposed that the undersigned had avoided due responsibility, and a timely discharge of duty, if he were not prepared to offer some views concerning the details, as well as general principles, which he deems applicable to such a change. He has therefore examined the subject, and is ready to present the result at this moment if either house of congress shall express a wish to that effect. But he refrains from submitting them without a special request, because some doubt exists, under circumstances which can be properly appreciated, as to the desirability of discussing a measure at this time, which the legislature may not consider it necessary to act on till a new congress assembles.

III. The mode of keeping the public money regularly established by law, has thus far answered the expectations of this department.

The numerous labors, perplexities and delays of putting a new system into operation, have been mostly overcome, and no losses whatever are known to have occurred under it.

Some of the provisions in the law are deemed objectionable in their details, and are respectfully recommended to congress for revision. But they are supposed to stand in the slightest degree any principle involved in the measure.

Thus, the ordinary clerks authorized are numerous enough, yet a principal one is needed at New York city, with such compensation as is usual at a place of so large and important business.

On full inquiry, it has been found also that no site could probably be purchased for the erection of an office at St. Louis, which would be more suitable than a lot now owned by the United States; and it may be, under a further examination which is in progress, that no new building could be erected on that site, which would prove more economical and convenient, than one which can be purchased at

ready erected. A suitable change in the appropriation on that subject it therefore respectfully recommended.

A provision is needed likewise in case of vacancies from any cause whatever, in the offices of receivers general and treasurers. One has formerly been asked in relation to collectors of the customs, in case of renewals and expirations of the terms of office, to prevent an interregnum in the discharge of duties. This might properly be adopted as to them, and extended to receivers general and the treasurer of the United States, as well as of the mint and its branches, in all instances whatever of vacancy or temporary inability of the principal.—Paying the objection, however, to effect this object would be, to direct that the chief clerk of all these offices should, in such cases, and where no other legal provisions now exist, be authorized and required to discharge these duties, at the risk and under the responsibility of the principal or his securities, till the vacancy is filled, or the disability removed.

In consequence of some defects in the phraseology of the penal parts of the act, a new clause excluding the officers from discharge of their duties in character under the general government would be judicious. A further provision also, respecting the places of deposit, by disbursing officers, of money not in the treasury, but drawn out and put into their hands for making payments, appears necessary.

The keeping of such money is now regulated by the act of 3d of March, 1809; and if it is intended to bring it within the operation of the late law as to money in the treasury, it seems proper to do so by an amendment.

The section requiring disbursing officers to sell their drafts for specie alone, though certain proportions of paper are allowed to be received for all those drafts, appears not to be in symmetry with other provisions. The general view of the present system is believed to have been thus far salutary. The true standard of value has been rendered more familiar, confidence has been increased in its stability, prices have generally risen, business improved, and exchanges altered greatly to the better.

If something has been or may be lost in convenience, (which is not unlikely), by the increasing disuse of a paper currency for public payments, and the small profit to be gained by the circumstances before enumerated, it will be more than compensated by the use of specie, the more stable value imparted by the present system to property and labor, and the strong check established by it, not only against defraudations, but against bank expansions, excessive speculations and consequent fluctuations.

Even any inconvenience attending this change in the currency used, if found particularly embarrassing can be overcome hereafter, and the system still maintained, should congress feel disposed to adopt the measure which was suggested for that purpose by the undersigned in September, 1837.

Such a measure would often furnish every advantage of a circulating medium, easy of transportation, of the highest possible credit, and at the same time requiring an equal amount of specie to be employed, (though in deposit), and without subjecting any of the fiscal affairs of the government to that legal dependence on corporations for their management, which is so objectionable in many respects, as never to have been attempted in the management of any of its other affairs, civil or military.

The topics of the condition of the banks of the nation; the state of the currency; the proper places of deposit for the public money; and other matters immediately connected with these have engaged the considerable portion of the annual reports for this department for several years.

But the keeping of the money in the treasury being now regulated by law, and the kind of money to be received and paid out fixed by the legal provisions, it is not considered material at this time further to discuss these matters, than to submit the general remarks which will be found at the close of the preceding section.

IX. Some miscellaneous topics connected with the finances deserve a brief notice.

The various measures heretofore recommended to congress by the undersigned, and which have not yet been acted on, are again respectfully recalled to its attention.

Without recapitulating them, it will be found, on a reference to former reports, that many of the subjects possess much importance in a fiscal view, and yet have been almost wholly forgotten, and the conviction of the usefulness of early attention upon them.

It affords me pleasure to state that since the last session, the Neapolitan government, under its treaty of indemnity, has paid promptly another instalment, which it expected to have been enabled to remit in installments early, and distributed among the claimants.

The situation of the general land office and its operations within the year, will be submitted separately in a few days.

Six old land districts have been recently discontinued, under the act of June 12, 1840. It is believed that some others might economically and usefully be abolished by congress, though not coming within the provisions of that law. Such is the office at Gretnburg, Louisiana. One district in Indiana, including the capital of the state, is thought, from its peculiar position, require special legislation to exempt it from the operation of the late act.

This occasion is taken, also, to renew the recommendations, before presented by the department to congress and the appropriate committees, for the discontinuance of certain officers now employed in the collection of duties, whose further services, it has been believed, could be safely dispensed with, in consequence of the reduction of the business of late years at the different places where they are stationed. They include some collectors and naval officers, and several surveyors, amounting in all to eighteen, but whose offices cannot be abolished without loss.

All the subordinate custom house officers, which it is competent for this department, without such legislation, to dispense with, and whose situations in other respects similar, have already been discontinued, including the captain of the state, fifty officers, and, besides those, five vessels and boats, with nearly one hundred men, in the cutter service. In about forty other cases, the compensation of officers and light house keepers has been reduced.

X. In closing this last annual report of the undersigned, it may be expected that he would advert, for a moment, to the general character of some of our financial operations during the period of his connection with the treasury department.

Though employed in different executive offices nearly ten years, he has been connected with the treasury only from six to seven of them.

During this term there has occurred much to evince the great fiscal power, as well as proactivity of the union. Some reverses have, at times, overtaken the rashness displayed by parts of the community in certain branches of business, and have occasioned some adverse influences on the revenue dependent upon the state. But the period of prosperity, as a whole, have been almost unexampled in prosperous developments.

Thus, in respect to our receipts. Notwithstanding the unusual depression in imports on two occasions, so severely sustaining the revenue, notwithstanding any losses sustained by those crisis, by the government, through officers, banks or merchants; and notwithstanding the biennial reduction of the duties, which has by its operation constantly going on, as well as the remission of several millions to rail road corporations, and under new judicial constructions; yet our condition has been so flourishing, as to yield a revenue during that time sufficient, after all those deductions, to accomplish the following important results. It has enabled the treasury to meet the current expenditures of the government, as well as the extraordinary ones by Indian wars, treaties, and other costly measures, and without imposing any new taxes, or higher tariff, and without any new bonded debt, and yet extinguishing considerable remains of the old one, and paying the interest on that assumed for this District, to save the unprecedented surplus of more than one hundred millions of dollars, and deposit the same with the sinking fund, the sum left still needed by the general government.

The only permanent aid in effecting this, beyond the receipts from ordinary sources, has been the debt due from the U. States bank, of about eight millions, and the treasury notes now outstanding, equal to nearly four and a half millions. But during that period, a sum not far from the first amount has been applied to the discharge of the principal interest of the old bonded debt; so that, towards the payment of other expenses, only between four and five millions, beyond what was temporary, and what has already been refunded or adjusted, have been received from any extraneous source whatever.

It follows, therefore, that the current revenue, notwithstanding all reductions, has been adequate to defray both the ordinary and extraordinary demands, and, after taking from what is deposited in the sinking fund, sufficient to extinguish every kind of indebtedness created on an account with the government during the same period, to leave on hand the large balance of nearly twenty-four millions.

It is true that the available sum in the treasury at the commencement and the close of the period in question will probably prove different in amount;

but if made equal, a surplus would still be left, which is likely to exceed seven or eighteen millions of dollars.

Besides this recorded evidence of the prosperity of the country and the fiscal ability of the general government in those years, it is gratifying, amidst many misapprehensions concerning the subject, to reflect on another circumstance connected with our financial operations, which has also become matter of history. It is that, though the aid of a United States bank as a fiscal agent during that period, and baffled by various unremedied imperfections in the laws connected with the finances, as well as embarrassed by two suspensions of specie payments by many of the banks—one still continuing; yet the treasury has been able to make its vast collections, transfers and payments, with promptitude, and in most cases with specie or its equivalent.

Some correct judgment can be formed of the extent and difficulty of these operations, when it is recollected that the whole sums which have thus been collected, without deducting fractions, added to those sums which have been paid over chiefly by another class of officers, have exceeded the extraordinary aggregate of \$360,000,000, and been dispersed over a territory of nearly two million square miles in extent. It is, moreover, ascertained that the whole mass of Indian treaties only, by default, large and small, and in all kinds of offices, will probably not equal half of one per cent. on that amount; and however official delinquencies may, in some cases, have inevitably been aggravated by the unprincipled speculation of the times, and by great ravagings and failures among banks and individuals, those losses will not be one-fourth so large, in proportion to the amounts collected and paid, as in some previous terms, when the system under a United States bank was in full operation.

A few words may be proper as to the expenditures during the same period. Though they were of necessity augmented by some of the circumstances before mentioned, yet Indian treaties only, out of a large number, having already involved us in the expense of nearly twenty-three millions of dollars; yet the aggregate of all has been much reduced since the influence of those causes and the influence of an extraordinary speculation have subsided. The expenditures have fallen yearly since 1837, till they are now only twenty-two and a half millions independent of any debt and trusts, and are supposed to be in progress to a still lower amount.

Some understand that the rapid reduction of the expenditures has been effected by the great safeguard against a two speeded central government, which would constantly threaten to overshadow all state independence, and attract the ambition of most of the friends of state rights, by the labyrinth of froggery and principle into the dazzling vortex of higher patronage, honors and emoluments. While the assistants to excesses shall continue to lessen, nothing will be necessary to insure the further success of an economical policy; but perseverance in retrenchments, wherever they are practicable without injury to the public interests. The removal of Indians being mostly finished, and the chief causes of frontier wars extinguished, unless new objects of expenditure be selected, or a great enlargement given to some already existing, the whole amount must, of necessity, contract hereafter very rapidly. The same result will be further promoted by the deaths of pensioners, and by saving through the economy of the expenditure of many public works, as well as by persisting in a firm policy to avoid the wasteful expense of unnecessary foreign collisions, and to refrain from those lavish expenditures for certain domestic objects, over which the jurisdiction of the general government is often questionable, and which always open the widest door to extravagance, favoritism and corruption.

Use of the greatest evils to the public service, as well as to the security of private business, during a part of the above period, has consisted in the fluctuations to which both have been subjected.

With only a single year intervening, and without any material change in the tariff, or any whatever in the price of the public lands, we have seen the revenue from ordinary sources suddenly vary from nearly fifty millions annually to eighteen; and, on two occasions since, vibrant to the extraordinary extent of nearly eight and eleven millions.

The transactions of individuals upon which our revenue depends, must, of course, have undergone an unusual change at the same time.

The imports fell within two years, and the case first referred to, from twenty to ten millions, and in some years to one hundred and four hundred, and in the single year just passed, fell almost sixty millions. Such inflations and contractions must be destructive

of all confidence in calculations for the future, while the causes of them shall continue to operate unremedied.

What were those causes?

They will be found to have been chiefly connected with the abuses of banking. On the occasion first referred to, they were the superabundance of a fictitious medium of circulation, with the attendant overtrading and speculations in 1836, and the consequent suspension of specie payments, as well as the disasters and scarcity of any medium till the latter part of A. D. 1835. Then another expansion commenced, extending into 1839, and accompanied by another increase in imports of foreign goods, which were again the cause of contractions by banks, suspensions and commercial reverses, which have suddenly reduced the imports of 1840 more than one-third, and in many places augmented seriously the embarrassments before existing from similar vacillations in the paper currency.

How far some imprudences abroad, at the same time, similar to these, though in a country enjoying any advantages which result from a national bank, have contributed to the present state of the intimate moneyed relations between us, need not now be discussed, though probably their influence was large and unfavorable.

The great principles of trade, however, likewise, in full operation here in 1816 and 1817, and were succeeded by many of the same deplorable consequences in 1819 and 1820. One followed the other as inevitably as the ebbs of the tide succeeds its flood.

The great principles of trade, however, likewise, in full operation here in 1816 and 1817, and were succeeded by many of the same deplorable consequences in 1819 and 1820. One followed the other as inevitably as the ebbs of the tide succeeds its flood.

All business otherwise becomes a mere game of hazard; speculation must enter into every affair of life; riches and poverty will be dependent on the most bubble prices will change oftener than the wind; regularity in receipts and expenditures be impossible; estimates for the future, whether in public or private matters, become mere conjectures; tariff require yearly alteration to meet the fluctuations of the market; and the country, which has been the constant excitement and depression of the hot and cold fits of a violent fever.

The first remedy sought in 1816 by the establishment of a national bank, was supposed, during a few years, to have been successful, and the next remedy, adopted in 1824 by a high tariff, did not prevent the low prices and bankruptcies of 1825, which covered the country with wrecks and ruin.

Unquestionably, the best relief on such occasions is to be found in removing the cause of the disease. So far as regards the general government, this was attempted in 1837, and since, by gradually withdrawing from the use of banks and their paper in its fiscal operations, so as neither to stimulate nor contract their issues by other influences than ordinary business; and by urging on those, who might find their employment sometimes useful, a closer regard in doing it, to the sane and sober influences of the universal laws of trade, as well as an inflexible adherence to the constitutional standard of value.

While the general government shall continue to pursue such a course, it will mitigate and check the fluctuations of the market, and which they should, under the limitations in the constitution, are able entirely to remove. At all events, it will faithfully perform a momentous duty, and exhibit a useful example for imitation.

It is a great peace and comparative exemption from public debt, as well as from serious difficulty in financial operations, it would hardly seem proper to attempt more by assumptions of doubtful power, and by forced constructions in favor of measures by which it might be adopted, than to endeavor to diminish existing evils, and not to produce others of a character still more dangerous. Much less can it be considered respectful either to state rights or the people, and certainly not competent, in the opinion of the undersigned, to exercise such powers by creating moneyed corporations among them, which many of their number have repeatedly denounced as unconstitutional, and the authority to establish which was originally refused rather than conferred to the general government by the people and the states that formed it. But some other powers expressly conferred can, without question, be exercised further than has yet been done by congress, and in such a manner as to produce very beneficial consequences upon the currency. Still, it is hoped they will never be pushed so as to trespass on ground really doubtful under the constitution, and prevent the states from continuing to exercise all the legitimate authority they now possess as to banks and debts, however much it may be regretted that public opinion has not yet run with more strength against the abuses of banks, and to exert prompt correction. It is not proposed at this time to go into the consideration of farther details on these points. But the danger to be guarded against now, seems to be rather of an opposite character from that of over issue by the general government in the exercise of its express powers. On the contrary, apoplexias exist that it may not continue firm in the support of all which has already been accomplished in connection with the currency. If should occur, and the states should be over in any degree the rashness of many to force something like a formidable steam power into all kinds of business, without due guards to prevent constant and fatal explosions, myriads of individuals, as well as some corporations and states, are likely to be overwhelmed in still wider ruin, and will ere long probably look to no escape except the application of the sponge of a general bankrupt law to all private liabilities, and the unconstitutional assumption of the public debt by the general government, to pay off oppressively those portions of the community who have any thing left to pay for the losses and follies of the rest.

A remedy which has been advanced to by some, and which consists in the creation of more credit, to cure the mischief of an existing excess of credit, or the formation of larger banks with like power of abuses, in order to correct smaller ones, must usually aggravate evils existing by the general government, and in constitutional objections, may, in point of expediency alone, well be discontinued.

A plan of free banking, adopted by the states, properly guarded and secured by provisions similar to those recommended by the undersigned as long as 1836, with such others as reflection and experience may sanction, appears far preferable. But, independent of that, no changes in the present system, as to banks, seem worthy of strenuous exertion, except those which would direct what shall be made safer, to restrict, control and regulate better the institutions that already exist rather than to incorporate more. Above all, should public efforts be directed to strengthen the certainty of prompt payment of the public debt, and to the adoption of an approach to uniformity in the amount of issues in similar states of trade; and of specie on hand, instead of multiplying them for speculation or cupidity, and thus keeping up a succession of expansions and contractions, and the evils which attend the existing disorders, and render the continuance of great fluctuations in all public as well as private affairs unavoidable, endless and ruinous. With much respect,

LEVI WOODBURY, *sec. of treasury.*

To the president of the senate of the U. S.

REPORT OF THE SECRETARY OF THE NAVY.

Navy Department, Dec. 5th, 1840.

Sir: In the performance of a duty annually devolving on this department, I respectfully submit the following report:

The squadron in the Mediterranean remains the same as it was at the date of my last report, and consists of the *Ohio* 74, the *Brandywine* (first class frigate), and the *Cyane* schooner of war, the whole under the command of commodore Isaac Hull. This force has been found fully adequate to the protection of our commerce, which has remained unobscured in all parts.

The squadron on the Pacific station is composed of the frigate *Constitution*, the sloop of war *St. Louis* and the schooner *Blark*, under commodore Claxton. Since the date of the last report, the schooner *Enterprise*, then on her way home, and the sloop of war *Lexington* and *Falmouth*, which has been directed to return, have arrived in the United States, and have been replaced by the sloop *Yorktown* and *Dale*, and the schooner *Enterprise*, which is the case of the squadron, when joined by these vessels, will consist of a frigate of the first class, three sloops of war and a schooner. Commodore Claxton has been directed to dispatch the *Yorktown* on a cruise to the Sandwich and the *Enterprise* on a cruise to the coast of Japan, the Gulf of California, and the Ladrone and Marquesas, for the general protection of our whaling interests and other commercial purposes.

The squadron on the coast of Brazil, under commodore J. Nicholson, at the date of my last report, was composed of the sloop *Independence*, and the sloop of war *Fairfield* and *Marion*. The two former have returned to the United States, commodore Nicholson having been relieved in the command of that station by Commodore Zerkow (formerly of the *Enterprise*), who consists of the *Potomac*, first class frigate, the sloop of war *Dracut* and *Marion*, and the schooner *Katherine*. This detachment between

the French government and that of the Argentine republic still subsisting, and the blockade continuing to be rigidly enforced, it has been thought expedient to augment this force, and the sloop of war *Concord* is now on the way of sailing for that purpose.

The squadron employed in the coast of Mexico and the West Indies, under commodore William B. Shubrick, at the date of my last paper, consisted of the frigate *Macedonian*, and the sloops of war *Onizca*, Erie, Warren, and *Porpoise*. The *Onizca* has been ordered to the north, for repairs, and the Erie, being found unfit for service, has been detached from the squadron. The remaining vessels, with the exception of the *Warren*, were directed to leave the station during the hurricane season. The *Porpoise* sailed to the north. Commodore Shubrick accordingly left *Penacola* in July last, with the *Macedonian*, *Levant* and Erie, and arrived at Boston in August.—Thence he proceeded to Export, and on his return visited the principal ports on the coast as far south as Norfolk, where, in conformity with his instructions from the department, he delivered the command of the West India squadron to commodore Jesse Wilkinson, who had been appointed to relieve him, and who has since returned to the States. The command of commodore Wilkinson now consists of the *Macedonian* frigate, and the sloops of war *Levant* and *Warren*, which force is deemed sufficient for the protection of our interests in that quarter in the present state of the world.

The frigate *Columbia* and corvette *John Adams*, employed in a cruise in the Indian and China seas, under commodore Geo. C. Reed, for the protection of the commerce of the United States in that quarter, have returned home. The *Columbia*, with the sloop of war *Boston*, have recently sailed for Rio de Janeiro, where they will replenish their supplies, and receive capt. Lawrence Kearney, now in command of the flag ship on the Brazilian station, who will hold his headquarters on board the *Columbia*, as commander of the East India squadron, and proceed with that vessel and the *Boston* to carry out his instructions.

An exploring expedition, as stated in my last report, was at Calao, whence lieutenant Wilkes sailed on the 6th July, 1839. Since that period, he has visited the Society Islands, Navigator's Group, New Zealand, and various detached islands, with whose inhabitants he has had the most amicable intercourse, and with the ports and harbors he has made himself particularly acquainted. On the 26th December, 1839, he left the port of Sydney, in New Zealand, and proceeded to penetrate the Atlantic sea, the south of the United States, the Vincennes discovered land is latitude 66.6, longitude 154.27 east, and had soundings in thirty fathoms water. The same day the Peacock made a similar discovery in latitude 66.31, longitude 153.40, and had soundings at a depth of three hundred and twenty fathoms. Lieutenant Wilkes coasted along this land, and had sight of it at various times for a distance of eighteen hundred miles, and has denominated it the Atlantic continent. It is to be regretted, however, that the vast masses of ice, with which it is every where defended, prevented a nearer approach than fifteen miles, and rendered it impossible to land. It is described as presenting one vast mass of snow and ice, apparently rising almost perpendicularly from the sea, and will probably forever baffle the efforts of man to explore its interior, or convert it to any useful purposes.

After repeated and persevering efforts to approach the coast and effect a landing, lieutenant Wilkes, his officers and crew having sustained the most heroic exertions and the exposures incidental to the hazardous enterprise, returned to Sydney the 11th of March, 1840, where he was joined by the *Peacock* and *Porpoise*, the former of which had been in imminent danger from coming in contact with an island of ice. Lieut. Wilkes speaks in the highest terms of the conduct of the officers and crews of the expedition. At the last dates, the 6th of April, he was at the Bay of Islands, N. Zealand, whence he was shortly to proceed to carry out his instructions.

The steam frigate *Pulmon* has been employed during the past season in experimenting with the Paixhans gun and shot, under the direction of captain Parry, and with a view to afford as many officers as possible an opportunity of becoming acquainted with the practice of gunnery, as large a number of supernumeraries have been attached to her as she could accommodate. The reports of captain Parry present very interesting results, and it is contemplated to continue the experiment for the purpose of demonstrating the relative advantages of the Paixhans gun and those in ordinary use, as well as affording a useful practice to our naval officers, by attaching them, in succession to this vessel.

The arrivals on the eastern coast of the United States, directed by the act of the 3d of March, 1837, have been completed under the superintendence of

lieutenant Glynn, and it is expected that the department will be enabled to lay before congress either at or shortly after the commencement of the session, complete charts of all the ports and places which have been surveyed.

The brig *Consort*, under the command of lieut. Powell, is now occupied in surveying the coast from the Bay of Apalachicola to the mouth of the Mississippi, as directed by the act of making appropriations for the survey of the coast, 1840.

The sloop of war *Freble*, commodore Brevint, has been employed on the coast of Newfoundland and Labrador, during the late fishing season, in protecting the rights and interests of American citizens engaged in the fishery. On the 10th of September, the cruise she returned to Portland, whence she was ordered to Boston for examination previous to being sent on foreign service.

The brig *Delphin*, lieut. Bell, and the schooner *Grampus*, lieutenant Paine, have been employed on the coast of Africa, in the suppression of the slave trade. They returned at the commencement of the sickly season, and have since sailed in pursuit of the same object. The presence of these vessels on the coast during the season of the trade, will be a graceful traffic is carried on, will in all probability in a great degree arrest its progress, so far as it has been prosecuted by the assumption of the American flag, and do much to relieve the nation from the impositions of the foreign nations participating in the violation of the laws of the United States and the policy of their government. From the report of lieut. Bell and Paine it appears that the traffic in slaves is now carried on principally under Portuguese colors, and that the great number of slave stations, as they are denominated, established at different points of the coast, under the protection of the neighboring native chiefs, who furnish the slaves and receive irregular goods manufactured in England, expressly for this purpose, render the slaves so formidable, as to afford an opportunity offers for the slave to approach the land under cover of night, and receive them on board.—Both officers are of opinion that as long as these stations are permitted to exist, and this barrier carried on, all attempts effectually to arrest the traffic in slaves will end in administering only partial remedies, which will but aggravate the disease. There can be little doubt that the number of slaves transported to Africa is greatly increased, and that in the adoption of measures for its suppression and punishment, which it would seem have served no other purpose than to excite the cupidity of unprincipled adventurers, by increasing the value of slaves, and the temptation of participating, which overpowered all apprehension of consequence.

During the past year three small schooners, the *Flirt*, the *Wave* and the *Osage*, which had been previously procured and employed by the war department, under the command of making appropriations for suppressing Indian hostilities, approved 3d March, 1838, having been placed under the direction of this department, were employed on the coast of Florida, under lieutenant McLaughlin. That officer lately returned to the north in the *Flirt*, bringing with him men whose terms of service had expired, together with the sick and disabled attached to the expedition. He has since sailed with men sufficient to complete the complement of all his vessels, as well as for boat service. An additional number of marines has also been attached to his command, with a view to operations on land against the Indians, as well as the protection of the lives and property of the citizens, and the prevention of the introduction of slaves by the means of the export trade.

The two Atlantic frigates commenced under the second article of the act approved 3d March, 1839, one at New York, the other at Philadelphia, have been so far completed that the former will be ready for launch in a few days, and the latter in the ensuing spring, as soon as the Delaware is free from ice. The engines and boilers are also in a course of speedy completion, and when finished, will be placed on board, and the vessels prepared for service.

The apprentice system continues in operation; and thus far, its results are highly satisfactory. The conduct of the young lads is generally exemplary, and such is their rapid progress in the art of seamanship, that by the time they are of age for service, our commanders generally prefer them to older seamen. I take this occasion to recommend that this system be fostered to the utmost extent of which it is susceptible, being fully of the opinion that the present one great naval difficulty, and the only remedy that increasing scarcity of competent petty officers and able seamen, which greatly embarrasses the operations of the navy, delays the sailing of our public vessels, and places the defense of our harbors and the interests of the United States in the protection of crews, a great portion of which are foreigners.

This scarcity of seamen for the use of the navy is, I apprehend, owing to the high wages they receive in the merchant service, and the comparatively short periods of their engagements in commercial voyages; to the absence of an apprentice system in the merchant service; and the discharge of seamen when their term have expired on foreign stations, where the reductions of climate and the allurement of pleasure attach them to the soil, and whence many of them never return, or return so enervated, as to be comparatively unfit for active service. The last inquiry I have instituted result in the fact that many of our seamen are now scattered among the islands of the Pacific, and on the coast of South America; and though directions have been given to reclaim them whenever it may be found practicable, there can be little doubt that a large number are thus irretrievably lost to their country. I have also sufficient reason to believe that the modification of the navy ration, which was proposed to congress, but which has not been definitely acted on, would, if adopted, contribute materially to attach our seamen more permanently to the service; and I take this occasion earnestly to request that the early adoption of the measure be the policy of this subject generally, as one of vital importance to the well-being of the navy.

The accompanying report and letter from the commissioner of pensions, exhibit the number of pensioners, the amount of their pensions, and the means now remaining on hand for the payment of the same, may become due the 1st of Jan. and 1st of July, 1841. From these documents it will appear that under the operation of the navy pension laws, and most especially under the course of the year 1839, the navy pension list, which at the present time stood at upwards of a million of dollars, the annual amount of which was sufficient to meet all demands, now consists of one hundred thousand dollars in pension, five per cent stock, greatly depreciated, and fourteen thousand dollars of stock of the bank of Washington, in the same situation, thirty-five thousand three hundred and thirty-nine dollars five per cent stock of the city of Washington, and eleven thousand four hundred dollars of stock of the Union bank of Georgetown, the latter totally unsalable at this time.

By the same statement it appears that the sum of one hundred and fifty-one thousand three hundred and fifty-two dollars and thirty-nine cents, will be required in the course of the year 1840 to meet the claims arising out of the present pension list, and that consequently, either an appropriation of that sum, during the present session, must be made, or the pensioners will remain unpaid, and the faith of the nation, which has been pledged, will be found a deficiency in this fund, remains undredemed.

The estimates which accompany this report have been prepared with a due regard to economy on our part, and the protection of the honor and interest of the United States on the other. The number of vessels now in commission is fully equal to those employed in preceding years, and it is believed that during the past year, neither the persons nor property of our citizens have any where suffered outrage or wrong for want of prompt attention in affording the means of protection and redress.

It will be perceived that the board of navy commissioners have again presented an estimate for additional clerks, which, as has been stated, are indispensable to the prompt performance of the duties of that office, which are daily increasing, and which there is no reason to believe will suffer any diminution in the future. Respectfully submitted,

J. K. FAULDING,

To the president of the United States.

TWENTY-SIXTH CONGRESS—24 SESSION.

SENATE.

December 19. Mr. Mangum presented the credentials of William A. Graham, of N. Carolina, who, after being duly qualified, took the oath of office.

Mr. Siler presented the credentials of William S. Fulton, senator elect from Arkansas, from and after the 4th of March next.

The following senators appeared in their seats: Messrs. Webster, Tolland, White, Calhoun and Rives.

On motion of Mr. Buchanan, The senate then proceeded to ballot for chairman of the committee on commerce, when Mr. King, of Alabama, having received 29 out of 32 votes, was declared elected to the office of chairman.

The chair then announced the standing committee of the body, as follows:

On foreign relations.—Messrs. Buchanan, (chairman), Clay, of Kentucky, Calhoun, Kansas and Allen.

On finance.—Messrs. Wright, (chairman), Webster, Nicholas, Benton and Hubbard.

On commerce.—Messrs. King, (chairman), Davis, Norvell, Ruggles and Moulton.

On manufactures.—Messrs. Lumpkin, (chairman), Preston, Knight, Buchanan and Allen.

On agriculture.—Messrs. Moulton, (chairman), Dixon, Linn, Sturgeon and Smith of Connecticut.

On military affairs.—Messrs. Benton, (chairman), Preston, Wall, Pierce and Nicholas.

On the militia.—Messrs. Wall, (chairman), (chairman), Smith, of Indiana, Anderson, Fulton and Mangum.

On naval affairs.—Messrs. Williams, (chairman), Southard, Culberr, Talbridge and Tappan.

On public lands.—Messrs. Walker, (chairman), Fulton, Clay, of Alabama, Prentiss and Norvell.

On private land claims.—Messrs. Linn, (chairman), Sevier, Clayton, Moulton and Huntington.

On Indian affairs.—Messrs. Prentiss, (chairman), Linn, White, Phelps and Lumpkin.

Of claims.—Messrs. Hubbard, (chairman), Young, Merrick, Williams and Huntington.

On revolutionary claims.—Messrs. Smith, of Connecticut, (chairman), Sturgeon, Giamah, Crittenden and Robinson.

On the judiciary.—Messrs. Wall, (chairman), Clayton, Anderson, Crittenden and Smith, of In.

On the post office and post roads.—Messrs. Robinson, (chairman), Lumpkin, Wright, Fulton and Henderson.

On roads and canals.—Messrs. Young, (chairman), Phelps, Henderson, Mangum and Smith, of Indiana.

On prisons.—Messrs. Prentiss, (chairman), Prentiss, White, Roane and Huntington.

For the District of Columbia.—Messrs. Merrick, (chairman), Crittenden, Mangum, Southard and Clayton.

On patents and the patent office.—Messrs. Sturgeon, (chairman), Davis, Prentiss, Robinson and Potter.

On public buildings.—Messrs. Fulton, (chairman), Merrick and Smith, of Connecticut.

To audit and control the contingent expenses of the senate.—Messrs. Knight, (chairman), Fulton and Porter.

On exiguous bills.—Messrs. Henderson, (chairman), Porter and Welch.

Mr. Norvell presented a memorial from sundry inhabitants of Michigan, praying the enactment of a uniform bankrupt law. Referred to the committee on the judiciary by several senators of their intention of introducing bills.

Mr. Smith, of Indiana, moved that the senate now proceed to the election of chaplain; but the motion was lost.

On motion the senate adjourned to Monday next.

December 11. The following senators appeared in their seats: Mr. Southard, of New Jersey, Mr. Preston, of S. Carolina, Mr. Anderson, of Tennessee, and Mr. H. Dickinson, of Maine.

The president pro tem, communicated to the senate communications from the state, war and navy departments, containing statements of the expenditures of the contingent funds of those departments; all of which were severally ordered to be printed.

The following memorial and petitions were presented and appropriately referred.

By Mr. Clay, from Origen Batchelder, of New York, praying that a board may be appointed (with the concurrence of other nations) for the settlement of all difficulties without recourse to arms.

By Mr. Merrick, from the several banking institutions of the District of Columbia. Also, from the Howard institution, asking the aid of congress.

By Mr. Wright, from citizens of Jefferson county, New Jersey, praying the enactment of a uniform bankrupt law.

By Mr. Wate, from the Mount Carmel and New Albany rail road company, asking a donation of land to aid in constructing said road.

Mr. Clay submitted the following resolution: Resolved, That the act entitled "An act to provide for the collection, sale, keeping, transfer and distribution of the public lands," ought to be forthwith re-enacted, and that the committee on finance be instructed to report a bill accordingly.

Mr. Clay also submitted the following, which was ordered to be printed and read.

Resolved, That the secretary of the treasury be directed to communicate to the senate statements showing the quantity of land reported by the registers and receivers of the several land offices in pursuance of a resolution of the senate of the 25th of April, 1829, to have been unsold on their respective districts on the 30th day of June, 1829, after having been offered at the minimum price per acre, the quantity of the several land offices, what proportion of the land so unsold on that day consisted of first rate land, and what was the estimate of the value of the unsold land, and what was the estimate of the average value per acre of the unsold land, and what part of said land so remaining unsold on the 30th

June, 1829, aforesaid, has since been sold, and at what price, discriminating between the amounts sold in each of the districts. And the secretary is further directed to prepare parallel columns to be printed, exhibiting in one connected view the quantity of land unsold on the day aforesaid in said districts, the amount of land so sold, the value as assessed or estimated by the land officers, and the prices at which the lands have been actually sold, and the aggregate value of the land as assessed, and the aggregate amount of the sales made since the 30th June, 1829, in each land district.

Mr. Ruggles submitted the following: That the president of the senate be requested to communicate to the senate, if not incompatible with the public interests, any correspondence which may have taken place between this government and Great Britain relative to the jurisdiction of the boundary, not heretofore communicated to the senate; also, on like condition, any correspondence had with the governor of Maine on the same subject, not heretofore communicated.

On motion of Mr. Davis, Resolved, That the committee on the judiciary be requested to inquire into the expediency of amending the laws as to mitigate or wholly abolish the imprisonment of witnesses in criminal cases.

The following resolutions were submitted by Mr. Young, and generally agreed to.

Resolved, That the committee on commerce inquire into the expediency of granting an extension of credit to the state of Illinois on the duty bonds already given, or hereafter to be executed, on the importation of rail road iron into that state.

Resolved, That the same committee inquire into the expediency of establishing ports of entry and delivery for the Great Lakes, Alton and Chicago, in the state of Illinois.

Resolved, That the same committee inquire into the expediency of establishing a marine hospital for sick and disabled seamen and indigent passengers navigating the Mississippi and Ohio rivers at the city of Cairo, in the state of Illinois.

Resolved, That the committee on military affairs inquire into the expediency of providing by law for the abandonment of Kick Island in the state of Illinois as a military post.

All the parts of the president's message were appropriately referred, save that which relates to finance; which, on motion of Mr. Webster, was postponed until Wednesday next, there being 20 yeas and 19 nays.

Mr. Benton asked leave to bring in a bill to establish a prospective and permanent pre-emption system; which having been granted, Mr. B. made some preliminary remarks, intimating that he designed to report the bill on Wednesday next, and then tested the vote, and on that he asked the yeas and nays.

Mr. Hubbard was not prepared to vote on the bill until he understood its details; and would, therefore, defer his vote until the bill was printed, and the further discussion postponed until Wednesday next, which was agreed to.

A number of bills were introduced, twice read and appropriately referred; which will be noticed hereafter.

On motion of Mr. Young, the senate proceeded to ballot for chaplain; when the rev. Mr. Cookman was duly elected. The vote stood:

For the rev. Mr. Cookman, 25 yeas.

For the rev. Mr. Thurston, 10 do.

For the rev. Mr. Shaw, 4 do.

On motion, the senate adjourned.

December 13. The president pro tem. communicated to the senate a message covering reports from Mr. Young, superintendent of the coast survey, showing the progress made therein during the year, and also of the work for the fabrication of standard weights and measures.

Also, a letter from the secretary of the treasury, reporting the same in compliance with the 5th section of the act for the relief of interest debtors of the United States. Referred to the committee on the judiciary.

A number of petitions were presented and referred, and several petitions were removed from the files of the secretary's office and again referred to appropriate committees.

Mr. Fulton, from the committee on public lands, reported the following bills, without amendments: A bill to authorize the inhabitants of the township of right north, range thirty-two west, in the state of Arkansas, to enter a section of land in lieu of the sixteen section in said township, upon condition that the same is surrendered to the United States for military purposes.

A bill authorizing the inhabitants of fractional township ten south, of range one east, in the state of Arkansas, to enter one-half section of land for school purposes.

A bill to authorize the committee on the public lands, reported the following bills, without amendments:

A bill to relinquish to the state of Alabama the two per cent. fund reserved by the act for her au-

mission into the union, to be applied to the making of a road or roads leading to said state.

A bill to establish an additional land district in the state of Alabama.

A bill to grant other lands to the inhabitants of townships deprived of the 16th section by Indian reservations.

A bill to relinquish the reversionary interest of the United States to a certain reservation in the state of Alabama.

Mr. Hubbard, from the committee of claims, reported without amendment, the bill to establish a board of commissioners to hear and examine deca against the United States.

Mr. Norvell, from the committee on the public lands, reported, without amendment, the following bills:

A bill granting to the state of Michigan a quantity of land to aid said state in the construction of a canal around the Falls of St. Marie; and

A bill to create an additional office in the state of Michigan, and for other purposes.

The following bills were introduced on leave, twice read and appropriately referred, viz:

By Mr. Sevier, of Indiana, a bill to authorize the Mount Carmel and New Albany rail road company to enter on a credit a quantity of land to aid the company in the construction of a rail road from New Albany, in the state of Indiana, to Mount Carmel, in the state of Indiana.

A bill to regulate the land offices in the state of Indiana, and for other purposes.

By Mr. Tappan: A joint resolution to limit the tenure of office of the judges of the federal courts of the United States.

By Mr. Hubbard: A bill to provide for the settlement of the claims of New Hampshire against the United States.

By Mr. Norvell: A bill to authorize the president of the United States to cause certain surveys to be made.

The resolution introduced yesterday by Mr. Clay, of Kentucky, calling on the secretary of the treasury for certain information in relation to the public lands, came up in its order.

Mr. Clay, of Alabama, having suggested amendments to the resolution, the same were adopted; and the resolution, as amended, reads as follows:

Resolved, That the secretary of the treasury be directed to compile and report aforesaid, such statements showing the quantity of land reported by the registers and receivers of the several land offices, in pursuance of a resolution of the senate of the 25th of April, 1829, to have been unsold on the 30th day of June, 1829, after having been offered at the minimum price per acre, discriminating between the several land districts, what proportion of the land so unsold on that day consisted of first rate land, and what was unfit for cultivation, according to the reports of the said officers; what was their estimate of the average value per acre of the unsold land, and what part of said land so remaining unsold on the 30th June, 1829, aforesaid, has since been sold, and at what price, discriminating between the amounts sold in each of the districts. And the secretary is further directed to cause parallel columns to be prepared, exhibiting in one connected view the quantity of land unsold on the day aforesaid in each district, the amount so sold, the value as assessed or estimated by the land officers, and the prices at which the lands have been actually sold, and the aggregate value of the land as assessed, and the aggregate amount of the sales made since the 30th June, 1829, in each land district.

Resolved further, That said secretary cause to be taken in compiling report aforesaid, such alterations as may have been made in the said statements, as embraced by said reports, made pursuant to the said resolution of the senate of the 25th of April, 1829, showing in what districts, and to what amounts, said districts have been enlarged or diminished since the said 30th of June, 1829, and also what new lands then embraced by said several land districts, have since been sold.

Resolved further, That the secretary cause to be communicated statements showing, in separate columns, the quantity of public land which has been offered for sale, and which has been offered and not sold, at the minimum price, in each state and territory, for a period of five years, and less than ten years; the quantity so offered and remaining unsold for ten years, and less than fifteen years; the quantity so offered and remaining unsold for fifteen and less than twenty years; the quantity so offered and remaining unsold for more than twenty and less than thirty years; and the quantity which has been offered and not sold, and remained unsold for more than thirty years; showing the aggregate at the foot of each column, and the general aggregate of all the items, which have been offered and not sold, and remained unsold for five years and upwards up to the last returns.

The resolution, offered yesterday by Mr. Clay, to repeal the rub-treasury law, coming up in its order—

Mr. Clay said it had never been his purpose, in offering this resolution, to invite or partake in an

argument on the great measure to which the resolution related, nor was it his purpose now. He would as lief argue to the convicted criminal, when the rope was round his neck, and the cart was about to remove from under his body, to persuade him to escape from the gallows, as to argue now to prove that this measure of the sub-treasury ought to be abandoned. But Mr. C. had offered the proposition which he wished to submit as a resolution; and it was now due to the senate that he should say why he had presented it in that shape.

It was the ordinary course in repelling an inquiry either to move a resolution for an inquiry by a committee on the subject of repeal, or else ask leave to bring in a bill to repeal the measure which they wished to repeal. But the measure which was now under consideration was not a bill. But these ordinary forms might be and ought to be dispensed with. And if they should look for examples to the only period which bore any analogy to that of the present, they would find that the House had power, but under circumstances so different from those attending the accession of the President of North Breda. At that time the alien law had not been limited in time, but had been made permanent in its operation. It was not, therefore, ridiculous to have moved a resolution of inquiry as to the expediency of repelling that most odious measure? Besides, the sub-treasury had now been established, and the subject of unnecessary expenditure and reiterated argu-ments were not those that of the duration of the last war. Under these circumstances, a discussion of the measure would be both unnecessary and misplaced. It was sufficient to say that the House had resolved to repeal the measure, and that the senators of nineteen states had been instructed to repeal it. It might, indeed, be contended that the presidential election would be a sufficient answer to the question. But there might well be a dispute about it. Goveaux on the other side had said that such and such an election had decided this or that measure, one instance of which related to a Bank of the United States, and which was a subject of great and long-continued controversy. But on one point there could not be a diversity of opinion, and that was, that this nation, by a tremendous majority, had decided that the President should be elected by the people. The nation speaks and wills and commands, what was to be done! There was no necessity of the formation of sending to a committee, for a slow process of inquiry, but there was a necessity of doing what the House had decided to do. The House had decided that it was instructed to reform. The only question now was, who would act against the will of the nineteen states; and Mr. C. thought gentlemen who profess to be patriots would not do so. He thought that he could not hesitate to comply with it now.

Sir, (said Mr. C.) I had hoped, for on that the president of the United States, when he communicated his late message to congress, would announce the fact which I have stated, and would have conformed to it in his suggestions to congress. I would not, indeed, have asked the president to present such a message, but I would have expected him to congress, "I have been wrong all this time, and I now retract my error." Sir, it would have been unmanly to urge him to such a step, and I would not have required it of him. But we had a right to expect that the president would have said what was the fact on this subject, that the nation had decided to amend the constitution, and that he would have recommended that the will of the country should be obeyed. But least of all could we expect that he would recommend, as he did, certain improvements of this measure, and that senators should concur in amending a measure against which the nation had decided. And, even if they should persevere in such a course, I would not have expected that they should have said that the measure cannot be continued after the new president shall commence his administration.

Our words to the effect of the repeal. What has been said of this measure? It is said to have been very successful, by the report of the secretary of the treasury. Sir, I would have been much better pleased if that document had gone into detail, and had told us what had been done, and what changes had been made, and really taken place, arising out of this measure. All this he has omitted, and he has only told us that the measure has so far satisfied all our expectations, and that it has been most favorable in its operation. But what is its operation? Sir, I am far from the creditors general, and was I was much surprised to find that a gentleman of the rank of a honorable senator from New Hampshire, (Mr. Hubbard) can tell, who, on all occasions, has stood forth the ready protector and advocate of the secretary of the treasury, though I must say it was a most ungrateful return for the secretary of the treasury to have been so grossly deceived. I am glad to learn from the honorable chairman of the committee on finance, (Mr. Wright), who is one of

the instructions against the measure, and let him give it in detail, how the sub-treasury has acted and how it is now working; how it is varying the financial and commercial concerns of this country. Sir, I can tell you that I have read the resolutions, and I understand and I understand that not the slightest difference has arisen from what was going on before the 4th of July last in the operation of this system. Now, as then, the notes of all the specie paying banks are received, and the same is true of the notes of the government general. The process is this: A merchant in New York who has to pay say \$400, gives two checks, of \$200 each, but no specie. One of these checks is endorsed "specie," but the other has no such endorsement. He takes the check without the "specie" bank and credited, not to the government, but to the receiver general, on his own private account. That is the action of the sub-treasury. Both checks are cashed paper, convertible at the will of the holder into specie. The check without the "specie" endorsement is no more specie than the one without the endorsement. And such was, in fact, the usage before the 4th of July last. Prior to that, the paper of no bank not paying specie was received, and it is the same now. The only change in the operation of this measure. Prior to the 4th of July last, in New York, for example, the moony was received, and placed in the banks on private account, and the government had no control over it. And so it is in all the other cities. The government has no control over it. Allen, and government has no control over it. The result is, that the whole revenue passes under the care and custody of a private individual, into some bank. If I am right in this, it is very clear that the government has no control over the money. It is very inconsiderable, and must so continue. But I trust, if the account is to be kept with the banks, that instead of individuals, it will be opened, as it formerly always was, with the treasurer of the U.

I think, then, Mr. President, that no sort of inconvenience can possibly result from the repeal of this measure. But even if it could, that is now no consideration for us; but when we have our instructions, I at least shall obey the will of nineteen states.

Forbearance, then, from a general discussion, which has been continued three years and three months. I am now ready for the vote on the resolution, though I shall not urge it. If gentlemen want farther time, I will give it. I will not, however, be obliged to stand to draw them a request so reasonable as that.

Mr. Wright said he was from one of the nineteen states which the senator from Kentucky had addressed, and he would not have been so happily rejoiced in this movement. He rejoiced that there was a disposition in the party now about to come into power, to make precisely the issue that was to be made by this bill. He would not have thanked the senator for presenting this proposition. He would say, also, with that senator, that he did not desire further to discuss the measure, either before or after the vote. He would not say, however, that, when the senate should act on the proposition, they might act with an understanding of what it was, and when the senate was full. But it was not so. It was not so. It was not so. It was not so. A member had left, and had not yet returned. But in any case, if the senate were to act on the subject, he desired they might go directly to the object of the proposition, without the delay of sending it to a committee.

The senator from Kentucky was singularly impressed with the clearness of the revuls of the late election at least the one point of the sub treasury; and Mr. W. would not say whether or not that point was the one which he would have been sure to vote for in W. the first election in this government, wh principles were not declared, and when measures in prospect were not avowed; and it is the strongest possible apology for me to say that no measure was then offered by the election. We had a general election for electors, when, we had the fashion for candidates to avow their principles; and yet we have heard gentlemen on the other side attempting to parry the issue, and to contend that nothing prejudiced by the popular voice was decided by the election. I have no objection to the question of the congressional election of 1828 and 1839. If ever there was a distinct issue, it was then. It was, as the senator says, pending this war of more than three years, that this measure was then almost the only point in controversy. And it was then that it was one which was equally favorable to it, and the measure was consequently adopted. And this was done by the country panning the controversy. That popular mind may have changed; but, if so, and if it has now pronounced against this measure, it was equally favorable to it, and it has it been in favor? Was it a national back? And will the renator from Kentucky contend that it was?

Will the party assume it? And there is another political party with other views, (conservatives); will they return to the deposit banks; and will the honorable senator admit that he does not say that they will select either one or the other of these measures. But the honorable senator will triumph declaration against this measure. And how is it so? By what declaration of the opposite party is he to determine this point? Sir, I had supposed that the honorable senator, in saying this thing, it was that we should pull down this magnificent building and erect a log cabin in its place; and, instead of these splendid pictures and other things, erect a log cabin in its place. But the senator will not say that this was to be the result. And yet we can prove that with double the force and testimony with which we can prove the truth of the proposition, that the destruction of the sub-treasury measure? And still we are to be silent and submit, because of such a popular decision. Sir, I will not say a word against this decision, when it is fairly ascertained. It is likely to bring into power shall come constitutionally into their places. I shall be one of the first ready to render constitutional submission. But, in a verdict against the measure, I am ready to admit that it decides against this measure.

What, then, is the argument of the senator from Kentucky in favor of this precipitate repeal? Is it that the measure has made mischief in the country? That it has done evil to the people? No, I do not understand him. But it is that it is not carried out in its terms and spirit; that the law is not observed, but violated. The senator may be right in this, for I am not able to testify as to its correlative facts. But if it is so, does it follow that the law is to be repealed because it is not observed? Should we not rather institute an inquiry whether these officers do their duty?

And if the senator had thought fit to take Philadelphia as his example, he might have made a different case. I know that in New York all the banks are specie-paying banks; and I know it is the constructive duty of the receiver general to receive three-fourths of the duties there in specie-paying paper. But does the senator say that any checks are received there on non-specie paying banks? And if it is an individual who takes the money to the vault, is the law violated or the community injured? His argument, as I understand it, was, that they were little benefited by it, and therefore it was not a wise or a proper measure. But is it not better as it is now, than if it were willy nilly to be executed?

In conclusion, Mr. W. disclaimed any desire to enter into the general argument, and called for the yeas and noys on the question of the resolutions, which were ordered.

Mr. *Clay*. Mr. President, it is always a pleasant
to me when I have the honor to submit a proposition
in a form so acceptable to the honorable senator
from New York; and I am disposed to allow the
honorable senator to have the honor of the proposition
desired by the senator, or postponing this measure
till the senate shall be more full. And as I am no
Christian, or endeavor to be so, I will not return
evil for good. Though I recollect, when this measure
was first introduced, the honorable senator from
New York would not allow a single day to the
senator from Delaware, (Mr. *Clayton*); though he
would not then, though earnestly entreated, allow
the senator from New York a single night; though
all this was done with the concurrence of the
senator, still I am for returning good for evil,
and I am very happy that better days and more
liberal sentiments are coming. I will concur in any
reasonable postponement which the senator may
desire.

But while, *p*, I will notice a few remarks of the senator from New York. He says this is a very convenient party now coming into power, because it is without *avowed* principles—a *coat skin*, like a cabin party. And before I proceed further, I must tell you that I have no objection to a *coat skin* party, so long as the *coat* is made of the *wool* of the men who have been driven out of power by a party whose residence is a log cabin and whose covering is *coat skin*? Sir, there must be something wrong about it, or the defeated party would have never met so hard a fate from a party which they look so much upon as a *coat skin* party, and which is so much more than a *coat skin* party. I think I am safe in saying the senator is correct. But does he in fact *know* my principles or the principles of my friends with respect to this sub treasury measure? Have not we been battling with the whole country on one side against this identical measure? The senator tells that the popular voice was in favor of the sub treasury measure, and that the *elite* of the people were in the popular branch. Sir, I hope he will relieve me of the necessity of looking into that New Jer-

any affair, and of discussing the manner in which that gallant state was stripped of her sacred rights and her authority trampled under foot, in a manner degrading to a deliberative assembly, and disgraceful to the age in which we live. But I will not go into it. In the progress of the war gentlemen did gain a little, and we were subject to reverses prior to 1840. But who that regards the truth, and has been attentive to the progress of events, can rise in his place and deny that the elections of 1840 repeated the scenes of 1800? They were reversed against it; the object was put off, and to dispose with a measure which had disturbed the community, and deranged the affairs of the country for more than three long years. It is not at all like the cases alluded to in the session and former elections. The election of 1832, for instance, was construed into an expression of public opinion against the bank of the United States.—

But we all know that general Jackson was then in favor of a bank of the United States. He so said in his message, and he was then supported on the ground that he was friendly to the establishment of a bank of the United States. And I then denied as I do now that the interest of gentlemen from those elections was justly drawn. But now, whether the late election is favorable to a bank of the United States or to a league of banks, on one point, and that is as respects this measure, it is utterly impracticable there can be two opinions.

The honorable senator calls on us to say what other measure is to be resorted to after that is destroyed—a bank of the United States or local banks. Sir, sufficient to the day is the evil there is. We have nothing more, but the sub-treasury to handle. That is an obstacle in the way of any measure. Let us first remove that, and it will then be time for the senator from New York to be heard in his inquiries.

But to say a party coming into power are without principle. But does he not know that they are against the sub-treasury, and in favor of some sound and safe regulation of the currency? That they are for economy? That they are against the extravagance of the revolution? That they are in favor of retrenchment in their aid? And that they are opposed to the late fiscal usurpations and abuses of executive power? Sir, the gentleman forgets that the election of 1840 was a case decided on Tuesday, Nov. 2, 1840. He seems to think that he is addressing an assembly in New York, at Faneuil-hall or elsewhere. Because general Harrison did not choose to reply in impetuosity, the gentleman charges him with the part of a coward. But of principle. But, on all subjects he was manly and open, and it was on principle that the people brought him into power. But do gentlemen really mean to assert that they are without principle? No, sir, no. They know the principles of the new administration well enough. They know that it will not denounce bank paper and then give us treasury notes; that it is against all exponents of this kind; that the administration will be equally and fairly conducted; that it will not have debts to a large amount, throwing the government in all its departments—to the Indians, for state stocks made for political purposes, and reduced to two-thirds of their original value; that the Florida war—literally covered over with debt, and all the time preaching against debts, and all the time using treasury notes; and they know, if they do not tell us how much of debts they have incurred, we know we have the means of ascertaining, and cast up the aggregate to a great amount—an enormous and mysterious amount.

Sir, it is the will and pleasure of the majority to vote down the resolution, let them do it unavailingly, and say that they will not do it. The will of the people shall prevail. But if the will of the people is to be carried out, there is no reason for it. But the sub-treasury should be repealed, and I affirm it. Mr. Calhoun (indistinctly heard) said he hoped that the party acting with the senator from Kentucky would have been contented with their success, and would go on with the business of the session. Let the new president when in power prevent this measure of repeal, and in his report said that it would then be time enough to act upon it. If his administration should be really one of retrenchment and economy, Mr. C. would not require how it came in, but would support any act necessary to which he could give aid.

But he did not view this resolution in the same light as the senator from New York. There had been very great excitement, and there now ought to be a calm, so that the people could think over the whole affair, and see the necessity of a law which they could not arrive under excitement.

The senator from Kentucky had said that the present measures under this measure were not more than for the old practice. Why, then, repeat

it? But Mr. C. did not hold it to be the same. The sub-treasury, whether it was wise or expedient, was at all events not unconstitutional. The gentleman from Kentucky was now for restoring a state of things which that senator had denounced. The sub-treasury, which all the power should be in the hands of the president. If the practice was as the senator had stated, Mr. C. pronounced it contrary to law, and hoped the senator would move a resolution of inquiry on that subject, and Mr. C. would not be obliged to repeat the results of the law.

Mr. C. proceeded to argue that the sub-treasury was not the only subject at issue in the late election, but there were a thousand issues. He indeed feared that the majority of the people were against the sub-treasury, but he did not whether they were in favor of the condemned United States bank, or of the pet bank system. And let the question come when it might, the only alternative would be either the sub-treasury or the bank of the United States; for he held it impossible that gentlemen ever could go back to that assemblage, rickety, condemned pet bank system. The question, therefore, was between the sub-treasury and a Bank of the United States. Mr. C. would not argue, and he, when general Harrison was asked, then will be the time, and let the question of a bank come when it will. I will resist it with every energy which God and nature have given me, for, (with respect to the bank) it is to be chartered for twenty years, I deem it worse than to have a president for life, and more dangerous to the liberties of the country.

Mr. C. argued still further in favor of a calm. Mr. Henderson argued against the sub-treasury, having been condemned by the late election, and said he did not therefore consider himself instructed on the subject by public opinion.

Mr. Hubert also argued on some points said he was not sorry for the introduction of the resolution; but there would be debate; and Mr. H. was from a state now strongly in favor of the measure. The senator from Kentucky had said that it would be repealed after the 4th of March; but Mr. H. did not know how he could tell, unless it was true, as had been rumored, that gen. Harrison had declared that senator more worthy of being president than himself. Mr. H. expressed his regret that in the election of Mr. Woodbury to the senate, and rejoiced that he was to be succeeded by one so able.

Mr. Allen then moved as a substitute the following:—
Resolved, That the financial policy established at the origin of this government: by the first acts of its legislation, and especially by the 30th clause of the "act to regulate the collection of duties," &c., approved by president Washington, July 18th, 1793; and by the 4th section of the "act to establish the treasury department," &c., approved by president Washington, September 8, 1799; be in strict conformity to the fundamental principles of the constitution.

Resolved, That by a long series of subsequent acts, tending to the great detriment of the public welfare, that policy had been departed from, and was, by the act to provide for the collection, safe-keeping, transfer and disbursement of the public revenue, approved by president Van Buren, July 4, 1840, fully restored and ought to be adhered to and thereby.

Resolved, That the government ought to collect no taxes from the people, either directly or indirectly, that are absolutely necessary to an economical administration of its affairs.

Resolved, That the taxes paid by the people ought not to be paid by the government to individuals or corporations.

Resolved, That the taxes paid by the people ought not to be placed by the government in the custody of any person not made by the constitution and laws regular to the people.

Resolved, That in the transaction of its own affairs, the government ought to receive and expend no money, except such as is made a law by the constitution.

Mr. H. raised a question whether this substitute was in order, but he was told, as the president pro tem, had just before retired.

On motion of Mr. Hubert, the substitute was ordered to be printed, and the subject was laid on the table till to-morrow. The senate then adjourned.

December 16. The vice president of the United States appeared and took the chair.

Mr. Phelps and Mr. Mead also appeared in their places.

The vice president communicated to the senate a letter from the war department, covering a report of the board of dragoon officers assembled at Carlisle for the purpose of witnessing an exhibition of horsemanship, and a report of the board of dragoon officers, in respect to the purchase of a new war-proof ammunition, invented by Samuel Colt.

Mr. King presented a memorial from the legislature of Alabama, asking the establishment of a land office in the late Cherokee purchase.

Several petitions and papers were presented by Messrs. Smith, of Indiana; Merrick, Young, Rogers, Wade and Linn, on private claims which were appropriately referred.

Mr. Smith, of Indiana, from the committee on roads and canals, reported the bill by him introduced on yesterday for the benefit of the New Albany and Mount Carmel rail road company, and for other purposes, and it recommended its passage.

Mr. Williams, from the committee on naval affairs, reported the following bills without amendment.

A bill to regulate the pay and emoluments of officers in the navy.

A bill to regulate and establish the navy ratings. Mr. Wall, from the committee on the judiciary, reported the following bills:

A bill supplementary to an act to abolish imprisonment for debt in certain cases.

A bill to prevent the counterfeiting of any foreign copper, gold, silver, or other coin, and to prevent the bringing into the United States or altering any such foreign copper, gold, silver, or other coin.

A bill more effectually to provide for the punishment of certain crimes against the United States.

Mr. Tallmadge asked and obtained leave to introduce the following joint resolution to amend the constitution of the United States to relation to one president.

Resolved by the senate and house of representatives of the United States of America in congress assembled, (two-thirds of both houses deemed necessary), That the following article be added to the constitution of the several states as an amendment to the constitution of the United States, which article when ratified by three-fourths of the said legislatures, to be valid, to all intents and purposes as part of the said constitution: "The president of the United States shall hold office for one term of four years, and shall be ineligible thereafter."

The following bills were introduced on leave, twice read, and appropriately referred, viz:

By Mr. Smith, of Indiana, a bill to confirm to the state of Indiana the lands selected by that state for the purchase of that portion of the Wabash and Erie canal that lies between the mouth of Tippecanoe river and Tipton, and for other purposes.

By Mr. Prentiss, a bill to authorize the payment of insolvent prisoners in certain cases.

By Mr. Fulton, a bill to perfect the titles to lands south of the Arkansas river.

By Mr. Sevier, a bill asking appropriations for the removal of the dead river.

A bill to authorize the legislature of the state of Arkansas to sell the lands heretofore appropriated for the use of schools in that state; and

A bill to revise the act entitled "an act to enable claimants to locate within the limits of Missouri and the territory of Arkansas to institute proceedings to try the validity of their claims," approved the 26th May, 1824, and an act amending the same, and extending the provisions of said act to claimants to lands within the states of Louisiana and Mississippi.

By Mr. Anderson, a bill to amend the act entitled "an act to authorize the state of Tennessee to name grants and perfect titles to vacant lands heretofore scried, and to settle the claims to vacant and appropriated lands within the same."

By Mr. Henderson, a bill to confirm the survey and location of claims for lands in the state of Missouri, north of the river and south of the 31st degree of north latitude.

On motion of Mr. Hubert,

Resolved, That the committee of claims be instructed to inquire into the expediency of allowing to James H. Bell compensation for his services in removing Indians from the military reservation attached to Fort Leavenworth.

On motion of Mr. Linn,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of extending the most, either specially or generally, for receiving the returns of the

A like motion was adopted, introduced by Mr. Clay, of Alabama, for extending the time for completing the census in those states or districts where the census had not been made during the prevalence of disease or other cause.

On motion of Mr. Wall,

Resolved, That the committee on commerce be instructed to inquire into the expediency of making an appropriation for the removal of certain obstructions in the navigation of the river Passaic and of Newark bay, in New Jersey.

Also, on the same committee to inquire into the expediency of making an appropriation for the removal of the obstructions in the navigation of the sound or kill Van Hook, and in the harbor of Poughkeepsie, between New York and the city of New York, in the year 1840, New York, in the report of cap. Kearney and others.

decided in the affirmative, by yeas and nays—yeas 299, nays 8.

And so the votes of Mr. *Winthrop* and Mr. *Jan. I. Williams* were received; in consequence of which, the vote, instead of being 90 against 89 for reconsideration, stood 91 for reconsideration, and 90 against it.

The speaker said that the motion of Mr. *Steady* for reconsideration being carried in the affirmative, the motion of Mr. *Albion*, made on the 9th instant, was the subject of the next business.

Mr. *Steady* then moved to amend Mr. *Albion's* motion so as that 5,000 copies of the message, with the accompanying documents, be printed, and 15,000 without the documents.

Mr. *Fillmore* moved that the whole number of the message to be printed be reduced to one-half with documents, and the other half without.

The question on Mr. *Fillmore's* amendment was put and negatived.

Mr. *Briggs* then moved to amend the amendment of Mr. *Steady* by printing 10,000 with the documents, and 5,000 without.

The question on this motion was decided in the affirmative, by yeas and nays—yeas 110, nays 96.

Mr. *Thompson*, of Kentucky, rose and announced to the house that *SIXTH H. ANDERSON*, his predecessor in this congress from the 8th district in Kentucky, had departed this life, at his residence in Garrard county, since the last session. Mr. T. remarked that his death was a public calamity, because the country, in the morning of his life, and his career of usefulness was a sacrifice of her most promising sons. In the councils of his native state, he had rendered service to that state, and achieved for himself an enviable reputation.

Mr. *Thompson* said that his services had not only manifested to this body the rich attainments and high order of intellect that, combined with his private virtues, had secured to him not only public confidence at home, but also that respect and attachment which all the better sympathies of social life ever accord to merit and worth. The bar of which he was a member and an ornament, in his native state, regret his unluckily death his district lost the loss. Allied with the best talents of the state, he has left a young family to mourn the bereavement of a kind parent and an affectionate husband. Mr. T. presented the following resolutions as a token of condolence to that family, and as the last kind office and tribute of respect we can pay to the memory of one who yet lives in the cherished remembrances and affections of his friends, his relatives, and of the state of which he was a favorite child, and on whom the richest high and proud hopes of future usefulness and eminence. There is allotted to but few a better and brighter fortune than seemed to await him. The sentiment that "they whom the gods love die young" was a tender delusion of heathen superstition, in this instance, he trusted, but exemplified and adopted by a wise and mysterious dispensation of the Christian's Providence. The malediction, "May you die from home," was an imprecation he had no energy making-out enough to utter, and he now reposes as he lived and died, surrounded by his household and friends.

Resolved, That this house with deep regret have heard the announcement of the death of *SIXTH H. ANDERSON*, of Kentucky, late a member of this congress.

Resolved, That to testify their regard for the deceased, and as an evidence of the sympathy they feel, and hereby tender to his surviving relatives, they will wear crepe on the left arm for thirty days.

Resolved, As a further testimony of respect for the deceased, that when this house adjourn to-day, it is a journey to morrow.

Mr. *Letz*, of Pennsylvania, rose and addressed the house as follows:

Mr. SPEAKER: In accordance with a practice which has been sanctioned by long usage, I rise to discharge a painful duty, in doing which I feel sure the house will sympathize with me. I rise, sir, to announce the death of *WILLIAM RAMSEY* of Kentucky, who was a distinguished member of the Pennsylvania delegation, and represented the Cumberland district. He died suddenly, in October last, in the city of Baltimore, somewhat remote from the bosom of his near relatives, but where, however, there were not wanting friends to show appropriate marks of respect to his memory. His death was not less sudden than melancholy. From early life he was afflicted with feeble health and a weak constitution.

Having been called, by the people of his district, to serve them in the national legislature of his native country, and desirous to execute the trust reposed in him, he struggled through the last unusually arduous and exciting session, in the discharge of his duties, in a manner alike honorable to himself, gratifying to his friends, and satisfactory to his constituents. At the close of the session he found his constitution rapidly yielding to the ravages of a confirmed consumption; and, during the recess of congress, in the youth of his days, with the faintest rays of life before him, (could he have lived to realize them), and at a time when, one would think, he might be buoyant with hope, he sank a victim to gloomy melancholy, leaving numerous friends to lament his premature and deplorable death.

I have never been able to feel fully the propriety of panegyric on occasions like this; it excites little or no interest where the subject of it is unknown and cannot reach his ear, nor enhance his character in the esteem of those who know his goodness, his talents and his virtues. I may be indulged, however, in simply saying that Mr. *RAMSEY*, as a man, was liberal and kind—as a friend, was true and faithful. He enjoyed the advantages of a superior education, received in this country; and he visited some of the most famous places in Europe in the anxious pursuit of knowledge and for the improvement of his health.

Some time after his return from Europe, he was, in 1838, elected to the 26th congress, and in 1840 was again returned, by a generous and enlightened constituency, to the 27th congress. But, alas! he is now no more. He died a high-minded and honorable man.

Without making further remark, I ask the house to pay the customary tribute of respect to the memory of a deceased member, by adopting the resolutions which I hold in my hand, and now send to the chair.

Resolved, That the members of the house will testify their respect for the memory of *WILLIAM RAMSEY*, by wearing crepe on the left arm for thirty days.

Resolved, That the house do now adjourn.

The speaker put the question on these resolutions, and they were agreed to without a dissenting voice; and thereupon the speaker adjourned the house until to-morrow, 12 o'clock.

Thursday, Dec. 12. Mr. *Jones*, of Virginia, moved the committee of ways and means, after termination of the house to report at this time a bill making partial appropriations for the service of the year 1841; leave being granted, he reported the bill, which was twice read, and committed to the committee of the whole on the state of the union.

Mr. *Jones* then moved that the house do now go into the committee of the whole on the bill; which, being agreed to, the speaker left the chair, and it was taken by Mr. *Briggs*. The bill was then read, and proposed to make the following appropriations: For pay and mileage of members of congress \$250,000.

For pay of officers of congress, 25,000
For contingent expenses of the senate, 25,000
For contingent expenses of the house of representatives, 100,000.

Mr. *Cushing* proposed an amendment, appropriating \$125,000 to pay the compensation allowed by the act of 1837, for the services of the electors who bring to the seat of government, the electoral votes for president and vice president at the recent presidential election; which was agreed to.

The committee then rose and reported the bill to the house, and it was ordered to be engrossed, and read a third time forthwith. It was accordingly read the third time, passed, and sent to the senate for concurrence.

The resolution from the senate for the appointment of a joint committee to direct the expenditure of money appropriated for the library of congress, was, on motion of Mr. *Tillinghast*, taken up, considered and adopted.

Mr. *Briggs* said that, in looking into the printed report of the state of the finances, laid on his table to-day, he had discovered what he conceived to be an error in the print. The excess of exports was set down at \$16,300,000; it evidently should be something over forty three millions. He noticed it, and thought might be corrected in the extra number of the document which the house had ordered to be printed.

Mr. *Williams*, of North Carolina, inquired whether the error was in the print or in the original? If in the original, the house had no right to correct; it should be returned to the secretary of the treasury for correction.

Mr. *Briggs* could not say whether the error was in the original or the print.

Mr. *Garrison*, of Virginia, said it should be ascertained in which copy the error existed; and if found to be in the print, it should be corrected as matter of course.

Alter some further desultory debate, the clerk was then directed to cause the error to be corrected.

On motion of Mr. *Everett*, it was ordered that it was

Resolved, That the postmaster-general be directed to lay before this house a list of all expenditures in the transportation of the mail, made since the adjournment of the session, and the date when such expenditures were made, and the time when they took effect; and the amount of the reduction of compensation on each.

Mr. *Peterson*, at his request, was excused from serving on the committee on the public buildings and grounds.

Mr. *Hand*, in pursuance of notice given on Thursday last, asked and obtained leave to introduce a bill to establish a uniform rule of naturalization, and to repeal all acts heretofore passed on that subject.

The bill was then introduced by Mr. *Hand* and was read twice by its title; he then moved that it be printed.

Mr. *Russell* moved that it be referred to the committee on the judiciary.

Mr. *Hand* moved that it be referred to the committee of the whole on the state of the union.

The question on sending the bill to the committee of the whole, was decided in the affirmative, by precedence by the rules, the yeas and nays were ordered, and, being taken it was decided in the negative, yeas 96, nays 88. The bill was then sent to the committee on the judiciary and ordered to be printed.

Mr. *Fillmore* moved the following resolution; which was read and agreed to.

Resolved, That the secretary of war be directed to report to this house what machines, tools, or implements, if any belonging to the military service, or used in the construction or repair of the harbors or piers, or other public works on the great northern and western lakes, or the waters connected therewith, have been sold since the first day of January, 1840, and the cost of such machines, implements or tools, respectively, and the price for which they were respectively sold, and the authority by which such sales were made.

The vote proceeded, on motion of Mr. *Parish*, of Maine, to an election of chaplain. The vote was taken twice, and resulted as follows:

	1st ball.	2d ball.
Rev. Mr. <i>Braxton</i> , 101		
" " <i>Bates</i> , 31		13
" " <i>Reese</i> , 60		56
" " <i>Danforth</i> , 14		withdrawn
" " <i>Snow</i> , 4		0
" " <i>Briggs</i> , 1		0

Mr. *Braxton* having received a majority of all the votes given was declared duly elected.

On motion of Mr. *Reed*, the message from the president, communicated to the house a few days ago, recommending an immediate appropriation for the relief of the navy pension fund, was referred to the committee on naval affairs.

The speaker then laid before the house sundry communications, viz:

A letter from the treasury of the United States, (Mr. *Selden*), transmitting copies of his accounts for the 1st, 2d and 3d quarters of the year 1839; the accounts for the 4th quarter and the 1st and 2d quarters of the present year have not yet been adjusted by the accounting officers; as soon as they are adjusted, they will be laid before the house. The letter was read, laid on the table, and ordered to be printed.

A letter from the first comptroller of the treasury, accompanied by a list of balances which have remained due more than three years on the books of the fourth auditor, (navy). Laid on the table and ordered to be printed.

A report from the secretary of war, made under the order of the 7th July last, calling on him for the amount of "expenditures in suppressing Indian hostilities in Florida, showing distinctly the various items of expenditure." Laid on the table, and ordered to be printed.

A letter from the secretary of the treasury, accompanied by a report made in pursuance of the 8th section of the act of the 2d March, 1831, for the relief of insolvent debtors to the United States. Laid on the table, and ordered to be printed.

A letter from the secretary of war, accompanied by statements of the expenditures on account of the contingencies of the various branches of the war department for the year ending 30th September, 1840; and a list of the officers of the army to \$2,587,81; commissioner of Indian affairs to \$1,508,87; commissioner of pensions to \$1,405,78; commanding general to \$241,91; adjutant general to \$1,081,65; quartermaster general to \$762,84; commissary general of subsistence to \$2,211,81; commissary general of purchases to \$570,11; surgeon general to \$543,61; ordinance office to

\$962 45; engineer office to \$1,220 16; topographical bureau to \$1,345 66; paymaster general to \$416 17; superintendent northwest executive building to \$4,239 26. These documents were referred to the committee on expenditures in the war department.

A letter from the secretary of the treasury, transmitting the report made to the treasury department by professor Hauser, superintendent of the survey of the coast and of the work for the fabrication of the United States weights and measures, showing the progress made during the present year in those works respectively. Laid on the table and ordered to be printed.

A letter from the secretary of the treasury, with statements of the expenditures made by him in the various offices of the treasury department for the year ending 30th September last. Referred to the committee on expenditures in the treasury department.

A letter from the secretary of the treasury, transmitting an account (in print) of the receipts and expenditures of the United States for the year 1839, accompanied with many valuable statistical statements. It was laid on the table.

A letter from the secretary of state, transmitting statements of the expenditures on account of contingencies for the year 1839: amounting for the department and for publishing the laws to \$16,047 44; same for foreign papers and books to \$4,62 13 4; same for the purchase of books to \$1,000 00; to \$3,555 02; expenses of foreign intercourse to \$12,963 41. Referred to the committee on expenditures in the department of state.

A letter from the first comptroller of the treasury, transmitting a list of balances due more than three years on the books of the second auditor; which was laid on the table, and ordered to be printed.

A letter from the first comptroller, transmitting a list of balances standing on the books of the treasury more than three years against receivers of public moneys. Ordered to lie on the table, and to be printed.

Mr. Russell moved the following resolution:

Resolved, That the committee of the treasury be authorized to employ a clerk, at the rate of four dollars for each day's session, under the appointment of the committee.

Mr. W. Cod Johnson moved to amend the resolution by adding "and that the committee for the District of Columbia be authorized to employ a clerk, when that committee may think it necessary, at the rate of four dollars per day."

A letter from the secretary of state on the propriety of appointing clerks to committees, which was participated in by Mr. W. Cod Johnson, Mr. Russell, Mr. Beatty, Mr. Thompson, of Miss, and Mr. Craig.

Mr. Johnson's amendment was disagreed to, and the resolution offered by Mr. Russell was twice agreed to by yeas and nays—80 to 63.

Mr. Fillmore moved the following resolution, which was read and adopted:

Resolved, That the committee of elections be directed to prepare and report to this house a bill prescribing the mode to be given by the electors in case of a contested election, and regulating the manner of taking testimony therein, and of contesting the same.

Mr. John Quincy Adams moved the following resolution:

Resolved, That the president of the United States be required to cause to be communicated to this house, so far as may be compatible with the public interest, copies of all documents in the department of state, showing the origin of any political relations between the United States and the empire of China; the first appointment of a consul to reside at or near Canton; whether such consul, or any other subsequently appointed, has ever been received or recognized in that capacity; and the present relations between the government of the United States and that of the Celestial Empire.

This resolution was read, and, before any question had been put thereon, the house adjourned.

Wednesday, Dec. 16. At 12 o'clock the speaker took the chair, and called for petitions.

Mr. Washburn presented the memorial of the undersigned and undersigned of Boston, setting forth the insufficiency of the ordinary revenue cutters for the New England coast, and particularly for affording prompt relief to merchant vessels in distress, and praying for the substitution of a larger cutter of that station; referred to the committee of ways and means.

Mr. Tillghurst presented the petition of Thomas Cook, John G. Howe and others, for duty on imported pins; referred to the committee on manufactures.

On motion of Mr. Tillghurst, the following memorials and petitions, pending at former sessions, were referred anew, under the order of this session, viz.

Memorials of Robert Johnson and others, of Simon Dodge and others, of N. G. Rutgers and others,

of Nicholas Brown and others, for a harbor on Block Island.

Of Elisha Dyer and others, for removal of obstructions in Providence river.

Of James Rhodes and others, for removal of obstructions in Patent harbor.

Mr. Griswold presented sundry petitions, viz:

A petition of Seth Driggs, praying for the interference of the government in relation to a claim on the Colombian government. Referred to the committee on foreign affairs.

Three petitions from citizens of New York, asking for the passage of a general bankrupt bill; referred to the committee on the judiciary.

Mr. Kingston presented a memorial signed by the citizens of the legislature of Pennsylvania, asking congress adequately to encourage the production of silk; and to assess such reasonable duties on the foreign importations of silk in all their forms as would enable the government to collect a fair proportion of its revenue from that source.

Mr. Doty presented sundry petitions, viz:

Petition of R. C. Paine and others, praying an appropriation for a harbor at Racine, in Wisconsin.

Proceedings of a meeting in the town of Finch, in favor of a harbor at Milwaukee.

Memorial of citizens of Wisconsin, asking an appropriation for the improvement of the navigation of Neush river.

Mr. W. Cod Johnson presented a memorial signed by a large number of the citizens of Washington for a renewal of the charter of the banks of the District of Columbia. This memorial was, at the request of Mr. J. read to the house, and referred to the committee on the District of Columbia.

Mr. Atcham, it was *Resolved*, That a joint committee on enrolled bills be appointed in pursuance of the joint rules of the two houses.

Members, Burke and Taylor were appointed the committee on the part of the house.

Mr. Mark A. Cooper asked leave to offer resolutions; which was granted. He then introduced his resolutions, which were read and adopted, and are as follows:

1. *Resolved*, That the secretary of war communicate to this house, at as early a day as may be convenient for the department, a list of the reservations made by General Gaines, March, 1832, which remain unaltered, together with the valuations thereof, made under the authority of governor Carroll, former agent, and the value of the same making surveys, and the value of the same as made, and the remarks of the valuers in each case.

2. *Resolved*, That the secretary of war report to this house, a list of the claims which have been made in the settlement of the conflicting claims for Creek reservations between J. C. Watson & Co. and other claimants; at what time a special commissioner was appointed to adjust the same; who he is the person appointed; whether he has received his per diem pay, and at what rate, since his appointment; and at what time his duties under said contract have been completed.

On motion of Mr. Cushing, the report of the secretary of the treasury and other documents which were before congress at the last session, relating to the trade between the United States and the British colonial possessions, were referred to the committee on foreign affairs.

On motion of Mr. Dellet, of Alabama, it was *Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of extending the time for completing the census in those states or districts where the same has been prevented by sickness or other causes which the officers having that duty in charge may deem proper.

The resolution moved by Mr. Adams yesterday, came up, in order, for consideration.

Mr. Adams explained the object and the importance of the information sought to be obtained by his resolution.

At the suggestion of Mr. Cushing, the resolution was modified so as to insert "other departments" after department of state; and, as modified, the resolution was adopted.

Resolved, That the president of the United States be required to cause to be communicated to this house, so far as may be compatible with the public interest, copies of all documents in the department of state, and other departments, showing the origin of any political relations between the United States and the empire of China; the first appointment of a consul to reside at or near Canton; whether such consul, or any other subsequently appointed, has ever been received or recognized in that capacity; and the present relations between the government of the United States and that of the Celestial Empire.

On motion of Mr. Pettibone, it was *Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of reducing the fees and emoluments of district attorneys of the United States, or of directing such fees and emoluments, beyond a specified amount, to be paid into the treasury.

The speaker then called the states for resolutions, when

Mr. Clifford, asked and obtained leave to introduce a bill to provide for the settlement of the claim of the state of Maine, on account of the services of her militia. The bill was twice read, and referred to the committee on military affairs.

On motion of Mr. Lincoln, it was *Resolved*, That the secretary of the treasury be directed to report to this house what "subordinate custom house officers" have been dispensed with within the period of two years" last past, to which he refers in his late report on the state of the finances; and what cases have been the rate of compensation previously paid to those officers for their services. And also what additional number of such officers have been appointed or employed within the same period, in the several collection districts in the United States, and at what rates of compensation, with the dates of their appointment and employment respectively. Also, in what cases and to what extent "the compensation of officers and high house keepers has been reduced." And also, in what cases (if any) the compensation to any officer in the department employed in the collection of the customs, or otherwise, has been increased. And that he present the required information in such tabular form as to exhibit the comparative number of officers, and the amount of their compensation in each collection district, at the commencement and close of the said period of two years next preceding the date of the said late annual report, and also the relative cost of collecting the revenue from customs to the amount of revenue collected in each of the last two years, computed with the cost of collection and amount collected annually, since the 1st day of May, 1839. And that he also inform this house what officers "now employed in the collection of duties, whose former services he has been unable to find, and who, in consequence of the reduction of late years, at the different places where they are stationed, may be unemployed, and whose offices cannot be abolished without new legislation."

Resolved, That the secretary of the treasury be directed to inform this house under what superintendence the custom houses in New York and Boston, respectively, are being constructed, the number and names of the commissioners employed to superintend the construction of said custom houses, the time they have been so employed, and the compensation paid to each.

On motion of Mr. Cushing, it was *Resolved*, That the committee on the judiciary be instructed to inquire into the expediency of making further provision for the organization of the several district courts of the United States; also, further provision for the institution of civil and admiralty powers in said courts.

The resolution moved by Mr. Tillghurst on the 10th inst. calling upon the secretary of the treasury to report to the house how far and in what manner the sub-treasury law passed at the last session has been carried into execution, was called up by the mover.

Mr. Vandeventer thought the resolution would cut out work enough for all the clerks in the department for the whole session. He opposed it because he believed it unnecessary, as the information, if obtained, would have no effect on any proceedings which might take place in the house upon the subject of a repeal of the sub-treasury.

Mr. Tillghurst explained the resolution, and showed the value of the information asked for, and its pertinency to questions upon which the house may, and probably will, be called to vote; in his remarks he spoke of the judgment of the people upon the sub-treasury law.

Mr. Duncan denied that the issue upon the sub-treasury question had been put to the people in the late election, and that the question was not referred to the next congress on that issue; that it was not, nor was any other public measure the leading principle upon which the presidential election had been decided; for that Geo. Harrison himself, when questioned, had refused to answer.

Mr. Morgan said that the question of the sub-treasury had been put in issue in at least one district, and that that district was the district of Cincinnati; and that he believed Mr. Pendleton could give testimony on that point.

Mr. Duncan said that he was not sure that any such issue had been made in the Cincinnati district.

Mr. Galbraith moved to lay the resolution on the table, and on this question the yeas and nays were called at 10.

A call of the house was then moved by Mr. Tillghurst, and the yeas and nays were ordered.

Mr. Galbraith withdrew his motion to lie on the table; and it was immediately renewed by Mr. Beatty.

The call of the house was then renewed by Mr. Toland.

The question was put, when there appeared for the call 23, against it 56.

A quorum did not vote; the question was therefore not decided.

Mr. Dickinson then moved an adjournment, which was carried; and the house adjourned.

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NILES' NATIONAL REGISTER.

The following communication, which we find in the *Baltimore American*, of the 23d instant, bears a resemblance to that of HAZEN, in the *Register*, the original editor of the *Register*, which gives it a claim upon us for an insertion. We know not the author, but take leave to assure him, that whilst the volumes compiled and published by our venerated predecessor, have done nothing but justice to the distinguished individual to whom his communication alludes, yet, whenever examined with equal industry, in search of information relative to other prominent public men of this country, who have acted, within the period of his publication, *del. dom* and sayings will be found no less faithfully "registered" in its pages, or though they too had been especially in the view of the editor.—It is a trait that essentially belongs to the character of the work, and contributes greatly to its intrinsic value.

To the editors of the *Age*, &c.

GEN. HARRISON. I see by the *Politeness* papers that public dinners have been invited to J. HARRISON, Esq., author of *A Life of Harrison*, and gen. JOHN C. MONTGOMERY, the compiler of *The Tippecanoe Almanac*, as testimonials of the gratitude of their fellow citizens for their efforts to behalf of Harrison and reform. These gentlemen are most worthy of such distinguished marks of favor—for their writings and personal efforts exerted great influence during the campaign.

But whilst our political brethren in Philadelphia are thus honoring the early and active friends of Harrison in that city for their goodness, we seem to have forgotten that Maryland is not only entitled to the honor of having been the first to nominate gen. HARRISON for the presidency, but that a citizen of *Baltimore* furnished the materials on which the biography of that distinguished individual is based, and by which every reader upon his reputation was replete.

I allude to the late HAZEN NILES, the editor of *Niles Register*, who zeal in collecting and recording their events in relation to gen. HARRISON during and since the war, and particularly in commending his brilliant achievements to the applause of the country left a record which defies the assaults of malice and of time. Indeed, I have sometimes been impressed with the conviction, that the man of testimony compiled by the younger NILES from the *Register* and published as a *Text Book*, that HAZEN NILES was impressed with the conviction that the day was not far distant when general HARRISON would be a candidate for the highest office in the gift of his countrymen, and that such testimony would be required to repel the assaults of the malevolent. It was a similar impression, perhaps, which induced one of the most eloquent and distinguished orators who addressed the people during the late campaign, to declare from the public stand, while alluding to the testimony of *The Text Book*, that "if HAZEN NILES had left behind him no other evidences of his patriotism and love of country, that that alone should cause his memory to be held in grateful remembrance by every lover of civil liberty."

A VERY OLD CITIZEN.

VOL. IX.—STU. 17.

FOREIGN ARTICLES.

By the packet ship, *Sheridan* arrived at N. York on the 18th—London dates to the 14th, and Paris to the 16th Nov. were received.

The pacific disposition of Louis Philippe was sustained by the chambers. The ministerial candidate for presidency was sustained by a decided

M. Sanzal,	220 votes.
M. Odillon Barrot,	154
M. Tuiler,	4
M. Beyer, M. Dupin and M. Dufaure, one each.	

In the minor elections of vice presidents and secretaries, the cabinet were equally successful. The four vice presidents elected were M. Calmon, M. Dubar, M. Jacquemont and M. Salandy.

The intelligence from China is not later than we have direct.

From India it is both later and disastrous, to the British in the extreme.

The London Morning Post of the 10th, says: The unfavorable results of the premature withdrawal of our troops from Scinde and Afghanistan are now being repeated. In the interval that had elapsed since the departure of the previous mail from Bombay accounts had been received there of the British arms having sustained one reverse, and of the loss of a greater number of officers and men than during the whole of the Cabool campaign.

Khelat, the strong hold, which general Willshire captured in such gallant style, has been retaken; the whole of Upper Scinde was in a state of insurrection, and every day intelligence of fresh disasters was received at Bombay. The 1st Bombay grenadier regiment had been nearly cut to pieces in an engagement with the Belooches, when marching through a pass in the mountains to the relief of Kalat.

Five officers and 200 men were killed, and all the baggage, consisting of upwards of 1,000 caises, laden with supplies, horses, ammunition and between 40,000 and 50,000 rupees in hard cash, fell a prey to the Belooches. "Such," says our correspondent "is the effect of the premature withdrawal of our troops from the country, such the result predicted by the dinks of Wellington more than a year and a half ago, the foolish attempt to conduct extensive military operations on a peace establishment."

Vigorous efforts were making at Bombay to retrieve the disasters, brought about entirely by Lord Auckland's penny-wise and pound foolish measures.

Dost Mahomed Khan was still at large, and there were strong suspicions that the Amers of Linn and other native chiefs were intriguing against the British government.

The Khan of Chiva had threatened all the Russian slaves in his dominions, and lieutenant Shakespeare had offered to conduct them to the Russian frontier.

An array of observation was to assemble on the frontiers of N-pool.

LATER. Just as our paper was prepared for press, (a day earlier than usual, in order to have the enjoyment of Christmas), the mail brings us information of the arrival of the steamer *Acadia* at Liverpool on the 21st instant, bringing London and Liverpool papers to the 4th; twenty-one days later than hitherto received.

The steamer President arrived at Liverpool on the 27th November. Great uneasiness was felt in Liverpool, and ten guineas per cent. was paid at Lloyd's to insure her. She is to leave for N. York on the 10th of February.

Peace in Europe is considered as established.

Money remains in demand in England, but exchange with the continent was more favorable, and lime was confidently expected to improve.

Bank of England on the 26th Nov. advertised to make loans at 5 per cent. on bills not having more than 6 months to run, and other banks were discounting at the same rate.

The failure of the house of Wright & Co. London, caused considerable excitement. They had debased considerably in the fancy speculations at New York. They exhibit assets to the value of £500,000—liabilities 8 to 900,000.

The feeling in relation to American securities was somewhat less prices slightly better, but operations were suspended, waiting for the turn here—

in relation to the returning specie payments. Quotations will be found in the *Chronicle*.

Mr. Jaudon on his arrival in England, published an account of the condition of the United States Bank of Pennsylvania.

Assets, including \$2,890,888 37 in specie

Liabilities, including 12,600,000	\$76,138,693 07
loans in Europe, and 6,427,763	
due to other banks	73,811,491 49

Surplus, \$9,827,001 68

A Princess. Queen Victoria, on the 23th Nov. just nine months and eleven days after her marriage, blessed her fond subjects with an heir to the throne of Great Britain, and was "quite as well as could be expected." She had recovered so far as to be able to attach her signature to official papers. The infant was to be christened after the name of her mother, ALEXANDRA VICTORIA, soon after the meeting of parliament.

There is no later intelligence from China. The blockade of Canton has been officially pronounced in Europe.

Recognition of Texas independence. The London Times of Nov. 18th says: "A commercial treaty between Great Britain and the republic of Texas was signed at the foreign office on Monday evening by lord Palmerston and general James Hamilton, the envoy from that republic. This convention, entered into on the basis of perfect reciprocity, of course recognises *ipso facto*, the independence of the new republic, which is now extricated on the one hand from the dominion of Mexico, and on the other, from the danger of incorporation with the American union. It implies also, unless lord Palmerston should have neglected all the precautions usual in such cases, the belief that Texas is able to maintain her independence."

Attillur Aiken, eq., of London, who came out in the *Acadia*, the bearer of the despatches concerning the official recognition by Great Britain of the independence of Texas. General Hamilton had not concluded his negotiation for a loan to the young republic, when the *Acadia* sailed.

The Monitor *Parisien* says that a loan of 600,000,000 of francs, or 24 millions sterling, will be proposed by the French government. The budget for 1841, will according to the *Commerce* reach nearly 80 millions sterling!

The remains of Napoleon had arrived, but were not yet landed.

HOLLAND.

The inauguration of the new king took place at Amsterdam on the 25th November.

The Dutch papers give a detailed account of the public debt of Holland, the gross amount of which is 1,357,560,000 florins, equal to about one hundred and fifty millions pound sterling—the greater part of it is only subject to 2 1/2 per cent. interest; but the total charges for interest, &c. is 43,514,000 florins, equal to two-thirds of the whole revenue.

SPAIN.

Embarkment and capture of St. Jean D'Acce.—This formidable fortress, second only it is said to Gibraltar, was attacked by the allied squadron on the 2d Nov. and after a bombardment of 26 hours, from the Austrian frigate La Guerriere, fell into the principal magazine, when in a moment the whole place was in ruins and most of the garrison killed. No further resistance was made. Upwards of 2,000 killed, 3,000 prisoners and a large number of wounded, besides a large quantity of artillery and munitions of war, among them 300 pieces of field artillery and £240,000 in specie. Acre having been the grand depot and arsenal of Mehemet Ali. The garrison was supposed to have consisted originally of 6,000 men.

MEXICO.

The *Corpus Christi*, an American ship, has been captured and four of her men murdered by the commander of a Mexican launch, named Gonzalez, carrying 16 guns. Gonzalez had letters sent and was commended by the Mexican government to treat with Ribaud and Thompson respecting their pardon and return to the country. On arriving at the bar no vessel was in sight, except the American ship, which Gonzalez boarded. While on board the Mexicans was conversing with the mate, Gon-

sales took affront at some remark the latter made and ran him through the body with a sword, killing him instantly. The wretch then ordered the sleepers, three in number, to be tied, taken on shore and shot. Two of them fell at the first fire, and while the other was begging for quarters, Gonzalez ordered his ears to be cut off! A second discharge ended his sufferings. The Mexicans pretend that the ship was on a smuggling expedition, but nothing can justify such a diabolical outrage. Major Smith, the American consul at Matamoros, is investigating the affair. [N. O. Pic.]

The commercial house of Messrs. Rubio, at San Louis de Potosi, has entered into an arrangement with the Mexican government, by which it is entitled to import into Matamoros merchandise to the amount of one million of dollars, the duties on which will amount to over \$300,000.

The Texian man-of-war schooner San Antonio, lieut. Moore, from Tampico bound to Galveston, has taken three Mexican vessels prizes and burnt another—all valuable.

The Texian minister to Mexico, who was returning to Texas with lieut. Moore, died on the passage, and a gentleman who accompanies him was very sick.

NATIONAL AFFAIRS.

CONGRESS. George Guest, esq. has been appointed vice consul of the Oriental republic of the Uruguay for the city of Philadelphia, and officially recognized by the president of the United States.

NORTHEASTERN BOUNDARY—IMPORTANT. Rumors reached on some days since of a British regiment having actually marched into and taken possession of the disputed territory. The next mails brought intimations that it was supposed to be a mistake in the officer commanding, as the civil authorities had received no directions upon the subject. The Boston Atlas of the 13th however confirms the fact of the occupation. It says: "We have seen a gentleman this morning, who left Portland last evening, and who informs us as a fact that a regiment of British troops had arrived at Madawaska, and taken possession of the disputed territory. Capt. Miller, the British messenger, was sent by air John Harvey to give the information to Gov. Fairfield—He knows nothing of the intended occupation until the arrival of the troops, and feeling it to be due from himself to Gov. Fairfield to notify him of the fact. There is some excitement here on the subject. The regiment is about 600 strong. We shall hear more to night." At Bangor and Portland, the cause of the movement was enveloped in mystery—the more so from the circumstance that sir John Harvey, as captain Miller stated, knew nothing of the intended movement until he received official information that it had been made. Capt. Miller left Boston on Tuesday morning for Montreal, taking the road through Vermont, to carry the despatches in return from sir John Harvey to governor general Thompson.

THE TOBACCO CONVENTION.

We regretted not having room to "Register" the proceedings of any of the meetings which took place in the various tobacco growing sections of the union, preparatory to the convention, at many of which interesting views were taken of the condition of the trade. We had laid them by for insertion, but the proceedings of congress and of the legislatures of the states of the union, and the numerous public documents, messages, &c. with which this period of the year is crowded, precludes the hope of finding room for them, unless it be by an extra sheet. We are therefore content to give the content with giving the proceedings of the convention itself.

There can be no doubt of the fact, that the interest of this portion of our community have been long overlooked, and not sufficiently pressed upon at least not sufficiently pressed upon the attention of either of foreign countries—of our own congress—of the AMERICAN COMMUNITY. We rejoice to observe indications of awaking to the subject in earnest.

Washington, Tuesday, Dec. 15, 1840.

Pursuant to public notice, a convention of the tobacco planters of the United States assembled this day in a chamber of the board of aldermen in this city.

A large number of delegates appeared from the several tobacco growing States.

At fifteen minutes past 12, the convention was called to order by the hon. Daniel Jenifer, of Md. on whose motion

Governor Stung, of Maryland, president of the convention held in this city in the month of May

last, was unanimously elected president, and took the chair accordingly.

Mr. Jenifer then nominated as vice president a gentleman who, he said, came from a distant state, and who had taken great interest in the matters touching which the convention had assembled—Amoske G. Gordon, of Kentucky.

The nomination was seconded by the hon. Philip Triplett, of Kentucky, and was unanimously agreed to.

And, on motion of Mr. Triplett, John S. Skinner, esq. of Baltimore city, and John Mercer, esq. of Anne Arundel county, Md. were appointed secretaries of the convention.

On the suggestion of the hon. Walter Coles, of Virginia, an additional vice president was ordered to be appointed.

And, on motion of the same gentlemen, Robert W. Bowie, esq. of Md. was unanimously elected to this office.

The hon. Wm. D. Merrick, of Maryland, one of the delegates to the convention, was, on his motion, excused from further attendance this day, by reason of important duties requiring his presence in the senate chamber.

The convention was then addressed at great length by the hon. Daniel Jenifer in a review of the policy pursued for many years past by our own and foreign governments with reference to the tobacco planting interests, and in a general inquiry into the measures which the convention might be called upon to adopt, and into the purposes for which it had been convened.

Mr. J. concluded by offering the following resolution.

Resolved, That a committee be appointed by the president to consider and recommend such measures as may be deemed most expedient to be adopted by the convention.

The convention was also addressed by the hon. Walter Coles, of Va. and Thomas F. Bowie, esq. of Maryland.

After which, the resolution was unanimously agreed to.

And, on motion of the hon. Joseph R. Underwood, of Kentucky, the committee was ordered to consist of eleven members; but, on the suggestion of T. F. Bowie, esq. the number was subsequently increased to thirteen.

On the suggestion, gentlemen were appointed members of the committee: Hon. Daniel Jenifer, of Maryland, hon. Philip Triplett, hon. Walter Coles, hon. John Miller, John Mercer, esq. Thomas F. Bowie, esq. hon. Joseph R. Underwood, Robert Ghiselin, esq. Wm. Stewart, esq. Thos. Somerville, esq. Wm. L. Gogging, J. D. Freeman, esq. and J. Shaw, esq.

On motion of Robert W. Bowie, esq. the following resolution was adopted.

Resolved, That a committee be appointed to inquire into and report to the convention to-morrow, the amount necessary to defray the expenses of this convention and the means of providing said amount, as well as to delay arrears of expenses incurred by the last convention.

The committee was ordered to consist of three members; and J. S. Skinner, Robert W. Bowie, and George C. Washington, esqs. were appointed the members thereof.

On motion of Mr. Jenifer, it was then Resolved, That when the convention adjourned to meet to-morrow morning, (Wednesday), at 10 o'clock.

And then, on motion of Mr. Triplett the convention adjourned.

Wednesday, Dec. 16, 1840.

The convention was called to order at 11 o'clock. The hon. James Garland appeared and took his seat as a delegate from the state of Virginia.

J. S. Skinner, esq. from the committee appointed yesterday to inquire into and report the amount necessary to defray the expenses of the present convention, and the means of providing said amount, as well as to delay arrears of expenses incurred by the last convention, made a report, which concluded with a resolution providing that each member pay into the hands of a treasurer to be appointed the sum of \$5, to be applied to the purposes above stated.

The report having been accepted, the resolution was seconded by Geo. C. Washington, esq. of Md. was elected treasurer.

Hon. Daniel Jenifer, from the committee of thirteen members appointed yesterday "to consider and recommend such measures as may be deemed most expedient to be adopted by this convention," made the following report:

Mr. Jenifer from the committee appointed by the president to consider and recommend such measures as may be most expedient to be adopted to accomplish the objects of this convention, reported that

the limited time allowed them has compelled the committee to confine their report to a general review of the subject.

That since the adjournment of the tobacco convention which met in this city on the 1st of May last, there has been no change in the burdens and restrictions imposed upon the tobacco trade of the United States by the nations of Europe, except in some unimportant matters by our own kingdom; and the facts stated by the committee in their report to that convention are now referred to, and by us reasserted, and their arguments and suggestions adopted. Since the publication of the documents by which the last session, in consequence has been received at the department of state on this subject, except a few unimportant communications from Sardinia and Belgium. No change has taken place with foreign governments in regard to this staple article from what has already been reported. We have no hopes of a favorable action on their part until the congress of the United States shall adopt measures commensurate with the object.

Great Britain still continues her excessive duty of seventy-two dollars and seventy-five cents per hundred pounds, or eight hundred per cent. on the prime cost of this article of our produce, while we continue to receive the product of the labor of her citizens at an average duty of twelve and a half per cent.

France yet continues her still more odious monopoly or *regie*, retaining in the hands of her king, or those to whom he sells the privilege, the sole right to import, manufacture and sell the American tobacco in that kingdom, by which the quantity of American tobacco which is consumed in France has been reduced to six or seven thousand hogsheads per annum, from which she derives a revenue of ten millions of dollars.

Russia, Spain, Portugal, and some of the minor powers of Europe adhere to their various monopolies under different names, but all tending to the manifest oppression of this our staple. And the German powers included in the *Zollverein* or commercial union of Germany have not reduced any portion of their trade duties or abolished in the slightest degree their commercial system, in which tobacco is the article most heavily taxed, as it is indeed in every nation in Europe, except Holland and Belgium. They have met us in that spirit of equality which should exist between every civil nation, and have friendly commercial relations; who have a right to insist upon and never should be satisfied without a free exchange of commerce on equal and reciprocal footing.

And with several of the European governments exist for a few years, and just regard to the planting interest requires that they should not be relieved unless the odious burdens and restrictions imposed upon the staple of tobacco be modified.

The treaty with the Hanseatic towns of Lubeck, Bremen and Hamburg expired by limitation in December, 1839, but continues in force until twelve months' notice shall have been given of the intention to terminate it, and a fair opportunity now presents itself to our government to do us justice with these powers.

The American ministers at the court of Great Britain have for many years urged, with great ability, on that government, the propriety of diminishing the duty on tobacco as a matter of justice to the United States on general principles of policy and free trade between two friendly nations; and have shown by arguments, which we think it would be difficult to answer, that, even as a measure of revenue, the excessive duties on the privilege, to a great extent, defeat their own object. But our arguments have proved unavailing, and Great Britain continues her duty of 72½ cents per pound on this product of our labor.

With equal ability our ministers to France commenced with Mr. Jackson, in 1793, and continued down to the present time by gen. Cass, have remonstrated against the French system of monopoly as injurious to the American tobacco growing interest, and injured by its departure from that reciprocity and equality which the French have insisted upon with some statesmen, in their communications with our minister in 1793, in all their commercial intercourse with the United States. Their remonstrances have met no other response than that of the French emperor, who has changed the law creating the monopoly of American tobacco to the year 1852.

By negotiation, therefore, nothing can be expected from her. The last ray of hope from that source has expired, and the American tobacco planters must look to that tribunal which can afford them relief for the evils they endure—to the senate and house of representatives of the United States in congress assembled, who their constituents

most appeal for a redress of the grievances herein set forth. And we rejoice that this appeal has been most ably seconded by other sources in various states in the union.

Amongst our agents abroad communications from Mr. Dodge and Mr. Miles, have been repeatedly received by our government, which evince great zeal and labor in the different spheres in which they have acted.

We have seen with pleasure a resolution introduced into the senate of Georgia to instruct their senators and request their representatives to use their best efforts to have a law passed in Congress to tax all French wines, silks and brandies in proportion to the duty which they lay upon our tobacco in their ports. The governor of Virginia has called the attention of the legislature of that state to the subject in his message to them at their present session, and submitted whether it is not expedient, through their representation in congress, to enforce the just claims of their tobacco planters to a reduction of the enormous duties imposed on tobacco by most European governments.

And as early as January, 1837, the legislature of Maryland unanimously passed the following resolution:

"Resolved, That the senators and representatives of this state in the congress of the United States be and they are to take under their special care this highly important and much neglected interest, and that they be particularly requested to oppose all and every adjustment of the present tariff without obtaining for the tobacco interest a fair and equal participation in the benefits to be derived from such adjustment."

In conclusion, your committee recommend to the convention the adoption of the following resolutions:

1. Resolved, That the only effectual remedy for the evils the tobacco interest labor under from the high duties imposed by Great Britain, and the monopolies of France and other nations Europe, of it is to be found in the action of congress, by countervailing duties; and that the convention relies on the wisdom of congress in discriminating between these governments which have and those which have not manifested a disposition to abandon or modify their present oppressive duties and restrictions imposed on tobacco from the United States.

2. Resolved, That it be recommended to the government of the United States, that the treaties now in existence with foreign countries, which contain no stipulations for reciprocity in duties on their respective products, be not renewed.

3. Resolved, That the governors of the several states of this union, engaged in the cultivation of tobacco, be earnestly requested to call the attention of the several legislatures of their respective states to the subject of the American tobacco trade with foreign nations.

4. Resolved, That a copy of the proceedings of this convention be laid before the senate and house of representatives of the United States, and that the senators and representatives from tobacco growing states be earnestly requested to take such speedy and efficient means as in their judgment may be best calculated to accomplish the object contemplated by this convention.

The report and accompanying resolutions having been read—

The convention was addressed at great length by hon. Philip Triplet and hon. Jos. R. Underwood, of Kentucky; George Stewart, esq. of Baltimore; and James Garland, of Virginia; Walter Bonie, esq. and John D. Jenifer, of Maryland; hon. Walter Coles, of Virginia; hon. Wm. D. Merrick, of Maryland; hon. John Jamison, of Missouri; and Thomas F. Bowie, esq. of Maryland.

After which, the report and resolutions were adopted.

On motion of hon. Daniel Jenifer, it was unanimously

Resolved, That the thanks of this convention be tendered to the mayor and city council of Washington for the use of their hall for the accommodation of the members of this convention.

And on motion of the same gentleman, it was also unanimously

Resolved, That the president be and he is hereby authorized to convene this convention at any time he may deem the interest of the planters may require it.

Whereupon the convention adjourned sine die.

THE ARMY.

Maj. Gen. Scott has reached Washington via Norfolk.

More troops for Florida. The ship Liverpool sailed from New York on Wednesday morning, for Savannah, having on board one hundred and six recruits for the 3d regiment of infantry in Florida.

Captain J. Dimick, 1st artillery, (who returns to Fort Columbus) commands the detachment. Lis. J. W. Parson, 2d infantry, and R. W. Foster, 6th infantry, are attached to the command. These officers will join their regiments in Florida.

A correspondent of the Savannah Georgian, writing from Florida, says: "The only news I have of the progress of the campaign, is the return of col. Riley's command to their respective posts, Fort King, Russell and Holmes. They scouted to the south to within some thirty miles of Tampa and back—some of them marching 250 miles without even the sign of an Indian having been discovered. The country on the route is represented as utterly worthless to a white population."

Savannah, Dec. 9. The express just arrived from Fort King says that 13 Indians came in this morning and delivered up their arms to colonel Riley. They, they, state there are a great many more to come in a few days.

One hundred and seventy recruits, intended for the 3d artillery arrived here on Monday last. Thirty-five arrived at Fort Searle on the same day. The following officers accompanied: major McClintock and Child; lieutenant Bragg, Wyke, Gilman, Van Vleet, Thomas and assistant surgeon Barnes.

J. B. Peyton and V. B. Leidenberger, late 2nd lieutenants of the 3d infantry, U. S. army, have been dropped from the service.

Lieutenant Boyd, 3d artillery states that Indian tracks were seen a few days ago, on the narrow point of land, two miles south of this post, Fort Lauderdale, where they have never before been seen since the war.

General Armstrong has divided that part of Florida which is occupied by the U. S. troops into districts, to which the several corps have been respectively allotted as follows.

The Atlantic district, garrisoned 3d artillery.
St. Johns district, " 2d dragons.
Ochlawaha district, " 2d infantry.
Micanopy district, " 7th infantry.
Wacassaw district, " 3d infantry.
Wichloachee dis., " 8th infantry.
Tampa district, " 8th infantry.
Southern district, " 1st infantry.

THE NAVY.

The Constellation of 36 guns, captain Storer, sailed from Boston harbor on the 9th inst. for the East Indies, via Rio Janeiro.

The Army and Navy Chronicle states that lieuts. Peter Grant, Vail and Andon, of the U. S. navy, were in Paris on the 8th September on their way to Marseilles, to join the Mediterranean squadron.

The Norfolk Beacon says: "Commander Fitzhugh has been ordered to the U. S. sloop of war Levant, in place of commander Smoot, who is superseded."

STATES OF THE UNION.

MAINE.—CENSUS.

Arlon	1,401	Lyman	1,478
Alfred	1,408	Newfield	1,351
Berwick	1,698	North Berwick	1,417
Buxton	2,637	Parsonfield	2,442
Bid-ford	2,571	Id-ford	2,273
Cornish	1,263	Saco	4,408
Elliot	1,889	Shapleigh	1,310
Hollis	2,363	South Berwick	2,214
Kittery	2,435	Waterborough	1,944
Kennebunk	2,832	Wells	2,978
Kennebunk port	2,770	York	5,111
Lebanon	2,273		
Limerick	1,509		54,023
Limington	2,211		

Combined county.

Baldwin	1,184	New Gloucester	1,916
Bridgton	1,987	North Yarmouth	2,824
Brunswick	4,259	Otisfield	1,307
Cape Elizabeth	1,616	Potat	2,360
Cumbarland	1,664	Portland (city)	15,218
Durham	1,294	Portland	1,210
Durham	1,836	Raymond	2,032
Falmouth	2,017	Scarborough	2,173
Freeport	2,667	Sebago	707
Gorham	3,002	Standish	2,193
Hallowell	1,740	Woolwich	2,393
Hallowell	1,447	Westbrook	4,116
Harrison	1,213		
Minot	3,351		68,660
Naples	738		

Oxford county.

Albany	919
Andover	1,143
Bethel	1,166
Brownfield	1,036
Buckfield	1,628
Canterbury	313

Hartford	1,472	Sweden	670
H-broon	943	Turner	2,479
Hiram	1,262	Wierford	1,351
Howard's Gore	131	Woodstock	919
Hamlin's Grant	80	Township B	111
Level	941	No. 8, 1st Range	49
Livermore	2,745	No. 8, 2nd Range	42
Mexico	457	Township C	29
Woods	1,351	Andover Acad.	45
Nawry	1,766	Surplus	51
Norway	1,246	Riley township	51
Oxford	2,454	Letter A. No. 2	84
Paris	1,022	No. 4, 1st Range	4
Porter	1,131	Andover Acad.	103
Roxbury	227	my Grant	286
Rumford	1,444	Number 2	8
Stonaham	313	Batchelder's Grant	38,339
Stow	2,766		
Sumner	1,266		

Kennebec county.

Albion	1,624	Rose	997
Augusta	5,314	Sidney	2,150
Belgrade	1,745	Vassalborough	2,351
China	2,873	Vienna	891
Clinton	2,816	Waterville	2,989
Dearborn	1,681	Wayne	1,291
Fayette	1,016	Windsor	1,739
Greene	1,406	Winthrop	1,915
Gardiner	5,041	Winlow	1,723
Hallowell	4,668	Clinton Gore	110
Lead	1,066	Wales	656
Litchfield	2,293	Territory north	89
Monmouth	1,882	of Albion	
Mount Vernon	1,475		
Pittston	2,460		55,804
Redfield	2,937		

Penobscot county.

Argyle	1,624	Newburg	963
Bangor (city)	8,634	Newport	1,138
Brailford	1,601	Orono	1,320
Bradley	3,955	Orrington	1,580
Brews	1,736	Oldtown	2,845
Burlington	3,048	Pastunkusag	394
Carusol	521	Plymouth	845
Corinna	1,792	Springfield	546
Corinth	1,318	Sieton	616
Charleston	1,269	Jarvis Gore	185
Hirator	1,464	Township No. 3	41
Dexter	2,269	No. 4	22
Dixons	1,496	Township 3 Range 6	29
Eina	745	Lower Indian	
Eddington	895	Township	
Edinburgh	642	West branch	57
Edinburg	642	Penit river	
Exeter	2,052	Indian Township	6
Garland	1,065	No. 2	
Glennbrook	664	Hopkins Academy	3
Greenbush	260	Grant	29
Hampden	2,645	Letter A	
Hanson	1,045	(Unincorporated)	
Howland	312	Townships	147
Kirkland	351	North of	
La Grange	336	Lincoln	
Lee	724	West half of	
Levant	1,666	Township	157
Lincoln	1,121	No. 6	
Lowell	203	Township No. 7	30
Maxfield	185		45,705
Mattamusquett	97		
Mitford	474		

Somerset county.

Anson	1,941	No. 1, 3d Range, Pleasant	167
Athens	1,427	san ridge	
Bangham	703	No. 1, 3d Range, West	85
Barnfield	1,012	Kennebec river	10
Brighton	803	No. 14th Range	18
Canaan	1,379	No. 16th "Fort's town-	
Cambridge	461	ship	80
Concord	373	Gorhamstead Stream	5
Cornville	1,140	Pain Pond	9
Chanderville	372	Jackson's Township	10
Enbden	393	Indian Planusun	65
Faribault	2,191	(Moose river)	
Harland	1,028	Canada Road	6
Harmony	1,036	do. Line, No. 5, 10	
Lexington	1,701	No. 2, 3d Range	139
Madison	1,147	No. 3, 3d	106
Mayfield	1,422	Flagstaff Township No.	
Mercer	1,464	No. 4, 4th Range	64
Moscow	1,629	Spencer Stream	1
New Portland	1,869	Long Pond	6
Norridgewock	1,506	No. 5, 3d Range	1
Palmbyrn	981	nada road	
Parsfield	591	No. 1, 3d Range, East	164
Plemy	1,139	Kennebec river	103
St. Albans	1,664	No. 1, 4th Range E.	
Starks	1,559	K. R.	33,912
Skowhegan	1,584		
Smithfield	789		
No. 1, 3d Range, West	63		
Kennebec river			

Lincoln county.	
Alna	869 Topsham
Bath	5,142 Union
Boothbay	2,631 Wadsworth
Bowdoin	2,073 Webster
Bowdoinham	2,402 Warren
Bremen	2,337 Washington
Bristol	2,946 Westport
Cushing	791 Whitefield
Dresden	1,847 Wiscasset
Edgcomb	1,233 Yorktown
Friendship	723 Watkinson
Georgetown	1,357 Plantation
Jefferson	2,214 Malinco Island
Lewiston	1,801 Monhegan
Lisbon	1,713 Malinco Rock
New Castla	1,713 Malinco Island
Nobleborough	2,210 Muske Ridge
Phillipsburg	1,657 Riggs Island
Richmond	1,604 Wooden Ball Island
St. George	2,094
Thomaston	6,227
Piscataway county.	
Abbot	661 Milo
Atkinson	704 Parkman
Barrow	1,613 Bangorville
Bowbank	165 Sebec
Blanchard	270 Shirley
Brownville	565 Wellington
Dover	1,597 Wilson
Elliotville	1,317 Williamsburg
Foxcroft	926 Township No. 3.
Gulford	892 2d Range
Greenville	128 Plantation No. 8
Kilmarlock	119 Letter B, 10th
Kingsbury	2,121
Monson	544
Milton	469
Washington county.	
Addison	1,802 Topsham
Alexander	1,613 Wesley
Bedford	164 Whiting
Bellefleur	229 Plantation No. 22
Bering	276 East half Township
Calais	2,934 No. 6, 3d Range
Columbia	842 Half the Gore 4th Range
Cooper	657 No. 3, 2d Range
Culer	667 Foxville, 2d Range
Charlotte	666 Township No. 1
Corryfield	1,003 Township No. 9, 4th Range
Crawford	278 Danforth, half township
Dennysville	2,576 4th Range
Eastport	229 Township No. 3, 3d
Edmonds	1,525 Range
Ellington	292 Township No. 2, 3d do.
Fineborough	576 Township No. 3, 3d do.
Jonesport	2,347 Hinkley No. 3, 1st do.
Laloe	1,331 Township No. 1, 2d do.
Macias	834 Township No. 21, eastern division
Marion	1,293 Ansonburg
McLeese	1,237 Devereaux
Northfield	1,050 Township No. 14
Pembroke	1,006 do. No. 19
Perry	152 do. No. 19
Princeton	884
Robinson	127
Staten	793
Treeston	23,309
Arroostook county.	
Amity	169 Framingham
Bellart Academy	Westfield
Gran	141 Letter A, 5th Range
Hogden	665 No. 1, 5th Range
Houlton	1,507 Benedicta, or No. 2
Township No. 5, 5d Range	222
Township No. 5, 6th Range	100
Township A, 2d Range	6 " 6, " "
Weston	248 No. 7 & 9
Township No. 2, 2d Range	43
Township No. 2, 3d Range	140
Township No. 11, 1st Range	311 No. 11, 5th Range
Township No. 1, 4th Range	66 " 12, 3d "
Township No. 2, 4th Range	66 " 13, 3d "
Township No. 1, 2d Range	66 " 14, 3d "
Township No. 1, 3d Range	66 " 15, 3d "
Township No. 1, 3d Range	66 " 16, 3d "
Township No. 1, 3d Range	66 " 17, 3d "
Township No. 1, 3d Range	66 " 18, 3d "
Township No. 1, 3d Range	66 " 19, 3d "
Township No. 1, 3d Range	66 " 20, 3d "
Township No. 1, 3d Range	66 " 21, 3d "
Township No. 1, 3d Range	66 " 22, 3d "
Township No. 1, 3d Range	66 " 23, 3d "
Township No. 1, 3d Range	66 " 24, 3d "
Township No. 1, 3d Range	66 " 25, 3d "
Township No. 1, 3d Range	66 " 26, 3d "
Township No. 1, 3d Range	66 " 27, 3d "
Township No. 1, 3d Range	66 " 28, 3d "
Township No. 1, 3d Range	66 " 29, 3d "
Township No. 1, 3d Range	66 " 30, 3d "
Township No. 1, 3d Range	66 " 31, 3d "
Township No. 1, 3d Range	66 " 32, 3d "
Township No. 1, 3d Range	66 " 33, 3d "
Township No. 1, 3d Range	66 " 34, 3d "
Township No. 1, 3d Range	66 " 35, 3d "
Township No. 1, 3d Range	66 " 36, 3d "
Township No. 1, 3d Range	66 " 37, 3d "
Township No. 1, 3d Range	66 " 38, 3d "
Township No. 1, 3d Range	66 " 39, 3d "
Township No. 1, 3d Range	66 " 40, 3d "
Township No. 1, 3d Range	66 " 41, 3d "
Township No. 1, 3d Range	66 " 42, 3d "
Township No. 1, 3d Range	66 " 43, 3d "
Township No. 1, 3d Range	66 " 44, 3d "
Township No. 1, 3d Range	66 " 45, 3d "
Township No. 1, 3d Range	66 " 46, 3d "
Township No. 1, 3d Range	66 " 47, 3d "
Township No. 1, 3d Range	66 " 48, 3d "
Township No. 1, 3d Range	66 " 49, 3d "
Township No. 1, 3d Range	66 " 50, 3d "
Township No. 1, 3d Range	66 " 51, 3d "
Township No. 1, 3d Range	66 " 52, 3d "
Township No. 1, 3d Range	66 " 53, 3d "
Township No. 1, 3d Range	66 " 54, 3d "
Township No. 1, 3d Range	66 " 55, 3d "
Township No. 1, 3d Range	66 " 56, 3d "
Township No. 1, 3d Range	66 " 57, 3d "
Township No. 1, 3d Range	66 " 58, 3d "
Township No. 1, 3d Range	66 " 59, 3d "
Township No. 1, 3d Range	66 " 60, 3d "
Township No. 1, 3d Range	66 " 61, 3d "
Township No. 1, 3d Range	66 " 62, 3d "
Township No. 1, 3d Range	66 " 63, 3d "
Township No. 1, 3d Range	66 " 64, 3d "
Township No. 1, 3d Range	66 " 65, 3d "
Township No. 1, 3d Range	66 " 66, 3d "
Township No. 1, 3d Range	66 " 67, 3d "
Township No. 1, 3d Range	66 " 68, 3d "
Township No. 1, 3d Range	66 " 69, 3d "
Township No. 1, 3d Range	66 " 70, 3d "
Township No. 1, 3d Range	66 " 71, 3d "
Township No. 1, 3d Range	66 " 72, 3d "
Township No. 1, 3d Range	66 " 73, 3d "
Township No. 1, 3d Range	66 " 74, 3d "
Township No. 1, 3d Range	66 " 75, 3d "
Township No. 1, 3d Range	66 " 76, 3d "
Township No. 1, 3d Range	66 " 77, 3d "
Township No. 1, 3d Range	66 " 78, 3d "
Township No. 1, 3d Range	66 " 79, 3d "
Township No. 1, 3d Range	66 " 80, 3d "
Township No. 1, 3d Range	66 " 81, 3d "
Township No. 1, 3d Range	66 " 82, 3d "
Township No. 1, 3d Range	66 " 83, 3d "
Township No. 1, 3d Range	66 " 84, 3d "
Township No. 1, 3d Range	66 " 85, 3d "
Township No. 1, 3d Range	66 " 86, 3d "
Township No. 1, 3d Range	66 " 87, 3d "
Township No. 1, 3d Range	66 " 88, 3d "
Township No. 1, 3d Range	66 " 89, 3d "
Township No. 1, 3d Range	66 " 90, 3d "
Township No. 1, 3d Range	66 " 91, 3d "
Township No. 1, 3d Range	66 " 92, 3d "
Township No. 1, 3d Range	66 " 93, 3d "
Township No. 1, 3d Range	66 " 94, 3d "
Township No. 1, 3d Range	66 " 95, 3d "
Township No. 1, 3d Range	66 " 96, 3d "
Township No. 1, 3d Range	66 " 97, 3d "
Township No. 1, 3d Range	66 " 98, 3d "
Township No. 1, 3d Range	66 " 99, 3d "
Township No. 1, 3d Range	66 " 100, 3d "

Waldo county.	
881 Monroeville	1,602
4,191 Montville	2,153
1,375 Northport	1,207
910 Palermo	1,394
606 Prospect	8,492
2,063 Seamsford	1,371
3,662 Swanville	919
1,150 Thordike	897
1,770 Troy	1,576
775 Unity	1,467
535 Yarmouth	1,630
897 Waldo Plantation	721
893	41,355
Hancock county.	
149 Sawville	129
196 Plantation No. 7	61
" No. 10	19
1,246 Trenton	1,061
3,013 Bear Island	11
1,183 Beach Island	11
238 Pickering Island	12
453 Spruce Head	14
2,841 Little Spruce Head	6
1,034 Eater Island	18
2,267 Harbor	4
902 Marshalls	8
1,196 Duck	11
222 Loag	114
760 Black	11
273 Placencia	22
1,888 Cooways	8
1,418 Calf	15
88 Johns	18
1,474 Pond	11
1,922 Harbor	12
650 Hog	9
857 Cooways	10
237 Hackett	18
284 Wooden Ball Island	7
Township No. 23	34
" 21	34
" 22	37
" 23	37
Plantation No. 1	12
Strip North No. 1	23
Wetmore Isle	139
Franklin county.	
827 No. 4, 2d Range	6
419 " 4, 1st "	4
527 Bigelow Township	47
1,098 Township Letter E	77
2,612 " No. 2, 2d	62
828 " Range	102
Township No. 1, 4th	163
767 Township No. 1, 3d	32
368 " Range	32
1,829 " Township No. 3, 1st	7
927 " Township No. 2, 1st	9
561 " Township No. 3, 2d	216
1,109 " Range	216
935 " Range	216
1,045 " Range	216
2,195 " Range	20,500
Recapitulation for 1840.	
York county	54,022
Cumberland	63,660
Oxford	28,229
Lincoln	62,512
Kennebec	55,804
Piscataway	45,703
Waldo	41,355
Hancock	25,846
Franklin	501,796
Recapitulation for 1820 and 1830.	
Census in 1820.	1830.
York	46,252
Cumberland	60,415
Lincoln	46,843
Kennebec	40,150
Oxford	27,164
Franklin	21,757
Piscataway	13,570
Waldo	32,253
Hancock	17,896
Washington	12,741
Total	298,335
NEW HAMPSHIRE.	
The governor of this state has appointed the hon. Joel Parker, Samuel D. Bell, esq. and Charles J. Fiske, esq. a committee to revise the statute laws of the state.	
Imprisonment for debt. The legislature are discussing the merits of a bill to abolish imprisonment for debt.	

MARSHBURY.	
The Eastern municipal election took place on the 14th inst. and resulted in the re-election of the whig mayor, Jonathan Chapman, by the largest majority ever given at a municipal election—2,633 out of 7,914 votes. The whigs also carried all the ward officers in every ward but two.	
NEW YORK.	
Excess of the state. The returns from the southern district are taken from the United States marshal's books in New York; those from the northern district are copied from the Auburn Journal, for which paper they were furnished by the marshal of that district.	
Counties.	
1830.	1820.
Albany	68,416
Allegany	40,920
Bronx	22,348
Cattaraugus	23,503
Cayuga	56,362
Chautauque	47,641
Chemung	24,731
Tioga	29,350
Clermont	40,779
Clinton	25,178
Columbia	44,237
Corland	24,605
Delaware	35,563
Dutchess	50,147
Essex	62,152
Franklin	23,611
Fulton	16,450
Montgomery	15,428
Genesee	59,640
Glen	30,446
Hamilton	1,907
Herkimer	37,375
Jefferson	61,084
Kings	47,613
Lewis	17,819
Livingston	33,710
Madison	40,007
Monroe	64,912
New York	212,292
Niagara	31,114
Oneida	85,327
Onondaga	67,014
Ontario	43,501
Orange	50,703
Orleans	25,135
Pulaski	48,820
Rensselaer	49,412
Saratoga	12,525
Schenectady	30,224
Schoharie	39,203
Seneca	60,892
St. Lawrence	66,692
Saratoga	40,540
Schoharie	17,233
Schoharie	32,251
Seneca	22,863
Stenben	45,992
Suffolk	32,460
Sullivan	15,630
Tompkins	29,113
Ulster	38,724
Warren	13,470
Washington	41,095
Wayne	42,160
Westchester	45,657
Yates	20,412
Total	2,434,125
Population of the state at various periods.	
1800	586,050
1810	830,049
1820	1,372,812
1825	1,616,458
1830	1,919,132
1835	2,174,417
1840	2,424,125
Items in the census for 1840.	
Population of northern dist.—44 counties, 1,852,509	
Do. southern do. 14 do. 701,626	
White males	58
White females	1,303,405
Free colored males	23,863
Free colored females	23,393
Slaves	50,261
Number of pensioners for revolutionary or military services	4,033
*Charming county taken from Tioga in 1836.	
†Tulsa taken from Montgomery in 1838.	

Number of white persons over 20 years of age who cannot read or write 43,871
 Number of scholars at public charge 26,589
 Number of scholars in common schools 501,919
 Number of students in academies and grammar schools 31,803
 Number of academies and grammar schools 502
 Number of primary and common schools 19,376

PENNSYLVANIA.
 A state convention is to assemble at Harrisburg on the 4th March to nominate a candidate for governor for the next October election. The Baller Repository of the 12th inst. says that "forty-four of the Pennsylvania papers, and many of them among the oldest and most influential in the state, have already placed the name of David R. Porter at the head of their editorial columns, and declared their determination to give him their undivided support."

James Cumson, esq. resigned the office of president of the board of canal commissioners on the 15th ult. in consequence of ill health.

VIRGINIA.
Judicial. The Richmond Whig says: On Saturday, John Allan, of Buford, was elected a judge of the court of appeals of Virginia. Judge May was voted for. The contest was animated, and both gentlemen were supported with a zeal which his high qualifications well deserved. There was a little party manoeuvring, although both judges Allen and Judge May are eminent names in the legal party."

The governor has received the resignation of Mr. Holleman, representative in the congress of the U. States, and Monday the 28th inst. is appointed for an election to supply his place.

NORTH CAROLINA.
Manufactures. The Fayetteville (N. C.) Observer, says that 4,000 bales of the present cotton crop will be bought in that place for the factories there.

John P. Richardson was, on the 9th inst. elected, by the legislature, to be governor of this state, and William K. Clawney, to be lieutenant governor.

GEORGIA.
Congressional. Judge Colquitt has resigned his seat in congress, in consequence of the fact election in that state resulting in an implied disapproval of his political course.

The whigs have nominated Hines Holt, jr. of Columbus, as a candidate for congress in place of Judge Colquitt.

A bill from the senate, providing for biennial sessions of the legislature of Georgia, has passed the lower house by a vote of 160 to 19.

MISSISSIPPI.

Returns of votes for electors—Official.

Counties.	Hor. V. B.	Counties.	Hor. V. B.	
Hinds	1,207	635	Wentworth	262
Madison	691	312	Monroe	452
Holmes	556	318	Lafayette	145
Smith	69	179	Choctaw	358
Lawrence	123	432	Norfolk	514
Simpson	201	219	Wayne	94
Newton	109	194	Green	91
Yalobusha	739	643	Perry	116
Copiah	571	513	Jones	108
Lafayette	382	366	Dorchester	116
Tallahatchie	196	124	Marion	126
Holiver	62	44	Lauderdale	239
Octobeha	193	219	Wilkinson	663
Louwdes	620	620	Hawthorn	170
Kemper	236	406	Tippah	332
Clatsam	142	20	Fannin	332
Warren	1,006	422	Coshona	151
Yazoo	601	320	Pontotoc	237
Carroll	711	527	Jasper	289
Scott	41	105	Tishomingo	281
Franklin	149	235	Cherokee	558
Adams	862	458	Onica	76
Pike	314	378	D. Soto	371
Amile	500	294	Clark	124
Jefferson	412	229	Hancock	281
Rankin	351	362	Marshall	1,006
Atala	272	306	Washington	162
Neshoba	113	161	Jackson	25
				19,318

Harrison's majority, 2,523

OHIO.
 The legislature organized on the 7th inst. by the choice of William McLaughlin, of Richmond county, as speaker of the senate, and Seabury Ford, of Geauga, speaker of the house.

INDIANA.
 The legislative convention at Indianapolis on Monday, the 7th inst. The senate was called to order

by David Hillis, lieutenant governor. Douglas Maguire was elected secretary. The house elected Samuel Judah, speaker, and Jacob H. Hager clerk. **Salt.** Salt works have been established in Fountain county, by major Elston. The salt is said to be white, fine grained, and fully equal to the Kenhaws salt.

ILLINOIS.

The legislature. The senate have adopted a resolution to inquire into the expediency of discharging all the officers, engineers and agents of the board of public works, including the board itself, and to appoint some person to collect and preserve the public property.

Banks. The Chicago Democrat says it is the intention of the legislature of this state to make the State Bank "renew or wind up."

Returns of votes for electors—Official.

Counties.	Hor. V. B.	Counties.	Hor. V. B.	
Audrain	132	122	Monroe	815
Henry	98	436	Montgomery	167
Benton	136	601	Monroe	874
Boone	1,112	560	Macon	21
Buchanan	240	1,128	Miller	21
Callaway	881	626	Newton	178
Cass	455	761	Platte	459
Carroll	112	192	Perry	319
Chariton	246	391	Pettis	156
Clinton	137	268	Pike	732
Cole	348	962	Polk	241
Crawford	240	261	Pulaski	196
Clark	240	261	Randolph	515
Cooper	778	691	Ralls	400
Caldwell	135	151	Ray	432
Franklin	355	552	Ripley	13
Gascoigne	171	423	St. Francois	221
Greene	753	901	St. Genevieve	170
Jackson	427	711	St. Charles	596
Jefferson	298	321	St. Louis	3,516
Johnson	225	374	Saline	375
Lafayette	600	473	Shelby	233
Linn	412	602	Taney	238
Livingston	249	457	Van Buren	208
Madison	158	275	Wayne	57
Marion	827	534		
			21,411	28,413

Van Buren's majority, 6,002
 The counties of Clay, Daviess, New Madrid, Scott and Stoddard, are not officially heard from, but it is supposed their votes will increase the majority to about 7,000.

TENNESSEE.

Returns of votes for electors—Official.

Counties.	Hor. V. B.	Counties.	Hor. V. B.	
Anderson	625	227	Knox	2,996
Bledsoe	644	202	McMinn	1,022
Bloom	1,196	646	Marion	503
Cauley	667	719	Meigs	119
Carter	837	98	Monroe	923
Chalbourne	631	733	Morgan	211
Coake	917	80	Polk	197
Greene	1,015	419	Rhea	209
Hawkins	1,052	1,539	Roane	1,047
Jefferson	1,811	131	Sullivan	926
Johnson	890	49	Washington	893
			19,172	18,194

Middle Tennessee.

Counties.	Hor. V. B.	Counties.	Hor. V. B.	
Bedford	1,373	2,156	Montgomery	101
Davison	1,960	1,273	Overton	329
Dickson	365	635	Renton	1,677
Festres	140	325	Rutherford	1,706
Giles	645	1,461	Smith	2,637
Hardin	1,190	1,232	Stewart	457
Hickman	562	881	Sumner	794
Humphreys	293	932	Warner	1,788
Lawrence	1,032	591	White	1,301
Lincoln	837	372	Williamson	2,017
Manly	1,497	2,028		2,530
			26,404	25,611

West Tennessee.

Counties.	Hor. V. B.	Counties.	Hor. V. B.	
Benton	259	301	Haywood	807
Carroll	1,261	352	McNairy	906
Dyer	446	300	Nadison	1,812
Fayette	1,140	900	Obion	650
Gibson	1,272	418	Perry	781
Hardeman	676	860	Shelby	950
Henderson	1,318	277	Tipton	578
Henry	362	1,079	Weakley	523
			13,478	8,677

Recapitulation.

East Tennessee.	19,172	18,194
Middle "	26,404	25,611
West "	13,478	8,677
	59,054	47,482

Harrison's maj. 11,072.

The new count of Cannon, Coffee, Da Kalb, Lauderdale, Marshall and Van Buren, voted with the counties from which they were taken, and hence their votes are included in the above table.

From the counties of Campbell and Hamilton, in East Tennessee, the official returns have not been received.

REPORT OF THE SECRETARY OF WAR.

War Department, Dec. 5, 1840.

Sir: Since my report of the last year on the several branches of the public service committed to my charge, the army has been actively and usefully employed in Florida, and on the northern and western frontiers.

The design entertained by the department, of keeping the regiments entire, and concentrating the troops whenever it is practicable to do so, has been persevered in with the most beneficial results. A commensurate has likewise been made in establishing depots for the receipt of the recruits of each separate regiment, where they may be drilled and disciplined before they are sent off to their respective stations in garrison or in the field. The recruit ought never to be sent to join his company on service, until he has been thoroughly taught the duty of the soldier; and this instruction will be better given at regimental than at general depots. By dividing each regiment into two bodies, in the manner proposed, every important station in the country may be occupied, either as a place of arms, or as a rendezvous of the regiment; and, by a proper distribution of the latter, the intermediate forts may be temporarily occupied by partial detachments, without injury to the discipline of the whole corps. I cannot too strongly urge the adoption of this method of distributing the whole army in time of peace. To divide it into small permanent detachments will be to destroy its efficiency and its discipline, and in the event of war, to expose the posts to be captured, and the whole regular forces of the country to be nearly sacrificed. A large number of the natural and well grounded jealousy justly entertained against the existence of a large standing army in our country, sound policy and a due regard for economy render such an establishment altogether inadvisable; and it becomes necessary, therefore, to provide other means of defending our northern and maritime frontiers against the dangers to which they would be exposed at the commencement of a war. None other occur to me, than those I have already recommended, viz: central positions for the regular forces, from which they could move upon any point of attack or defence, and such an organization of the volunteer or militia forces as would enable them to maintain the posts intrusted to their charge until relieved by the regular troops; a system which ought to be matured in time of peace.

For the western frontiers, posts, garrisoned by regular troops, cannot be dispensed with. They need not be very large; but they ought to be constructed of fire-proof materials, and in such a manner as to be defensible by a small garrison against any number of men not effected by the regulars. A plan which will effect these objects perfectly has been devised by the chief engineer, and been adopted. The quarters for the men ought likewise to be built of durable materials, and be permanently furnished with iron single bedsteads, in lieu of the double bedsteads, and with wooden bunks now in use. This change, for obvious reasons, should be introduced into all the barracks in the United States.

The chief and best position for the concentration of troops, independently of the regimental rendezvous, is, for the northern frontier, near Albany, in the state of New York; and near St. Louis, in Missouri, for the western—points from which easy communications radiate to every part of those extensive lines of defence, and whence troops may be transported with certainty and rapidity wherever their presence may be required. For the maritime frontier of the Gulf of Mexico, I would recommend, in addition to the permanent fortifications planned for its defence, and now being erected, the establishment of a depot, somewhere below the falls of the Ohio, for armed sea steam vessels. It would seem to furnish the best means of bringing the vast power of the upper country to the defence of the coast, and of using it, when there, in the most efficient manner.

element manner. A certain number of vessels of war might be kept in constant readiness strong enough to carry a good battery, and light enough to descend the river at all seasons, and to cross the bars of the Mississippi. These boats ought to be of iron, as combining lightness, strength, and speed, and might be constructed of the requisite size for about fifty guns, and dollars each. Materials should be collected for the construction of boats to be built of wood, and stored until wanted; when with the vast resources of Ohio shops and mechanics, the boats and the crews, they might be put together in a very short time, and a fleet, equipped and manned with the hardy boatmen of the western waters, and a few able bodied seamen, might be floated to the ocean, fully equal with the existing and contemplated flotilla, to protect the whole gulf frontier. The very able report on the defenses of the country made by a board of distinguished officers, and submitted to congress during the last session, proves conclusively the absolute necessity of preserving and continuing our system of permanent maritime works of defense, and exhibits in the clearest manner their superiority over floating batteries of any and every description. In this view of the subject I fully concur, and even think that the facility with which the coast and harbors may be approached and entered by steam vessels of war renders strong permanent works more than ever necessary. The projectiles which will be used in future wars will, from their size and description, prove destructive to armor, masonry, and give an immense advantage to stone walls over any fabrics that can be penetrated by shells. It may be proper here to remark, that the capture of the castle of San Juan de Ulloa, at Vera Cruz, has led many persons to suppose that stone fortifications are to be destroyed by shells. This is incorrect. After that event, I caused experiments to be made at Old Point Comfort, by firing, at point blank range against a stone wall erected for that purpose; the shot broke against it, making very little impression. No armor, therefore, need be entertained of the ability of our building materials to resist hollow shot. I do not think, however, that the permanent works should be the only defenses relied on; but, regarded moveable steam batteries as essential auxiliaries. These ought not, in my opinion, to be large vessels, but of light draught of water, capable of carrying two guns for throwing shells of eight or ten inches diameter, and so constructed as to be able to resist the direct fire of an enemy. These steam batteries should be manned by artillerymen, and be under the command of the officer charged with the defense of the harbor fortifications, so as to secure harmony of action. In order to test the utility of such a force, I had a cannon of the calibre of ten inches, the chief of the ordinance, Col. Buford, was sent to Boston, where he has conducted a series of experiments with the most satisfactory result. I recommend that these guns be adopted into the service, and form part of the armament of our fortifications and of our steam floating batteries. Some successful experiments have, likewise, been made with war rockets, and a machine constructor for preparing them appears to answer the purpose perfectly.

The great amount of property vested by the government in arms, amounting to several millions of dollars, no less than the risk to the national safety by adopting any new and untried mode of fighting, convinced of their superiority by long tried experiments in the field, has induced me, generally to discontinue their introduction into the service. I fear that every attempt to increase the rapidity of firing, such as facilitating the loading by the use of levers, or by multiplying the chambers of the gun, will fail, as they have hitherto done, after involving the government in great expense. There is, however, one improvement, which has been lately tried in the field by the armies of Europe, and which presents a more decided and ascertained advantage, that I am constrained to recommend its adoption into our service—I mean the substitution of percussion for flint locks. The alteration may be made on the guns now in the arsenals, and no other change need be adopted to construct all new arms, whether rifles or muskets, with percussion locks.

Having repeatedly recommended without effect, the establishment of a national foundry; and having reason to fear the usual course would not lead to the service from the want of proper regulations to govern the contracts with private establishments; by your consent, I sent to Europe the board of officers who had been for some time employed in fixing the prices, orders and mode of contracting for artillery, in order that they might acquire such information as would enable the department permanently to regulate this important branch of the service. I am happy to state that, wherever they have been, the national establishments have been found to be, in general, and with praiseworthy liberality, every facility afforded to their researches. They have returned

ed hope, after having attained all the advantages which were expected from their investigation; and the knowledge they have acquired will be applied to the practical improvement of our ordnance. A concise report of their proceedings while in Europe is herewith submitted, in connection with that of the officer in charge of the ordnance department.

In the expectation that congress would sanction the creation of a corps of sappers and miners, (an addition to the army at once necessary and economical), I sent an officer of the engineer corps to the school for sappers and miners in France, to obtain that practical information of the art, which is not possessed, and cannot be acquired here. The French government, with its accustomed liberality and kindness, permitted in every instance our officers to attend its schools of practice, and afforded them equal means with its own to pursue their studies there, allowing them privileges not generally granted to foreigners; thereby evincing, as the minister of war is pleased to remark, the friendly disposition of his majesty's government towards the U. S. State. In feeling, you have authorized me to say, is fully reciprocated, and the liberality of the French government fully appreciated. The officers sent to the school of sappers and miners, at Saumur, during the twelvemonth's instruction, and are now employed in a manner which I trust will enable the department very much to improve the cavalry service.

An advantage of separating the staff officers from the line of the army, and attaching them to the service from the present system, have been before brought to your view, but cannot be too strongly or too frequently urged. The present organization of the army does not allow a single subaltern officer in a regiment, and the companies are rendered inefficient from the absence of those officers who are on staff duty. The discipline of the troops is most injuriously affected by this arrangement, and if they are opposed in the field to more than such a deficiency would permit.

I beg leave to bring to your notice once more the expediency of extending the law of March 2, 1837, which provides for the enlistment of boys for the naval service, so as to embrace the army and ordnance corps. Its effect would equally inure them to the class of people to whom the boys belong, and to the army. It would secure to the sons of the former a comfortable subsistence, proper moral restraints, and a good practical education, while it would provide for the army with recruits, and commissioned officers, so difficult to be procured by enlistment, and without which an army cannot be efficient.

I am happy to state that experience has proved the correctness of the opinion formerly expressed, that the increase and proper organization of the staff department would produce a more economical administration of its different branches. In the execution of the law, the department, especially, a very considerable reduction has been effected during the last year; in some measure produced by the fall of prices, but arising in a much greater degree from the increased efficiency and better administration of the department, in consequence of the number of officers under the present organization bearing a more due relation to the laborious duties and high responsibilities of this important branch of the military service.

The expediency of the suspension of the application of lands appropriated for the prosecution of the works under the supervision of the quartermaster general's office during the season for active operation, little progress has been made in them since my last report. The works, however, recomended in my report, should be recommenced and completed as soon as practicable: Fort Gibson, Fort Wayne and Fort Smith—the two former as soon as tracts of land are determined upon. I am not precisely satisfied with the reports in relation to the progress of Fort Gibson; and as it is contemplated to erect permanent works in the vicinity of the old fort, it is important that the site should be selected with great care. That on which the works of Fort Wayne are now in progress, is so very unfavorable, that it became necessary to abandon it and to remove the troops to a more favorable position. Pursuing that line, small forts should be constructed at Spring river and Marias de Cygne; and west of it, at the head of the navigation of the Kansas river, and west of the Fort Lavenworth, at Table creek, on the Missouri, below the mouth of Platte river. To connect this last post with Fort Snelling, a fort ought to be constructed at or near the forks of the Des Moines river, from the mouth of which, indeed, I believe the erection of any works at the western extremity of Lake Superior to be unnecessary; and for the present, advice that Fort Snelling remain in its present position.

During your administration, nearly forty-one thousand Indians have been added to those already

residing near the western boundary, while the additional security to the border states have not been commensurate to the added local dangers to which such an increase of warlike and discontented neighbors exposes them. In the act of placing the Indians there, by which the interior states are so largely benefited, the government has contracted a solemn obligation, not only to defend that people when attacked, but to anticipate the danger, by erecting such works as will ensure their safety, and inspire them with confidence in the means employed for their protection.

It affords me great gratification to be able to report that the Canada frontier has been free from any disturbance since I had last the honor to address you on that subject. Your advice to our fellow citizens on that border appears to have produced the most salutary effect, and the excitement which existed there has, I am happy to think, entirely subsided; and no further apprehension need be entertained of a violation on their part of our moral obligations. Owing to the expenditure of the appropriations for fortifications, it has not been suspected, the works on this frontier have not been much advanced, but they will, it is expected, be completed during the next season. In addition to those already authorized, I have recommended the erection of barracks at Spring Wells, near Detroit, and a position between Buffalo and Black Rock, in the state of New York; and also a strong work at the outlet of Lake Champlain.

On the northeastern frontier, until the boundary question is projected, the works which have been confined to the erection of barracks at the junction of the Mattawamkeag and Penobscot rivers. During the past year, the works on the maritime frontier have been carried on slowly, and they still remain in an unfinished state. In consequence of the defects of our Atlantic and Gulf coasts, and of our harbors and dock yards, I beg leave to refer to my report of last year, and to that made during the last session of congress in reply to a call of the senate for information on the subject. The condition of the coast remains unaltered, and the expediency of providing for its completion unchanged. The whole coast from Passamaquoddy bay to the Sabine river is exposed, on every point not defended by nature, to be invaded without any previous declaration of war, the expense of attempting to protect the long line of troops for our year only, would cost more than to erect the works which have been planned, and which are deemed sufficient to defend the several points of the coast, and to insure the possession of the territory only for a short period. But to defend an unsifted point of attack, or to drive an enemy from a position he might occupy, would be attended with great expense of blood and treasure; and while I feel confident that the stout arms and brave hearts of our fellow citizens would ultimately prevail, and drive an enemy from our soil, I cannot approve the policy which would expose the best and bravest of our artisans and workmen to encounter, without the trained bands of mercenary soldiers they would be opposed to. When we take into consideration the character of our people, and sparseness of the population in proportion to the extent of the soil, it is not wise to rely altogether for our defense on numbers and untrained valour. The battalions that might fight our battles are composed of soldiers taken from every class of the community, and the issue of every battle must depend on the moral and physical quality of some of its best and wealthiest citizens. An effort ought therefore, to be made to furnish them the means of protection, and to instruct them to defend their country, so that the loss we must under our present circumstances, by the reduction of the territory.

No appropriation having been made at the last session of congress for the works of internal improvement which were under the superintendence of this department, they have, for the most part, ceased. I have the opinion expressed in my last report, that the system requires to be revised, and will regard to the principle upon which such improvements ought to be authorized, and the manner in which they ought to be conducted.

The report of the chief of the topographical engineers, made to congress at its last session, contains an elaborate statement of the history and progress of all the works of internal improvement carried on by the orders of government; to which I beg leave to refer. It is to be regretted that congress has not yet had time to return to the subject, or the small amount asked for clearing the river and timber badly accumulated at the Red river raft, which obstructs the navigation of that stream. The expenditure necessary for this purpose is perfectly legitimate, and the necessary supplies for the troops stationed at Fort Towson, are transported up this

details of the plan I refer to the accompanying report of the commissioner of Indian affairs, and particularly to his instructions for carrying it into effect addressed to the superintendent of the western territory.

While on this subject, it affords me great gratification to be able to speak in terms of merited praise of the Methodist manual labor school in the Shawnee country. The teachers, and especially the superintendent, for their Christian zeal in the cause of Indian civilization, are likely to be crowned with success; and there is reason to hope that the high expectations raised by this extensive establishment will be fully realized under its present pious and competent instructors. The department would be happy to promote similar establishments on the part of other religious sects, equally zealous, no doubt, in spreading the light of the gospel among the savans, and equal to the task of advancing their moral culture. It is conceived that, to produce durable beneficial effects by education, it must be made practically useful; and that those domestic arts which are imparted to our pupils by the example of their parents and associates, and form, as it were, a part of their nature, must be taught in the schools, and instilled into them by education.

Perseverance for one or two years longer in the policy of removing the Indians from the baneful and destructive influences which surround them within the states and territories, will unite the remnants of tribes, still within those limits, to their brethren in the west; offering, as it is believed the only chance, not only of civilizing the red man, but of perpetuating his existence.

By the accompanying report of the commissioner of pensions, it will be seen that the number of pensioners of every class on the rolls of all the states and territories, and in the District of Columbia, (except those paid out of the navy pension fund), amounts to forty-four thousand three hundred and ninety-four; of which two thousand and seventy-two cases have been admitted since the period of the last annual report. The number of deaths of pensioners that have occurred during the last year, and been reported to the department, is sixteen hundred and five. From the number of unclaimed pensions, it is believed that many more have died, of whose decease, we have no information. The number of invalid pensioners is now four thousand two hundred and eighty-nine, having increased four hundred and fourteen since 1839. The number of widows is principally, to the hardships of the service in Florida. The number of revolutionary pensioners under the act of March 15, 1815, has decreased from above twenty thousand to seven thousand nine hundred and forty-six. Under the act of July 7, 1822, thirty-one thousand eight hundred and eighty have been admitted on the pension roll; of which number, twenty-three thousand two hundred and seven yet remain. Eleven hundred and eighty-six pensioners were admitted under the law of May 15, 1828, for the benefit of officers and soldiers of the co-equal army who served during the war only six hundred and fifty are now borne on the rolls. The number of widows pensioned under the act of July 4, 1836, is three thousand four hundred and sixty-eight, of whom two thousand seven hundred and sixty survive. Five thousand nine hundred and twelve widows have received the benefit of the act of July, 1832; but the list is now reduced to five thousand five hundred and eighty-six. All those now on the rolls, who were dropped on the 4th of March next, when the term of their pensions expires by law. From the number of applications, the commissioner is of opinion that not less than four hundred will be added to the year 1841.

The total sum drawn from the treasury during the past year, to pay pensions, amounts to two millions forty-eight thousand, six hundred and sixty-three dollars, exclusive of any pensioners who have died.

The experience of two years confirms the opinion I formerly expressed of the vexatious operation of the law of the 6th of April, 1838, which fixes the short period of eight months for the return to the treasury of unclaimed pensions. The intention of the law, no doubt, was to withdraw that sum from the pension agent; whereas its operation, on the contrary, draws that additional amount from the treasury at Washington, while it produces disappointment, inconvenience, delay and expense to the poor pensioners.

By the fourteenth article of the Cherokee treaty of December 29, 1835, ratified May 23, 1839, it was agreed on the part of the United States that such warriors of the Cherokee nation as were engaged on the side of the United States in the last war with Great Britain and the southern tribes of Indians, and who were wounded in such service, shall be entitled to such pensions as shall be provided by the Congress of the United States. I respectfully suggest that congress be asked to act upon this section of the

treaty. There are not many Cherokee warriors who come under that description, but they are very desperate, and the good faith of the government is pledged in their favor.

I cannot forbear bringing to your notice the extensive condition of the important archives of this department. Many of them are kept in small buildings, at an inconvenient distance from the war office, and surrounded by combustible material. A fire-proof building, capable of containing all these detached offices, might be constructed for a sum, the interest on which would not exceed the amount required for paying the rents of those now occupied for the purpose. All which I respectfully submitted.

J. R. POINSETT.

The president of the United States. REPORT FROM THE POSTMASTER GENERAL.

Post office department, December 7, 1840.

Sir: I submit a report, showing the service of this department in the past year, its present condition and future prospects.

The extent of the post routes in the United States covered by mail service, on the 30th of June last, as near as could be ascertained, was 155,739 miles.—The total transportation of passengers, mail matter, and express, on the 30th of June last, was about 36,370,776 miles.

The annual cost of transportation, estimated at the rate of pay existing at the close of the year, was \$3,290,576 dollars, viz:

	Miles.	Cost.
By stage and coach,	12,182,445	\$769,663
By stage and coach,	20,290,278	1,911,853
By stage and coach,	4,898,053	595,338

Total, 36,370,776 \$2,926,854

In addition to this service, the mails by steamboats and other vessels, under the 5th and 6th sections of act of 1825, are estimated to have cost, the last year, about 9,000 dollars, and there has been paid for ship and way letters, about 26,000 dollars.

The resolution of congress of May 14, 1838, authorized the postmaster general to extend the term of the then existing contracts for six months, so as to have them terminate on the 30th June next, the 1st of the last of December. In pursuance of this authority, the contracts which would have expired with the present year were extended to the 30th of June, 1841, in consequence of which the savings which would otherwise have fallen into the year 1840 will not take place until the spring of 1841. The advantage for this service has been prepared, and will soon be published.

The accounting to about seven hundred, established by the act of the 7th of July, 1839, have been put into operation during the past year, and have made considerable addition to the expenditure for the transportation service. This extension, with the belief that the unusual increase of revenue would not be realized, has indicated a policy of retrenchment rather than general improvement; but, since I took charge of the department, some improvements have been effected on some of the most important routes which the public interest seemed to demand, and where little additional expense was incurred.

I have also executed contracts for additional service on a few rail road and steamboat routes, where retrenchments would be made at about one half the equivalent to the new liabilities assumed. These changes have given some additional expedition to the great north and south mail, as well as to several large mail contracting and it is important points.

The number of contractors in the service during the last year were about 2,100. The number who had been fined, or had deductions made from their pay for delinquencies in the performance of their engagements, was 12,519; the number on the 30th day of June, 1839, was 12,750; on the same day of the present year, the number was 13,461, showing an increase during the year of 698. There have been established during the year, 359 post offices, and 271 discontinued. The number this year is 18,828. There have been during the year 3,231 postmasters appointed, of whom 959 were for new offices.

The revenue of the department for the year ending June 30, 1840, as appears from the settlement of the accounts of postmasters in the auditor's office, was

Letter postage, \$4,002,776 07
Newspapers and pamphlets, 635,229 61
Fines paid to postmasters for violation of law, 260 00

\$4,638,265 68

The expenditures of the department for the same period were:

For compensation of postmasters, \$1,025,925 92

For wrapping paper, office furniture, advertising, mail bags, mail tools and keys, and stamps, mail depredations, and special agents, blanks, clerks for offices, and miscellaneous, 441,775 96

For ship, steamboat, and way letters, 33,410 81

For transportation, 2,552,995 16

4,759,110 85

Excess of expenditures, \$210,845 17

The revenue, as compared with the preceding year, shows an increase of \$61,651 64, being a fraction over one per cent.

The average annual increase of revenue from 1832 to 1839, inclusive, has been about 10 per cent. But as this period includes the two years ending June 30, 1837, of extraordinary augmentation of revenue, amounting to 15 per cent, the first year, and 30 per cent, the second, 10 per cent, is considerably above the ordinary annual increase, which may be estimated at about 6 per centum. The decline in the revenue, however, for each past year, may be estimated at about 5 per cent, or 225,000 dollars.

Statement of the revenue and expenditures of the post office department for the eleven years ending 30th June, 1839.

	Revenue.	Expenditure.
June 30, 1829	\$1,707,418 42	\$1,782,132 57
1830	1,550,553 10	1,937,707 93
1831	1,997,511 64	1,936,122 87
1832	2,267,570 17	2,126,171 66
1833	2,417,011 38	2,339,414 87
1834	2,832,749 21	2,910,605 08
1835	2,993,556 66	2,757,350 08
1836	3,408,323 99	2,684,766 36
1837	4,303,428 63	3,803,428 63
1838	4,335,077 97	4,261,827 16
1839	4,477,614 04	4,654,718 42

From this tabular statement, it appears that while the expenditures of the department have been steadily increasing, the revenue has not only been maintained, but has been increasing, varying from a mere nominal increase to an advance of 20 per cent. to a single year.

The extension of the mail service, and the advance in the population and business of the country, are the causes of the ordinary increase of the revenue. But temporary and extraordinary circumstances often counteract these more permanent sources of increase, so far as to prevent any material advance. This has been the case the past year; during which a combination of causes have operated to impair the revenue of the department to nearly the extent of the average annual advance.

But the present unfavorable condition of the finances of the department is not wholly to be attributed to the decline of the revenue the past year; it is, in part, the result of the too sudden and large extension of the service during the years 1837, 1838 and 1839, occasioned by the extraordinary surplus which accrued in 1837. This surplus, on the 30th June, 1826, was 611,842 dollars.

The postmaster general, in his annual report of that year, recommended a reduction of the rates of postage. Congress did not deem it expedient to do so; but, by the act of the 21 July, 1838, established about seven hundred new post routes which it became the duty of the department to put into operation. The action on this subject by congress was considered as indicating its desire that the surplus which had accrued, and which might accrue, should be expended in providing additional mail accommodations. The causes which had produced the above surplus on the 30th June, 1826, continued to operate during the remainder of that year, and a part of the year 1837, and as the new contracts did not go into operation until after the 1st of February, 1837, the revenue continued to exceed the expenditure; and, on the 30th June, 1837, the surplus amounted to 756,208 dollars. During the session following, congress, by the act of the 7th of July, 1838, established about seven hundred additional routes, which were to be put in operation on the 1st of July, 1839. The revenue of the department would justify it. The second section of the same act provides "that every rail road within

the limits of the United States that now is, or may hereafter be, made shall be a post route, and the postmaster general shall cause the mail to be transported thereon: *Provided*, it can have it done on reasonable terms, not paying therefor, in any instance, more than 25 per centum over and above what similar transportation would cost in post coaches."

The very liberal construction given to this act by the postmaster general, favorable to the interest of the rail road companies, did not satisfy the spirit of equity which belongs to corporate monopolies; and it was found impracticable to obtain contracts from several of the rail road companies. And congress, by the act of 25th January, 1839, extended the maximum rate of compensation for rail road service to three hundred dollars per mile.

The new routes established by the act of 7th of July, 1838, were mostly put into service in 1839; and contracts have been made for service on the rail roads then in existence, and most of those which have since been completed, at rates of compensation, varying from twenty-five to three hundred per cent. above what had been paid for coach service on the same routes. In England, the average rate of compensation for rail road service is about ninety dollars per mile; and the highest sum paid on the most important routes is one hundred and seven dollars per mile, and the contractors are required to convey mails as often, and at such times, as may be ordered by the postmaster general. Here, with a rate of compensation nearly two hundred per cent. higher, it has been found impracticable, on most of the routes, to obtain the contracts before the time of the departure and delivery of the mail, which is so essential to the service, and is exercised on other routes. In addition to the compensation paid to the rail road companies, there are considerable incidental expenses incurred by the postmaster agents on the more important routes for conveying the mail to and from the cars at the ends of the routes, and for supplying intermediaries office, not on the lines of the route. The substitution of rail road for coach service, has borne very heavily on the revenues of the department.

The new routes established in 1836 and 1838, being many of them, in sections of the country where the roads are bad and the settlements sparse, have yielded an income bearing but a small proportion to the expense of the service.

This great extension of the service, and the substitution of a higher and more expensive for a cheaper grade, under the acts of congress referred to, and the improvements on other routes, which the public interest seem to have required in 1836, have carried the expenditures of the department, for three successive years, beyond its accruing revenues: In the year ending on 30th June, 1838,

the expenditures were	\$1,621,837 00
The revenue which accrued was	4,235,077 00

Excess of expenditure over the revenue	\$386,700 00
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The expenditures in the year ending	
June 30, 1839, were	\$4,654,719 00

The revenue which accrued was	4,477,614 00
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Excess of expenditure	\$177,104 00
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The excess of the expenditures for these two years was met by the surplus funds which had accumulated in 1837, and nearly exhausted that surplus which was available.

In the annual report of my predecessor, made in December 1839, he says: "The general financial disasters of last year have not reduced the revenue, as might have been expected, but have prevented most of the anticipated increase and thrown the department upon its surplus, to sustain most of its extensions. The indications now are, that there will be a slight improvement in the revenue of the current fiscal year, over the preceding; but not enough to produce any material effect. An advance somewhat greater may be reasonably expected, next year, but not great enough to meet the increasing cost of mail service, and put into operation the new routes established by the act of 1838, and congress. It will hence be seen that, for more than a year to come, the curtailment, rather than the extension of service on routes now in operation, is to be expected."

The anticipated increase during the year 1839, was realized, and amounted to 65 per cent.—producing \$241,560. But the greater increase looked for in 1840, has essentially failed; and the quarter ending 30th of September last, exhibits an actual decrease in the revenue, as compared with the corresponding quarter of last year, of about 5 per cent. This unfavorable result has been occasioned mainly by the second anticipation of the banks in a large section of the union, followed by a general depression of the commercial interests of the coun-

try; which appears to have been apprehended at the close of the last year, as the postmaster general then said: "It is possible that the recent suspension of specie payments by the banks, in a large portion of the union, may again check the increase in the revenue of the department, so as to make retrenchment necessary; but, in any event, they will be inconsiderable."

But the present apparently unfavorable financial condition of the department need occasion no anxiety. It can be sustained upon its own resources, and can be placed in a safe and prosperous condition. Yet, to afford it temporary relief, curtailments of service, to a limited extent, are necessary. This has already been commenced, and will be continued as far as may be found requisite to place its finances in a sound condition. The curtailments of service will be made so as to occasion as little inconvenience to the public, or injustice to the contractors, as such an operation will admit of. As periodical retrenchments are unavoidable, it deserves consideration, whether it is not better for congress to exercise some authority by which all general curtailments are to be effected, so as to remove executive discretion, and secure an equal apportionment of the reduction of service among the different sections of the country. Congress, in the exercise of this authority, which the department in its present condition, we discover its resources, and its ability not only to sustain itself, but probably with the aid of some remedial legislation, to admit of a prospective reduction of the tariff on foreign postage, which public sentiment seems to demand.

These causes are to be found in the unequal fluctuations since 1834 in the financial interests and commercial business of the country. The period of the depression of the country, which commenced in 1834 to the spring of 1837, occasioned an extraordinary increase of revenue, which produced the large surplus that existed in 1836 and 1837. This surplus formed the basis of the great extension of the mail service in 1836, which has since placed the limits to which it could have been carried by the ordinary increase of revenue, as to absorb nearly the whole of this surplus in two years. When the reaction came on, which, under any circumstances, could have depressed its revenues, the department was left with an excess of service far beyond its natural limits; which had originated from the extraordinary increase of its revenues in 1836 and 1837. But the unusual increase of revenue over the expenditures during those two years, was not only confined to the great extension of the mail contracts for transportation, during that period, but mostly been made when prices were low, and the revenue accruing from their performance, was received when prices had advanced from fifty to one hundred per cent. The department, therefore, enjoyed the advantages of an excited state of business, without the drawback which, under other circumstances, the advance in prices would have occasioned.

On the other hand, the excess of the expenditures over the receipts for postages, the last three years, is not more to be attributed to the depression of the revenue from the state of the times, than to the circumstance that all the existing contracts were made during the high state of prices, and at an average advance of about fifty per cent. above the rate of compensation paid prior to 1836.

Should prices not vary essentially from their present standard, it is reasonable to suppose that the future letting can be made at greatly reduced rates than the present. This is an important consideration, which, to a few years without any retrenchment of service, could hardly fail of placing the finances of the department in a prosperous condition. But it cannot be used immediately available, so that a temporary extension of service, to a limited extent, becomes an essay.

The restoration of commercial activity, can confidently anticipated, may reasonably be calculated to produce a considerable improvement during the two last quarters of the current fiscal year, and a somewhat greater increase the next year.

With a reasonable expectation of a reduction in the expense of the transportation, and nearly a certainty of a considerable increase in its revenues, the future prospects of the department are highly satisfactory.

The present is a peculiar crisis in its financial affairs, resulting from the operation of causes which I have endeavored partially to explain, and which are not likely, in the same degree at least, again to occur.

There are other causes of a more limited influence which have contributed to impair the revenue the past year. The greatly increased expense of the transportation of the mail upon rail roads is not only a way in which they affect the revenues of this

department. The great facilities which they afford for the transmission of letters and newspapers out of the mail, have evidently diminished the receipts from postage. This is proved by the sudden falling off of the revenue at points where these facilities have recently been provided. Information has also been received from the agents of the department, showing that letters and newspapers, sent by persons, were extensively conveyed out of the mail on the rail road and steamboat lines, and on many of the stage and coach routes. So far as these practices, so detrimental to the income of the department, were believed to be in violation of laws, they endeavored to enforce them, regarding it as my duty to suppress the laws. And in respect to letters carried by carriers and drivers, their efforts, it is believed, have been generally effectual; but there is no prohibition against persons carrying letters and packets who may pass over rail roads in the same vehicle which transports the mail, and the rail roads afford great facilities for sending letters in this way.

For fifteen years preceding the introduction of the new system in England, the postage-tax had rather declined, notwithstanding the increase of population and business. This was, by many, ascribed to the high rate of the tax, but the better and more prevailing opinion attributes it to the numerous rail roads which have gone into operation.

The practice of carrying newspapers and letters by mail, without having secured the privilege in the contract, I found to be so general, that it could not be suppressed without great inconvenience to the public; and the dignity of the law admitted of doubts in regard to the remedy to be applied. That I should best discharge my duty by permitting these practices to continue, and leave it to congress either to remove the prohibition or to make the law more effectual in its enforcement. As it is probable that the enforcement of the law would have the effect of stopping the carrying of newspapers on the mail routes, rather than causing them to be conveyed in the mail, it would seem both just and politic to abolish the restriction entirely.

Another source of detriment to the revenue the past year, has been the exercise and abuse of the franking privilege to an unprecedented extent. During the last three quarters, the free matter constituted a very large portion of the entire mail. As the contracts have been without reference to this extraordinary addition to the bulk and weight of the mail, the burden of the transportation was thrown upon the contractors. The free matter is not only completely exempt from taxation, but the department is subjected to the charge of postage for every free letter or sealed packet delivered at offices where the postmaster's commissions do not exceed five hundred dollars per quarter. At some offices this allowance to the postmaster has absorbed his whole quarterly salary.

The books of the department furnish no data for determining the number of free packets conveyed in the mail, as a large portion of them are not entered on the post bills. At the post office in this city an account was taken of the number and weight of free letters and packets during three weeks ending the 21st day of May, the 21st day of June, and the 21st day of July last. There were 22,083 free letters and packets from the executive departments, 20,363 free letters from members of congress and 392,268 public documents and other franked packets—making in all 421,669. The public documents and packets from congress, exclusive of the letters, weighed 32,639 pounds, nearly sixteen and a half tons, and cost the department, for the season of thirty-three days, as the average of the free letters and packets sent from the office in this city during the late session of congress amounted to 4,751,359 and the two evils allowed to postmasters to receive the delivery of free letters would be \$95,627. This is probably a very low estimate, as an assertion; and the two evils are not paid at offices where the postmaster's commissions exceed five hundred dollars per quarter.

It may be estimated that there has been abstracted from the revenue of the current year, by the free letters and packets, the sum of \$150,000.

And there are facts that have come to the knowledge of the department, which show that great abuses have been practised by those enjoying the privileges, in the highest as well as the lowest stations, in converting the correspondence of others, to the great injury of its revenue. This and other abuses of the privilege appear to be rapidly increasing, and imperiously demand, if not the entire abolition, or such restriction upon it as could be enforced by the department.

The provision in the act of 1825, allowing two cents to postmasters on free letters should be abo-

ceeds of the public lands for the continuation of the Cumberland land in Ohio to its western termination, to be constructed in a continuous line from east to west, and of distributing the residue of the said proceeds among the several states upon the principle of what is called Mr. Clay's land bill, taking the census of 40 as the basis of the apportionment.

Mr. Hubbard moved to lay the resolution on the table, and the question was put by yeas and nays, which were ordered. And then, before the question had been put, an adjournment was moved and carried.

Friday, Dec. 18. At 12 o'clock, the house was called to order by the speaker, and the journal of yesterday read.

Mr. Sturdy rose and stated that in offering the resolution yesterday to direct the comptroller general to deposit such books and papers of his department as may not be required for daily and immediate use, in the vaults of the new treasury building, for safe keeping, it did not mean to be understood as intending to throw out any suggestion of imputation against the present incumbent; but that the late head of the post office department was lurking about the city, and he was mean enough for any thing.

Mr. Jones, of Virginia, from the committee of ways and means, asked leave at this time to report a bill making appropriations for the payment of pensions, and leave being granted, the bill was reported, twice read, and passed.

Mr. John C. Adams inquired of the chairman of the committee of ways and means whether the bill just reported by him contained any provision for the relief of the navy pension fund, so strongly recommended a few years since by the president of the United States in a special message to Congress. Mr. Jones answered that it did not; that the message to which Mr. Adams alluded had been referred to the committee on naval affairs.

Mr. Reed stated that the committee on naval affairs had not acted on the subject, because of the non-attendance of the chairman.

Mr. Adams hoped the absence of the chairman of the committee would not long interpose to prevent important business from being transacted—that unless an appropriation was speedily made for the benefit of the navy pension fund, the pensioners on that fund would have to go unpaid.

Mr. Jones, of Virginia, chairman of the committee of ways and means, asked the committee to be authorized to appoint a clerk at four dollars a day.

Mr. Williams, of North Carolina, inquired if it was contemplated to continue the clerk through the next recess of Congress? Mr. Jones answered that he did not know that it was customary to continue committee clerks through the recess—in the present case it was not intended to do so. Some member of the committee for the year and nays, but they were not ordered, and the motion was adopted. The committee of ways and means are therefore authorized to appoint a clerk at \$4 a day.

Mr. W. C. Johnston moved that when the house adjourns to adjourn to meet on Monday next, as signing as his reason for the motion, that opportunity might be afforded to replace the seats and repair the injuries done to the hall and furniture by the falling of the chandelier, his own seat together with the seats of several other members having been entirely demolished. The motion was agreed to.

And thereupon, on motion of Mr. W. C. Johnston, the house adjourned over to Monday next.

Monday, Dec. 21. The house was called to order by the speaker, and the journal of yesterday and the house several communications, viz:

1. From the secretary of the treasury, with a statement of the funds of the Chickasaw Indians, as required by the act of the 20th April, 1836, for carrying into effect the treaties with that tribe. This report gives a detailed account of the receipt and application of money received on trust for the Chickasaw for lands sold for their benefit. Referred to the committee on Indian affairs, and ordered to be printed.
2. From the secretary of the territory of Wisconsin, accompanied by a printed copy of the laws of that territory passed at the two last sessions of the legislature. Referred to the committee on the territories.
3. From the commissioner of public building in Washington, accompanied with copies of all contracts made by him from the 1st of December, 1839, to the 1st of December, 1840, with the names of applicants for said contracts, and the amount of their respective bids.
4. From the clerk of the house, as follows:

Hon. R. M. T. HYNTER, speaker, &c.

Sir, In pursuance of the following resolution of the house, dated December 18, 1840:

Resolved, That the clerk of this house be instructed to report by what authority the sum of

\$1,180 50 was paid to Charles J. Ingersoll, &c. for his expenses in taking testimony, &c. in the contested election with Charles Naylor, &c. pending the last session of Congress, and out of what fund, &c. he was paid, as reported in document No. 7, to this house.

I beg leave to report that, on the 20th July last, a paper was handed the accounting clerk of this office, containing a list of the witnesses in the contested election of Naylor and Ingersoll, together with the number of days each witness had been in attendance. On the face of this paper is an order signed "J. Johnson, chairman of accounts," that the witnesses above named be paid \$2 per diem.

Resolved, That the committee on accounts be instructed to the clerk his report of this account, to be paid the sum of \$1,180 50 for the purpose of paying the said witnesses. At the beginning of the session, Mr. Ingersoll returned the receipts of the individuals paid, and \$110 in money, stating that that amount had been over-paid. In casting up the receipts I find them to amount to \$1,116 50. And the amount returned by Mr. Ingersoll, \$110 50.

The amount paid to Mr. Ingersoll, \$1,120 00. All which is respectfully submitted.

HUGH A. GARLAND.

The motion of Mr. Davis, of Indiana, made several days since, to reconsider the vote by which the bill introduced on leave by Mr. Jones, of New York, to amend the laws upon the subject of naturalization, was referred to the committee on the judiciary, came up in order for consideration.

After a few remarks from Mr. D. he moved the previous question on the motion to reconsider, which was taken and decided in the negative by yeas and nays; yeas 90, nays 93.

Mr. Bolts, after a few words of explanation, offered the following resolution: Resolved, That the committee of accounts be instructed to report to this house by what authority, at what time, and on whose application they directed the clerk of this house to pay the sum of \$1,120 to Charles J. Ingersoll as compensation to witnesses he produced in the contested election between said Charles J. Ingersoll and Charles Naylor.

Resolved, That the committee of accounts be instructed to the clerk his report of this account, with instructions to report by what authority, at what time, and on whose application they directed the clerk of this house to pay the sum of \$1,120 to Charles J. Ingersoll as compensation to witnesses he produced in the contested election between Messrs. Ingersoll and Naylor, as reported in document No. 7; by what authority and on what vouchers he sent to Mr. Naylor the sum of \$1,120 to Charles J. Ingersoll, and which that gentleman says he returned; and the said vouchers gave the names and time of attendance of the said witnesses, in whose handwriting they were filed, and what has become of the same.

Mr. Briggs asked Mr. Bolts to accept the following as a modification of the resolution he had proposed:

Resolved, That the report of the clerk of this house on the contingent expenditure of the house, and all the papers in relation to money paid for witnesses and all the expense of taken testimony in the case of Messrs. Naylor and Ingersoll, be referred to the committee on public expenditures, with directions to inquire whether much money has been paid in said case, to whom, for what, and by what authority said money was paid; and whether by his witnesses in the said contest, and which that gentleman says he returned; and the said vouchers gave the names and time of attendance of the said witnesses, in whose handwriting they were filed, and what has become of the same.

Mr. Briggs then offered his proposition as an amended proposition of Mr. Bolts, and gave his reasons for so declining, and then moved his proposition, and as follows: Resolved, That the committee on accounts be instructed to report by what authority they authorized the clerk of this house to pay the sum of \$1,160 50 to C. J. Ingersoll and his witnesses in taking testimony, and for other expenses incurred in the contested election between C. J. Ingersoll and Charles Naylor.

Mr. Briggs then offered his proposition as an amended proposition of Mr. Bolts, and gave his reasons for so declining, and then moved his proposition, and as follows: Resolved, That the committee on accounts be instructed to report by what authority they authorized the clerk of this house to pay the sum of \$1,160 50 to C. J. Ingersoll and his witnesses in taking testimony, and for other expenses incurred in the contested election between C. J. Ingersoll and Charles Naylor.

After making his remarks, Mr. Cushing moved the previous question, which was sustained by the house. Mr. Briggs then withdrew his amendment.

The question on the amendment of Mr. McGill, moved by Mr. Briggs, and the negative, and the affirmative, resolution, as modified by him, passed in the affirmative.

Mr. McGill then moved his amendment as a separate question, to recommit to the clerk his report, with instructions to report as set forth in his amendment; which was agreed to.

Mr. Albert Smith, in pursuance of the notice heretofore given, obtained leave to introduce a bill to regulate the pay of surgeons in the navy of the U. States, which was twice read and referred to the committee on naval affairs.

A number of names were presented, amongst which were five, by Mr. Underwood, to wit: from Hemiola Hope and 50 others, ladies of Baltimore; from Emily G. Fulton and 67 others, ladies of Baltimore; from John Coates and 62 others, of Chillicothe, Ohio; from John Smith and 138 others, of New York; and from Capt. Geo. Gauthier and 159 others, passengers on board the steamboat Columbia, praying Congress to act upon the bills reported by the select committee at the last session to prevent steamboat disasters.

Mr. Underwood also presented a letter, addressed to him by Dr. J. P. Vantyne, stating the number of steamboat disasters which had occurred within the last six years, their nature, and the destination of life and property on board, from which document it appears (as Mr. U. informed the house) that the whole number of disasters which Dr. V. had been able to obtain information concerning was 185; that the number of lives lost was 1,735, the number of wounded was 373; of these were killed by explosions, collisions, and fire, on the Mississippi and its tributaries, 991, and wounded 260; on sea and tide-water, deaths from the same cause were 1,475, and wounded 1,075, and 138 others, of the same cause were 85, wounded 11.

Mr. Underwood stated that the information, as far as it went, was no doubt accurate; but it did not embrace, as the letter showed upon its face, the extent of the mischief. It was, however, an important document, and he hoped the house would print it. For himself, he felt under obligations to its author for the diligence and talent manifested in its preparation.

A select committee was raised, on the motion of Mr. U. to whom the five petitions, the letter of Dr. Vantyne, and the report and bills of the select committee at the last session on the subject of steamboat disasters, were referred, and the letter of Dr. Vantyne was ordered to be printed.

Mr. Monroe, under the notice heretofore given, obtained leave to introduce a bill to abolish imprisonment for debt in certain cases; which was read, and referred to the committee on the judiciary.

Mr. Davis, of Ky. under the notice heretofore given, obtained leave to introduce a bill to regulate the fees and costs and mode of proceeding of the United States, to regulate the fee bill, and to limit the emoluments of certain officers; which was read and referred to the committee on the judiciary.

Mr. Deft, under the notice heretofore given, obtained leave to introduce a bill to exempt the mail in the harbor of Mobile; which was referred to the committee on commerce.

Mr. E. Davis offered a resolution directing the postmaster general to inform the house whether Ralph Jackson is a contractor for carrying the mail in the state of Illinois; who are his sureties, or who is responsible to the department for any failure on his part to fulfill his contract.

On motion of Mr. Galbraith, it was Resolved, That the committee on revolutionary pensions inquire into the expediency of extending the act of July 7, 1825, granting full pay and pensions to certain widows, for another period of five years; and also into the expediency of extending the act of June 7, 1832, supplementary to the act for the relief of certain surviving officers and soldiers of the revolution, so as to grant pensions to those who served at any time previous to the treaty of Greenville, in August, 1793.

On motion of Mr. Fillmore, it was

Resolved, That the president of the United States be requested to inform the house of his opinion, incommunicable with the public interests, of the correspondence between this government and that of Great Britain, or the officers or agents of either, or the officers and agents of this government, with the president or any of its departments, which has not heretofore been communicated to this house, on the subject of the outrage of the sinking of the *Carroll* on the Niagara frontier, and whether there is any proposal for compensation being made on the part of said boat for the loss thereof; and, also, whether any communications have been made to the government, or to the president or any of its departments, with the president or any of its departments of the state of New York for being concerned in said outrage; and if so, that he communicate a copy thereof to this house.

Mr. Fillmore also introduced a joint resolution proposing an amendment to the constitution of the United States, to change the time for the commencement of the session of Congress, and to require Congress to convene on the 4th of March to the 1st of December; which was committed to the committee of the whole on the state of the union, and directed to be printed.

Adjourned until to-morrow at 12 o'clock.

term will expire on the first Monday in January, 1842, receives		Rockingham county.		Sullivan county.	
William H. Sewall, governor of N. York, until January 1, 1843, has a salary of	4,000 00	1830.	1840.	1830.	1840.
David R. Porter, of Pennsylvania, term expires on the 3d Tuesday in January, 1842, salary	4,000 00	Atkinson 535	567 Newington 849	Acworth 1,401	1,460 Newport 1,913
Charles J. McDonald, of Georgia, term expires in November, 1841, salary	4,000 00	Brentwood 891	888 N. Market 2,013	1,778 Plainfield 1,841	1,722 Plainfield 1,841
Marcus Morton, of Massachusetts, term expires first Wednesday in January, 1841, salary	3,666 67	Canlis 1,362	1,430 Newtown 510	1,687 Unity 1,285	1,057 Washington 1,135
B. K. Hennegan, lieutenant and acting governor of South Carolina, term of service expires in December, 1840, salary	3,500 00	Chrater 2,089	2,170 N. Hampton 767	1,079 Windsor 619	772 Wendell 637
Arthur P. Babby, of Alabama, term of service expires on the 1st Monday in December, 1841, salary	3,500 00	Deerfield 2,084	1,953 Nottingham 1,157	1,079 Windsor 619	1,087 20,318
Thomas W. Gilmer, of Virginia, term of service expires 31st March, 1842, salary	3,333 33	Derry 2,178	2,053 Plasterow 491	Langdon 667	615
Alexander G. McNutt, of Mississippi, term of service expires January, 1842, salary	3,000 00	East Kings 442	551 Poplin 529	Lempster 999	911
Robert P. Letcher, of Kentucky, term expires in September, 1841, salary	3,500 00	Egypt 1,263	1,231 Portsmouth 8,082	Recapitulation.	
Robert R. East, governor of Florida territory, term ends in December, 1842, salary	2,500 00	Georgetown 2,038	2,850 Raymond 1,000	1830.	1840.
Henry Dodge, of Wisconsin, term ends July 3, 1842, salary	2,500 00	Westport 1,115	1,115 798	Rockingham 4,552	4,570
Robert Lucas, of Iowa, term expires in July, 1844, salary	2,500 00	Greenland 681	726 Salem 1,310	1,405	1,410
William Pennington, of New Jersey, term expires October, 1840, salary	2,000 00	Hampstead 913	890 Sandown 533	Stratford 56,916	61,119
John M. Morehead, of North Carolina, term expires in January 1, 1845, salary	2,000 00	Hampton 1,103	1,220 Seabrook 1,096	Merrimack 34,619	35,780
James S. Conway, of Arkansas, term expires in November, 1840, salary	2,000 00	Hamp Falls 882	656 S. Hampton 467	Hillsborough 37,762	43,178
James K. Polk, of Tennessee, term expires in October, 1841, salary	2,000 00	Keeneston 712	617 Strabahn 824	Cheshire 27,016	26,439
William Woodbridge, of Michigan, term expires January 1, 1842, salary	2,000 00	Kingston 929	1,032 Windham 1,776	Sullivan 10,837	30,318
T. Reynolds, of Missouri, term ends November, 1844, salary	2,000 00	Londonry 1,460	1,056 926	Grafton 8,339	8,549
John Fairfield, of Maine, term ends on the first Wednesday in January, 1841, salary	1,500 00	New Castle 550	712 41,552	Coos 8,339	8,549
Wilton Shannon, of Ohio, term expires on the 1st Monday in December, 1840, salary	1,500 00			Total	269,633 284,451
Samuel Bigger, of Indiana, term ends in December, 1843, salary	1,500 00	Albany 325	106 Meredith 2,682	269,633	284,451
Thomas Carlin, of Illinois, term expires on the 1st Monday in December, 1842, salary	1,500 00	Alton 1,993	2,003 Middleton 562		
(\$500 of this is for rent and travelling expenses.)		Barnstead 2,047	1,945 Milton 1,273		
Cornelius P. Comegys, of Delaware, term expires on the 3d Tuesday in 1841, salary	1,333 33	Barrington 1,895	1,415 Moultonboro 1,422		
John Page, of New Hampshire, term expires on the 1st Wednesday in June, 1841, governor	1,200 00	Brookfield 671	653 N. Durham 1,162		
The governor of Connecticut receives	1,100 00	Canterbury 275	288 N. Hampton 1,512		
The governor of Vermont has a salary of	750 00	Chatham 419	523 Ossipee 1,935		
Samuel W. King, of Rhode Island, his term of service will expire on the first Wednesday in May, 1841, salary	400 00	Cheney 1,601	1,811 Rochester 2,135		
By the above statement it will be seen that the governor of Louisiana receives the highest salary, \$7,500, and that the governor of Rhode Island receives the lowest, \$400.		Chrater 2,089	2,038 Wakefield 1,470		
NEW HAMPSHIRE.		Deering 1,227	1,121 New Boston 1,680		
Census of the state for the years 1830 and 1840.		Franken 1,510	1,308 N. Ipswich 1,673		
1830.	1840.	Goffstown 2,213	2,366 Pelham 1,075		
Allenstown 483	455	Greenfield 916	824 Peterboro' 1,984		
Andover 1,324	1,169	Hancock 3,116	3,245 Sharon 271		
Rowen 2,093	1,935	Hillsboro 1,792	1,808 Society Land 154		
Bow 1,063	1,001	Hollis 1,501	1,333 Temple 641		
Bradford 1,263	1,231	Hudson 1,282	1,141 Ware 2,430		
Canterbury 1,685	1,643	Litchfield 505	481 Windsor 834		
Chichester 1,084	1,028	Lyndeboro 1,147	1,033 Wilton 926		
Concord 3,727	4,905	Manchester 887	3,233 37,762		
Dunbarton 1,067	936	Mason 1,453	1,270 42,478		
Epsum 1,418	1,205				
Franklin 1,370	1,281	Alexandria 1,083	1,254 Landaff 851		
Henriker 1,735	1,715	Bath 1,626	1,591 Lebanon 1,968		
Hocksett 880	1,173	Bethlehem 663	779 Lincoln 50		
		Bridge-water 783	747 Lisbon 1,485		
		Brookline 671	799 Littleton 1,435		
		Campton 1,318	1,515 Lyman 1,521		
		Canaan 1,429	1,576 Lyme 1,804		
		Concord 441	413 Nash & Sawyer's Loc. 17		
		Dane's Gore 54	Orange 405		
		Danbury 785	806 Orford 1,839		
		Dorchester 702	706 Permont 1,642		
		Edinboro 1,492	1,511 Rumney 993		
		Franklin 1,207	1,201 Thornton 1,649		
		Fredericton 1,429	1,429 Waterville 702		
		Grover 2,361	2,173 Westbury 86		
		Haverhill 2,133	2,675 Wentworth 624		
		Hendon 538	500 Westwood 291		
		Hill 1,009	999 38,891		
		Holderness 1,429	1,259 42,215		

* Separated from Edgingham after the census of 1830 was taken.

Towns.	1840.	1830.	Gain.	Loss.
Grassy	2,909	2,733		
Hartland	1,460	1,221		
Manchester	1,695	1,576	119	161
Marbleborough	713	704	9	
Southington	1,857	1,841		
Southfield	2,690	2,690		
Simsbury	1,896	2,221		325
Windsor	2,283			
Woodfield	863	3,220	48	
Wethersfield	3,821	3,353		29
Total	55,623	51,141	Nett gain, 4,482.	

New Haven county.				
N. Haven city*	12,960			
Fair Haven	787	10,673	3,712	
Westville	1,223			
Bradford	1,016	2,332	7	
North Bradford	1,016			
Cheshire	1,529	1,750		251
Derby	2,552	2,253		599
East Haven	1,383	1,229		153
Groton	2,412	2,344		68
Hamden	1,797	1,666		131
Milford	2,455	2,256		199
Meriden	1,850	1,708		172
Madison	1,815	1,809		
Midbury	761	816		55
North Haven	1,349	1,232		67
Orange	1,329	1,341		12
Oxford	1,625	1,763		138
Putnam	651	648		3
Soubury	1,512	1,557		15
Wallington	2,255	2,413		163
Woodbridge	923	2,052	77	
Bethany	1,771			
Waterbury	3,171	3,070		593
Volcott	633	843		210
Total	49,690	48,848	Nett gain, 8,842.	

New London county.				
New London	4,200	4,356		1,172
Norwich city	4,200			
Town except city	3,639	8,179	2,960	
Borah	1,063	1,079		16
Colchester	2,101	2,073		28
Franklin	1,900	1,194		194
Groton	2,063			
Ledyard	1,871	4,805	29	
Groswold	2,166	2,212		46
Lyons	2,854	4,092	201	
East Lyme	1,651			
Lisbon	1,652	1,166		114
Lebanon	2,194	2,555		361
Montville	1,990	1,972		18
North Stonington	2,470	2,349		570
Putnam	1,422	1,935		208
Stonington	3,298	3,401		497
Salem	815	939		144
Waterford	2,331	2,477		146
Total	44,501	47,293	Nett gain, 2,796.	

Fairfield county.				
Bridgeport city	3,294			
Town except city	1,716	2,900	1,770	
Fairfield	3,853	4,226	1,231	
Westport	1,904			
Brookfield	1,235	1,255		0
Darien	1,090	1,212		132
Danbury	4,303	4,311		192
Greenwich	3,921	3,801		120
Huntington	1,229	1,371		43
Monroe	1,453	1,522		167
Norwalk	3,859	3,702		157
Newton	3,199	3,096		103
New Fairfield	956	929		17
New Canaan	2,215	1,930		338
Reading	1,675	1,686		11
Ridgefield	2,467	2,303		162
Stamford	3,516	3,737		191
Sherman	938	947		9
Stratford	1,808	1,814		6
Trumbull	1,305	2,242		37
Weston	2,569	2,997		437
Wilton	2,056	2,097		41
Total	49,926	46,950	Nett gain, 2,976.	

Essex county.				
Litchfield	4,028	4,456		418
Barkhamstead	1,573	1,713		140
Bethel	778	906		130
Cornwall	1,703	1,714		11
Canaan	2,165	2,201		135
Colebrook	1,214	1,312		37
Uxbridge	1,519	1,734		205
Harwinton	1,201	1,516		315
Kent	1,759	2,001		242
Norfolk	1,393	1,453		92

*New Haven city, Fair Haven, and Westville are all comprised in the town of New Haven.

Towns.	1840.	1830.	Gain.	Loss.
New Hartford	1,700	1,760		60
New Milford	3,974	3,979		5
Plymouth	2,205	2,064		141
Roxbury	971	1,122		161
Salisbury	2,531	2,580		29
Hadam	2,497	2,615		208
Torrington	1,707	1,651		56
Winchester	1,666	1,766		100
Woodbury	1,947	2,045		98
Warren	873	980		113
Washington	1,622	1,621		1
Watertown	1,442	1,500		58
Total	40,445	42,855	Nett loss, 2,410.	

Middlesex county.				
Middletown city	3,411			
Town except city	3,609	6,892	318	
Chatham	3,413	3,646		233
Durham	1,095	1,116		21
East Haddam	2,620	2,664		44
Plainfield	2,688	3,025		337
Killingworth	1,130			
Clinton	1,330			
Saybrook	3,417			
Chester	974	5,018	555	
Westbrook	1,872			
Total	24,878	24,845	Nett gain 33.	

Windham county.				
Brooklyn	1,476	1,451		27
Ashford	2,601	2,601		
Canterbury	1,785	1,880		91
Chaplin	794	807		13
Hampton	1,166	1,101		65
Killingly	3,695	3,257		438
Plainfield	2,354	2,209		95
Pomfret	1,868	1,973		110
Sterling	1,099	1,240		141
Thompson	3,525	3,386		155
Voluntown	1,186	1,304		118
Yerxa	3,392	2,812		570
Woodstock	3,051	2,917		137
Total	28,071	27,077	Nett gain, 994.	

Tolland county.				
Bolton	743	747		1
Columbia	842	962		120
Coventry	2,017	2,119		102
Ellington	1,356	1,455		99
Hebron	2,729	2,537		205
Madison	1,702	2,601		885
Stafford	1,438	1,517		46
Somers	1,621	1,429		192
Tolland	1,566	1,698		132
Union	667	711		44
Vernon	1,423	1,164		271
Willington	1,328	1,305		37
Total	17,992	18,770	Nett loss, 708.	

Recapitulation.				
Cowley.	1840.	1830.	Gain.	Loss.
Hartford	53,628	51,141	4,487	
New Haven	48,690	48,848	4,842	
New London	44,501	42,295	2,206	
Fairfield	49,926	46,950	2,976	
Litchfield	40,445	42,855		2,410
Middlesex	24,878	24,845	33	
Windham	28,071	27,077	994	
Tolland	17,992	18,700		708
Total	310,121	297,711	15,533	3,118
Nett gain in the state in ten years, 12,420.				
[New Haven Register.]				

PENNSYLVANIA.
The amount of interest falling due on the state debt of Pennsylvania, on the 1st of February next is stated by a correspondent to be \$390,000.
Dickinson college, for a catalogue of which, for 1840, we are indebted to col. Suffer, shows the number of students in the institution, including all departments, to be one hundred and sixty nine.
The board of instruction, which is now fall, comprises the following: rev. John P. Durbin, D. D. president; Merritt Caldwell, A. M. professor of natural philosophy and political economy; William H. Allen, A. M. of the natural sciences; rev. John McClintock, A. M. of languages; Thomas E. Sudler, A. M. of mathematics; hon. John Reed, L. L. D. of the law department; rev. Levi Scott, A. M. of the grammar school; Thomas Bowman, A. M. do.

Bank of Virginia. A committee of the house of delegates has been appointed to examine into the affairs of the Bank of Virginia, in connection with the late immense defalcations. Since which the house has passed another resolution, by a vote of 108 to 4, as follows:

Resolved, That the committee on banks inquire what, if any, were the reasons connected with the removal of Anthony Robinson, jr. from the office of

cashier of the Bank of Virginia, which did not equally apply to John Brockebrough, president of that institution; and if any, what they were.

GEORGIA.

The tariff and a national bank. The senate of this state, by a vote of 43 to 34, have passed a serious act of resolutions denying the right of congress, under the constitution, to charter a bank, or to impose a tariff for the protection of domestic manufactures. Several whigs voted in favor of the resolutions.

The constitutionality of a tariff for the purpose of revenue for the support of government, is admitted on all hands; and by the operation of such a tariff, domestic manufactures will, of course, be protected to some extent. It is against a tariff laid for the sake of protection, that the supporters of the above mentioned resolutions object.

ALABAMA.

The vote of electors. By an extraordinary oversight the vote of Alabama is likely to prove a nullity. Speaking of the voting by the electors, the Tuscaloosa Monitor says:

"The college of electors having been called to order by its chairman, col. Reynolds, of Franklin, the roll was then called by its secretary, Geo. I. Jones, esq. of this city, when each elector responded, *Marlin Van Buren*, of N. York, for president of the United States; *Richard M. Johnson*, for vice president."

It is that by the way in which the proceedings were conducted, it is altogether null and void, the constitution expressly providing that the vote shall be by ballot;—that the balloting for president shall be distinct from that of vice president;—and that these facts shall appear on the face of the certificate of election.

ARKANSAS.

Votes for electors—Official.				
V. B. Har.	V. B. Har.	V. B. Har.	V. B. Har.	V. B. Har.
Arkansas,	120	Monroe,*		
Benton,	245	72	Madison,	233
Conway,	201	177	Mississippi,	73
Cibola,	43	191	Marion,	38
Franklin,			Pulaski,	499
Carroll,	223	65	Pope,	263
Crittenden,	61	95	Polk,	247
Clarke,	87	119	Pike,	87
Desha,	78	173	Randolph,	130
Franklin,			Sevier,*	252
Green,*			Sevier,*	197
Hempstead,	251	210	Sevier,*	197
Hot Spring,	109	65	Saline,	125
Independence,	195	87	Scott,	112
Jefferson,	174	79	Franklin,	246
Jefferson,	109	173	Union,	173
Johnson,	143	107	Van Buren,	151
Johnson,	324	160	Washington,	620
Lafayette,	25	43	White,	46
Lawrence,	214	135		6,948

The proclamation of the governor of the state of Arkansas announces the following as the result of the election held in that state on the 1st Monday of November, for electors of president and vice president of the United States:

Van Buren. Harrison.
John Miller, 6,048 John W. Cocke, 4,362
John McCellan, 6,047 John Ringgold, 4,363
S. M. Rutherford, 6,049 Lewis Evans, 4,361
The Little Rock Gazette states, that returns have been received from four counties since the governor's proclamation issued, as above, and that from one county returns are not yet received. Correcting an error in their arithmetic, the statement of the Gazette would show:

V. B. mj.				
According to official returns as above,	1,687			
Crawford,	23	Har. mj.		
Marion,	112	21		
Monroe,	44	124	80	
Green,	103	18		
Franklin,	not included in the proclamation	60		
Searcy, returns not yet received; estimated 50				
Total				1,997
Total Van Buren majority				1,907

KENTUCKY.

United States senator. The Louisville Gazette of the 19th inst. states that the hon. J. J. Crittenden has been re-elected a senator in congress, for six years from the 4th of March next, when his present term expires.

OHIO.

The inauguration of Thomas Corwin, as governor of the state of Ohio, took place at Columbus, on Wednesday the 16th inst. The State Journal of the

*No returns.
†Reported for inform—60 votes for Van Buren.

same day, contains his inaugural address, of which, that paper remarks that it is "just such as might be expected from the known abilities of the author." The address is characterized as a profound, judicious and statesmanlike document, containing much to engage the attention of men of reflection, statesmen and political economists.

A considerable portion of the address of Gov. Corwin is devoted to the important and fruitful subject of banking, in its various aspects. The objections which are urged against the system, as now existing, are stated,—their degree of reasonableness analyzed, and so far as founded in truth, the means of remedy discussed or suggested. With regard to the general question, as to the utility or even necessity of banks, in a country such as ours, which would make the most of its means, and with the least practicable delay, the following paragraph is to be observed:

"If the community were deprived of that credit which is now furnished by banks, any one conversant with the enterprising spirit of our people will at once see that individuals and voluntary associations would furnish that credit in other forms. It then becomes a question, which of these two is as likely to be laboring and producing classes? If this be the true question, and our experience is not utterly deceptive, its solution at once results in favor of incorporated companies, guarded by every provision which the wisdom of the legislature may suggest."

As a means of improvement in the state banking system, and of giving greater firmness and ability to the banks, to withstand the shocks consequent upon revolutions in the business of the country, Gov. Corwin suggests the establishment of a state bank, with a convenient number of branches at proper points in the state—with such capital as the business of the country would seem to require. The state to own one fifth of the whole stock, and each branch to own the balance of its own stock. The whole capital to be pledged for the liabilities of each branch, and the amount of circulation, at any and all the branches, to bear a proportion to the capital employed—the proportion to be fixed by the legislature.

Another plan of reform suggested is, to "recharter so many of the present banks of the state, as shall be thought necessary, and such of them only, as on thorough examination shall be found to be in a sound and healthy condition."

Either of these plans might, it is suggested in the message, be made to work beneficially for the general interests.

LOUISIANA.

Votes for electors—Official.

Parishes.	Harrison.	Van Buren.
St. Bernard,	172	91
Orleans,	2,681	1,718
Jefferson,	252	86
St. Charles,	69	33
St. John the Baptist,	133	45
St. James,	379	27
Ascension,	218	218
Assumption,	289	310
Lafayette Interior,	538	44
Terrebonne,	313	30
Iberville,	204	182
West Baton Rouge,	193	84
East Baton Rouge,	324	209
East Feliciana,	360	430
West Feliciana,	258	267
St. Helena,	176	108
Livingston,	127	206
Washington,	150	134
St. Tammany,	204	80
Pointe Coupee,	147	189
St. Martin,	463	108
St. Mary,	308	87
Lafayette,—No returns received.		
St. Landry,	536	434
Calecasin,	250	203
Avoyelles,	475	352
Rapides,	668	631
Natchitoches,		
Caddo,		
Calcasieu,—No returns received.		
Ouachita,	213	130
Union,	74	76
Caldwell,—No returns received.		
Catahoula,	239	231
Concordia,	269	113
Madison,	147	114
Carroll,	96	114
Total,	11,297	7,617

Harrison majority, 3,680

The following is the vote given to each elector respectively:

Harrison.

Wm. Debuys,	11,296	J. B. Plaucie,	7,566
J. Bernard,	11,296	P. F. Bosquier,	7,617
L. Barrea,	11,296	T. W. Scott,	7,590
Jaques Dupre,	11,296	S. Hurst,	7,592
Seit Lewis,	11,297	T. Landry,	7,616

ILLINOIS.

United States senator, Samuel McKim (Van Buren) was on the 16th instant, elected, by the legislature of Illinois, to be a senator of the United States from that state for six years from the 3d day of March next, when the term of Mr. Senator Robinson will expire. The state of the vote was as follows: For Mr. McKim 77; for Cyrus Edwards (whig) 50 votes.

MICHIGAN.

Returns of votes for electors—Official.

Harris.	Van Buren.	Official.
Macomb,	982	1,124
MacKinnon,	85	79
Branch,	543	616
Wayne,	2,446	2,237
Calhoun,	337	329
Ingham,	251	261
Berrien,	549	553
Genesee,	512	380
Monroe,	939	1,023
Washtenaw,	2,236	2,237
Kalamazoo,	954	744
Calhoun,	1,143	1,169
St. Clair,	517	446
Lapeer,	491	413
Oakland,	2,372	1,840
Saginaw,	89	100
Barry,	124	105
Van Buren,	182	251
Jackson,	1,504	1,121
Oakland,	848	721
Lawrence,	2,118	1,865
Cass,	670	527
St. Joseph,	800	761
Allegan,	457	174
Livingston,	700	519
Benjamin,	266	219
Clinton,	221	141
Kent,	319	320
Ottawa,	61	38
Shiawassee,	283	154
Chippewa, (reported),		18
	22,941	21,106
	21,106	294

Harrison's maj. 1,805

MR. WRIGHT'S SPEECH ON THE FINANCES.

In his address, Dec. 17, 1840, Mr. Wright said the honorable senator from Massachusetts (Mr. Webster) had felt it to be his duty to open this discussion upon the message of the president, pending a simple motion to refer the portions of it which he had alluded to the appropriate committee of the senate, under the apprehension expressed by him that the publication and distribution of the statements and views of the president might produce erroneous impressions upon the minds of the people of the country. A similar apprehension entertained by Mr. Wright as to the remarks of the senator moved him to make this reply to that gentleman. A belief that his remarks were calculated to give erroneous impressions as to the manner in which the financial condition of the country at the present time, made it his duty to set aside some of the positions and arguments of the honorable senator, and to correct, as far as he might be able, the errors of fact and conclusion which seemed to him to be in his discourse. This he intended to do as briefly as possible; and in the discussion he should endeavor to imitate the courtesy which had so clearly distinguished the language and manner of the honorable senator.

The senator first referred to page eight of the message, where the president speaks of a national debt and a national bank. The senator did not, at that time, consider it within his object to make any remarks in reference to the president's observations as to a bank; but it was to the views expressed in the message on the subject of a national debt, to which his attention was directed, and to which his attention was directed with that point and force which always characterizes the senator's mind, and he might, perhaps say, on this occasion, the language which sometimes characterizes his arguments. He had asked if the president supposed, or if any body supposed, that there was a party in this country friendly to a national debt, *per se*. He (Mr. Wright) did not believe that position met the president's remarks at all, for he did not understand the president as ordering his views and urging his reasons against the contraction and perpetuation of a national debt on the ground that it was a debt to be contracted for

the single and sole love of the debt for itself. He understood the president as taking other and higher ground, and as endeavoring to impress upon his countrymen, on the occasion which called forth that message, the evils of debt under any circumstances whatever—under whatever circumstances and for whatever consideration contracted—and attempting to convince them that it was a debt to be contracted at all times and upon all occasions, and for all considerations, when the safety and honor of the nation will permit. Such he understood to be the drift and purport of the message upon this very important topic. Yet he (the N.Y.) was prepared to go further than the president had gone, and say what he had said. He would say, not that there is a political party in this country in favor of a national debt, *per se*, but that there are interests in this country so placed, that they are ever active, and he believed they constituted an influence against which it was one of the prominent objects of the president to warn congress and the country. What are those interests which naturally favor a national debt, *per se*, and which are ever active in endeavoring to get a national debt derived from its existence? Retired capitalists, men who have withdrawn from business with a capital which they wish to preserve for themselves and their families, constitute one such interest. Such persons naturally desire a permanent investment for their money; and it is most rational that they should vastly prefer their country as their debtors, if it be of good standing and credit, to any other. Look at England. What supports and perpetuates this country, in relation to its external debt, but British national debt? It rests upon the debt, and could not be sustained without it—and the indebtedness of the country is its strength and power. Mr. W. said he spoke not of this interest, as now existing in this country, in relation to its external debt, as an influence itself; it must grow up in every prosperous community; will ever exist in some form, and can only be curbed and controlled by a people and government free from debt.

But was there not another interest, and an important one in every commercial community, which was benefited by, and therefore was in favor of, the existence of a national debt for itself? He spoke of that great interest connected with foreign commerce, the assignment of a medium of exchange, the maintenance between its own and foreign countries. Why, he had seen frequently the utility of a national debt pressed upon the country for this cause; and quite recently articles had appeared in the public newspapers, and in the newspapers of other countries—stating that since the extinguishment of our debt, fluctuations in our paper system had been more frequent and more deleterious, and contending that the existence of a national debt, and its influence on commercial transactions were necessary to give that system stability. But a year ago, a proposition was deliberately put forth of that character, recommending that this country should create a debt, not singly to furnish these commercial accommodations, but urging that these would be necessary incidental benefits, while other great objects, valuable in the mind of the writer, were supposed to warrant the contraction of the proposed debt of hundreds of millions. These were not all.

Such securities, he thought, which created that class of enterprising, acute persons, who seek a living, and their fortunes, by dealing in stocks—the class of brokers. They, as a class of men, must be attached to a national debt, *per se*, for nothing could be so profitable to them as the obtaining of an abundance of national stocks and securities, and that abundance of customers, seeking investments and a market, which a full supply of superior stocks would never fail to present to that department of trade. Such securities, he thought, must have a tendency to keep the prices of stocks more stable, and thus render the profits of the broker more certain, and his calling more safe, if not more lucrative.

A further interest, having the same natural tendency, was the money incorporation of the country, authorized to deal in stocks and exchange, or practically so dealing, with or without authority. These institutions, more naturally than the brokers, must favor the existence of a national debt, *per se*, inasmuch as the profits of their business would be equally involved, while their own stability would be much more essentially promoted. He did not enumerate this interest with any political reference. It was an existing interest in our country and in every country where the world of trade and commerce existed. It was an existing interest, to trade and commerce, it was a healthy interest to trade and commerce,

while, without restraint, it was a fearful interest. It was always active, and at times powerful beyond the wildest calumny of the confidant people. Yet it was an interest which a people free from debt need not fear, but from which any people loaded with debt, public or private, had every thing to apprehend. It was a corporate interest, representing no one to which business men, and the people, and the destitute, of his nature, of all human sympathies. There was still another interest which should be, in his judgment, in favor of a national debt, *per se*. He referred to the men and interests in the country which favored the establishment and preservation of a national bank as an institution to regulate our currency and credit. He did not speak of this interest as that of a political party in the country, or as connected with any existing political party. His object was to follow the course of argument of the honorable senator from Massachusetts, and take a general view of the topics under discussion; and he believed in his heart that every man who desired the establishment and perpetuation of a national bank of the United States should desire, as the only safe and secure foundation for such an institution, a permanent national debt. In his opinion, that was the only safe corner stone, the only secure foundation, for a national bank in this country. It was not his place to say, on the present occasion, whether the patriotism, or purity of purpose, of any friend of a national bank. He would not, if he could avoid it, make this discussion political, much less partisan.

He had looked at our own history, and found that a national debt had been the basis of our power, and, though, the controlling cause, of our two former national banks; and he believed further, that the existence and continuance of the debt had given to both the most of the permanency and stability which the public mind ascribed to the currency and the institutions controlling our currency and credit.

He had also referred himself to the pecuniary institutions of England, and became equally satisfied that the national bank there could not sustain itself for an hour, without its connection with the paper system of that commercial country, if disconnected from the British national debt. The capital of the bank consists of the debt, and the country is a debtor for the credit it commands. How, then, is the country to get the money to pay the principal of the debt, and how can the debtor, though the proudest government in the world, control the creditor, while these embarrassing relations exist? It cannot be done, unless the Bank of England make us, as enduring as the British empire.

So here. So every where. When a government is in debt, and requires a permanent credit beyond its means of payment, it may require a government bank to manage and regulate its fiscal affairs; to extend credit, when the necessities require, and to regulate private business as to make that extension safe and profitable to itself.

He must then repeat, that, in his judgment, every man and every interest, in this country, favorable to a national bank, should be also favorable to a national debt, as the only safe foundation upon which such a superstructure can be erected with any reasonable promise of permanency.

He must conclude, therefore, that there were in this country interests—strong, powerful and active interest—in favor of a national debt, *per se*; that these interests have favored, do now favor, and will continue to favor the contraction and perpetuation of a national debt, for the advantages which they may derive from it, and that the country, by its warning his countrymen against their influence in this direction. Other interests might be added to the enumeration, but these were sufficient to elucidate the argument, and show the danger to be constantly apprehended.

The honorable senator, if he (Mr. Wright) had understood him correctly, admitted that the views of the president, as expressed in his message, upon the subject of a national debt, were correct and sound; that several of the questions he gave rise to, by his to his countrymen, because, as he contended, they were contrary to the practice of the administration and of the president at his head.

To prove this position, he asserts that the present is the first administration, under our institutions, which has begun a national debt in time of peace. The assertion is true; and yet it is a fair presentation of the point intended to be discussed? It is calculated to do injury to the president or to his administration? Why did not the senator say that the administration of general Jackson was the first, under our institutions, which ever paid a national debt? It would have been as true; and yet the assertion, presented in this way, would have been calculated to do injustice to every man who ever believed in the debt of general Jackson. The fact is, that no administration prior to that of Mr. Van Buren had ever existed under our constitution which could begin a

national debt, because every preceding administration had found a national debt in existence. Such a debt was asserted during the war of the revolution, before our present government was formed; and was first finally extinguished during the administration of general Jackson, and yet he believed he was safe in saying that every administration had been under a national debt, and thus added to the existing debt, and had made payments towards its extinguishment. While, therefore, it was true that no administration prior to that of Mr. Van Buren had begun a debt, either in a time of peace or war, and that an administration prior to the administration of Van Buren had paid off and extinguished our national debt, it was also true that all administrations, as well in peace as war, had borrowed money, contracted debts and paid debts. The simple assertion of the senator, then, that the administration of Mr. Van Buren was the first administration which had begun a debt in time of peace did not in his judgment, and he pronounced the opinion with deference, present fairly to the country the president or his administration.

I must feel it proper here to remark that, if the subsequent positions of the senator were sound, no debt had been begun under Mr. Van Buren's administration, because a national debt had not ceased to exist. That which had been treated as our national debt, and that on which our fiscal accounts were extinguished during the administration of general Jackson; but if the items of Indian and other claims referred to by the senator are to be set down as items of a national debt, then, alas, our national debt never been begun, but the administration of Mr. Van Buren cannot have "begun" such a debt.

The true and fair question is, however, why and under what circumstances has any portion of debt been contracted under this administration? (Mr. W. said) I spent much time in answering this inquiry, as most of the senators present were members of the body in 1837, and would retain personal recollections of the whole matter. All would recognize that congress and contracted extraordinary debt for the single purpose of supplying the treasury and enabling it to preserve the public faith and honor; that this call was not made at a time of scarcity or want in the public funds, but when our revenue was abundant; that the bank of the country was in sympathy with the banks, and millions due from them; that their inability to pay the drafts of the treasurer, in conformity with the laws of congress, created the want and compelled the call of congress; and that the bank of the country, the banks of the country, by the admission of all, to borrow money upon the credit of the people to keep the national treasury in operation.

This new debt was not, then, contracted, or, in the language of the senator, begun, because of extravagance of the administration, had expended our substance. No; but because our trustees, because those with whom the money of the people had been placed for safe keeping, could not pay upon demand according to our laws—because our millions upon millions were without our control, in the keeping of banking institutions, and the credit of the people was resorted to, to sustain the faith and honor of the country. What was the extent of the power then conferred upon this administration to contract a debt? If his recollection served him, it was \$10,000,000. And what were our dues from the banks alone? If he was not mistaken, some thirteen or fourteen millions of dollars; and beyond that, one of the prominent and worthy objects of the loan was to enable the government to pay the debts of the merchants of the country, who were equally distressed with the public treasury from the revolutions of the time. Under such circumstances it was that the present administration "began a debt in time of peace."

The next position of the honorable senator is, that the administration of Mr. Van Buren has expended much more money annually than the accruing revenue. That he (Mr. Wright) believed to be true; but he did not propose to follow the senator in the data given to prove the position; he would say, what he was sure would not be controverted, that the administration had expended, year by year, just so much and no more money than congress had appropriated and ordered to be expended; that every year the appropriations of congress had exceeded by millions the estimate of expenditure presented to it by the executive departments; and that it was a matter for congress to provide the means to meet the expenditure itself directed, and not to be left to the discretion of the administration if the honorable senator had said, in passing, that, during every year of its existence, the mass of the public expenditures had been materially and rapidly reduced. The expenditures of 1839 were \$18,000,000 less than the expenditures of 1838, and the secretary's report—the two documents to which the senator had referred in this discussion—would be less than those of 1837.

Those of 1839 were some six millions less; those for 1840 had been from two to three millions less than those for 1839, and the expenditures for 1840 were materially less than those for any preceding year. This, then was both sides of the book; it was the present administration as it is, in reference to expenditures. During its term, those expenditures had been reduced, and the reduction was the result of the commencement of its four years to the present hour. This was a just and entire view of the matter.

The next position taken by the honorable senator was the most wrongful one in his argument, and without which Mr. W. might as well have remained silent to make this reply. The senator did not even assert his point; but, in a manner most courteous, expressed his opinion that the president had made a variety of mistakes and omissions in his statement of the present national debt, as given in his message; that the country is, in fact, more in debt than the president and secretary of the treasury have represented it to be, and that, without his correction of these mistakes, these exemes of debt might be charged over to the coming administration, and the present might retire under appearances more favorable than the facts would warrant.

To examine these opinions and apprehensions of the honorable senator, and to try them by the facts, should not be the province of the present administration, but he had principally induced him to appear before the senate upon the present occasion.

It was admitted that the president had referred to the balance of the outstanding treasury note truly. He had stated that the treasury had received \$1,000,000 more and a half millions of dollars, but the complaint was that he had represented that as the whole debt of the country at the present time, and as the amount which would be paid over to the whole debt at the time when he should hand over the administration of its affairs to his successor. Now, how had the senator sought to show that the president had been mistaken? By referring to what was called the trust funds; and, principally, and he believed, entirely, to those portions of the trust funds which pertain to the Indians. In reference to the Indian trust funds, he said not that the fact was so, but that, on examination, he was inclined to believe that portions of them had been expended for the ordinary uses of the treasury, and that, not being repaid upon the country; that the moneys stipulated by Indian treaties to be invested had not all been invested, but that some hundreds of thousands of dollars of those moneys had been expended for the ordinary uses of the treasury, and that, not being repaid, and were now a debt against the treasury. He (Mr. Wright) had taken as much pains to obtain information upon these points as the time which had elapsed since the senator's remarks were made could permit; and he was anxious to state the facts fully, plainly and truly, as far as he was able, and as the various Indian treaties varied in their provisions as to the trusts constituted under them, and conferred upon the United States, he would be compelled to speak of each of the various Indian trusts separately, each by itself, to make himself understood, and to enable others to understand the facts. He would refer then, in the first place, to the treaty with the Chickasaw Indians, as that treaty was peculiar, and the trust constituted and assumed was novel in our dealings with the Indian tribes. In this case, the United States had become the voluntary trustee of the Chickasaws, and had stipulated to sell their lands as the public domain of the United States, and to divide the proceeds of the sale of the treaty, of the survey and sale of the land, and such other expenses as might be incurred for account of the Indians, not including any commissions or other compensation to the trustee, and to account to them for all the moneys of the trust which were expended. In other words, the treaty binds the United States to sell the lands of these Indians to the best advantage, to account to them for the whole proceeds, and to manage such of their cash funds as shall remain in the hands of the government, without charge for trouble or responsibility.

Upon inquiry at the treasury department, he learned that a law of congress had placed the principal part of the money to be received under this treaty in charge of the secretary of the treasury, for the purpose of investment; that small portions belonged to Chickasaw orphans and to certain members of the tribe denominated "incompetent Chickasaws," remained in charge of the secretary of war; that, of the money in the hands of the secretary of the treasury, all has been invested, over and above the portion consumed in expenses in conformity with the treaty, which there has been time to invest since the receipts; that this money is mostly paid in at the Ponchartraine land office, the state of Mississippi, and it is required to get the money to the land office, and to bring the money into the treasury; that there may be now from \$20,000 to \$30,000 of these funds in the land offices, in transit, and in the treasury, but

view to their final and permanent adjustment by himself or his friends. He was taking leave of his responsible position, and Mr. W. rejoiced to believe he was doing what he believed it was alone proper for him to do, confining himself strictly to the discharge of those duties which his short remaining official term required at his hands. In reference to the adjustment of the tariff he had done as he should have done—he had left the whole matter to those who were to come after him, and who should be, as they claim to be, the more immediate and accessible representatives of the popular will, and he (Mr. W.) did not speak untruly when he said his most ardent wish was that they might be able to adjust that difficult question to the satisfaction of the country, and satisfactorily to every individual involved.

A single word more, and he would close. The honorable senator concluded with a remark which manifested a disposition to say that the friends of this administration were, or were to be made, responsible for the necessity of an extra session of congress, if a convocation of the new congress should be ordered by the new president. Now he, (Mr. W.) was one of those who should do every thing in his power to oblige the country, and to be able to accomplish that object, with the greatest certainty, he should use his utmost endeavors to keep the appropriations of this session within the anticipated surplus of the year 1841. He believed the estimates prepared for the coming year would be intended to adhere to them strictly. Having done so, he should cheerfully leave it to those who have been placed in power by a triumphant expression of the popular voice, to call a congress when they pleased, and to recommend such measures as they pleased.

TWENTY-SIXTH CONGRESS—21 SESSION. SENATE.

December 22. A number of memorials and petitions were presented, and various papers relating to private claims on file, in the secretary's office were referred to appropriate committees.

Several bills were reported from committees, principally on private claims.

Mr. Preston, introduced, on leave, a bill in addition to an act to promote the progress of the useful arts, referred to the committee on patents.

Mr. Calhoun introduced, on leave, a bill to cede the public lands within the limits of the new states on certain conditions therein named.

Mr. Norvell brought in a bill to amend and continue in force the act chartering the city of Washington, and moved that it be referred to a select committee.

After some remarks from Messrs. Merrick, Preston and Southard, in opposition to the reference to a special committee and in favor of referring it to the committee on the District of Columbia, and Messrs. Norvell and Clay, of Alabama, in favor of a special committee, Mr. Norvell, at the request of Mr. King, and Mr. Clay, of Alabama, withdrew his motion, when the subject was referred to the committee on the District of Columbia.

On motion of Mr. Ruggles.
Resolved. That the committee on commerce be instructed to inquire into the expediency of interdicting by law the allowance of salvage to the officers and crews of revenue cutters and of public armed vessels employed by the government in enforcing laws to suppress vessels during inclement seasons and at other times.

On motion of Mr. Porter.
Resolved. That the president of the United States be requested to transmit to the senate any information in his possession relative to the survey directed by the act of June 13th, 1839, entitled, "An act to amend an act to designate the boundary line between the state of Michigan and the territory of Wisconsin."

The bills yesterday introduced, to be engrossed, were severally read a third time and passed.

The resolution introduced by Mr. Norvell relating to the removal of the chandler, was taken up, and, after a short debate, somewhat playful in its character, in which Messrs. Tappan, Norvell, Hubbard, and others participated, the resolution was ordered to lie on the table.

And the senate adjourned.

December 22. Mr. Benton presented the petition of John Ward and others, asking to be allowed to import free of duty into the United States steamboats for the purpose of navigating the red river. Referred.

Numerous papers relating to private claims were removed from the files of the senate and referred.

The following bills were introduced on leave, twice read and appropriately referred.

By Mr. Henderson, a joint resolution for the relief of the sufferers at Natchez by the late tornado.

By Mr. Anderson, a bill to provide for the allowance of invalid pensions to certain Cherokee warriors, under the treaty of 1826.

By Mr. Pierce, a bill to equalize the pay of the army and for other purposes.

By Mr. Merrick, a bill authorizing letters testamentary and of administration to aliens in the District of Columbia.

On motion of Mr. Walker, it was
Resolved. That the secretary of state be directed to communicate to the senate the returns of the census of 1840, so far as received into his office, giving only the average of the population in each state and territory, and the number of whites, of free persons of color, and all other persons, in three separate columns, and waiting how far the returns are incomplete in any state or territory.

The bill was then proceeded to take up the general orders on the calendar.

A bill for the relief of sundry citizens of Arkansas, who lost their improvements in consequence of the destruction of the United States and the Choctaw Indians, after being advocated and explained by Mr. Fulton, was ordered to be engrossed.

The bill supplementary to "an act to provide for the adjustment of titles to land in the town of Detroit and territory of Michigan, and for other purposes," passed April 21, 1836, was considered in committee of the whole, and, after being explained and advocated by Mr. Porter, was amended and ordered to be engrossed.

The bill to authorize the Mount Carmel and New Albany rail road company to enter on credit a loan of \$100,000 to aid in the construction of a rail road, was taken up, when, on motion of Mr. Benton, it was laid on the table.

The bill to regulate the pay and emoluments of pursers in the navy was taken up, and explained at some length by Mr. Williams.

Mr. Hubbard hoped the bill would be permitted to lie over for the present; its features involved many changes, which, in the present condition of the treasury, would require serious consideration. The bill was accordingly postponed to the 27th inst. Mr. Hubbard. It be understood the bill, it contemplated an entire change in a system which had hitherto worked well, and, besides, he was opposed to having the government go into the market for the purchase of lands to be sold to the sailors. The ground taken by the chairman of the committee, who advocated the bill, was, that the sailors were liable to injustice; but he thought, even if this were so, it might be prevented by limiting the profits of purchase to the most moderate rate.

Mr. Williams explained that the pursers, under the bill, would make the purchases as formerly, but that no profits would be allowed to be taken from the purchase of the poor sailor, save such only as might be permitted to the purser to protect him from losses incident to such measures. He had no objection that the bill should lie over, however, until senators were prepared to act on it. [The bill was accordingly postponed.]

The bill to make new provisions respecting navy pensions, and to repeal certain acts relating to navy pensions, was then taken up; when Mr. Calhoun thought it fully early to discuss a bill of as much importance as the one before them; and intimated a wish that it might also lie over for the present.

Mr. Wright was of opinion that its consideration should be postponed. It was a bill involving principles of great importance, and should certainly receive the fullest consideration of the senate.

On motion of Mr. Williams the further consideration of this bill, together with the bill providing for pay and emolument of pursers, was postponed until the 1st Monday in January next, and made the special order for that day.

The bill to prevent the counterfeiting of any foreign gold, silver or other coin, and to prevent the bringing into the United States or uttering any counterfeit foreign copper, gold, silver, or other coin; and the bill to amend an act entitled "an act to amend an act to provide for the punishment of certain crimes against the United States, and for other purposes," were ordered to be engrossed.

On motion, the senate adjourned.

December 24. The following memorials and petitions were presented and referred to appropriate committees:

By Mr. Preston, from J. S. Nevins, praying compensation for his services as clerk to the commander of the South Sea surveying and exploring expedition.

By Mr. C. C. Clenden, from citizens of Georgetown, asking the recharter of the Farmers' and Mechanics' bank.

Numerous petitions relating to private claims were also, on motion, removed from the files of the senate and referred.

Mr. Ruggles, from the committee on commerce, reported a bill to provide more effectually for the better security of the lives of passengers in vessels propelled in whole or in part by steam.

Several reports were also made from committees on private claims.

The bills notified yesterday as having been ordered to be engrossed, were severally read a third time and passed.

The following bills were introduced on leave, twice read, and appropriately referred:

By Mr. Clay, of Alabama, a bill to amend an act entitled "an act to grant certain relinquished and unappropriated lands to the state of Alabama, for the purpose of improving the navigation of the Tennessee, Coosa, Cahaba and Black Warrior rivers," approved May 23, 1828, and the several acts supplementary and amendatory thereto.

A bill making additional appropriations for completing the levee at the mouth of the Mobile harbor.

A bill providing for the payment of certain claims of the state of Alabama.

By Mr. Nicholas, a bill to authorize the legislature of Louisiana to sell the lands heretofore appropriated for the use of schools within that state.

Mr. Benton asked leave to bring in his bill to lay a tax on bank notes and other paper money used for circulation in the states and territories. Mr. B. explained at length the object of the bill.

As Mr. Benton ended for the reading of the bill, Mr. H. asked leave to move that Mr. Huntington submitted whether a bill of that character was cognizable in the senate, by the constitution, which expressly provided that all bills for the purpose of raising revenue should originate in the House of Representatives. It took a view of the main features of the bill, as explained by the senator from Missouri, and contented himself with appealing to the senator whether the bill did not strictly come within the prohibitory clause of the constitution. The question of reception he asked the yeas and nays.

Mr. Benton replied that such bills, or those of a like character, had been tolerated before, and referred to the compromise act, which he maintained had been passed in that body, and all he asked was, that his bill might have the same course.

Mr. Clay, of Alabama, thought that the question of reception had better come up after the bill was printed, and its provisions understood. At the first blush, there appeared to him other important objections, of a constitutional character, besides those suggested by the senator last up. If the power existed to tax the banking institutions of the states for revenue, it might, with the same propriety, be so exercised as to annul the whole of the protective doctrine he was not prepared, by any means to admit.

Mr. Webster contended that more respect ought to be had for the constitution than to entertain such a bill in the senate.

A motion was made by Mr. Pierce to lay the motion to receive on the table; when a long discussion ensued, chiefly on points of order, in which Messrs. Hubbard, Hamilton, Webster, Calhoun, King, Pierce and Preston took part.

The question on laying the motion to receive on the table was taken by yeas and nays, and decided in the negative, as follows:

YEAS—Messrs. Allen, Anderson, Benton, Calhoun, Clay, of Alabama, Fulton, Hubbard, Linn, Lundy, Marshall, Porter, Sevier, Smith, of Connecticut, Sargent, Tappan, Walker, Wall, Wright—18.

NAYS—Messrs. Buchanan, Clayton, Crittenden, Davis, Hunt, Graham, Henderson, Huntington, King, Knight, McKim, Mangum, Nicholas, Phelps, Porter, Preston, Fremont, Roane, Ruggles, Smith, of Indiana, Tallmadge, Welles—22.

Mr. Benton said that his object was attained, and he would withdraw the motion for leave to introduce the bill.

On this point a discussion ensued, which lasted for some time, as in the right of the senator to withdraw the bill. Mr. Huntington, Mr. Calhoun, Mr. Webster, Mr. Preston and others, denying the right, and Mr. Hubbard, Mr. Pierce, Mr. Sevier and others, maintaining it.

Mr. Benton then asked leave, by the courtesy of the senate, to withdraw it; which being granted, the senate adjourned over to Monday.

December 28. The vice president communicated to the senate a letter from the state department, covering an abstract of the returns of collectors.

Also, from the legislative council of Iowa, praying an appropriation to improve and continue the military road from Dubuque to Missouri.

Also, asking an amendment of the organic laws of the territory.

After the presentation of memorials and petitions, several reports from committees, on private claims were made.

On motion of Mr. Norvell,

Resolved. That the committee on Indian affairs be instructed to inquire into the expediency of making an appropriation to enable the president of the U. S. to negotiate for the extinction of the Indian title to the unappropriated lands lying in the upper peninsula of the state of Michigan.

On motion of Mr. Smith, of Indiana,

Resolved, That the secretary of the treasury be directed to report to the house a copy of correspondence between the department and the governor of Indiana relative to the lands granted to the set of the 2d of March, 1837, for the part of the Volusia and Erie canal which lies between the mouth of the Tippecanoe river and the line of the state of Ohio, which could not be set off to the state of Indiana in the settlement that took place in 1829 and 1830, in consequence of the Indians into these not being then extinguished. And that he also report what quantity of the state of Indiana, was entitled to under said set for that portion of said canal and what portion of the land has been granted to Indiana already, as Indian reservations by treaty with the Miami.

On motion of Mr. Benton,

Resolved, That the committee on foreign relations inquire into the expediency of making an appropriation for an outfit for Commodore Porter, not provided for when appointed resident minister at Constantinople.

On motion of Mr. Walker,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of assigning the present district judge of the United States for the state of Mississippi to one of the districts in said state, and of appointing a separate judge for the remaining districts.

On motion of Mr. Clay, of Alabama,

Resolved, That the committee on the judiciary be instructed to inquire into the expediency of providing for the appointment of a marshal in each district attorney for the middle district of Alabama.

The following bills were severally considered in committee of the whole and ordered to be engrossed for a third reading.

A bill to amend an act entitled "an act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described, and to settle the claims to the vacant and unappropriated lands within the same," passed the 15th day of April, 1836.

A bill to authorize the secretary of the treasury to procure steam vessels for the revenue service.

A bill allowing drawback on foreign merchandise exported in the original packages to Cullhuahua and Sanle Fe, in Mexico.

A bill making an appropriation to complete the removal of the raft of Red river, and for other purposes.

A bill to establish a board of commissioners to hear and examine claims against the U. States.

A number of relief bills were also considered in committee of the whole, and ordered to be engrossed, after which the adjourned.

On the 29th, in the evening, immediately after the reading of the journal, Mr. Anderson rose to announce the death of his colleague, the late F. L. L. GRUNDY, of Tennessee; after which Mr. Benton followed, adding his testimony to the worth of the deceased.

The usual resolutions adopted on these melancholy occasions were then passed, and the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, Dec. 22. The speaker laid before the house sundry communications:

I. From the secretary of the navy, accompanied with a list of officers on furlough or leave of absence, showing the names of the officers, with the date of absence, the time allowed, and the date of furlough, the time those on furlough or leave have served at sea at any one time for the last twenty years, and how often their furloughs have been renewed, &c. Laid on the table, and ordered to be printed.

From this return it appears there are on leave or furlough 1 commander, 32 lieutenants, 4 surgeons, 7 assistant surgeons, 9 pursers, 13 passed midshipmen, total 66.

II. From the secretary of war, with a report from the commissioner of pensions containing the information which is required to be laid before congress at each session by the joint resolution of the 29th May, 1830, in relation to pensioners, revolutionary, invalid or otherwise, who shall have made application for pensions or an increase of pensions, and who, in his opinion, ought to be provided for, but whose cases may not be embraced by the laws.—Laid on the table, and ordered to be printed.

III. From the clerk of the house, as follows: To the hon. R. M. T. Hunter, speaker, &c.

In obedience to the further order of the house, passed December 21, 1830, "that said report be recommitted to the clerk, with instructions further to report by what authority, on what vouchers, and through whom, he paid to E. B. Bailey the sum of \$300, to Bayne Newcomb the sum of \$116, and to George Lowry the sum of \$104, for services rendered by them in taking depositions in the case of the contested election between Messrs. Ingersoll and Naylor, as reported in Doc. 7; by what authori-

ty, and on what vouchers, he sent to Mr. Naylor money to pay his witnesses, and which that gentleman says he returned; whether the said vouchers give the names and time of attendance of the said witnesses, in whose land writing it was filed, and what has become of the same," I beg leave to report.

That the account presented by E. B. Bailey for services as clerk, &c. amounted to \$269 80. On the face of this account was an order signed by the chairman of the committee on accounts to pay \$600 said Bailey.—The account presented by Bayne Newcomb for services as commissioner, &c. amounted to \$320. By a similar order written on the face of the paper, I was directed to pay \$116. The account of Geo. Lowry, as doorkeeper, amounting to \$100, being reduced to \$104, and the balance was directed to be paid by a verbal order. In like manner the sum allowed for payment of witnesses on behalf of Mr. Naylor, amounting to \$780 70, was also directed to be paid by verbal order, which is the mode usually practised by the committee when accounts are clear and undisputed.

The vouchers give the names and times of attendance of witnesses; but having no acquaintance with the handwriting in which they are drawn, I herewith communicate the original papers (Nos. 366, 336) for the use of the house.

The various sums above mentioned, together with one other of \$104 for Peter Lewis, were enclosed in separate drafts to the hon. Charles Naylor, Philadelphia, to be paid out to the respective claimants, as will appear from the letter of the accounting clerk herewith communicated and marked A.

In Mr. Naylor's answer to this letter, he returned \$780 70, the sum allowed for witnesses, and also the draft for \$104 in favor of Peter Lewis, stating that he did not feel authorized to receive and pay out the same, as will more fully appear from his letter; a copy of which is herewith communicated, and marked B.

The sum of \$11 50 returned by Mr. Ingersoll, as stated in my former report, and \$884 76 returned by Mr. Naylor, have been credited to the contingent fund of this house.

All which is respectfully submitted.

HUGH A. GARLAND,

Clerk of house of reps. United States.

Mr. Floyd moved that this communication be referred to the committee on accounts, who have under consideration the clerk's communication of yesterday, on the subject of the said subject.

Mr. Smith, of Connecticut, thought the report ought to be referred to the committee on public expenditures, or to a select committee, as it was the act of the committee on accounts that was under investigation. He moved that the matter be referred to the committee on public expenditures.

Mr. Floyd explained, and showed the propriety of the reference to the committee on accounts.

The question was then put on the reference to the committee on accounts, and carried.

Among the petitions, &c. presented to-day, were the following:

By Mr. Morgan, the petition of John Richardson and other citizens of Cayuga county, New York, asking for the passage of a general bankrupt law.

By Mr. P. J. Wagner, the petition of Daniel Cady and 252 others, inhabitants of Fulton county, New York, praying for a law to establish a uniform system of bankruptcy.

By Mr. Grinnell, memorial of Paul Babcock and 1,190 other citizens of New York, praying for the passage of a bankrupt bill.

Also, a memorial of James Millin and 165 citizens of New York, asking for the passage of a bankrupt bill.

Mr. Cusey, from the committee on the public lands, reported a bill for the relief of the owners of bounty land warrants granted for military services in the late war between the Great States and Great Britain; which was twice read, and committed for to-morrow.

Mr. Lincoln, from the same committee, reported a bill granting a right of pre-emption to certain lots on the lands of Perryburg, in the state of Ohio, which was twice read, and committed for to-morrow.

Mr. W. Cost Johnson, from the committee for the District of Columbia, reported two bills, viz: A bill making temporary provision for lunatics in the District of Columbia; and

A bill to revive and continue the corporate existence of certain banks in the District of Columbia. These bills were severally twice read, and committed to the committee of the whole house on the state of the union.

Mr. F. Thomas, from the committee on naval affairs, reported a bill concerning navy pensions and half pay.

Mr. Adams inquired if the bill contained an appropriation for the benefit of the navy pension fund. Mr. Thomas answered that it did; that there was an item in it appropriating upwards of \$150,000 for the benefit of that fund; and that he contemplated calling up the bill for consideration at an early day.

The bill was twice read, and committed to the committee of the whole house on the state of the union.

Mr. Rives moved to take up the report of the committee on elections, made at the last session, on the contested election between Mr. Naylor and Mr. Ingersoll, of Pennsylvania, for the purpose of appointing a day for the consideration of that case, and proposed that to-morrow may be assigned for that purpose.

After some conversation between Messrs. Rives, Crabb, Fish, and Mr. Ingersoll, Mr. Rives varied his motion to the first Tuesday in January, in which form the motion was agreed to.

The resolution moved by Mr. Kariden, on the 17th inst, directing the committee on public lands to inquire into the expediency of setting aside \$300,000 of the proceeds of the public lands for the continuation of the Cumberland road in Ohio to its western termination, came up in its order for consideration. When this question was under consideration the committee on the proceedings of that bill on the table, and that question being put by yeas and nays, it was decided in the affirmative, yeas 105, ayes 82.

Mr. Davis, of Indiana, moved the following resolution, which was laid over, under the rule, for one day:

Resolved, That 5,000 copies of the geological report made at the last session of congress by the commissioner of the general land office, or printed, and the maps properly engraved, for the use of the members of this house.

Mr. Preffelt, of Indiana, moved the following: *Resolved*, That the committee of ways and means be instructed to inquire into the expediency of reporting a bill providing for the expenditure of \$100,000 in each of the states of Ohio, Indiana and Illinois, during the year 1841, on the following subjects:

Mr. Preffelt would say a word or two, he said, as it might possibly have a good effect upon this house, and upon the portion of country which he in part represented. In Indiana, Illinois, and Ohio, the public implements, steamboats and instruments, employed in the construction of the public works, had been ordered to be sold under instructions from the general government. He saw, also, that, on the like sale in Indiana, Illinois, and Ohio, the public implements, steamboats and instruments had also been directed to be sold by the authority of the United States. He did not wish to create any excitement, prejudice or sectional feeling; he called on the house, and he wished to take notice of what he said, that the time would soon come, unless a different course of proceeding were adopted, when the eight states and territories of the west, in spite of all their efforts to keep out sectional feelings, would be constrained to make their weight felt on this floor. They had asked a fair distribution of the expenditures and proceeds of the general government. During the last year, not one dollar had been expended in Ohio, Indiana, Illinois, Michigan, Missouri, Arkansas, Iowa or Wisconsin. Every day something was heard about southern rights, feelings and interests. He saw, also, by the records, that appropriations had been made for the Berwick branch of the Piscataqua river. — He asked, why was it that the western states, which were in peril in itself, was to be trampled in a river? Here, a deliberate vote had been given that this great work of the Cumberland Road should be abandoned. The weight of the west had already been felt—in a matter of no great importance, 15,000 from another, and 13,000 from a third state in the next presidential contest, gentlemen would see half a million of votes poured down to decide these matters. And, if something was not done, he would see some states of his people whether they would not forego both sections of country to do justice to them.

Mr. P. alluded, among other things, to the forty thousand Indian warriors congregated on the borders of Arkansas, and to the absence of posts of defence. It might become necessary for a great western convention to assemble at some central point, in order to compel justice to be done to them. Would the house force such a step upon the west? Whenever the south had asked an appropriation of the public land, the west had come boldly forward and voted for it. So with the north; and yet the west might ask in vain.

One prediction he would make, and he assured gentlemen they would see it verified. They would see a majority of the western states, and a majority on the part of the west, which no power on this floor could resist.

Mr. P. alluded to the increased representation which the western states would have under the new

Mr. Jones answered, upwards of seven hundred thousand dollars.

Mr. Jones, from the same committee, then reported a bill making appropriations for the navy for the year 1841; which was twice read and committed to the committee of the whole on the state of the union.

On motion of Mr. McClellan, it was

Resolved, That the committee on the public buildings and grounds be instructed to inquire whether the failure of the chamber in the well at the house was caused by a defect in workmanship and construction; and also whether any money has been paid by the State, and, if not, whether any ought to be paid, to the contractor of the chamber.

On motion of Mr. Weller, it was

Resolved, That the secretary of the treasury be required to report to this house, whether and, if any, what, part or surplus of additional sections, or parts of sections, (lying along and adjoining and within the line of alternate sections, on the Miami canal, in the state of Ohio, and withheld from sale at the same time), have been sold since January 1, 1830, to January 1, 1836; also, that the state to whom said lands were sold, at that office, at what time, and at what price; and that he furnish copies of all instructions given to the different commissioners of the general land office, from time to time, to withholding from sale lands on the route of said Miami canal, in the state of Ohio, as alternate sections on said canal.

Mr. John Quincy Adams moved that the bill of the last session, No. 100, reported from the committee on manufactures from Massachusetts (Mr. Adams), "to ensure the more faithful execution of the laws relating to the collection of duties on imports," and which passed both houses, and was lost for the want of the action of this house on the amendments of the committee on manufactures, be amended to the senate, to the committee on manufactures.

Mr. Pickens said that if the gentleman from Massachusetts (Mr. Adams) asked to introduce this bill by general consent, he (Mr. P.) should object, because he was opposed to the policy and the expediency of the bill, and he objected, therefore, to give it any precedence on the calendar.

Mr. Stanly moved that the rules be suspended to enable the gentleman from Massachusetts (Mr. Adams) to submit his motion. He (Mr. S.) believed that false alarms had gone forth in relation to the bill. He had himself felt some opposition to it at the last session, but since he had seen the amendments of some of the friends of the bill (and others) he thought it highly necessary that some such measure should be adopted in order to put a stop to frauds on the revenue.

Mr. Wise rose to inquire whether the bill in reference to which the question had been made was the revenue bill, as it was called?

Mr. Adams. Yes.

Mr. Wise was understood to inquire whether the gentleman proposed to introduce the new tariff bill of thirteen or fourteen sections.

Mr. Adams said his proposition was to refer the bill, as it passed both houses of congress at the last session by a majority of at least two to one, and which was defeated on one of the last days of the session, to the committee on manufactures, to be reported to the committee on manufactures to pass upon a small amendment that was pending between the two houses. His motion was to refer the bill in the state in which it was at the expiration of the last session, to the committee on manufactures. It was not his purpose to refer the bill, with a view to report the whole of the same bill. And, as the gentleman from Virginia (Mr. Wise) had made the inquiry, he (Mr. A.) would state that, as he was concerned, he did not propose to report that part of the bill which was rejected by the senate to the original bill which went from this house. That bill contained, in point of fact, two bills founded upon two different states of circumstances; the first founded upon a report from the treasury department recommending provisions of that kind, and founded, also, upon a great multitude of petitions from the manufacturers of the country, for the purpose of suppressing frauds on the revenue. That was the bill, the subject matter of which was referred to the committee on manufactures, and reported to this house.

As to the other subject which the gentleman from Virginia (Mr. Wise) was pleased to call a bill of thirteen or fourteen sections of new tariff, that was a bill founded upon complaints on the part of the administration here, and particularly of the collector of customs in New York, against certain constructions which had been given to the act of 1834, by the courts of the United States, and correcting those constructions by the committee on legislative construction in the same bill. The latter bill was not referred to the committee on manufactures, but to the committee of ways and means; though, he believed, the committee of ways and means never acted upon it at all. At all events,

they made no report; and he did not know that they had ever considered the subject at all. But when the other bill for the suppression of frauds on the revenue went from this house to the senate, it was there referred to the committee on finance, to which same committee was also referred the other subject which, in this house, had been referred to the committee of ways and means. In consequence of the reference of both subjects to the committee on finance of the senate, that committee reported the bill which went from this house for the suppression of frauds with certain amendments, and then reported as additional bill, which was the bill that the gentleman from Virginia had characterized as a bill containing thirteen or fourteen sections of new tariff. And the bill, having been thus amended and added to by the senate, was returned to this house, where the whole bill, as it came from the senate, was passed with certain small amendments. Those amendments went back to the senate, and were again sent back to this house with some small amendments; and it was in this state that the bill, at the close of the session, laid simply for want of time; it failed on a motion made by himself that the house take it up at once. There was a large majority in favor of about 80 to 60—in favor of the motion; but not two-thirds, as required by the rule, and the bill could not therefore be taken up. Now, his motion was to refer the bill, to that state, to the committee on manufactures, and it would be referred to the committee to report it, in whole or in part, as they might think proper.

It was not his wish, so far as his vote went, to report a revenue bill, or a tariff bill, as the gentleman said, but he wished to call it into question for the suppression of frauds; and, in stating this to be his motive, he wished that the committee on manufactures might have the whole subject before them, and they would decide whether they would report the bill to the state in which it was, or only a part of it.

His object further was to lay before the committee and this house what were called the proceedings of the merchants of New York, and to which he desired the attention of the friends of New York in his eye. It was called a meeting of the merchants of New York; and who were they? They were three or four—

[Here Mr. Wise rose to make an inquiry of Mr. Adams, who desired that he might not be interrupted].

Mr. A. continued. This meeting will give some little information to the house about their own proceedings, and it will tell them in the way that they are conducted. It will show the proceedings of the merchants (so called) of New York treat this house—in what manner they say this house is to be managed, with money and champagne, to decide bills of this kind. The proceedings of that meeting have been reported in the newspapers, and the newspapers will show what is the estimation in which this house stands with that class of the merchants of New York. I believe there is not a native of New York among them; they are the very people in view of whom the bill to prevent frauds on the revenue was passed. They are the allies of the gentleman from South Carolina, (Mr. Pickens), and I congratulate him on the character of his allies. Mr. Adams continued, and Mr. Wise having taken the floor, the question was raised as to the order of this debate.

The speaker said the gentleman from Massachusetts, (Mr. Adams) had proceeded by general consent, and the gentleman from Virginia could only present his question.

After a few moments' delay—Mr. Wise, having obtained the indulgence of the house, said that he was not in his place for five or six months of the last session, and he did not, therefore, know that he was correct in even alluding to this matter, though he thought he was as to the facts generally. Mr. W. proceeded to say that when this bill came originally, it came up as a bill professing to prevent frauds upon the revenue by the introduction of the tariff question, and that with the compromise act—but a bill to prevent frauds—to enforce the existing tariff. As such a bill, it had passed this house. It was discussed here, and although he was opposed to it in that aspect, as being in many of its provisions altogether commercial, yet he made no particular opposition to it at the time; and he believed it received little or none. The bill passed the house, and went to the senate; and there, under the auspicious title of a bill to prevent frauds on the revenue, a bill of some fifty or sixty sections was swelled out into thirty or forty or three; and when southern gentlemen came to look at the last session, they found that duties had been laid upon linen, worsted, silks, and articles in which they felt an interest; and that the

senate, without giving particular attention to the bill, had laid on a new tariff in fact, disturbing the compromise, as he contended, and increasing the duties from nothing to fifty per cent. in some instances—and from a nominal amount to 25 per cent. in others. He said that the information which he had, this bill, with the sections providing a new tariff, never did pass this house. If he was wrong, the gentleman from Massachusetts would correct him.

Some further interruption here took place on a point of order, but being permitted to proceed—Mr. Wise continued. He arranged this administration for this new tariff brought forward by the chairman of the committee on finance (Mr. Wright); and although many of our whig senators voted for it, yet he (Mr. W.) forgave them because he believed they knew not what they did. This was all he had to say except to repeat the declaration (though not then present in his seat) that the bill containing thirteen sections never did pass the house. If it had come up, there was one eye that would have watched it, one vote that would have opposed it, one member of the house that would have resisted it *pugna et ceteris*. He had at the time spoken to a colleague who had just returned from the committee who had assured him that he might make himself easy, for that, with the sections appended to it by the senate, the bill would never kick again.

The proceedings of the meeting of the New York merchants, and the proceedings of the committee of the senate, (Mr. Adams) had referred, were caricatured, as he (Mr. W.) was told, in the New York "Herald," &c., and in that paper Mr. Jeffray was said to have arranged congress for neglect or dereliction of duty, for want of champagne, and the business of the country, and to have said that money was required for an agent to represent any interest at the seat of government. Mr. W. here adverted to the fact that a letter had been written by Mr. Jeffray denying the truth of this report in the "Herald," &c.

He (Mr. W.) could not see the object of raising a tariff discussion now; nor of the assertion of the gentleman from Massachusetts (Mr. Adams) that gentlemen of the south were the allies of those who were disposed to slander the members of this house. Such men were not the allies of the south on this subject. The south stood alone upon its own strength. All they ask was, to leave the question to the south, or to the prevention of the question was raised, as it must shortly be, let it be brought out boldly, and not be insidiously sneaked into a bill professing, by its title, to be a bill to prevent frauds on the revenue.

This bill will be reported at the last session, and he believed that, by the rule, it died with the session, and must be introduced de novo; and he, therefore, added his objection to that of the gentleman from South Carolina, (Mr. Pickens) either to the introduction of the bill, or to the prevention of the bill on the revenue in the manner in which that bill proposed.

Mr. Monroe rose and, after some comment, obtained the general consent of the house to say a few words.

He was not so fortunate, he said, as to be in his seat when the gentleman from Massachusetts (Mr. Adams) first rose to make his motion in relation to this memorable bill of the last session of congress. He (Mr. M.) was not present at the time when such came in contact with that gentleman at any time. My respects for him (continued Mr. M.) would alone induce me to refrain from answering him in this house whenever I can consistently do so. But I present myself to you at a meeting which is such to be the peculiar prerogative of some gentleman on this floor to assail—the high-minded and honorable merchants of the city of New York.

I do not rise, Mr. Speaker, to make an address to this house in behalf of those who may fall justly under the denunciation of the honorable gentleman from Massachusetts; but I do not desire to have connected with that class the whole commercial community of the great emporium of this land. The gentleman tells you of a meeting which has been held by the merchants of New York. It is true such a meeting was held, and it was attended by some gentlemen who are as high-minded and honorable as the gentleman himself; and if he knew them, he would respect as I, and who also knows them, do respect them. I admit there was a certain newspaper which undertook to publish a mere caricature of the proceedings of that meeting—a publication which has been deeply mortifying to the merchants of New York, and that meeting with honest views and for honest purposes.

It is known to the members of this house, that I have seldom taken the floor, or occupied its time in debate. I will, therefore, ask the indulgence of the house to read this letter from Mr. Jeffray.

The letter was then read (by the clerk) as follows:
New York, Dec. 21, 1840.

My dear sir: It was not till last Friday that I learned, for the first time, that a ridiculous article in the "Herald," ascribed to me, had caused much hostility against me at Washington; and I immediately proceeded to contradict it in the same paper, of which I sent a copy to every member of congress. It was a complete luncheon-piece, as I like what I said as a monkey is like a man. He it was viewed in this light; laughed at for a day, and forgot, as usual with the jokes of that paper; and I and others were surprised when we found that it had been received as gospel at Washington. When it appeared, I was amused by it; but, at the same time, I asked a good many of my friends if I ought to reply to it. With one accord they dissuaded me from doing so, from the well known character of the paper in turning every thing to ridicule, which, they said, was as well known at Washington as it is here. I thought so, too, and dismissed the matter from my mind. Few things, in my long life, have grieved me so much. The object of what I said was diametrically the reverse. It was to convince the meeting that an agency at Washington was perfectly honorable, and had not, and could not have, any sinister object, but was usual in all countries which had legislative bodies. You know as well as I do the peculiar talent of the editor of that paper for caricature, which furnishes so much amusement to all this city, and has long done so. My respect for congress was greatly increased by my visit last July, and this has been the subject of my daily conversation ever since that time. And I had been so much gratified, that I had intended to repeat my visit every winter, and it would be most painful to me to be precluded from doing so by so foolish a thing as this ludicrous travesty.

As I have not time to write to every one, I request that you will show this letter to the members from this city, and to any other gentlemen whom you may think it best to have the honor to be yours, respectfully. ROBERT JAFFRAY.

The hon. James Monroe, Washington.
Mr. Cushing inquired of Mr. Monroe whether the writer of the letter was an American or a foreigner. If he was a British subject, he said, the house would stand him by, he wished to know the fact whether we were to have British influence here.

Mr. Monroe replied that the writer was, he believed, a Scotchman by birth, but that his character was very high in the estimation of all one of our most respectable importing merchants. He (Mr. M.) had never seen the gentleman till he had met him here at the last session, and had only seen him once or twice since. But, as the house to be was, that if there should grow up to the city of New York an alien merchant—a foreigner, or a Virginian or Georgian—and his character should not prove such as it ought to be, that isolated instances of unworthiness should not be permitted to detract from the character of the great community of merchants there.

In reply to the remark which had fallen from the gentleman from Virginia, (Mr. Wise), that there had been no discussion on the bill, I will here declare (said Mr. M.) that the only decent and parliamentary discussion which I have heard in this house in the whole seven or eight months during which I have had the honor of a seat, was on that very bill. It was discussed three days without introduction of party politics, but with reference simply to its merits and demerits. If political considerations were brought in at all, it was only in a momentary allusion to my belief that, as one of the gentlemen from Massachusetts who seemed to think he might gain strength to his argument in the eyes of one party, by intimating that we had no reason to oppose the bill except that we were politically opposed to the administration.

I wish this bill to be referred. Let us have an open, bona fide, statesmanlike plan proposed to us of protecting the revenue from fraud, and I will go for it honestly and heartily. But I will not go to a baiting of the bill for the sake of men. And I hope that when a bill does come up we shall have nothing to do with Mr. Jaffray, or any other individual, or merchant, but that we shall take it up as the representatives of freemen, and adopt or reject it according to its merits, this is the only course worthy of this house.

Mr. Pickens here explained that if the object of the gentleman from Massachusetts (Mr. Adams) was simply to refer the bill to the committee on manufactures, that they might report such parts as they thought proper, without giving it any precedence, he (Mr. P.) would make no objection.

Mr. Adams explained that he had expressly stated such to be his object.

Mr. A. then corrected an error into which he said he had fallen, in stating that the second bill had ac-

tually passed the house. It was considered in the committee on manufactures, and was reported, with two or three small amendments only, by a majority of five yeas and four nays. It was upon those amendments that the bill failed, on his motion to take it up as before stated.

After a few words from Messrs. Wise and Staley, The question on the motion to suspend the rules was taken, and decided in the affirmative: yeas 131, nays 45.

Two thirds having voted in the affirmative, the rule was suspended, and Mr. Adams' motion to refer the bill, with the amendments of the senate to the committee on manufactures, was then fully before the house.

Mr. Wise moved that the matter be referred to the committee of ways and means.

The question on reference to the committee on manufactures taking precedence, the yeas and nays were called for, and ordered.

Mr. Pickens called for the reading of the title of the bill; which having been read—

Mr. Wise called for the reading of the whole bill, but subsequently modified his call so as to read that part only which was added by the senate, containing, principally, a new tariff of duties on sundry species or classes of merchandise.

Mr. Tilgham then directed the reference of the bill to the committee on manufactures. The petitions against frauds which had first roused the attention of congress and produced the bill, came from the manufacturing interest. It was an old maxim in finance, that two and two did not in all cases make four. An operation might evade the full payment of duties, and yet that very operation, by leading to a great increase of importations, might not, on the whole, injuriously affect the revenue; and, therefore, the chief evil to be remedied by the bill was not so much an impairing of the revenue (though he believed such to have been the actual result) as the injuring of the industry of the country. An enormous and regularly organized system of fraud had been discovered commencing on one side of the Atlantic and completed on the other; and, as the practical result of it was the injury of the manufacturing interest, the house had been of opinion that the subject belonged to the committee on manufactures; to which committee he hoped it would go.

Mr. Wise replied, that whatever might be the original shape or object of the bill, in its present form, it went, in effect, to increase the tariff by the direct raising of the rate of duty to be raised; but by providing such an interpretation of existing laws as would practically increase the duties, in some cases 15 and 50 per cent. It went to augment duties on linens, silks, and certain worsted goods; therefore belonged to the committee of ways and means.

Mr. Morgan demanded the previous question, which motion was seconded, put, and carried.

And the main question being on Mr. Adams' motion to refer the bill to the committee on manufactures, it was decided by yeas and nays, as follows: yeas 109, nays 60.

An error having occurred in raising the committee on steamboat explosions, it was, on motion of Mr. Underwood, discharged and a new committee was ordered to be constructed by the speaker, whose names we will hereafter give.

On motion of Mr. McKay, the report of the postmaster general, received this morning in relation to mail communications, was referred to the committee on the post office and post roads.

And then, it being late in the day, the house adjourned until to-morrow.

Thursday, Dec. 24. The speaker laid before the house the following message from the president of the United States:

To the house of representatives of the United States: Herewith I transmit a communication from the secretary of the treasury; and also, copies of certain papers accompanying it, which are believed to embrace the information contemplated by a resolution of the house of representatives on the 17th instant. M. VAN BUREN.

Washington, Dec. 23, 1840.

This is in answer to a call moved by Mr. Gerrit Davis, calling for a statement of appropriations made at the last session, the expenditure of which has been suspended by order of the president. The secretary states that no appropriation has been suspended since the postponement, which terminated on the 6th of November last. The message was read, laid on the table, and ordered to be printed.

The speaker laid before the house a letter from the secretary of the treasury, in answer to the call of the 17th last, for the correspondence between him and the treasurer of the U. States, and between the treasurer and any of his clerks, relative to the

actual operation of the sub-treasury bill as it passed the senate." Laid on the table and ordered to be printed.

The speaker laid before the house a letter from the postmaster general, in answer to an inquiry whether Ralph Jackson is a contractor for carrying the mail. The answer states that Ralph Jackson is not a contractor for carrying the mail. The letter was laid on the table, and ordered to be printed.

The speaker laid before the house the following report from the clerk of the house:

Office of the clerk of the house of reps. Dec. 24, 1840. Sir: Referring to my report of December 23, 1839, on the subject of the sale of damaged and useless paper, I beg leave further to report that, desirous of obtaining better prices for the 1,892 reams remaining unsold, I placed them in the hands of Jno. Seymour & Son, of New York, to be disposed of at private sale, but soon found that the sales did not equal the expenses of storage, insurance and labor. (See account A.) I then replaced the balances of the paper in the hands of Messrs. Binger, Richards & Platt, who sold the whole August 24, 1840, at the trade sale in New York. The net amount of sales was \$3,317 34, (see account B), which I have placed in the contingent fund of the house of representatives of the United States. All which is respectfully submitted.

HUGH A. GARLAND, Clerk of house of reps. United States.

The bills received from the senate yesterday were severally twice read and referred, as follows: The bill supplementary to an act to abolish imprisonment for debt; to the committee on the judiciary.

The bill to relinquish to Alabama the two negroes released by that act for her admission into the union; to the committee on the public lands.

The bill to establish an additional land district in Alabama; to the committee on the public lands.

The bill for the relief of certain settlers on the public lands who were deprived of township lots of the pre-emption law of June 19, 1834; to the committee on the public lands.

The bill to grant other lands to inhabitants of townships deprived of sixteen sections by Indian wars; to the committee on the public lands.

The bill to relinquish the interest of the United States to a certain tract of land in the state of Alabama; to the committee on public lands.

The bill to amend the act of the 19th of March, 1837, to divide the territory of Arkansas into fractional township lots south of, and range one half, in the state of Arkansas, to enter one-half section of land for school purposes; to the committee on public lands. The bill to authorize the inhabitants of township eight north, range thirty-two west, in the state of Arkansas, to enter a section of land in lieu of the sixteenth section, upon condition that the same is surrendered to the United States for military purposes; to the committee on public lands.

The bill to settle the title to certain tracts of land in the state of Arkansas; to the committee on public lands.

The memorial presented yesterday by Mr. Reynolds from the legislature of the state of Illinois, praying a reduction in the price of the public lands, came up in its order for consideration.

When Mr. Reynolds presented this memorial he moved the reference to the committee on the public lands, and instructed the committee to bill to grant pre-emptive pre-emptive to actual settlers, and to reduce the price to settlers, according to the value of the land.

Mr. Reynolds advocated his motion at some length and dwelt upon the injustice done to the oaks states by the present land system.

Mr. Pickens regretted, he said, that his friend from Illinois, (Mr. Reynolds), had moved these instructions at this time. We were in the commencement of a short session. The subject matter of the instructions was of vast interest to nine states of the confederacy; and from what he had heard the other day from a gentleman from Indiana, (Mr. Proffitt), and from the manifestations he had seen in all quarters of the house, there was no question which was to be brought before congress, in the future time, of deeper or more agitating interest than that of the disposition of the public lands. In legislation on these subjects, as well as on all others, he could say to his friend from Illinois, that he (Mr. P.) would legislate not for the tenants of log cabins on the one hand, nor of princely palaces on the other, but for the people and the land of his country and his government. He repeated that he regretted the gentleman had moved these instructions at this short session. The next congress would bring here a new set of representatives. This question of the public lands, the question of the tariff, and other great questions, were then to be brought up for consideration; and there would then be time to mature

some measure which might do justice alike to individuals and to the states. He confessed that, looking to the prospects of the next census, this question of the public lands assumed a different aspect from what it had done twenty or thirty years ago. Congress was now to legislate for nine states. The states were interested now, not and a mere band of enterprising speculators, who, as it was thirty years ago, were seeking a home in the wilderness of the west. The fact was, then, that this was a question of government or colonial system; and he was free to confess that, when the subject came up, he would be found in favor of redeeming and setting free our colonies. He did not desire to see them placed in the miserable position they had occupied for ten years past, as annual mendicants before this house, asking one year for a pre-emption bill and the next for a graduation bill. He wanted some fixed system, and he looked at this not as a mere revenue or money question, but as a question involving considerations of the deepest interest to the independence and the freedom of the west. If we were to have a graduation bill or a pre-emption bill, he should expect that the system be fixed in advance; that they should not legislate by hatches and might arise; but that there should be a general law passed in advance, instead of making laws every two or three years to suit cases as they might arise. Such legislation was unjust as well as unwise; and that was the reason he had hitherto opposed the pre-emption bill and the graduation bill. No system of legislation could be wise which held out so strong temptations to injustice and partiality. He asked a question, and he would expect an answer; and the question should come up for adjustment at the next session of congress, upon broad and liberal principles—upon principles which, whilst they did credit to the government, would also do justice to the citizenry concerned. He would not have any man who might be forced to do; but he would say that if the threats of the gentleman from Indiana (Mr. Proffit) were to be verified, if the west were to come here and demand what they pleased to call justice, he (Mr. P.) would consider well whether he would not do his duty to the old states of the confederacy as well as to the new.

Mr. P. was then understood to urge the impracticability of congress legislating for the peculiar local wants of so many states. He said that the interests congress could have only a very superficial knowledge. Give the system to the states, and let them manage it. It was at war with the genius of the government that congress should be required to legislate upon so many local interests. How was he to become acquainted with the local wants and interests of the constituents of the gentleman from Indiana, (Mr. Proffit), or the gentleman from Illinois, (Mr. Reynolds)? It was impossible. And he was moreover anxious to stop off what he considered of corrupt executive patronage which had been exercised for the last ten or fifteen years connected with the public land system. If we were to have any law on the subject, he repeated, he preferred that we should wait till the next session. He would not say that he would go for a pre-emption system; but he believed that a graduation system might be necessary and essential so far as regards all those lands which had been twenty years in market. He thought such a measure due to justice, and right towards the states; but he was in favor of a general system based upon enlightened and statesmanlike views, such as would do justice to all. At present he could not vote for these instructions; he regarded the pre-emption and graduation bills as a mere expedient. He desired that the whole subject might be left to the wisdom, prudence, caution and patience of the next congress.

Mr. W. C. Johnson called for the reading of the memorial and instructions which had been read. Mr. J. proceeded to address the house at considerable length on the subject of the instructions, and in reply to the course of remarks of the gentleman from Illinois, (Mr. Reynolds). He said, he could hardly know whether to express pleasure or regret that the proposition had been brought forward by the gentleman from Illinois, or that suggestions had been thrown out in relation to it by the gentleman from South Carolina, (Mr. Pickens). He (Mr. J.) hardly knew whether to express pleasure that the subject of the public domain had been introduced this session, or regret that it had not been deferred until the meeting of the next congress. It was, however, one of those questions on which his own opinion was not determined, and upon which he was ready to act now as he should be at any time. He believed it to be a question which required profound deliberation, and cautious and wise legislation. He had listened to the language of the gentleman from the west; he had heard them implore his house to be kind and generous towards them; he had heard them

make appeals as if they were in the most dejected and impoverished condition. If the state of Illinois had suffered, as the gentleman who had addressed them this morning would have the house believe, from the oppressive legislation of congress, let him tell the house how it was that that state had increased in population in a ratio beyond that of any other state of this confederacy—why it was that notwithstanding its population had doubled here—why it was that that state was greater in its empire in the west. When gentlemen approached the house in this way, they ceased to be either generous or just to themselves, their people, or this house.

Mr. J. then referred to the history of the western states, and proceeded to demonstrate the fallacy of certain positions assumed by the gentleman from Illinois, (Mr. Reynolds), especially with regard to the alleged injustice of the federal government towards those states. In illustration of what he said that there was a certain gentleman who had thirteen sons, towards all of whom he cherished the kindest regard and the tenderest affection, and, as often happened, the youngest child became the greatest favorite. The parent got his youngest child a little will for him, in which he gave him homestead and stock—in short, all his real and personal estate, to this youngest son, and the rest of the estate to be divided equally among the other twelve. (Much laughter.) So it was with these young states. After they had seized upon the whole public domain, after they had grown up amidst the liberal policy of the general government, they came here and taunted the house with the power and address which they had just used to obtain the homestead and stock—that justice no longer had a habitation in their bosoms; but that they came here armed with power, and that they would teach the old states, not only that they will have their own property, but that, by the way, they would teach the men who would rob his neighbor for his own immediate benefit. He believed that gentlemen who uttered this language were not speaking the sentiments of a magnanimous and high minded constituency. If the gentleman from Indiana (Mr. Proffit) were on his knees—if they wished that their avenues to the marts of commerce should be laid open—let them vote for the amendment he should offer, and get their distributive share of the proceeds of the public domain; but that they should move with increased stride towards importance and wealth.

Mr. J. then entered into a minute examination of the policy of his amendment in its operation upon the states. He expressed his concurrence in the opinion expressed by the gentleman from South Carolina (Mr. Pickens) that he did not view this as a revenue question. He also expressed the belief that it was not the intention of the executive to bring forward any general plan of revenue at the present session; that that was to be thrown upon a new congress, and that this congress was to do nothing. The public was to be left to look to the future. It was, therefore, more incumbent on gentlemen who, like himself, were in the minority in this house, to propose measures. And in this he found an additional motive to offer this amendment. He designated also, as another motive, the war upon state credits which had been commenced at the other end of the capital; and he expressed the belief that the measure would be relieved; whilst the whole discussion as to the tariff, &c. might be left to the next congress.

Mr. Johnson moved to amend the instructions of Mr. Reynolds, by striking out all after the word "and" and to insert "and to insert 'and to have the proceeds of the sales of the public domain divided among the states in an equitable ratio, to be used by the states for internal improvements, education or any other purpose, as may be deemed wise by the states receiving the same.'"

Mr. Hubbard took the floor to reply to some of the statements of Mr. Johnson; and, in so doing, proposed to illustrate the accuracy of his own position by reference to statistical facts, having reference to the value of waste lands in Alabama.

Mr. H. had not proceeded far, when he said that this was a most important subject—that the discussion had been sprung up suddenly on the house—and that it should take time for consideration—and that if he had more time he would move an adjournment he would yield the floor for that purpose.

Mr. Thompson, of Mississippi, then moved that when the house adjourns, it will adjourn over to Monday; which was agreed to.

As the state of the mind was then moved, and the question was taken by yeas and nays, and decided in the negative: yeas 59, nays 94.

Mr. Carr Johnson moved to postpone the subject until the second Tuesday in January next; which he afterwards withdrew.

And another motion was made to adjourn, which prevailed. And the house adjourned until Monday, Monday, Dec. 31. Mr. Graves, of Kentucky, and Mr. Black, of Georgia, appeared in their seats today.

Mr. Smith, of Maine, presented a petition from citizens of New York for a bankruptcy law; referred to the committee on the subject.

Sundry bills from the senate, received their first and second reading and were referred.

The house resumed the consideration of the motion of Mr. Reynolds, to refer the memorial of the legislature of the state to the committee on public lands, with instructions.

The question pending when the subject was laid before the house was the amendment of Mr. W. C. Johnson, of Maryland. Mr. Briggs offered the following as an amendment to the amendment, "and that the said committee report by the first day of February next."

After some conversation on points of order, Mr. J. moved that the whole subject be laid on the table; or, to be paid out of any and nays, were asked and taken, and decided in the negative: yeas 88, nays 111, when the further consideration of the subject, on motion of Mr. Thomas, was postponed to Wednesday week.

On motion of Mr. F. Thomas, the house, by unanimous consent, resolved itself into committee of the whole on the state of the union, (Mr. McKay, of North Carolina, in the chair), on the following bill:

A bill concerning navy pensions and half pay. *Be it enacted by the senate and house of representatives of the United States of America in congress assembled,* That the sum of one hundred and fifty-one thousand three hundred and fifty-two dollars and thirty-nine cents be, and the same is hereby appropriated, to be paid out of any and nays, the treasury not otherwise appropriated, for the payment of pensions and half pay chargeable on the navy pension fund.

The bill having been read, Mr. T. sent to the clerk's table the following letter from the secretary of the navy; which was read:

"Navy department, Dec. 1, 1840.

"Sir: I have the honor to state that the whole amount of money now on hand, to pay navy pensioners, is \$18,647 61; and that there will be required in addition to fund on a deposit of \$100,000, of existing year, 1841, the sum of \$151,352 89; of which the sum of \$51,476 73 will be wanted to meet claims for pensions becoming due on the 1st day of January next.

"The stock at present owned by the navy pension fund are:

City of Cincinnati 5 per cent.	\$100,000
City of Washington 5 per cent.	33,329
Bank of Washington	11,000
Union Bank of Georgetown	14,400

Nominal value \$158,729

"All these stocks have greatly depreciated in value, and some of them are now altogether unsaleable. The stock of the city of Cincinnati, standing highest, has been advertised to be sold at public auction on the 10th of this month, (December), for the purpose, in the first place, of reimbursing the Bank of America the sum of fifty thousand dollars advanced to it on a deposit of \$100,000, for the purpose to meet the payment of pensions which became due on the 1st of July last, and afterwards to meet, as far as it may suffice, the payments falling due on the 1st of January next.

"To liquidate these and other claims becoming due in the year 1841, and at the same time to prevent the great sacrifice which must ensue if the stocks belonging to the fund be sold at this time, I have the honor to request that you will be pleased to call the attention of congress to the expediency of the commencement of its approaching session, and to recommend an immediate appropriation of the above named sum of \$151,352 89 in aid of the fund; the deficiency in the means of satisfying the just claims of pensioners, which by an act of congress of 25th of April, 1840, the public faith was pledged to supply, having occurred. I have the honor to be, very respectfully, your obedient servant."

J. K. PAULING.

"To the president of the United States. Mr. Thomas then briefly explained and urged the passage of the bill. After which Mr. Adams rose and addressed the committee at great length on several important subjects connected with the financial policy of the present and late administrations; making no mention of the subject of the passage of the bill, but strenuously urging the maintenance of the public faith in relation.

No amendment having been offered, the committee rose and reported the bill to the house.

And the question being on ordering the bill to a third reading—Mr. *Shepard*, of North Carolina, moved to amend the bill by adding the following section:

Sec. 2. *And be it further enacted*, That the act of March 3, 1837, entitled "an act for the more equitable administration of the navy pension fund," be repealed.

After some debate on this amendment—Mr. *Peck* moved the previous question; which was ordered. And the question was put on the amendment of Mr. *Shepard*, and carried, yeas 81, nays 70.

This bill, as amended, was then ordered to a third reading; was read the third time forthwith, passed and sent to the senate for concurrence. And then the house adjourned.

Tuesday, Dec. 29. The journal of yesterday being read, Mr. *Giddings* moved that the house do reconsider the vote of yesterday, by which it agreed to the amendment moved by Mr. *Shepard*, of North Carolina, to the navy pension bill. "That the act of March 3, 1837, for the more equitable administration of the navy pension fund, be repealed."

Mr. *Reed* said, if the motion to reconsider prevailed, he should move to amend it so as to incorporate the substance of the bill which was ordered. At the last and at former sessions, the better to regulate the subject of navy pensions; but he would now move that the subject be postponed till Tuesday next, and that, in the mean time, the bill and the documents connected with it printed.

Mr. *Thomas*, chairman of the navy committee, opposed the postponement, on the ground of the urgent necessity of an immediate appropriation for the relief of the fund; that if it were not made within a few days, the claimants belonging to it must be sacrificed by a forced sale.

Mr. *J. Q. Adams* was glad that the motion to reconsider had been made; and he said that nothing but the respect he entertained for the speaker, and the strong assurance that no appeal he (Mr. A.) might make would have been successful, prevented him from appealing from the decision of the speaker which admitted the amendment respecting the pension law of 1837. He believed the objection was entirely correct; but he said that there was an inconsistency between the provisions for which the bill was reported and the section which repealed that law. He had come here this morning intending to make the remark; but he said that he would not, as the committee, with instructions to strike out the section which had passed so rapidly, being under the impression that the bill had not finally passed. He made a strong appeal to the house not to waver, vengeance upon widows and orphans because congress had wasted the property to which they had a right.

Mr. *Reed* was urged to withdraw his motion, but declined to do it.

Mr. *Tillinghast* advocated the reconsideration, and spoke of the favor with which the act of 1837 was regarded by all classes in the navy; he also argued that it ought to have been excluded by the rules which prohibit a proposition different from that under consideration being received under color of amendment.

Mr. *Thomas* and Mr. *Pickens* both opposed the reconsideration and the postponement, and advocated the immediate passage of the bill and the repeal of the act of 1837.

Mr. *Salmon* advocated the reconsideration, and was opposed to the total repeal of the act of 1837. He went into a history of the navy pension fund, showing its institution; the various changes it had undergone since it was first established; and the claims of pensioners which had been provided for out of it since its original institution in 1800.

Mr. *Shepard* commenced a defence of his amendment; but before he had reached its merits, a message was received from the senate, by Mr. *Dickens*, its secretary, notifying the house of the death of the hon. *Felix Grundy*, a senator of the United States for the state of Tennessee, and of the proceedings had in this senate on that melancholy occurrence.

The proceedings of the senate were, at the request of Mr. *Wheat*, read by the clerk; after which Mr. *Arton P. Brown*, one of the representatives from Tennessee, rose and addressed the house as follows: Mr. *Speaker*: The painful announcement which we have just heard, make it proper that I should submit to the house the resolutions which I now send to you table.

It is true that the deceased, at the time of his death, was not a member of this house, but he was once a member of it; and the deep and irrefragable impression of his talents and patriotism, whilst he was here, the lapse of nearly thirty years has not been able to efface. What record in our archives does

not tell of his great and invaluable services, in 1812, '13 and '14, when we declined and prosecuted with success "the second war of independence" against the proudest and strongest nation in the world? The bold and thrilling eloquence with which he urged this body to declare that war, and the readiness with which he voted for all the supplies, both of men and money, necessary to its prosecution, identified Mr. *Grundy* with the most illustrious patriots of that eventful period.

Were there only services, a nation's gratitude might still challenge at our hands, as well as from the body of which he was a member, some tribute of respects to the memory of one who was, at that period, so wise in council and so eminent in debate. His public career commenced more than forty years ago, in the convention for revising the constitution of Kentucky. He was then but twenty-one or two years of age, but exhibited, during the deliberations of that body, unerring evidence of his future usefulness and eminence.

He was afterwards, for six years, a distinguished and useful member of the legislature of that state; losing nothing by comparison with any of those eminent lawyers and statesmen of which Kentucky has so long been so prolific.

In 1806, he was elected one of the judges of the supreme court of that state, and was soon after appointed its chief justice, and discharged its duties with industry, impartiality and distinguished ability.

In the winter of 1807-'8 he removed to Tennessee, and for several years devoted himself exclusively to the practice of his profession, in which he had but few equals, and certainly no superiors. To his public career, who came in for some collision with such men as John Dickinson, Judge Haywood, Jenkin Whiteide, Judge Overton, and in later years with Judge Crabb and William L. Brown, is no ordinary praise. In criminal jurisprudence, even these claimed no superiority over him; but he stood out in advance of all others, unrivalled as an able, eloquent and successful advocate.

He served in the legislature of Tennessee, beginning in 1819, about the same length of time he had done in that of Kentucky—eliciting on his statute-book some of her most valuable laws, and giving to her legislation, by his precepts and example, much of that moral tone and liberality of principle which now distinguishes it.

In 1826, Mr. *Grundy* was elected to the United States senate, and commenced his labors in the body with the administration of gen. Jackson.—What his services to the country have been since then, either as a senator or attorney general, is too fresh in the recollection of all to need to be repeated on the present occasion. But the future history of this country (when that history can be written unbiased by the party prejudices of the day) cannot fail to award to Mr. *Grundy* the highest merit that has ever been ascribed to a senator, councillor, and eloquent and efficient senator, and an undoubted patriot.

The loss of such a man, at any time, must be felt by the nation. At such a moment as the present, when America stands in need of all the talents and all the patriotism of all her most gifted sons, his loss must be deeply felt and deeply mourned. To his own state, that he so dearly loved—which had honored him so often, and whose recent confidence he so justly was anxious to retain, he had devoted zeal and fidelity—to Tennessee, his loss must be almost irreparable. But, O God! what must it be to his bereaved family! To her, who was the wife of his bosom from youth to old age—whose life he was anxious to spend in the enjoyment of fame—to her, whom we (looking toward Mr. *Turney*) so lately saw watching by his side, with such conjugal affection and such Christian hope—that to her must be his loss! What to his children! But I forget that we have no right to complain of this house of mourning, whose agonized inmates must look to no earthly source for consolation in this sad hour of their bereavement and sorrow.

The following are the resolutions moved by Mr. *Brown*.

Resolved unanimously, That as a testimony of respect for the memory of the hon. FELIX GRUNDY, late a member of the senate of the United States, the house will go into mourning, and wear crepe for thirty days.

Resolved, That as a further mark of respect for the memory of the deceased, this house do now adjourn, Monday, the 30th inst., until the house adjourned until to-morrow, 12 o'clock.

METEOROLOGICAL OBSERVATIONS.

We insert to-day some interesting tables of meteorological observations, with which we have been furnished from the registers of the Academy of Sciences in this city.

It appears to be the general opinion among the scientific men of the present day, that in the extension and accuracy which have been given to the mathematical theories of several branches of science, too much minuteness and refinement cannot be employed in making the observations, upon which those theories are put to the test. With this view, we saw the *hourly magnetic observations*, suggested by Mr. *GAUSS*, carried on in many points in Europe, and at Philadelphia, in the United States; and it was in the same spirit that Mr. *JOSEPH F. W. HENNESSY*, in 1835, was believed (then at the Cape of Good Hope) proposed that at certain convenient periods of the year, simultaneous observations should be made, at as many points on the earth as possible, of the indications and changes of the atmosphere; so as to afford the opportunity, afforded thus in a suite of extended records, of determining how far the great and sudden changes, which are of frequent and manifest occurrence, are to be attributed to local causes, and how far they may be combined with, or accounted for in the movements and perturbations of that general system, one of whose members is our earth. The days which he proposed, and which have been adopted by observers in several places, were the beginnings of the year, so called, or the equinoxes, and the equinoctial and solstitial epochs: unless those days should happen upon Sunday, in which case the observations are to be deferred until the next day. By the adoption of these thirty-six consecutive hours, which are taken, there is no danger but that the precise period in each of those remarkable stations of the earth's movement will be included; and also, there may be observations made at the same time, in all the points distant half the circumference of the globe.

In so majestic an inquiry we are glad to see our own citizens taking part; and we willingly bear ours in furnishing the temporary vehicle of conveying to the public their results, which, when in sufficient accumulation, will be of such immense interest.

The second of the tables contains (what is somewhat new to us, we must confess) the practical development of the mere arbitrary indications which are registered by the thermometer, and the aneroid, showing the actual influences upon the matter of the atmosphere, in weight, &c. of those apparently trifling movements which we continually observe in our barometers and thermometers. The explanation of the nature of the observations, and the data given in the words of a member of the academy, who has been good enough to write them out for us.

"The amount of vapor in the atmosphere is determined, by observing the temperature of a liquid of any kind, such as this air, and contained in a polished metallic or glass vessel, in which a deposit of moisture first takes place on the outside of such vessel—as, for instance, a glass tumbler in which, in summer, ice is placed. Such are the observations in the first and last columns of dew point, headed *Dewfall* and *Observed*. The former was with Daniell's hygrometer; the latter with a cooling mixture in a silver vase.

"But as this is a troublesome method sometimes, there are also means of arriving at a result in an inverse manner—by observing the fall in a thermometer, round whose bulb a wetted rag has been fixed. The comparison of this with the stand of a common thermometer, noted at the same time, gives the quantity of evaporation; which is manifestly in proportion to the quantity of water existing in the air. Several rules, or formulae, have been given by different philosophers, by which the relations of the point of deposition of dew are to be calculated; and three such formulae have been applied in the present instance. The first was that given by the American Philosophical society of Philadelphia, the second, by Dr. Anderson, of Edinburgh, a good mathematician and acute observer, and the last is one devised by the meteorological committee of the academy. The simplicity of this last one, as well as its coincidence with actual observations, has entitled it to an introduction. For the present, into the tables of the academy. It is, that the dew point is always a third proportional to the stand of the dry thermometer, and the dew point."—

We are sure that when our readers consider what an important and near connection there is between the meteorology of the atmosphere and the statistics of agricultural products and commercial effects, which our journal is intended mainly to register, they will not wonder that we used so much of that space which we have devoted to this subject; and which we propose to leave in future for similar tables, as well as for a regular monthly meteorological record, which, through the kindness of the academy, we have reason to believe we can promise hereafter.

TABLE I.
HOURLY METEOROLOGICAL REGISTER
Of Observations made on the 22d and 23d June 1840 the summer-solstice; at the Rooms of the Academy.

DATE.	BAROMETER.			HYGROMETER.					WINDS.		CLOUDS.	
	Barometer.	Thermometer.	Baron's corrected.	Dry bulb.	Wet do.	Dew point.	Daniell. therm.	Dew point.	Quarter.	Character.	Character.	From.
xxii.												
A. M. 6.	29.885	71° 5	29.906	69°.	69° 5	60°.	-	-	S.	very light.	Cirro-stratus.	
7.	.593	73.	.914	73.	68.	59.	-	-	do.	"	do.	
8.	.907	73.8	.984	74.5	67.75	61.5	74°.	60° 5	do.	"	Cirrostratus: cumuli.	E. by N.
9.	.910	75.5	.931	79.	70.5	63.	76.	62.	S. by W.	"	Cirri: cirrostratus.	E. N. E.
10.	.907	77.5	.918	82.	71.	63.5	75.	63.	S. by W.	"	Cirri: cirrostratus.	"
11.	.912	82.3	.983	85.	73.	63.5	80.	65.	S. S. W.	light.	Cirrocumuli.	E. by N.
M. 12.	.942	86.	.963	88.	72.5	62.	80.	64.5	W.	breezes.	Cumuli: cumulostratus.	"
P. M. 1.	.939	86.3	.969	85.	72.	64.5	81.	63.	W.	light breezes.	do. cirrocumuli: do.	"
2.	.933	86.6	.969	86.	73.	61.	81.5	63.	W. by N.	do.	do. do.	E. by N.
3.	.933	85.	.959	86.	73.	64.	82.	64.5	do.	brisk.	do. do.	"
4.	.952	85.	.973	85.	72.	61.5	82.	65.	do.	do.	do. cirrostratus.	"
5.	.964	85.5	.994	85.	72.	64.5	82.	65.	do.	do.	do. do.	"
6.	.954	83.	30.000	81.	70.5	62.5	81.5	63.5	do.	light.	Cirri: cirrocumuli.	"
7.	30.000	84.	.989	82.5	71.	64.	81.5	63.5	W. by S.	do.	Cumulostratus.	"
8.	.014	84.	.034	80.5	71.	63.	80.5	63.5	do.	do.	do. do.	"
9.	.026	80.5	.016	77.	67.	66.5					do. nimbus. Rain in drops.	"
10.	.039	79.5	.054	77.	67.	66.					clear above.	"
11.	.042	77.5	.062	76.5	67.	65.					do.	"
M. 12.	.037	77.	.037	73.	67.	65.				calm.	do.	"
xxiii.												
A. M. 1.	.037	76.5	.057	73.5	66.	63.5					Cirrocumuli.	
2.	.034	75.5	.054	72.5	65.	62.					do. cirrostratus.	
3.	.042	76.	.062	73.25	65.	62.5					Cumulostratus: stratus.	
4.												
5.	30.000	75.	.109	73.	66.	62.						
6.	.121	75.	.140	71.5	63.	59.			W. by N.	very light.	Cumulostratus: nimbus.	Slight
7.	.131	75.5	.153	71.5	66.5	57.5			do.	do.	do. do.	[rain.]
8.	.141	77.	.163	72.75	66.5	59.			N. W.	do.	do. do.	
9.	.160	77.	.179	74.5	64.	58.5			N. W. by N.	light.	do. do.	
10.	.172	77.5	.191	75.5	66.5	59.			do.	do.	Nimbus. Rain in drops.	W. by N.
11.	.174	75.5	.192	75.5	66.5	59.5	77° 5	60°	N. E. by N.	breezes.	Cumulostratus: nimbus.	E. by S.
P. M. 12.	.175	74.25	.193	74.	68.25	60.	77.	63.	N. E.	light.	do. do.	E. S. E.
1.	.167	79.	.185	79.75	70.	63.5	78.	65.	E. N. E.	breezes.	Cirrocumuli: cumuli.	"
2.	.159	79.	.177	79.5	70.25	65.	78.25	66.	do.	very light.	Cirrus: Cirrostratus.	E. by S.
3.	.164	79.5	.182	81.5	72.	63.	78.5	65.	do.	do.	do. do.	"
4.	.163	80.5	.183	80.75	72.	64.	78.5	64.	do.	do.	Cumuli.	"
5.	.159	80.5	.177	81.	72.5	64.	78.5	66.	E. by N.	do.	Cirrus: cirrostratus.	"
6.	.169	80.5	.187	79.25	71.	65.	78.	66.	do.	do.	do. do.	"
Mean.	- - -	79.37	30.000	78.31	69.3	62.55		61.34				
Max.	xxii. 2 p. m.	86.6	30.193	xxiii. midnight.								
Minim.	xxii. 6 a. m.	71.5	29.906	xxii. 6 a. m.								

TABLE II.
Containing some practical deductions from the Observations of 22d and 23d June.

DATE.	Weight of a cubic foot of dry Air in grains.	DEW-POINT.				Tension of Vapor.	Weight of a cu- bic foot of Va- por in grains.	Proportional moisture.	Affection of weight by vapor.
		Daniell.	Formula of Phil.' society.	Formula of Anderson.	Formula of Committer.	Observed.			
xxii.									
A. M. 6.	322.38	-	68° 25	68°.	68°.	inc.	0.560	6.114	536.96
7.	320.06	-	68.4	68.4	68.2	0.548	5.892		
8.	320.50	60° 5	66.5	61.8	61.5	0.585	6.153	0.75	
9.	317.82	62.	66.6	63.	63.	0.615	6.587		
10.	315.18	63.	66.	61.5	63.5	0.625	6.677	0.55	
11.	313.96	65.	66.1	63.5	63.5	0.625	6.624		
12.	309.16	64.5	67.25	61.5	63.	0.615	6.519		
P. M. 1.	308.52	65.	66.4	61.	64.5	0.617	6.517		
2.	308.52	65.	67.7	62.	64.	0.636	6.723	0.50	511.78
3.	310.05	64.5	67.7	62.	64.	0.636	6.723		
4.	310.29	65.	66.4	61.	64.5	0.647	6.847		
5.	310.	65.	66.4	61.	64.5	0.647	6.847		
6.	310.96	63.5	64.3	68.5	60.	0.605	6.414	0.50	
7.	312.20	65.5	65.8	61.1	64.	0.636	6.821		
8.	313.32	65.5	66.7	62.5	63.	0.615	6.569		
9.	315.71		65.	63.	60.9	0.605	6.703		
10.	317.07		61.6	58.3	60.	0.678	7.291	0.70	522.17
11.	320.29		61.9	58.7	65.	0.657	7.072		
12.	318.52		62.7	59.9	65.	0.657	7.092		
xxiii.									
A. M. 1.	326.81	Not observed.	61.8	59.25	63.5	0.625	6.770		
2.	320.95		60.6	58.3	62.	0.594	6.442	0.71	
3.	321.03		60.75	58.5	62.5	0.605	6.560		
4.									
5.	323.60		62.1	60.	62.	0.594	6.437		
6.	321.1		61.2	59.1	60.	0.543	5.992		
7.	322.67		63.8	61.8	57.5	0.517	5.527	0.64	536.21
8.	321.33		63.	60.8	59.	0.543	5.896		
9.	321.61		64.7	62.	58.5	0.535	5.772		
10.	322.53		65.	62.1	59.	0.543	5.855		
11.	321.36	60°.	61.6	59.5	58.5	0.535	5.732	0.58	
12.	321.69	63.	63.3	59.75	59.	0.543	5.829		
P. M. 1.	319.75	65.	65.4	61.5	63.5	0.625	6.690		
2.	319.61	66.	65.9	62.1	63.	0.657	7.040		
3.	319.20	65.	67.9	63.6	63.	0.615	6.557	0.55	
4.	318.24	64.	68.25	61.2	61.	0.536	5.791		
5.	319.14	66.	69.	63.	61.	0.636	6.798		
6.	318.31	66.	67.25	63.6	63.	0.657	7.034	0.63	522.74
Mean.			64.92		61.32	62.55			
Maxim.	xxii. 9 P. M.					66.5			
Minim.	xxiii. 7 A. M.					57.5			

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MARYLAND U. S. SENATOR. Hon. JOHN LEEDS KEAR, whose election to the U. S. senate we noticed in our last number, has written a letter to the legislature of Maryland, accepting the appointment.

FOREIGN AFFAIRS.

The London correspondent of the *Courier and Enquirer* writes on the 3d December: "The intelligence from the United States has given the highest satisfaction in this country; the certainty of the election of general Harrison to the presidency being considered an event of extreme importance in the political and mercantile point of view. As general Harrison has not been in prominent political affairs as some of the better known transatlantic statesmen, there is rather more uncertainty as to the true prospects of the foreign policy of the United States under the new administration; but the few who are aware of the views of the new president, to those who have perused the enlightened, elegant and truly admirable speech, which was made by this gentleman at Cincinnati on the subject of the adopted constitution, know perfectly well that the government of general Harrison will be satisfactory towards all foreign nations—whilst those who do not happen to be sufficiently aware of the character of the new president, know that he is supported by Messrs. Webster and Clay, and therefore all parties have at least a vague opinion that this great change in the politics of America, is destined to be favorable to the relations between England and the U. States.

The general appearance of European affairs has been perfectly tranquil since 1830; but accounts from England and France. The eastern question has been friendly settled—for the fortress of St. Jean d'Acre fell into the hands of the allied powers after a bombardment of only a few hours; and intelligence since then received of the formal intervention of Mehemet Ali to the affairs of the majority of Egypt alone.

"In the French chamber of deputies, the debate on the address to the throne has lasted upwards of nine days; all the principal speakers exhausting their eloquence on the recent events—the summary of which however is, that Mehemet Thiers has sunk into the most perfect contempt, and that a overwhelming majority is firmly attached to the administration. Senot and Guizot, Thiers, Odillon, Barrot and Barrot have raved in vain about the insulted honor of France, for the chamber applauded with reverence the expressions of Guizot—"that the time of violence and conquest was gone by—France, wealthy, prosperous and free, should endeavor to preserve the blessings of power and adopt for her motto—peace forever—peace every where."

"The conclusion of the difficulty of the eastern question, has caused no extensive improvement in English monetary and mercantile affairs. The commercial exchange having become as sluggish favorable, and the exportation of bullion having almost entirely ceased within the last ten days. In consequence of the improving position of the Bank of

England, the directors have given notice, that bills of exchange can be now discounted of the date of six months, a measure of relaxation from their recent practice of only discounting bills of ninety days; and although the rate of discount has not been yet reduced, yet the merchants and bankers appear very generally to be of opinion, that the general difficulties of trade have now been overcome—and that the improved condition of foreign commerce, and of the foreign exchanges, with the continued decline in the value of grain and advancing duties in foreign corn; all leads to the prospect of a rapid improvement in general affairs. The accounts from Liverpool and Manchester are better dated yesterday and to-day than for months past, if not for years; and though the close of the year is usually the duller of all pursuits in monetary affairs—there is in the present month of December, a revival of speculative business, and business, and falling prices of the French property in shares, and in several of the foreign funds.

"Since the arrival of the President steamship the business in American securities has been rather more animated, but the improvement in the quantity has not yet been material, the market having been prevented from assuming a more prosperous appearance by recent circumstances, particularly the stoppage of the great banking house of Wighams & Co. of New York, which firm has been reeling since the 1st of September. Their affairs have yet been obtained respecting the state of the effects of the house, or what amount of American stocks they may have been in possession of at the time of the failure of the bank."

EASTERN.

The following graphic and spirited sketch of the attack upon St. Jean d'Acre is given by the *Davenport Gazette* from the letter of an officer of her majesty's steam frigate *Gorgon*:

"On the 1st of October, when the British fleet, which firm was last of September were despatched from Beyrout, with three steamers under our command, to bombard this devoted place for three days before the general attack was made, which we commenced on the 1st of October, by standing in within range and firing till we had killed and wounded, and returning two for one. They fell around us like hail, but, strange to say, not a shot struck us; our bombardment was not very successful, as more than half the shells burst before they reached the shore, owing to the fuses being badly bored, and all the shells from the steamers failed alike, a circumstance not very creditable to those who made them, and sadly disappointing to us. It is not likely they were ever tried at such a distance before, 4,000 yards.

"At half past 4 o'clock, (how shall I describe this), as if by one consent, all firing ceased, and oh, heaven! what a sight! The whole town appeared as if it was in the air; so awfully grand a sight no one can describe. We saw nothing but one devilish cloud extending thousands of yards into the air, and on all sides, and then we felt an awful shock which gave the line of battle ships a heave of two degrees, so that you may judge from the moment of the explosion, all firing from the town ceased. The Turkish admiral Walker Bey, was boarded by one of our shells bursting in the main magazine of powder, by which, to speak within bounds, 2,000 souls were blown to atoms, besides beasts of burden of every description. In all the loss of the Egyptians is computed at 3,000 killed and wounded. At daylight what a sight was exposed to our view! The stupendous fortification, that only twelve hours before could boast of being among the strongest in the world, was so reduced, we could not find a square foot of wall that was not a ruin."

"On the morning of the 4th I went aboard to witness the devastation; the sight beggared all description. The bastions were strewn with dead, the guns dismantled, and all sorts of havoc. I then came to the spot where the explosion took place; it has laid a space of two acres quite bare, and hollowed it out as if a quarry had been worked there for years. And oh heavens, what a sight! It makes my blood run cold to write of it. Mangled human bodies of both sexes, strewn in all directions, women searching for their husbands and relatives, leaving their hair, beating their breasts, and howling and crying most piteously; God forbid I should ever see the like again."

The attack commenced a few minutes before two o'clock on the 3d inst.

The carnage appears to have been dreadful, but the loss of the British seamen and marines was, as we have already said, very trifling.

Israhim pasha was at Zebie, with from 15,000 to 20,000; but it is expected he will retire in moderation, without so much as attempting to stand against the allied force.

The base lies circulated by the Paris papers of the betrayal of St. Jean d'Acre into the hands of the besiegers for British gold, received from the above account abundant refutation.

One of the letters describes the state of the town thus: "On landing, the place known to be strong was found even still more so than what was conceived, and thanks may be returned to the Almighty, that this strong hold of the enemy has not cost the allies a greater loss of life. The town is one mass of ruins; the batteries and most of the houses are literally riddled all over; the killed and wounded lying about in all directions, lifeless trunks cut asunder, some without heads, others without legs and arms. Hundreds dying from the blood flowing from their wounds, and no one near to help them. The scene is truly awful."

A long account of the bombardment concludes in these words—"Such is the account of the taking of Acre, written twenty-four hours after the attack began, a city which baffled Bonaparte and a French army, and has undergone, both in ancient and modern history, the most calamitous and desperate sieges than any other city in the world."

The following is a list of the naval forces employed at St. Jean d'Acre:

Princess Charlotte 104, flag ship of admiral, the lion, 1st St. Jean d'Acre (commander-in-chief), captain: Fawcett; Powerful 84, (broad pennant), commodore Napier; Thunderer 84, capt. Berkeley; Bellphor 80, captain Austin; Revenge 76, capt. Walgrave; Benbow 72, captain St.uart; Edinburgh 72, captain Henderson; Custer, frigate, 36, capt. Collier; Pique, frigate, 56, captain Boxer; Carysfort, frigate, 26, (heavy 32 II. S.) capt. Martin; Talbot, frigate, 28, (cannon, 32 II. S.) captain Codrington; Hazard, sloop, 18, commander Hon. C. Elliot; Wasp, brig, 16, commander Mancel Gorgon, steam frigate, 2 and 4, commander Henterson; Platanix, steam frigate, 2 and 2, commander R. Stopford; Stroniboul, steam frigate, 2 and 4, commander W. Williams; Veuveus, steam frigate, 2 and 4, commander Henderson.

Lurkin, 100, rear admiral Walker; small cutter (captured), 8.

Austrian flag ship 60, admiral R. Bandieri; Austrian frigate 46, has royal highness archduke Frederick; Corvette 20.

The London *Times* of the 3d instant says: The Paris papers have arrived by our ordinary express. They are exclusively occupied with the eastern question, and the debate on the address in the chamber of deputies, which may be regarded as a branch of it.

The most important fact connected with this subject, alluded to in these journals, and confirmed by our private letters, is that the French government had received positive intelligence from Mehemet Ali had accepted the terms offered him by the allies; that Ibrahim had, in consequence, been recalled into Egypt with orders, to avoid all possible collision with the forces of the allies, and that the preparations for the restoration of the Turkish empire had actually commenced. "Nothing more remains to be done," observes a correspondent, "but to obtain from the allied powers some concessions which will enable France to recoup with honor from the position in which the treaty of the 16th July, and its execution, have placed her."

To obtain such concession was, it is now unquestionable, the object of M. Mounier's mission to Lon-

don, and this I state with a perfect knowledge of the detail given to the statement that his visit to the British capital had a political object. What the concession sought for may be I know not, but something must be done to set at naught the cause, and to break her wounded *armor* *propre*, in order that she may not assume a proposition to disarm that will assuredly issue from the congress to be held in Vienna next spring." *[Otago Herald.]*

WELLAND CANAL. It appears by the Canadian papers that the British government have directed the purchase of the stock held by individuals in the Welland canal, and authorized the enlargement of the work to a larger scale. This movement will be of vast importance to Oswego, and presents the highest inducements for opening the rail road communication between this place and Syracuse. Steamboats running from here to all the ports on the upper lakes will secure to this route the whole western freights, and the completion of the rail road to Syracuse, will concentrate to this point the business and travel of the whole country bordering on Lake Ontario and the river St. Lawrence. A favorable charter has been obtained for the construction of this road, and the attention of our citizens should now be turned to the speedy prosecution of the work.—There is no difficulty in satisfying capitalists that the stock in this road will not only be profitable but secure to them in the state. *[Otago Herald.]*

The St. Johns (New Brunswick) Herald attributes general Harrison's success to the fact that he lives on "hard cider," and occupies a "log cabin" in "Providence" and says that "Van Buren has been 'de-throned' because he dined off silver plate, and drove his own carriage and four, and kept liveried servants." "The former," continues the Herald, "is an unknown and obscure person: the latter a thorough business gentleman, remarkable for his talents, extreme foresight and political sagacity. One has never been placed in any situation either to do much harm or much good; the other has, for the last four years, held the president's office at a time when it required all the management to manage, all the judgment of politics, and all the mind of Martin Van Buren to endeavor to set matters in a proper train. Should he live, Martin Van Buren will be president of the United States in 1845—that is if he will take the office."

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the Senate. James A. Bayard, attorney of the United States, for the district of Delaware, (reappointed).

Daniel Goodwin, attorney of the U. S. for the district of Michigan, (reappointed).

Charles S. Sibley, attorney of the U. S. for the middle district of Florida, (reappointed).

Francis S. Key, attorney of the U. S. for the district of Columbia, (reappointed).

Nathaniel Williams, attorney of the U. S. for the district of Maryland, (reappointed).

Montgomery Blair, attorney of the U. S. for the district of Missouri, in the place of Arthur L. M'Ginnis, resigned.

Solomon Cohen, attorney of the U. S. for the district of Georgia, in the place of Robert M. Charlton, resigned.

Philip Schuyler, of New York, to be consul for the port of Liverpool, in the place of Francis B. Ogden, resigned.

Louis Tinelle, of New York, to be consul for the port of Oporto.

Francis B. Ogden, of N. Jersey, to be consul for the port of Bristol, in the place of Thos. Harrison.

Henry D. Gile, of New York, to be consul for the port of Velasco, in the place of Stewart Newell, resigned.

John A. Parker, to be collector of the customhouse at Tappanhook, Va. vice Robert S. Garzett, deceased.

Jacob P. De Forest, to be surveyor at St. Louis, Mo. vice Nathan Runney, resigned.

Ebenezer H. Stacy, to be surveyor at Gloucester, Mass. vice John M. Morarty, resigned.

Estle Foster, to be surveyor at Eastport, Me. vice Charles Peavey, whose commission expired on the 8th December 1840.

James McKittrick, to be register of the land office at Fayetteville, Ark. from 27th December, 1840, when his late commission expired.

Lewis B. Tully, to be register of the land office at Batesville, Ark. vice Thomas Johnson, resigned.

John Gardner, to be register of the land office at Winnsboro, Va. vice Edward A. Haysman, resigned.

John V. Ingersoll, to be register of the land office at Mineral Point, Wisconsin, vice John P. Eldred, removed.

Enos Lowe, to be register of the land office at Burlington, Iowa, vice A. C. Dodge, resigned.

Cesaré Delabonaye, to be register of the land office at Opelousas, La. vice Robert N. Krefley, resigned.

Lewis B. McCarthy, to be register of the land office at Demopolis, Ala. vice Thomas Simpson, resigned.

Thomas Scott, to be receiver of public moneys at Vincennes, Ia. vice John Law, resigned.

Samuel Nerry, to be receiver of public moneys at St. Louis, Mo. from 22d December, 1840, when his late commission expired.

William G. Crawley, to be receiver of public moneys at Augusta, Me. vice A. H. Hall, resigned.

Samuel Crawford, to be receiver of public moneys at Kaskaskia, Ill. vice Edward Humphreys, deceased.

Elijah H. Gordy, to be receiver of public moneys at St. Stephen's, Ala. vice Theodore J. Wilkinson, deceased.

Lansford R. Noel, to be receiver of public moneys at Danville, Ill. vice Stenon H. Anderson, declined.

James H. Elliott, to be receiver of public moneys at Winnsboro, Va. vice Jesse Jackson, deceased.

Paschal Bragotto, to be receiver of public moneys at Mineral Point, Wisconsin, vice David W. Jones, resigned.

Thomas Womack, to be receiver of public moneys at Greensburg, La. vice William Bickham, resigned.

EXCESS OF EXPORTS. There have been five years in our history since 1815 in which our exports have exceeded our imports. These years are 1820, 1823, 1827, 1828, 1840. The excess of exports over imports in 1840 is \$26,766,069. This is quite remarkable. It is owing, doubtless, to our great indebtedness abroad. And since we are largely indebted, the above indication may be regarded as a correct one, though probably 12 to 15,000,000 dollars of it have gone to pay interest. *[Nationist.]*

THE UNITED STATES AND GREAT BRITAIN.—The following are the documents transmitted to the house of representatives by the president of the United States, in answer to a call for copies of any correspondence between the governments of the two countries concerning the burning of the steamboat *Caroline*, &c.

Department of state,
Washington, Dec. 28, 1840.

Sir: The secretary of state, to whom has been referred the resolution of the house of representatives, dated the 21st instant, requesting the president "to communicate to that house (if it not in his opinion inconsistent with the public interest) all the correspondence between this government and that of Great Britain, or the officers or agents of either, or the officers and agents of this government with the president of the United States, touching the burning of the *Caroline*," has the honor to inform you that he has the pleasure to communicate to this house, on the subject of the outrage of burning the *Caroline* on the Niagara frontier; and whether there is any prospect of compensation being made to the owner of said boat for the loss thereof; and also, whether any communications have been made to this government in regard to the arrest and imprisonment of —McLeod, by the authorities of the state of New York, for being concerned in said outrage; and if so, that he communicates a copy thereof to that house," has the honor to report to the president, in answer to that resolution, the accompanying papers. Respectfully submitted, JOHN FORSYTH.
To the president of the U. States of America.

Mr. Stevenson to Mr. Forsyth.
Legation of the United States,
London, July 2, 1839.

I regret to say that no answer has yet been given to my note in the case of the "Caroline." I have not deemed it proper under the circumstances to press the subject without further instructions from your department. It is in the wish of the government that I should do so, I pray to be informed of it, and the degree of urgency that I am to adopt.

Mr. Forsyth to Mr. Stevenson.—*Extract.*
Department of state,
Washington, 11th September, 1839.

With reference to the closing paragraph of your communication to the department, dated the 2d of July last, (No. 74), it is proper to inform you that no instructions are at present required for again bringing forward the question of the "Caroline." I have had frequent conversations with Mr. Fox in regard to this subject—one of very recent date—and from its tone, the president expects the British government will answer your application in the case without much farther delay.

Mr. Fox to Mr. Forsyth.
Washington, Dec. 13, 1840.

Sir: I am informed by his excellency the Lieutenant-governor of the province of Upper Canada, that Mr. Alexander McLeod, a British subject, and late deputy sheriff of the Niagara district in Upper Canada, was arrested at Lewiston, in the state of New York, on the 12th of last month, on a pretended charge of murder and arson, as having been engaged in the capture and destruction of the piratical steamboat "Caroline," in the month of December, 1837. After a tedious and vexatious examination, Mr. McLeod was committed for trial, and he is now imprisoned in Lockport jail.

I feel it my duty to draw upon the government of the United States to take prompt and effectual steps for the liberation of Mr. McLeod. It is well known that the destruction of the steamboat "Caroline" was a public act of persons to her majesty's service, obeying the order of their superior authorities.—That act, therefore, according to the usages of nations, can only be the subject of discussion between the two national governments; it cannot justly be made the ground of legal proceedings in the United States against the individuals concerned, who were bound to obey the authorities appointed by their own government.

I may add that I believe it is quite unnecessary that Mr. McLeod should be one of the parties engaged in the destruction of the steamboat "Caroline," and that the pretence charge upon which he has been imprisoned rests only upon the perjured testimony of certain Canadian outlaws and their abettors, who, unfortunately for them, are the subjects of the present communication. That act was the public act of persons obeying the constituted authorities of her majesty's province. The national government of the United States should themselves be upon to remonstrate against it, and a remonstrance which the president did accordingly address to her majesty's government is still, I believe, a pending subject of diplomatic discussion between her majesty's government and the United States legation in London. I feel, therefore, justified in expecting that the president's government will see the justice and the necessity of causing the present immediate release of Mr. McLeod, as well as of taking such steps as may be necessary for preventing further subjects from being persecuted or molested in the United States in a similar manner for the future.

It appears that Mr. McLeod was arrested on the 12th ult. that he was the examination of witnesses, he was committed to the custody of the British authorities, and in confinement in the jail of Lockport, awaiting the answer, which will be held there in February next. As the case is naturally occasioning a great degree of excitement and indignation within the British frontier, I earnestly hope that it may be in your power to give me an early and satisfactory answer to the present remonstrance.

I avail myself of this occasion to renew to you the assurance of my distinguished consideration,
I am, Sir, your obedient servant,
H. S. FOX.

Hon. John Forsyth, &c.
Mr. Forsyth to Mr. Fox.

Department of state,
Washington, December 28, 1840.

Sir: I have the honor to acknowledge, and have laid before the president, your letter of the 13th inst. touching the arrest and imprisonment of Alexander McLeod, a British subject, and late deputy sheriff of the Niagara district in Upper Canada, who was charged of murder and arson, as having been engaged in the capture and destruction of the steamboat "Caroline," in the month of December, 1837, in respect to which you state that you feel it your duty to call upon the government of the United States to take prompt and effectual steps for the liberation of Mr. McLeod, and to prevent others of the subjects of her majesty the queen of Great Britain from being persecuted or molested in a similar manner for the future.

This demand, with the grounds upon which it is made, has been duly considered by the president, with a sincere desire to give to it such a reply as will not only be a proper regard for the rights of the subject, but also, at the same time, tend to preserve the amicable relations which, so advantageously for both, subsist between this country and England. Of the reality of this disposition, and the promptness with which it has been given in the many delicate and difficult questions which have arisen between the two countries in the last few years, no one can be more convinced than yourself. It is then with undiminished regard that the president finds himself unable to recognize the

validity of a demand, a compliance with which you deem so material to the preservation of the good understanding which has been hitherto manifested between the two countries.

The jurisdiction of the several states which constitute the union is, within its appropriate sphere, perfectly independent of the federal government.—The offence with which Mr. McLeod is charged was committed within the territory, and against the laws and citizens of the state of New York, and is one that comes clearly within the competency of her tribunals. It does not, therefore, present an occasion where, under the constitution and laws of the union, the interference of the federal government, or for which a warrant can be found in the powers with which the federal executive is invested. Nor would the circumstances to which you have referred, or the reasons you have urged, justify the exercise of such a power, if it existed. The transaction out of which the question arises, presents the case of a most unjustifiable invasion, in time of peace, of a portion of the territory of the United States, by a band of armed men from the adjacent territory of Canada, the forcible capture by them within our own waters, and the subsequent destruction of a steamboat, the property of a citizen of the United States, and the murder of one or more American citizens arrested at the time, the offenders might unquestionably have brought to justice by the judicial authorities of the state within whose acknowledged territory these crimes were committed; and their subsequent voluntary entrance within the territory of another state, would not constitute an offence. The president is not aware of any principle of international law, or, indeed, of reason or justice, which entitles such offenders to impunity before the legal tribunals, when coming voluntarily within their jurisdiction and under their jurisdiction, and who have acted in obedience to their superior authorities, or because their acts have become the subject of diplomatic discussion between the two governments.—These methods of redress, the legal prosecution of the offenders, and the application of the law to the agent for satisfaction, are independent of each other, and may be separately and simultaneously pursued. The avowal or justification of the outrages by the British authorities might be a ground of complaint with the government of the United States, but arising from the violation of the territory and laws of the state of New York. The application of the government of the union to that of Great Britain, for the redress of an authority in violation of the peace, dignity and rights of the United States, and the violation of the state of New York of her undoubted right of vindicating, through the exercise of her judicial power, the property and lives of her citizens. You have properly remarked that the alleged offence of Mr. McLeod from the scene of the crime, at the time when it was committed, as not material to the decision of the present question. That is a matter to be decided by legal evidence; and the sincere dependence of the president on the justice of the law, as established. If the destruction of the Caroline was a public act of persons in her majesty's service, obeying the order of their superior authorities, this fact has not been communicated to the government of the United States by the American authorities to make the admission; and it will be for the court which has taken cognizance of the offence with which Mr. McLeod is charged, to decide upon its validity when legally established before it.

The president deems it to be a proper occasion to remind the government of her Britannic majesty that the case of the "Caroline" has been long since brought to the attention of her majesty's principal secretary of state for foreign affairs, who, up to this day, has not communicated any decision thereon. It is hoped that the government of her majesty will perceive the importance of no longer leaving the government of the United States uninformed of its views and proceedings upon a subject which has naturally produced much uneasiness, and which has led to such grave consequences. I avail myself of this occasion to renew to you the assurance of my distinguished consideration. JOHN FORSYTH.

St. Paul, reg. &c. &c.
The New York correspondence of the National Intelligencer, of January 4, says: The Hamilton (U. C.) Journal states that Sir Allan Macnab was knighted in consequence of the Caroline affair, and was awarded a pension in representing the rebellion. This paper also adds, "the legal proceedings against the Caroline in American waters has not been yet pronounced upon by the British government." It is also said that when Macnab issued orders for the attack upon the Caroline, he supposed the vessel would be found upon Navy Island, and that he never contemplated an attack upon our shore. During the last session of the Imperial parliament, adds the Hamilton Journal, Lord John Russell was asked the question whether it was the

intention of ministers to recommend her majesty to bestow any reward upon captain Drew (who commanded the party attacking) and officers engaged in that affair, to which Lord Russell replied, "rewards had been resolved upon, and as the question involved a subject of a very delicate nature, he must decline to answer it further. All this, if it turn out correct, and it looks so, throws a new light upon affairs recently discussed in Washington, and makes the prospect of an amicable settlement very bright."

THE SILENT TRIGGERS. Another seizure by the British. By the brig Cipher, just arrived from N. W. coast of Africa, we learn that another American vessel, a Salem brig, has been seized by a British cruiser, on the groundless suspicion of being engaged in the slave trade. The particulars so far as we have been able to gather, are these: The brig Tigris, capt. Fyfe, of Salem, while lying at Amherst, having her return cargo on board, and about to sail for home, was boarded and taken possession of, by order of the commander of the British cruiser Water Witch, and put to charge of a prize matter. The alleged pretence for the seizure was the fact that a black boy, a native of the coast, was in the service of capt. Fyfe, on board the brig, probably in the capacity of cabin boy; nothing was said of the fact that the boy was a native of that coast to employ the natives on board their vessels. The Tigris had been ordered to N. York in charge of the prize matter, and would sail soon—the captain and crew remaining in the brig. The cargo was disturbed. She had on board about 20,000 lbs. of ivory and a quantity of coffee.

The T. is owned by Robert Brookhouse, esq. one of our most active merchants, who has been extensively engaged in the African trade for many years. Capt. Fyfe is a young man, native of Salem, who formerly resided on the coast some years; and was on his first voyage as master. These practices manifestations of the British cruisers seem to indicate an intention to drive the American traders from the coast, and demand the immediate outlet of our government. Instances of petty insolence on the part of John Bull's armed vessels towards the Americans, have been frequent on that coast; if every state that is to be made the ground for a forcible seizure and detention, it will lead to serious trouble. [Salem Register.]

STATES OF THE UNION.

LEGISLATURES OF THE RESPECTIVE STATES.
The following is the political character of the several states of the union.

Whig—18 states.

Van Buren—7 states.

Vermont,	Maryland,	New Hampshire,
Maine,	Virginia,	South Carolina,
New Brunswick,	N. Carolina,	Alabama,
Rhode Island,	Georgia,	Arkansas,
Massachusetts,	Indiana,	Missouri,
Connecticut,	New York,	Kentucky,
New Jersey,	Louisiana,	Illinois,
Pennsylvania,	Ohio,	Doubtful.
Delaware,	Michigan,	Mississippi.

The legislatures of all these states are, or will be, in session during the present winter, except those of New Hampshire, Vermont, Connecticut, Tennessee and Mississippi.

MAINE.

Congressional elect. Mr. Lowell, (V. B.) has, at last, been elected to congress in the Washington and Hancock district, by a majority of four votes. The entire vote stood as follows:

Lowell, V. B. 5,194

No party, 5,055

Scattering, 139

MARYLAND.

Message of the governor. Since your last session, no material change has taken place in the financial affairs of the state. As they were then fully explained, and as additional details will be found in the annual report of the treasurer, it is only necessary for me to give a general statement of their present condition.

The debt of the state is now fifteen millions one hundred and nine thousand dollars; but when the stock, authorized by existing laws, shall have been all issued, it will amount to fifteen millions three hundred and forty-six thousand.

The sinking fund, which last year, was one million thirteen thousand three hundred and seventy-two dollars, has been increased to one million, seventy-six thousand five hundred and thirty-three dollars.

For the year, ending the first day of the present month, the revenue, exclusive of sums received from internal improvement companies, and of those from the state deposits, amounted to \$250,675; and the disbursements, exclusive of pay-

ments to these companies, and of the interest on the public debt, to \$259,168; and this statement shows the amount of the ordinary revenue and expenditures.

The whole receipts of that year amounted to \$342,237; and all the expenditures to \$345,288, which sum includes the payment of \$355,819, on account of the interest of the public debt.

According to the estimate of the treasurer, the demands on the treasury, for the present year, will amount to \$927,000, and the receipts to \$306,905; which will leave a deficiency of rather more than \$620,000. The surplus revenue, now remaining on deposit at \$148,000, which, being deducted from the estimated deficiency, will leave a balance to be provided for, of about \$470,000; and after the present year, the annual deficiency will be upwards of six hundred thousand dollars.

This being the condition of the treasury, it is easier to perceive the necessity of making some provision to support the credit of the state, than to suggest such measures as will accomplish that object without being oppressive to the people.

In some of the states, a disposition has been manifested to rely upon the general government for the payment of their debts; and to claim for that purpose, the proceeds of the public lands. It is contended, that the federal government, as the national government, to be applied to for payment of the national debt; and that the debt having been paid, the states are now entitled to the revenues arising from that source.

A statement of the principal facts, connected with this question, will show, that the states have no just claim to the revenue arising from the sale of the public lands, and that they would derive but little benefit from it, if they had.

At the commencement of the revolutionary war, Virginia, New York, Massachusetts, South and North Carolina, Georgia and Connecticut, severally claimed such portions of the western country, as were included within their respective limits; and subsequently ceded the same to the United States for the common benefit of the union. Previous to the cession, congress had given a pledge, "that the unappropriated lands, which might be ceded or relinquished to the United States, by any particular state, should be disposed of for the common benefit of the United States, and be settled and formed into distinct republican states."

The cession was accordingly made; and it was stipulated in the conditions, that the land ceded, "should be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation, according to their usual respective proportions in the general representation of the union; and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever."

The deeds from North Carolina and Georgia contained the same conditions as that of Virginia; while the other states relinquished their titles, in more general terms, for the common benefit of the union. When the cession was made by Virginia, congress had no power "to lay and collect taxes, duties and imposts," but was obliged to depend upon the state governments, for "their respective proportions of the general charge and expenditure." The public lands, in yielding a revenue to the general government, relieved the states, to the same extent, from any respective burden of taxation; and formed a common fund for the benefit of all the members of the confederation, according to the obvious meaning of the Virginia deed.

To consider the United States as having no other right to the western territory, because the title was derived from the deeds of cession, is to place the subject in a point of view, the most favorable to the claims recently set up in behalf of the states. But to understand the question properly, it is necessary to consider the prior claims of the crown to the States; and also the circumstances, under which Virginia and other states relinquished their titles. From the earliest settlement of the colonies, controversies existed among them, respecting their territorial limits, which interfered with each other on the Atlantic coast, and with the pretensions of France and Spain, in running westwardly to the Mississippi river and the South sea. By the treaty of 1763, the western claims of Great Britain were limited to the Mississippi; and the extensive territory, claimed by France to the eastward of that river, was ceded to the British crown. After the declaration of independence, it was contended by some of the states, particularly Rhode Island, New Jersey, Delaware and Maryland, that the crown lands, "if wrested from the common enemy by blood and treasure of the thirteen states, ought to be deemed a common property, subject to the disposition of congress, for the general good."

Maryland protested against the exclusive claims of the large states, and insisted "that the country, unseparated at the commencement of the war, claimed by the British crown, and ceded to it by the treaty of Paris, should be considered a common property, subject to be parcelled out by congress into free, convenient, and independent states."

The large states differed among themselves, as to their respective claims. Some claimed a larger portion of territory than the rest were willing to allow. The claims of the union were derived from the conquest of the disputed territory by means of the common force, and from the treaty of peace, under which all the rights of Great Britain, both in the soil and jurisdiction, passed to the United States.

This subject was a source of constant irritation, and threatened a dissolution of the federal alliance. At length Virginia, New York, and the other states, which claimed the western lands, successively relinquished their titles for the common benefit of the union.

Whatever might have been the uncertainty of these conflicting claims, there can be no doubt, that, after the relinquishment of the state titles, they were all vested in the United States, on the conditions expressed in the deeds of cession; which, having accepted of the cession, and in return the general government and the states. The ceding states relinquished a portion of disputed territory, which they could not have retained without dissolving the union, nor defended with their separate force. All the states secured the benefit of having a common fund provided, for discharging the debts and defraying the expenses of the general government; and for relieving themselves, to the extent of that fund, from "their respective proportions of the general charge and expenditure."

The United States were bound to indemnify the states for expenses previously incurred; and were obliged to purchase the Indian title, and make large preliminary expenditures, before the lands could be sold; and, if they were not entitled to the proceeds of sales, they assumed all the burdens of the compact, without deriving a single advantage from it. The states, however, evidently intended that the territory, and the revenue arising from it, should be surrendered to the United States, and common funds for paying the general charge and expenditure, or, in other words, for discharging the debts and defraying the expenses of the general government. In none of the deeds of cession is there to be found, a reservation of the United States, and common funds, to the different members of the union; or any stipulation, that it should be applied exclusively to the payment of the public debts; or the slightest intimation, that it was to be distributed among the states for any purpose whatever.

The fourth article of the constitution recognizes the territory as belonging to the United States.

Mr. Madison, in the 39th number of the *Federalist*, alludes to this territory "as a mine of vast wealth to the United States," and remarks, that "a very large portion of this fund has already been surrendered by the states." He then expresses the hope that the remaining states will give similar proofs of their equity and generosity, and that the whole territory will soon become "a national stock." The remaining states subsequently relinquished their claims, and the whole fund was surrendered to the union.

Judge Marshall, in delivering the opinion of the supreme court in the case of *Johnson v. McIntosh*, declares, that "the states ceded that territory, generally, to the United States, on conditions expressed in the deeds of cession, which demonstrate the opinion, that they ceded the soil as well as jurisdiction, and, that in doing so, they intended a productive fund to the government-out of the union."

It was granted, when the states were bound by the articles of confederation, to levy taxes for their respective proportions of "all charges of war, and all other expenses, to which the union was bound, for the general welfare." Whether those taxes were laid by congress or the states, they were to be paid by the people of the states; and it was equally important, in either case, to convert the public lands into a permanent fund for paying the debts and expenses of the union; which must otherwise have been provided for by oppressive taxes and imposts.

They were ceded by the states, and accepted by the United States, for that purpose; and it is difficult to conjecture, upon what authority they can be applied to any other use or purpose whatever.

It was, indeed, apprehended, that a dissolution of the union might revive the territorial question, and create other disputes on the same subject. The 7th number of the *Federalist*, it is urged as a reason for adopting the constitution, that if the union were at an end, "the states which have made cessions,

on a principle of federal compromise, would be apt, when the motive of the grant had ceased, to reclaim the lands as a reversion. The other states would no doubt stand on a position, by right of prescription. Their argument would be, that a grant once made, could not be revoked; and that the justice of the concession in territory acquired or secured, by the joint efforts of the confederacy, remained undiminished. It is contrary to probability, that it should be admitted by all the states, that each had a right to a share of this common stock, there would still be a difficulty as to a proper rule of apportionment. Different principles would be set up by the different states, for the purpose, and as they would affect the opposite interests of the parties, they might not easily be susceptible of a pacific adjustment."

It is remarkable that the difficulties, anticipated, in the subject, and on a basis of the compact of the union, are likely to arise from the operation of the scheme to distribute the proceeds of the public lands. The old states contend for a share, according to representation; the new states insist upon one of the states of them are disposed to contend all the unold states within their limits. The southern states might claim an interest in proportion to their whole population; while the ceding states might expect a retrocession, on the ground, that the territory was no longer wanted for the purposes of the grant.

The land bill, passed by congress in 1833 and vetoed by general Jackson, provided for a distribution of the proceeds of the whole public domain, whether situated in the ceding or the non-ceding states of the United States, or in the coasts of Louisiana and the Floridas. It proposed "to set apart for the benefit of the new states, twelve and a half per cent. out of the aggregate proceeds, before any division look upon the states generally." The new and old states were then to receive their proportions of the residue, and to "apply the amount received, either to the purposes of education, or the colonization of free people of color, or for internal improvements, or for debts, or for other purposes authorized by the states for internal improvements."

The bill proposed to distribute among the states, for state purposes, a fund which had been surrendered to the general government for national purposes, and which was to be divided among the states for the separate use of the states, from that in which it was intended to be used for the common benefit of the union. It proposed to appropriate the public lands, purchased from France and Spain, to the support of state schools; to which objects, the revenue expended in that purchase could not have been applied. It will hardly be contended, that the general government has power over these subjects; to that congress has authority to place the public money under the control of the state legislatures, to be expended in the exercise of powers reserved to the states.

This bill, which was in violation of the constitution of the United States, and of the compact between the general government and the states, was perhaps as free from objections as any other that could be passed for a similar object. The principle of distributing the revenue of the United States, in the manner proposed, can never be established, without disturbing the constitutional relations between the general government and the states, and finally destroying the limits, which were intended to separate their functions and powers. Congress has no authority to regulate the revenues of the states to their respective constituents; and there will always be some cloak upon their extravagance, while they know, that each must provide the means of paying its own debts and expenses. But if the states are to be bound by the debts and expenses of the states to expend, every restraint will be removed, and congress, under the influence of state claims and state creditors, will become the humble instrument for laying new taxes and heavier imposts on the people, to be used for the redemption of the public lands, and for the redemption of the common defence of the United States," but to redeem stocks, issued for the use of internal improvement companies, and which would increase, in proportion to the facility of their redemption.

If the public lands had become a mine of wealth, as expected by Mr. Madison, and the revenue from that and other sources, had produced an unavailing surplus beyond the expenditures of the general government, there would be a strong incitement for amending the constitution, so as to authorize the application of it to the relief of the states. But the expenses incurred on account of the public lands, including the cost of purchase, have been greater than the receipts; and the whole revenue of the ceding states and non-ceding states, has been expended. Therefore, what ever portion of it is taken away, must be replaced by additional taxes on the people. The deficiency would be supplied

by an increase of the tariff; and, as the duties on imported articles form a part of their cost, they are increased in proportion to the profits of the importers and retail till the finally paid by the consumer, is twice as much as the revenue paid into the treasury. Increased duties on wine, silk and other luxuries, would not affect the great body of the people; but the policy of protection strikes into every article of the domestic trade. The tariff system, as it is called, is best supported by taxes on the implements of trade and husbandry, on the materials for building and equipping ships, on clothing, blankets, sugar, salt and other necessities of life.

The people could derive no benefit from the distribution of any part of the public revenue, unless they were paying at the same time, from the nation, the taxes for a sum far exceeding it. But when the advocates of this scheme speak of returning money to the pockets of the people, they mean that it is to be transferred from their representatives in congress, to their representatives in the different states, that, instead of being used for the common benefit of the union, it ought to be applied to the separate use of twenty-six states. Under such a plan of distribution, the proceeds of the public lands would be at as great a distance from the people, as the proceeds of the tariff; and whether this portion of the public revenue be claimed for the people or the states, it is well for both to reflect, that while they are appealing to the advocates of state rights, they are really contending for the rights of the states. The revenue may be extended to every object that requires the expenditure of money.

The assumption of state debts would probably follow, as a consequence of the distribution of the public revenue, and would only be an application of the same principle to a different object. It has already been contended, that the general government has the power to assume the debts of the states, not because it was granted, but because it has been exercised. The proceeds of the tariff, is the act of 1790, by which congress assumed debts, in certain proportions, to the amount of twenty-one millions five hundred thousand dollars. But payment was not to be made in state credits, if the states were to be relieved of their debts, the proceeds of the tariff were issued for any other purpose than for services or supplies towards the prosecution of the war.—The holders of these certificates were considered creditors of the United States, because the debts, of the states, were assumed by the act of congress, by the states in the common struggle for independence. If an argument can be drawn from this act, to prove that the general government has the power to assume state debts contracted for canals, rail roads, or other improvements, the same power would be settled, if continued appropriations were made by congress to aid the states in the construction of such works. Constitutional objections being once removed, the only obstacle to a general assumption would be found, in the difficulty of apportioning among the states, the benefit of shifting their burdens and responsibilities upon the union. The debt of Maryland is fifteen millions, and taking that as the scale of assumption, it would be necessary to create a national debt of at least five hundred million of dollars to relieve her from her present liabilities. The government stock, issued for this purpose, would pass into the possession of the states and their creditors, and form a fund for new enterprises, and for the redemption of the public debt, in kind, which, in the course of a few years, would produce the necessity for another assumption.

The public lands have been so often made the subject of executive assumption, that it is difficult to conceive of an opinion, without appearing to concur in the sentiments of others, nor express them without examining the question at greater length than is consistent with the proper limits of a message. It is for congress however, to decide, and carefully consider every circumstance connected with the debt and finances of the state, and will adopt such measures as they may deem necessary, to preserve the public credit, and provide for every just claim on the treasury.

The revenue of the state consists of various kinds of property, issued by banks under authority of their charters, by other corporations without authority, and by private associations and individuals,

under the pretext of supplying their neighbors with change. These private issues will probably cease when specie payments are resumed, but specie banks, the savings institutions, and other corporations, which have issued notes or certificates for small sums, will no doubt continue to exercise that privilege as long as it is found to be profitable. The small currency issued by these corporations, though preferable in some respects to the notes of individuals, is more injurious to the public; because it is issued in a much larger amount, and has a more permanent effect in preventing the circulation of specie. If the people prefer the use of specie for change, and for dealings of trading amount, they certainly ought to have their choice; and this they never can have, while small notes of every description are permitted to circulate through the state.

Many persons are under the impression that all the evils of a devalued currency have been produced by the measures of the general government; and that, under the administration of general Harrison, they will be removed without the aid of state legislation.

Without intending to discuss the general question of the currency, I will briefly state my reasons for believing, that too much is expected from general government's administration, and that it will not be in his power to correct the evils, of which so many complain.

The currency, which has been so much devalued, is the currency of the different states; and consists of paper of every kind, issued by state authority, or by the permission, of the state legislatures. If too much of this paper was put in circulation, it was the fault of the corporations that issued it; and if there were too many banks it was the fault of the state legislatures. It is impossible to suppose that the United States bank regulated the state banks, and prevented them from increasing in number. But it could only restrain the operations of other banks, by first receiving their notes, and then drawing upon them every week or month, until the balances due. It had no control over weak and discredited banks, because it would not take their notes; and could only regulate those, which were in high credit, and which could regulate each other, by the same process of frequent settlements. It was defective too, as a regulator, in this particular, that, when other banks discounted too freely and stood in need of restraints, it labored under the same difficulty, and required to be checked in its own movements; for the state banks were not its competitors, but its business, unless the national bank first set the example. Whenever it enlarged its discounts, they did the same; and then it was rather a situation of affairs, than a source of relief to the public. But if instead of being off, it had managed its affairs so prudently as to be always a creditor of other banks, there was nothing to prevent it from sustaining institutions, that were unsteady and injurious, and that were a source of public confidence; and nothing to prevent it from giving the banks and merchants of a commercial city, great advantages over those of rival cities.

The national bank, however, might be prudent, vigilant and impartial, and still be inefficient as a regulator, because the state banks could always escape from its control, by refusing to pay specie, or by otherwise discrediting their notes; and thus place themselves out of reach of the regulating power, at the very time they stood most in need of it.

The condition of the currency in the several states, during different periods, furnishes the proof, that its value depends on state legislation, and not on the influence of a national bank.

The United States bank went into operation in 1817, and from that period to the year 1825, its influence was not perceptible in any of the states except Kentucky, Tennessee, Indiana and Illinois, as much depreciated, during the greatest portion of that period, as that of Mississippi is now; and was gradually restored to a sound state by the operation of the new laws, and by the determination of the people of those states, to rid themselves of paper money which had lost its value. The process, by which the people of Kentucky were relieved from their depreciated paper, is described in the following paragraphs, published in Niles' Register, in February, 1823.

"More good news.—Bills of the Bank of the Commonwealth of Kentucky, to an amount of seven hundred thousand dollars, were burnt at Frankfort on the 26th ultimo. A few more good fires like this, and we shall begin to expect remittances from our friends in Kentucky."

"Kentucky is going on nobly in the work of burning paper money. There was lately another great destruction of the currency by fire; 1,400,000 dollars, in notes of the Bank of Kentucky, be-

sides the confiscation of the paper of the Bank of the Commonwealth, have been committed to the flames."

The U. States bank had then been in operation six years, without being able to equalize the exchanges between the western states and the eastern cities, or to restrain excessive banking, or to correct the evils of a depreciated currency. During that period, the notes of many of the banks in specie paying states, were at as great a discount as the currency of any western state; and throughout the whole country, it was continued to multiply in prodigious amount, as no national bank had been employed in regulating their movements.

Some of the New England banks were able to continue specie payments during the last war, and were consequently able to keep their paper counts were in proportion to their means. If the eastern states had cherished too many banks, or permitted them to run into every kind of excess, no national bank, no administration of the general government, could have prevented the depreciation of their currency.

The framers of the constitution of the U. States had no conception, that a national bank or any incidental power of the general government, could regulate the currency of the paper currency of the states, and therefore expressly prohibited them from emitting bills of credit. This restriction has been rendered nearly ineffectual by the agency of banks; and the states after giving birth to a numerous progeny of corporations, whose business it is to issue paper money, insist upon the necessity of a regulator to give their different currencies a uniform value.

The state have ample power over their own corporations, and their own paper money; and there is no necessity of making use of a fiscal agent of the general government for the management of either. If it be desirable to suppress the circulation of small notes, to prevent the increase of banks, to limit their issues, and to compel the payment of specie, the state legislatures can accomplish these objects, without the aid of a national bank.

Reports have been received from the Baltimore and Ohio rail road company, the Baltimore and Susquehanna rail road company, and the Annapolis and Washington rail road company, that bills submitted with other papers in a few days. No report has yet been received from the Chesapeake and Ohio canal company. The only information I have, in relation to these companies, is already given; and the public or is contained in their annual reports.

The Annapolis rail road is finished to its intersection with the Washington branch of the Baltimore and Ohio rail road, but is now open for the convenience of passengers and passengers.

The Baltimore and Susquehanna rail road has been in constant operation since last spring, and now forms the long desired connection between the city of Baltimore and the canals and rail roads of Pennsylvania.

The Tide Water canal has also been completed within the present year, and has already been the means of bringing a large trade to the city of Baltimore. The state has no interest in this work as a stockholder, and no pecuniary connection with it, except as a creditor; but, in proportion to its extent, there is perhaps no other public work that will contribute so largely to the trade and prosperity of this nation, as the completion of this canal. It is not the less gratifying to our citizens, on account of the equal advantages which the people of Pennsylvania will derive from it, in securing, for their various products, a convenient outlet, and a choice of markets.

The affairs of the Eastern Shore rail road company have been settled, in pursuance of the act of the last session, chapter 322.

The commissioners appointed for that purpose, were seriously engaged for a considerable time, in examining accounts, ascertaining damages and adjusting claims against the company; and in disposing of the materials and effects which remained in the possession of its officers and agents. The books, of this nature, belonging to it, were deposited in the land office, as directed by the act of assembly; and the final report of the commissioners will be transmitted to you, with other papers on the same subject.

Supposing the Eastern Shore rail road to be abandoned, the Baltimore and Ohio rail road, and the Chesapeake and Ohio canal, are the only works which now remain unfinished. The rail road company will not probably require further aid from the state, for three years, and three years, and the interest on their portion of the public debt to fall on the treasury.

The canal is not only unfinished, but the company are without the means of continuing their operations. The debt, contracted for their use, is a

dead weight on the state, and so it will remain till the whole line of canal is opened to Cumberland. While every one perceives the necessity of doing something, it is difficult to devise any practicable scheme for continuing the work. The state is without the means of raising money for that purpose, and it would appear to be a desperate experiment, to send a new set of bonds into the European market.

I have received two letters from the governor of Virginia, with a copy of the proceedings of the legislature of that state, in relation to the refusal of the governor of New York to receive fugitives from justice. These communications relate to a subject of deep interest to the people of Maryland and are intended to call the attention of the slaveholding states, to the necessity of the concert of action, if New York or other states should notwithstanding the constitution, in disregarding their constitutional rights. In giving to this subject the serious consideration to which it is entitled, you will, no doubt perceive the importance of the question, and the action upon it, till the decision of the supreme court shall have been given in the case of Nathan Bemis and others. It will be recollected, that this case involves nearly every question that can arise respecting the constitution of the states, and the validity of such state laws as have the effect of obstructing the exercise of those rights.—The southern states are indebted to the justice and liberality of Pennsylvania, for an opportunity of bringing these questions to a decision in the supreme court. Mr. Meredith and Mr. Nelson, who have been employed as counsel to represent this state, have informed me that the case is now ready for trial; and there is very little doubt, that it will be brought to a termination before the adjournment of the legislature.

I consider it my duty to call your attention to an ordinance of the city of Baltimore, which is odious and oppressive to a numerous and numerous class of our citizens; I mean the ordinance, passed on the 12th of last March, and entitled: "A further supplement to an ordinance to preserve the navigation of the harbor of Baltimore."

Under the provisions of this ordinance, duties are levied under the title of wharfage, on all articles "landed on the public wharves, from on board any vessels lying at said wharves, or placed thereon for the purpose of shipment or exposure for sale."—Goods, when landed on the wharves, are levied on the public wharves, or taken on board, are taxed with wharfage, "to be paid by the owner or consignee, or in the event of there being none, by the master of the vessel." If the articles are not landed on the wharves, but are landed on the wharves, or taken to another, the wharfage is half price. I have been informed that the same kind of wharfage is collected by the owners of private wharves, and that no vessel can escape from it, unless she can find room to land or take to. For the purpose of wharf belonging to the state. No one complains of the regular wharfage, which has always been charged upon every vessel, in proportion to her tonnage. The grievance is, that vessels lying at a wharf and paying wharfage, can nevertheless be taken to another wharf, and pay a duty on every thing that is landed or taken on board. The articles, carried by the boatmen of the Chesapeake bay, never have an owner when this tax is to be paid; and the whole burden of it falls on the master or owner of the vessel.

Within a few days past, my attention has been directed to the proceedings of the convention of tobacco planters, landed to the city of Washington city—an article of the resolution directing the members of the several states, engaged in the cultivation of tobacco, to call the attention of the legislatures of their several states, to the subject of the American tobacco trade with foreign countries.

Having no time to devote to a detailed report, or to consider the tendency of the measures recommended, I can only comply with the request of the convention, by calling your attention to their proceedings.

Penitentiary. The report of the directors of this institution, made to the executive, shows as follows:

Abstract of prisoners received into the penitentiary from the 1st December, 1839, to the 30th of November, 1840. Total, 1,000. For the following crimes:—stealing 61, felony 17, larceny 5, grand larceny 1, house breaking 1, receiving stolen goods 3, obtaining goods under false pretences 1, cutting down with intent to steal trees 1, passing counterfeit notes 1, passing counterfeit money 1, assaulting and stabbing 1, assault and attempt to commit rape 1, assault with intent to kill 1, assault and battery with intent to kill 1, manslaughter 1, murder in the second degree 1, murder 3, arson 1, breaking the conditions of bail 1, robbing the mail 1—Total 104.—Americans 87, foreigners 17.

Prisoners discharged, their term of service having expired 66, paroled 29, died 14, escaped 1—total 103.

Prisoners remaining on the 30th November, 1839, 328, received from the 1st December, 1839, to the 30th November, 1840, 104—total 432—discharged 103.

Prisoners remaining on the 30th Nov. 1840, 329.

Population. The following is the official statement of the number of inhabitants in each of the counties of this state, and the city of Baltimore, according to the late census, compared with that for 1830:

	1840.	1830.
Allagany,	15,704	10,809
Washington,	28,862	25,268
Frederick,	24,883	25,766
Carroll,	17,282	13,459
Baltimore,	32,067	40,320
Harford,	16,901	16,319
Montgomery,	14,659	19,816
Prince George's,	19,843	20,374
St. Mary's,	13,244	13,459
Calvert,	8,095	8,900
Charles,	16,012	17,769
Anne Arundel,	29,585	25,295
Cecil,	17,562	16,432
Kent,	10,840	10,501
Caroline,	7,868	9,070
Talbot,	12,103	12,947
Queen Ann's,	13,525	14,987
Somerset,	19,504	20,166
Dorchester,	18,509	18,686
Worcester,	13,253	18,273
Baltimore city,	102,513	80,620

Total, 467,467 447,040
There are 157,926 white males, 157,615 white females; 29,114 free black males, 32,825 free black females; 45,970 male slaves, 43,749 female slaves. The total white population is 315,571, and the black 157,656. The federal population is 411,164.

The total population in 1835 was 417,040—and the increase in the last ten years has only been 20,527—out of the city of Baltimore the population of the state has decreased.

The new apportionment of members of congress is to be made under the new census. It is not supposed the ratio will be less than 60,000 federal population for each member, and if so, Maryland will only be entitled to seven members. Any increase on that ratio will reduce her representation to six.

DISTRICT OF COLUMBIA.

Census for 1840. Washington city, white males 8,196, do. females 8,647, total 16,843; free colored males 1,948, do. females 2,859, total 4,807; slaves, males 649, do. females 1,459, total 2,108. Total inhabitants in the city 23,364.

Washington county, white males 1,098, do. females 861, total 1,959; free colored males 141, do. females 147, total 288; slaves, males 465, do. females 257, total 722. Total inhabitants in the county 3,069.

Georgetown, white males 2,290, do. females 2,534, total 4,824; free colored males 589, do. females 614, total 1,203; slaves, males 227, do. females 439, total 755. Total inhabitants in Georgetown 7,312.

Alexandria city, white males 2,748, do. females 3,010, total 5,758; free colored males 664, do. females 968, total 1,632; slaves, male 444, do. females 630; total 1,074. Total inhabitants in the city 8,436.

Alexandria county, white males 490, do. females 459, total 979; free colored males 110, do. females 125, total 235; slaves, male 173, do. females 127, total 300. Total inhabitants in the county 1,608.

Engaged in agriculture 2,874; in commerce 240; in manufactures and trades 329; in navigating the ocean 126; in navigating lakes and rivers 80; in learned professions 203; deaf and dumb, white 8; do. colored 4; blind, white 6; do. colored 9; insane and idiot, white 14; do. colored 7; universities 2; number of students 166; newspapers and grammar schools 26; number of scholars 1,389; primary and common schools 23; number of scholars 851; number of scholars at public charge 482; number over 20 years who cannot read and write 1,603.

Recapitulation of the several censuses.

Year.	Free whites.	Free persons of color.	Slaves.	Total.
1800	10,066	783	3,244	14,098
1810	16,079	2,649	6,895	25,623
1820	22,614	4,039	6,579	33,232
1830	27,593	6,132	6,119	39,824
1840	30,657	8,261	4,094	43,012

Interesting fact. A very interesting trial is now going on in the circuit court of this district, in

*From Frederick and Baltimore counties.

which Wm. B. Stokes, Lucius W. Stockton, and Daniel Moore, surviving partners of Richard C. Stockton, are plaintiffs, and Anson Kendall, late postmaster general, is the defendant. The celebrated mandamus case, with the accompanying circumstances, must be fresh in the memory of our readers, and it disclosed the cause of original dispute. Of the present trial, we find the following report in the National Intelligencer.

The action came on for trial on Monday 28th December, and has occupied the court and jury ever since. The declaration, claiming damages 100,000 dollars, contains three counts. The first sets forth, in substance, that the plaintiffs and their deceased partner were contractors, under and in the name of Richard C. Stockton, for carrying the mail, and besides performing the duties stipulated in their contracts, performed certain extra services, for which extra services the then postmaster general, (maj. Barry), in conformity with the law and usage of the department, caused credits to be entered on the books of the department, in favor of the plaintiffs, to the amount of \$122,000; that the defendant was subsequently appointed postmaster general, and "wrongfully, oppressively," &c. caused the said credits, upon which payments had been made, to be suspended on the books, and recharged to the plaintiffs, so that it was unfairly, unlawfully and oppressively made to appear on the said books that the plaintiffs were indebted to the department in the said sum of \$122,000, whereby they were unable to obtain large sums of money legally earned by them as contractors for other services, and were subjected to great expenses, delays, injuries and embarrassments, and were greatly injured in their credit and business, and suffered great losses in complying with their contracts with the department, &c. &c.

The second count is for omitting, neglecting and refusing, for a long space of time—viz: two years—to pay to the plaintiffs, &c. contrary to the duties and obligations of his office.

The third count sets out the act of congress of the 1st July, 1836, by which the solicitor of the treasury was authorized and directed to settle and adjust the claims of the plaintiffs for the said extra services, and directing the postmaster general to give credit for the amount which should be found by the auditor.

That the award was made for \$161,568.80; whereby it became the duty of the postmaster general to give credit, &c. that he refused, &c.

The case was opened by Mr. R. C. Cox for the plaintiffs, with a clear and forcible detail of the grievance complained of, embracing a long and systematic course of alleged acts of oppression, and obstinate disregard of the requirements of law and the obligations of office, overwhelming the plaintiffs with difficulties and embarrassments, under which one of the partners (Mr. R. C. Stockton) had sunk into an untimely grave. He recapitulated the various circumstances of aggravation characterizing the case—the re-opening of matters settled by the unanimous decision of the circuit court; the sudden charging of such an immense sum; the application of moneys earned from time to time afterwards, upon other contracts, to the satisfaction of this fictitious balance; the premonitory refusal of the defendant to be governed by congress in the act of July, 1836; by the solicitor, who had been clothed with full powers, and who made his award; by the judiciary committee of the senate; by the nonimposed vote of the senate; by the unanimous decision of the circuit court in the mandamus case; and, finally, the reluctant and tardy submission to the unanimous judgment of the supreme court—unanimous as to the condemnation of the defendant's act.

Mr. Dent opened the case for the defendant, who proposed to show that the plaintiffs were contractors with the department; that no such award was made, as alleged; and that the defendant had done nothing more than his duty.

The evidence, principally documentary, has not yet been considered by the jury. The case is before the Court for the plaintiffs, Messrs. R. C. Cox, M. St. C. Claikie and J. H. Eaton. For the defendant, Gen. Jones and Mr. Dent.

VIRGINIA.

	Popular vote of the state.	1836.
Aggregate vote,	43,593	42,501
Van Buren majority,	42,501	
Whig majority in East Virginia,	1,791	
Van Buren majority in West Virginia,	1,298	
Van Buren majority in Valley,	1,679	

*East Virginia is Old Virginia proper.

NORTH CAROLINA.

Extract from the speech of Gov. Dudley, on the opening of the late session of the legislature.

As it is the part of wisdom to profit by experience, it is necessary and proper to refer to the causes of the revolution, and particularly where connected with our peculiar interests, the better to enable us to avoid the evil and emulate the good.

The Bank of the United States, which grew out of the necessities of the country, at two periods of great distress, (and which would seem almost to give credence to its existence), and which answered every purpose required of it by our business friends, or anticipated by the public, was doomed to executive hostility, because it would not yield political obedience. It was rechartered by congress, but vetoed by the president. The public money was then removed from its lawful place of deposit, in the Bank of the United States, to the local banks, by the president, under the plea that it was unsafe. This ground, taken by the president, was disproved by a report from a committee of congress.

The removal of the United States became alarmed at these indications of violence and usurpation, and declared the removal of the deposits unconstitutional. The president appealed to the people, against both the bank and the removal of the deposits. He declared that the removal of the deposits was dangerous to the liberties of the country—a monster of foreign materials; and that a better currency could be given by the local banks, without the danger; and that the removal had done him gross injustice. The removal of the deposits was an act of unconstitutional violence, and he declared that he would remove the deposits, or to resign their seats to more unscrupulous hands; and it was done. Some yielded to the service act, in defacing the journals of the senate, and others, through a mistaken notion, mistaken abstraction, abandoned their posts; which has impaired, and, if continued, will destroy the most stable and valuable part of our constitution, and, in all probability, the government itself.

The honest representation could not but feel the influence of the will of the people concentrated in the executive. His power was tremendous enough to intoxicate the brain of a less philosophical chief. The fate of the bank was decided. The deposits of the United States were retained. Nothing was to be loaned out. Banks increased rapidly, and discounted freely. The disbursements of the government increased some fifty per cent. or about twelve millions of dollars annually. Property and labor of all kinds were depressed. Commerce was suspended, and some completed, of vast magnitude; and general prosperity reigned, not only in this country but in Europe. Up to 1834, under the operation of the "bill of abatements," the payment of the public debt, mostly due to European nations, a great country with money seeking investments; a great deal of which was taken by our states, banks, rail roads, canals and manufacturing companies, and returned to this country at a rate of interest higher than had been given by the government. Whether designed or not, this command and disbursement of large amounts of money, completely, at the time, covered the consequences of the destruction of the Bank of the United States, and gave to the country a hollow and fictitious prosperity.

Notwithstanding the great increase of expenditures, some forty millions of surplus had accumulated in the vaults of the local banks. Upon a previous occasion, in 1831, when the legislature met, and after a fierce struggle in congress, an act was passed directing it to be deposited with the states; and although his views had subsequently undergone a change, he reluctantly approved the measure.

Foreign capitalists, used to us and conversant, watched the operations of our government with a vision true to their interests; and, taking alarm at the attack of the president on foreign capital, his revolutionary spirit and daring notions, and the drain of his funds, in time, to a point of safety. The banks commenced circulating, to meet the provisions of the distribution act. But it was soon discovered that it could not, with other demands, be met; and a suspension of the currency was necessary. The banks, in every branch of business took place; and credit and confidence was shaken to the centre. Money became scarce in both branches; it seemed, indeed, in Ireland, Ireland rose, and with difficult negotiations could be effected on any terms. Instead of coolly investigating the causes, and applying such relief as his elevated and powerful position might command, to save thousands from ruin and distress, he proceeded to denounce the banks as worthless and faithless—pursued them with an inveterate rancor—and turned upon them the full tide

property is intended to secure to the bank. Another bill is before the senate, and has been ordered to a third reading, empowering the several boards of directors to compound and compromise with debtors, like property &c. at the discretion of the directors. The bill also provides for the appointment of bank marshals in the several counties of this state. It is the most important measure of the session, in my humble opinion; and one indispensably called for by the urgency of the times, and the condition of the banks. It will certainly pass the senate, as it has already been ordered to a third reading (a test question) by a decided majority.—I think there is no doubt of its passage also in the house, without any material alteration or amendment."

Insurrection. The Mobile Journal says, there have been sundry rumors in town for some days of an intended insurrection, in Sumpter county, which has been detected and suppressed. Other counties were mentioned as the scenes of like events, among which we name Montgomery and Clarke. The causes for apprehending a servile rising are stated to have been many, but the principal among them was the statement of a Choctaw chief, "Little Lender," as having projected a rising of the negroes and Indians against the whites, and confessing himself to have been employed as an agent. The Indians, chief and many slaves were consequently arrested, and the country put into a state of military defence. The arrest amounted to twenty or thirty. The examination of these parties occupied several days, when the Indians were discharged—no evidence appearing against them.

We copy the subjoined paragraph from one of the Alabama newspapers, being a confirmation of a report which we had seen before, but which, from its apparent improbability we at first rejected as untrue. If it be true, there was certainly very extraordinary negligence on the part of the electors, who, if perchance ignorant of the express requisitions of the constitution, ought at least, after travelling to the seat of government to give their votes, to have consulted, in the process of their journey, the copy of the instrument from which they derived their authority to vote at all. We can scarcely believe the report. We yet trust, indeed, that the report is all a mistake, rather than that the electors of the state of Alabama should have undertaken so gross an error, to vitiate their votes by their own giving them.

[Not. Ind.]

Electional vote of Alabama. It seems that, by informality in conducting the proceedings in the electoral college of that state, the vote of the president and vice president will be lost. The constitution of the United States provides that the mode of voting in the electoral colleges for president and vice president shall be by ballot. It is further provided that the electors shall be voted for by *distinct ballots*—and that these facts shall appear on the face of the certificate of election. According to the order of proceeding in the electoral college of that state, as given in our last paper, from the Tusculum Monitor, the electors did not vote by ballot, and distinctly for each officer, but by *visa voce*—each elector rising when his name was called and responding—"Martin Van Buren, of New York, for president of the United States, and Richard M. Johnson, of Virginia, for vice president." Of course this departure from the plan expressly laid down in the constitution of the United States will be effectually nullify and abrogate the vote of the state, when the certificates come to be opened and the ballots counted in Washington, would the adoption of the *visa voce* system by an individual in our state elections destroy his vote. It was a strange oversight or culpable ignorance in the electors to conduct the proceedings as they did, but, under the circumstances of the great difference between the votes for general Harrison and Mr. Van Buren, one which will be attended by no worse consequences than the loss of Alabama's seven votes to Mr. Van Buren and his party in this state. Had the two candidates, however, been either equal, or the difference of the consequences might have been no less than the success of a man as president, without a majority of suffrages.

[Florence (Ala.) Eq. Dec. 19.]

United States senator. We learn from the Globe that the governor of Tennessee has appointed the hon. A. O. P. Nicholson, of Maury county, to supply the vacancy in congress occasioned by the death of Mr. Grundy. Mr. Nicholson is a Van Buren man.

0110.

Small notes. We learn that the resolution repealing the act which prohibits the Ohio banks from issuing small notes, has passed both branches of the legislature of that state, and only requires the signature of the governor to become a law.

INDIANA.

Governor Wallace's message. We are indebted to an intelligent correspondent for the following notice of the message of the governor to the legislature of the state of Indiana. [Not. Ind.]

I have been favored with a copy of the message of governor Wallace to the present general assembly of Indiana. I have carefully perused it, and with the utmost satisfaction. It touches with singular ability the various subjects worthy of legislative action. His recommendations evince a thorough knowledge of the peculiar condition of that young and growing state, and are marked with a provident and comprehensive forecast. It is well known that the state of Indiana has been the theatre of some of our country has arrested the prosecution of those schemes of internal improvement in almost every portion of the union which, a few years since, were commenced under such flattering auspices. Governor Wallace recommends that a few of the leading works, which have been partially prosecuted, be completed, and his views will commend themselves to the judgment of every unprejudiced reader. He recommends a reduction of the number of senators and representatives in the general assembly. He thinks it will materially lessen the public burdens, while a diminished number will discharge all the duties of a deliberative assembly with equal efficiency. I was gratified with the wisdom and reasonableness of the suggestions.

"Restricting our observations to the narrower sphere of our own state, we find, even through the surrounding gloom which has gathered over the pecuniary condition of our citizens, enough to claim for us and to recommend to us in the general assembly. We have received from the Divine hand the choicest tokens of its favor. The teeming earth has rewarded the tiller of its soil. No desolating pestilence has invaded our limits, and filled our fields with lamentation and woe. The reviving spirit of enterprise has awakened in its laborers, and cheerful industry has resumed its gainful pursuits. The means of education, moral improvement, and religious culture have been extended to every class, and their auspicious effects are seen even in the general diffusion of intelligence as in the elevated character of the people. The sovereignty of the laws has been respected; a jealous observance of the pure peace has eminently distinguished the conduct of our citizens. No feuds, no quarrels, no closed one of the most heated and exciting contests recorded in our history, yet they in no instance, as far as my knowledge extends, have permitted riot or bloodshed to disgrace, or intemperance to degrade any of their frequent and numerous assemblies."

Governor Wallace recommends to the legislature the propriety of adopting resolutions instructing the members of congress representing the representatives in congress from that state to use their exertions to procure the passage of a bill distributing the proceeds of the public lands among the several states. His views are worthy of consideration. He remarks as follows:

"With a view to relieve the people from the oppressive taxation which we see otherwise awaits them, I, on a former occasion, urged the propriety of claiming our distributive share of the proceeds of the sale of the public lands. The singular course pursued by some of the distinguished leaders of the present administration in congress renders it more imperative than ever upon the states to contend for the strict letter of their right. I speak at least for the states which have not been able to do so, directly or indirectly, intimated an intention of asking the general government to assume the payment of her debts, nor, to my knowledge, have any of the states; yet, we have witnessed a most disreputable effort, in a certain quarter, to discredit the good faith and resources of the states, upon the gratuitous assumption that there was an intended movement on their part to accomplish that purpose through the agency of the national legislature. By the deeds of cession and the subsequent sale of the lands, the proceeds of the sale were designed as a compensation for the use and benefit of all the states then admitted, or that might afterwards be admitted, into the union. The general government was created a trustee, with power and duty clearly defined. Its authority over the national domain evidently consists in faithfully carrying into effect the beneficent object of the ceding states, and its obligation to do so is solemn and imposing. From 1822 to September the 30th, 1838, the federal government has received from the public lands amounted to \$62,443,308, and the same since made have largely increased it. Have we not, therefore, a right to demand of this trustee our share of the fund, and especially of that portion of it which has accrued from the sale of the public land? According to the distributive principle of the act of Clay's land bill, Indiana would be entitled to about

\$3,000,000. The fate of that bill is known to the nation and is a subject of poignant regret. Congress having, by appropriate legislation, given utterance to the public will, in the only form in which it could be authoritatively expressed, that will was countenanced and defeated by the arbitrary and unprecedented action of the executive branch of the government. The aggravated injustice of that act of the late president is equalled only by the presumptuous insolence of friends of the president's executive in congress, in impeaching the honor of the sovereign states which form our glorious union, and denouncing them as bankrupt in fortune and in fame. We are cheered, however, by the auspicious prospect of the future. We trust that the constitutional limitations of the government will be respected, whilst its powers are exercised wisely for the good of the whole people, and that the public will, the only legitimate foundation of republican institutions, will be obeyed by the public servant. I beg to suggest to you the propriety of instructing our senators and requesting our representatives in congress to demand, as a matter of right on the part of Indiana, her distributive share of the proceeds of the sales of the public lands. With this request, your disposal, you can exempt the people in a measure from taxation, promote the cause of education, prosecute our system of internal improvement, and greatly increase the wealth and prosperity of the state."

The governor makes the following pointed observations in relation to the legislation of congress over the District of Columbia:

"It affords me pleasure to comply with the request of the citizens of the city and county of Washington and the county of the city of Washington, by presenting to you a copy of the address of their delegates in convention assembled, to the people of the United States and to their several legislatures. No adequate motive can be assigned for the extraordinary legislation which forms the ground of complaint, other than the fixed determination of the majority in congress to punish the frank and unreserved expression of opinion on the part of the people of the District. This inoffensive breach of justice and good faith, pertaining to the sacred guardianship of the nation's honor and the people's constitution, should create a sensation reaching to the remotest limits of our wide spread country. It is in keeping with the conduct of those who disfranchised a sovereign people, and who, in the exercise of their right of the people to select their representatives, with a view of carrying into effect the repudiated policy of their chief. With such, right and might are anonymous terms. The withdrawal of the charter of the city of Washington, and the carrying out the policy of government in reference to the currency. So wide is the variation, however, between the profession and the practice of the men who laid their ruthless hands upon those institutions, that it is in vain to expect the wisdom of the measures that led to the destruction of the fiscal agencies deemed necessary in the District for the protection of commerce and industry. The change in its municipal character, relative to the elective franchise, in defiance of the wishes of the inhabitants, was an indefensible exercise of power."

"It is of incalculable importance to every community that the safeguards and peculiar institutions which it deems necessary to the efficient preservation of the peace, good order and safety of society should be maintained. The District of Columbia, being no representative, congress should exert a protecting care over her interests, and faithfully reflect her views in relation to her own domestic polity. An enlightened nation will not silently acquiesce in the usurpation of rights of the people, or the encroachment upon the District, and to lamper with her most precious interests, against the known and expressed will of her people. Referring you to the masterly and eloquent address for detailed information, I premise that we have to do with a government, and such resolutions as the scene of justice and the promptings of sympathy may suggest."

ILLINOIS.

Capitol. The house of representatives of Illinois has passed a resolution for the appointment of a joint committee to inquire into the expediency of repealing all laws providing for the removal of the seat of government from Vandalia to Springfield, and to provide for the removal of the seat of government back to Vandalia until the state debt is paid; and that their report be made to the next session of the legislature. A writer from Springfield remarks: The object of it is to cut off all further appropriations to complete the state house until the state debt is paid, which cannot possibly be done for the next forty years, and to force the removal of the seat of government to a place of that length of time and upward; and yet it is this economical representative from Bond

can succeed in his plan, the state house, upon which over 200,000 has been expended, would remain unfinished, and suffered to go to ruin, as another avowal of the instability, folly and uncertainty of Illinois legislation.

We published yesterday a letter from Springfield, Illinois, giving an account of the rejection by the legislature of the bill to provide for the payment of the interest on the state debt. The *Louisville Journal* received yesterday, says:

"We now learn from a gentleman direct from Springfield, that afterwards, on Monday the 14th, a resolution passed the house, and subsequently the senate, providing for the hypothecation, in the Year of bonds to the amount of \$200,000 for the payment of the interest due in January. The fund commissioner was to proceed forthwith to New York to arrange the matter. The difficulties in the way of general arrangement for meeting the state liabilities are, that the loco focus desire to exclude from such arrangement all bonds, even in the hands of innocent holders, where the consideration for them has not actually been received by the state; and that they are not willing to place the resources of the state to meet the interest of the bonds issued and to be issued."

MISCELL.

The St. Louis *Evening Gazette* gives the annexed abstract of the message of governor Boggs, submitted to the legislature of that state at the opening of its present session.

It will be seen that the governor sets his face against most of the projected improvements. The Missouri rail road, making slack water in the Marano; making a canal from the Marano; slack the water in Salt river; would all do some good, but they cost too much money. The Osage river and Grand river however are exceptions; and so the friends of internal improvement, rather than get too broad, must content themselves with half a loaf.

This state it will be seen is not much in debt, and has got a surplus in the treasury.

The currency bill of the last legislature is abandoned by governor Boggs, who thinks it right enough to let the people swap big dogs for puppies, in their private transactions, and not to be troubling a man with legislative pains and penalties, because he is willing to take a dog for a pig, or leaves for smoked ham, both parties having their eyes open.

He says that since the settlement of difficulties and agreement upon a "truce" between the council of war and the county court of Clark county (which however he did not approve, there has been no disturbance on that frontier. He urges that Missouri should insist upon the boundary she has been contending for and go before congress with a memorial to that effect.

The state university will next year be opened for pupils.

The superintendent of schools may be expected to report. Meanwhile the governor recommends that the proceeds arising from the sales of 16th section be deposited in the state bank for the benefit of the several townships interested. The governor thinks that the money will be safer there than in the several counties and we agree with him. The whole amount of this fund is supposed to exceed \$300,000.

The anti-Mormon forces have received in payment for their services only a hundred thousand dollars or one-half as much as anticipated. This was owing to the fact that the money could not be borrowed.

The state has got a bad name, says the governor, by reason of the Mormon difficulty; and the governor wishes the evidence in the case published, as it is to retrieve her reputation. For our part, we think gov. Boggs, by his indirect management of that affair, has contributed to the very evil of which he complains. But we doubt not the world at large can discriminate between a gang of marauders and the good people of this state.

FLORIDA.

Late Indian news. The steamer St. Matthews, capt. Van Vleeten, arrived at St. Marks on Friday last, after a short voyage from Tampa Bay.

Captain Van Vleeten brings letters of a recent date from the U. S. officers in that neighborhood, which together with the verbal information brought, are of a very gratifying character. It is the prevailing impression of all at Tampa Bay, that the Indians are anxious for peace; and although they are crafty and treacherous themselves, and suspicious of craft and treachery from others, yet that they are heartily tired of the war, and that means will be used to produce an arrangement satisfactory to them and the whites. We hope it may turn out.

Tiger Tail, with his warriors, was still at Fort No. 4, and lively hopes were entertained by officers

and men, that our Indian difficulties might soon be closed.

[*Tallahassee Star*, Dec. 22.]

We learn from Jacksonville that several families have been murdered in Columbia county, within a few days, and great consternation exists among the inhabitants.

Orange crop. The St. Augustine Herald contradicts the report that the orange crop of Florida would yield an increase of \$200,000, that year over last; and adds, the largest crop yet known here was two millions of oranges, which at 75 cents per hundred would amount to \$15,000. In 1835, all the trees were destroyed, and the young trees have produced some-where upwards 100,000 oranges, worth about \$1,000—that's all.

TWENTY-SIXTH CONGRESS—2d SESSION. SENATE.

December 30. The bill to establish a board of commissioners to examine and decide upon claims against the United States was taken up; and, having been read a third time, and the question being on its passage—

Mr. Calhoun rose, and assailed the measure as one of the most pernicious character. He had, however, often expressed his views on the subject; and now only desired to record his vote against the principles of the bill. He asked for the yeas and nays. Mr. Mangum rose in earnest desire to give a more careful examination to the measure. It went to change the fundamental policy of the government regarding claims against the United States; and he hoped the senate would consent to let the bill lie on the table for a short time, that the members who have recently taken their seats might have an opportunity of examining it.

Mr. Hubbard expressed his assent to the proposition; but urged the necessity of early and favorable action on the bill. If it should be passed or it had been reported, it would greatly relieve the business of congress.

Mr. Henderson objected to the bill on the general grounds of its conferring too large a discretion upon the board, and as not being well calculated to affect any benefit to the claimants.

Mr. Linn made an earnest and animated appeal to the senate, in favor of the measure. He was surprised that the senator from South Carolina, in opposition to it, did not present some substitute; for certainly the system now pursued by congress in reference to these claims was as bad as possible.

Mr. Calhoun said that the land bill he had introduced, would be a substitute, in some respects; for it would take away from the largest class of claimants and hand them over to the states. He then spoke strongly against the bill, as bestowing far too much discretion and power on the commissioners.

Mr. Hubbard said he had heard the arguments of the senator from South Carolina; and ever again every session since the bill was first introduced; and yet the bill had been passed three times by the senate.

Mr. Sevier, of Arkansas, assailed the bill with great vehemence. He regarded it, as in fact, a sweeping away department of the government; and if it should pass, congress might as well be abolished. It would be only a useless body, not worth keeping up.

After some further conversation, in which Mr. Huntington expressed his concurrence in the general wish for time to consider the character of the bill, it was ordered to lie on the table for the present.

Mr. Crittenden, from the committee on the judiciary, reported a bill establishing a uniform bankrupt system throughout the United States.

Mr. Crittenden took occasion to say that in all important features, it was an exact copy of the bill which passed the senate of the last session. There were some slight alterations; but there were no material, and did not affect the principle of the measure.

On motion it was made the special order for Thursday next.

The bill to authorize the secretary of the treasury to procure steam vessels for the revenue service was finally passed, and sent to the house for concurrence. The acote then adjourned.

December 31. The vice president laid before the senate a letter from the war department, covering the report of the chief engineer in the ordnance department, showing the most eligible situation for fortifications on Lake Champlain, near Lower Canada.

The following memorials and petitions were presented and appropriately referred:

Mr. Charles B. Rogers, of the president of the Norristown and Valley Forge rail road company, asking for an extension of the bonds given for payment of duties on rail road iron.

By Mr. Ruggles, two memorials, each signed by forty odd individuals, citizens of Maine, remonstrating against the repeal of the fishing bounty.

Mr. Fiske asked permission to employ a clerk to the committee on pensions on the ground of the onerous duties imposed, and the necessity that existed for frequent conference with the departments. The motion was agreed to.

Mr. Norwell, from the committee on commerce reported with amendments, the bill authorizing the erection of light houses and light boats, and the establishment of certain boya and beacon lights.

Mr. Merrick, from the committee for the District of Columbia, reported a bill authorizing the issuing of letter-testamentary and of administration to heirs in the District of Columbia.

Mr. Nicholas, on leave introduced a bill to authorize experiments to be made of the application of steam power for harbor defense.

The following resolution, offered yesterday by Mr. Tallmadge, was taken up and adopted:

Resolved, That the secretary of the treasury report to the senate a list of the drafts drawn by the treasury department, or by its order, between the 29th of February, 1830, and the 4th of July last, and also since the 4th day of July last, that have been protested for non-payment, or that have been presented for payment and not paid, or protested for non-payment, or that have been exhibited, in a regular form, the date of such drafts, the names of the payees, the names and office of the drawers, and the place where payable, the time when payable, the amount, the time when presented, and the time when protested.

The bill to create an additional land office in the state of Michigan, and for other purposes, was taken up; and, after being read a second time, Mr. Norwell, and opposed by Mr. Porter, the question on engrossment was taken, by yeas and nays, when there appeared for it 16, against it 22.

Mr. Merrick moved to take up the bill to revive and continue the existence of the banks of the District of Columbia, with a view to make it the special order for Monday next.

Mr. Benton said there were a great many other orders set for that day.

Mr. Tappan did not see the necessity of any hurry on the subject; it mattered little whether the banks were chartered or not this session, as they still continued to do business as usual, as well without their charters as with them.

Mr. Merrick said he would not contradict the assertion of the senator from Ohio, that he supposed that his information was very different. The banks could do no business—they could not receive a dollar on deposit, save from a member of congress.

Mr. Tappan asked if the senator had not read in the newspapers of the day their advertisements?

Mr. Merrick said those advertisements related to matters incident to the privileges granted by the act of the last session. Was a matter of great moment to the people of this District that this matter should be speedily disposed of. Ever since the 4th of July last, the inhabitants of this District have been deprived, by an act of congress, of those privileges that were extended to the citizens of the circumjacent states. Why was this? Why should they not be placed on the same footing as the inhabitants of Maryland and Virginia? He hoped that justice at least would be extended. The object he had in naming Tappan for discussion was with a view to obtain an extension of the bill, and to secure compliance with the anxious wishes of the citizens.

Mr. Clay, of Alabama, suggested that it would be better to fix the day for Thursday next; which Mr. M. having acceded to, that day was fixed for the discussion.

The bill to confirm to the state of Indiana the lands selected by her for that portion of the Wabash and Erie canal which lies between the mouth of the Tippecanoe river and Terre Haute, was taken up as in the order of the day, and, after a debate by Mr. Tappan against the bill, and Mr. S. of Indiana, in support of the claim of that state, the bill was ordered to be engrossed for a third reading by a large majority.

On motion of Mr. Buckman, the senate proceeded to the consideration of executive business; and, after spending some time therein,

The senate adjourned till Monday next.

January 4. The senate, to day, was occupied chiefly with the consideration of the bill introduced by Mr. Tappan, on the following title:

"A bill to establish a permanent pre-emption system in favor of settlers on the public lands who should inhabit and cultivate the same, and raise a log cabin thereon."

Mr. Charles B. Rogers, of the president of the Norristown and Valley Forge rail road company, asking for an extension of the bonds given for payment of duties on rail road iron.

Mr. *Penitas*, of Vermont, opposed the measure in a clear and forcible speech.

Mr. *Mangum* called upon the authors and leading supporters of the measure to give a more explicit exposition of its character, and of the meaning of its provisions than they had yet vouchsafed. He then proceeded to express his decided hostility to the whole system which they wished to establish. He thought it unfair and unjust, and calculated to operate for the benefit exclusively of the border population, and against the interests of the old states.

At the suggestion of Mr. *Mangum*, the phraseology of the bill was modified so as to limit the benefits of the bill to free white persons. He also moved to amend the bill so as to limit its benefits to citizens of the United States.

Mr. *Calhoun* asked what were the regulations of the new states themselves, as to aliens holding land; and intimated that he would, by his vote, conform to their practice.

Mr. *Clay*, of Alabama, said that, so far as he knew, aliens were permitted to hold land in all the new states, and no inconvenience had resulted from the practice.

Mr. *Smith*, of Indiana, suggested the propriety of postponing the further discussion of the bill for the present: so as to allow time for more deliberate consideration. He stated his impression to be, though he did not speak from certain knowledge, that the laws of Indiana do not allow aliens to hold land.

Mr. *Buchanan* avowed his readiness to meet the proposition of Mr. *Mangum* with a decided negative. The question, he said, had been raised in 1838, and after discussion, was decided against imposing any such limitation, so as to exclude foreigners.

Mr. *Clay*, of Kentucky, spoke with great animation and earnestness, in favor of the proposition to limit the peculiar and extraordinary privilege conferred by the bill to citizens of the United States. He also avowed his readiness to cast his vote now as he did in 1838.

After a few remarks from Mr. *Buchanan*, Mr. *Benton*, and Mr. *Clay*, of Alabama, the question was put and decided in the negative; and it, accordingly, so the amendment proposed by Mr. *Mangum* was rejected. The bill was then laid over till tomorrow.

Numerous petitions and memorials asking for the passage of a law establishing a uniform system of bankruptcy, were presented to-day.

Mr. *Clay*, of Alabama, called up the bill introduced by him providing for the reduction and graduation of the price of the public lands.

But it was passed over at the suggestion of Mr. *Clay*, of Kentucky, who said, before discussion should be begun, he wished the information which he had called for by resolution, relating to the public lands, to be before the senate.

Mr. *Smith* from the committee on the judiciary made an unfavorable report on the memorial from the territory of Iowa, asking for a certain change in its fundamental laws.

The bill to confirm to the state of Indiana the land secured by her, for that portion of the Wabash and Erie canal which lies between the mouth of Terre Haute and Tippecanoe river, and for other purposes, was passed, and sent to the house for concurrence.

Numerous petitions and memorials were presented and appropriately referred. The senate adjourned.

January 5. The vice president submitted a communication from the governor of the state of Missouri, transmitting a copy of a law of that state for the settlement of the boundary between Missouri and Iowa.

On motion of Mr. *Benton*, the bill was ordered to be printed, and referred to the committee on the judiciary.

Also, a communication from the treasurer of the United States with a statement of the contingent expenses of the post office department; which was laid on the table, and ordered to be printed.

Also, a communication from the navy department, transmitting sixty copies of the Navy Register for 1840; which was laid on the table.

A number of petitions were presented.

Mr. *Urbahn*, in pursuance of previous notice, called and obtained leave to introduce a bill to cause monuments to be erected to the memory of brigadier general Francis Pickens and brigadier general William Davidson; which was read twice and referred to the committee on revolutionary claims.

Mr. *Norrell* submitted the following resolution, which was considered and agreed to:

Resolved, That the secretary of war communicate to the senate such additional reports as have been received since those formerly submitted, in reference to

the construction of the Potomac aqueduct; and also, such further information as he may have in reference to the leasing of the timber for the use of said aqueduct.

Mr. *Porter* submitted the following resolution for consideration:

Resolved, That the secretary of the treasury be requested to inform the senate in what cases the payment of undisputed claims, arising under the treaty between the United States and the Stockbridge and Munsee Indian tribes on the 16th May, 1840, has, on payment at the treasury, been suspended or delayed, and the cause or causes of such suspension or delay, and particularly such cases as have caused delay, in respect to two claims, of \$675 each, in favor of Mead, Kellogg & Co. of Detroit, Michigan, assignees in part of Robert Konkopack and John T. Hendricks.

Several private bills were then read a third time and passed.

The bill making compensation to the state of New Hampshire for the services of her militia, coming up on its third reading—was announced, discussion arose, to which Messrs. *Parce*, *Crittenden* and *Hubbard* participated.

Mr. *Clay*, of Kentucky, would like to have some further opportunity to examine this case. There is a peculiar question suggested by the bill, which heaves to his mind: whether there had been an actual invasion of this territory by a foreign power; was one; and if not, was there a threatened invasion, or imminent danger of an invasion? And two questions of general interest suggested themselves: whether there had been an actual invasion, was there time to apply to the general government to repel this threatened invasion? to the general government belonged the decision whether there should be peace or war.

It was proper to ascertain all these facts; had there been a military invasion? had there been a threatened invasion? and if so, what had New Hampshire done under the circumstances? Would it not be extending to the state authorities the power of the general government, if there was time to communicate with the general government, if, without the concurrence of the general government, they undertook to engage in a conflict with another power? All these matters were worthy of inquiry.

And therefore, he would suggest the propriety of laying the bill for the present on the table. Mr. *Hubbard*, in the meantime, would refer senators for information to a report made by Mr. Howard, chairman of the committee on foreign relations, in the house in January, 1839.

Mr. *Clay* said he would take an opportunity to examine it. The bill was then laid on the table.

The bill making compensation to the state of Maine for the services of her militia, was read a third time and passed.

The bill to establish a permanent prospective pre-emption system in favor of settlers on the public lands who shall locate and cultivate the same, was taken up in committee of the whole, and occupied the remainder of this day's session.

The senate adjourned.

HOUSE OF REPRESENTATIVES.

Friday, Jan. 30. After calling the roll of the journal, Mr. *Adams* asked leave to offer the following resolutions:

Resolved, That the investment in the stocks of the several states of the united states, of funds held by the government of the United States, in trust, in or for the use of the sums so invested, and of the interest thereon, an assumption by the United States of the debts of the said several states, to the extent of their failure punctually to pay the same.

Resolved, That the purchase, by authority of any executive department of the United States, of the bonds of any of the states of this union, at the nominal value, or with a premium thereon, and the subsequent sale of the said bonds at a discount, is an unwarrantable and unauthorized use of the public funds.

Resolved, That it is the duty of the executive government of the United States to require of the government of each and every state of this union, (on whose stocks, bonds, or other securities the public funds are invested by the government of the United States) that they be made, punctual payment in specie or its equivalent, of the interest and stipulated in said stocks, and repayment of the principal as soon as possible by the terms of the contracts, upon which such stocks have severally been issued.

Resolved, That the further investment of any public funds of the United States in stocks of the several states ought forthwith to be prohibited by law, and that the committee of ways and means be instructed to report on this subject.

Mr. *Adams* moved a suspension of the rules of the house for the purpose of considering the resolution.

Mr. *Care Johnson* objecting, the resolutions were laid over, under the ruins of the house, and ordered to be printed.

Mr. *Sumner* asked leave to offer a resolution requiring the secretary of war to report to the house the state of our affairs in relation to the Choctaw Indians, &c. &c.

Mr. *Goldings* moved to suspend the rule of the house for the consideration of this resolution; which motion failed, and the resolution was laid on the table.

The motion before the house, being to reconsider the vote on the appropriation bill and its amendments—Mr. *Shepherd* spoke at some length in support of the amendment as passed, and vindicating his conduct, as a member of the committee on naval affairs, in offering it.

The gentleman from Massachusetts had taken it on himself to say that there was something unfair in the amendment he had moved—something of a trick. He asked the speaker if it was in order—He did not seize a sly opportunity to thrust it on the house and he hid on this occasion behind the speaker's decision. The gentleman thinks otherwise—he did not doubt his skill in parliamentary rules, nor the dignified manner in which he urged them on the house.

He would briefly state some reasons in favor of his amendment. This was the first time (continued Mr. S.) in which we had been called on to appropriate money for this navy pension fund. It was a new bill—not an ordinary appropriation bill to carry into effect a particular law. The passage of the act of the house previously, at least, therefore, it was strictly in order to consider all the acts relative to that fund. He agreed with the speaker on this point of order.

But if it was out of order, it was too late to make any objections on this point. If the gentleman did make his objection day before yesterday, it was a poor argument now for the reconsideration of the vote.

Another objection to this act was, that it was too hasty. Who makes this objection? Why, a gentleman from Massachusetts, and another from a third. Do they want time to consider this act? If a young member had told them he wanted time to consider it, it might be proper; but his surprise was that old members should tell them so. The subject had been before the house previously, at least, and it was to be supposed that they had examined it. He had been told by a distinguished officer this morning, that the amendment was proper. But what was the act of '37? That was a deliberate consideration of the act. If he understood it, he sneaked through at the last day of the session. He had looked for the yeas and nays on that vote, but had not been able to find them. The gentleman from Massachusetts, furthermore said, yesterday, that the second section of the bill was inconsistent with the first. That the first section ordered the secretary to pay certain sums of money, and the second section repeats the law under which the payment was required.

Why does not the honorable gentleman (continued Mr. S.) see that there were several laws requiring the payment of this money—the law of 1800; and this money is needed for previous laws; so the gentleman's opposition on that score is obviated.—The gentleman also said that he had mistaken the act of '37. What was that? That the law of the pension laws, there was one general plan: That those who should receive pensions who had suffered in the cause of the country; and also that the second section referred to the time in which pension disbursements were to be made to the pensioners. He found in the National Intelligencer, this morning, a report of his remarks, which stated precisely what he did say? This report of his remarks would show that he was right, and the honorable gentleman wrong. It was a common practice (he said) to take up false issues. He hoped the day would not be spent in this measure. What is the question before us? Whether the act of '37 is right or wrong? Whether we are called on to repeal it or not? It is not given his opinion in a few words. In 1800 the navy was in its infancy.

The act of 1800 was to encourage the navy—to induce persons to enter into it, and it was necessary at that time. The object of congress was to hold out inducements to recruits to enter into it. He showed that it was for the support of the navy.—What is the navy pension fund? The proceeds of prizes were laid aside to be given to seamen, marines, &c. who had been disabled in the service of the country. The act of '37, which was the act actually to the act of 1800 many acts passed. That the pension fund should go to those who had suffered in the service of their country, was the feature of all the acts prior to '37. If any officer, seaman or marine,

died, leaving a widow, or children, they should receive half-pay from the time of their death. This is not different from that those who had been disabled or fought gallantly—but those who died they might have been drunkards, or cowards—but if they died, their children were entitled to this very pension fund. It was not carrying out the act of 1830. It was a violation of the pledged faith of the country—and the congress that passed that act acted in violation of their faith. This act did rank injustice to the gallant soldier; and this is the act about which you have heard such lamentations before this house.

In six months of the very first year of its passage it had taken from the navy fund upward of \$29,000 dollars. Can any man wonder that the fund is gone? As to the purchase and sale of stocks, on which the gentleman had commented with so much severity, what better could have been done? (asked Mr. S.) We had more money than we wanted at that time, the stocks of the states were on a par. If we had not purchased, there would have been a hue and cry about discrediting the states. He admitted that some money had been lost, but the secretary or nobody else was to blame.

The effect of his bill would be to east off this drain from the fund, which, for the last four years, had amounted to \$200,000 annually. The true rule on this subject was laid down in the law of 1840, that those who have suffered in the country should be remunerated for it. The act of 1840 made a distinction between the brave and cowardly—the act of 1840 had destroyed the distinction.

He noted another objection. That the widows had made their calculations on receiving this fund—that on this, the children had been sent to school, &c. But this was no argument that they should continue to receive the \$48,000, which they had received annually for four years. He was not mistaken, Mr. Adams, yesterday, used the word *discommodious*, in connection with this matter. He understood it was applied to the house, but a friend had suggested that it was applied to him, (Mr. S.) Mr. Adams said he had said no such thing—that the gentleman himself did not understand it thus, but it was on the subject of the pension.

Mr. Shepard was very far from wishing to do injustice to the gentleman. The honorable gentleman had done him injustice—all he would say was, that he wished that the honorable gentleman would be more charitable. That no one in the house could do more good than could Mr. Adams; if in case of excitement, he would seize the opportunity of coming up as a mediator—as a link between Washington and the present generation.

Mr. Thomas wished to give a little information on this subject. He had a letter in his hand from the navy department, saying that the Cincinnati stock had been sold, (he was inquired of how they had sold). The secretary did not say whether at par or not.

Mr. Anderson had been informed that they sold for \$62 per \$100 of stock.

Mr. Thompson, of South Carolina, spoke at some length, in opposition to the act of '37. His appropriations were unjust. He was opposed to the reconsideration of the bill.

Mr. Anderson inquired whether the bill the gentleman from Massachusetts designed to offer, was the bill approved by the committee.

Mr. Reed answered that it was, with the exception of the last section.

Mr. Anderson said that if the act of '37 was repealed, it would revive the act of '34, and that was of the same nature. He hoped that the house would take the first opportunity to look into this bill, which has been reported by the committee on naval affairs. He hoped the amendment would not be reconsidered.

Mr. Monroe was decidedly in favor of the repeal of the law of '37; yet he had voted against the amendment of the gentleman from North Carolina, because it was not proper nor sound legislation to amend an appropriation bill by repealing a law of the same moment of the money. He was in favor of paying what is now due to pensioners; and that we should bring up a law properly digested and pass on it as we ought. He hoped that they would reconsider this bill and pass the appropriation bill, and act on the necessary bill, which might be reported by the committee.

Mr. Everett dwelt at some length on the subject, which was imperfectly heard, and which we are not able to give.

Mr. Reed had been reported somewhat erroneously as to his debate on the subject. He did not mean to denounce with so much severity the act of '37. But it was indiscreet and unwise. He opposed paying pensions according to the act of 1837.—He spoke of his constituents—they had done more

fighting the battles of the country than any other, and they had never come here to ask for pensions. He hoped the house would reconsider this bill, leaving out the amendments, and take up the bill brought forward by him and adopt it.

Mr. Naylor was in favor of bringing the discussion to an end. He thought the vote respecting the law of '37 hearty and timely.

That all laws when originated were imperfect, and it was by the amendment of experience that the most perfect laws were formed.

That, part of the law of '37 was defective, and ought to be repealed, leaving that which was sound. He hoped that the motion would be reconsidered—that the appropriation bill would be passed, and that some bill would be brought forward obviating the defects of the law of '37.

Mr. Johnson moved the previous question.

Mr. Tursey moved that the house adjourn, which was carried; and the house adjourned.

Thursday, Dec. 31. The speaker laid before the house the following communications:

1. From the president of the United States, transmitting a report from the secretary of state, in compliance with a resolution of the house of the 23d inst. calling upon him to communicate, "if compatible with the public interest, copies of all the correspondence of the United States with the government of Great Britain, relative to any proceeding on the part of that government which may have a tendency to interrupt our commerce with China."

2. From the secretary of state, in compliance with the provision of the act of March, 1799, communicating "an abstract of all the returns made to that department by the collectors of the customs, pursuant to the act of the 28th of May, 1778, for the relief and protection of American seamen, showing, so far as said returns have been received, the number of seamen registered in each port of entry in the United States, during the year commencing on the 1st of October of the last, and ending on the 30th of September of the present year."

3. From the treasury department, in reply to the resolution of the house of the 17th inst. respecting the condition of the custom house buildings at Philadelphia.

4. From the president of the United States, transmitting a report from the secretary of state with accompanying papers, in answer to a resolution of the house, calling for information relative to the burning of the steamboat *Caroline*. [For which see page 287.]

The above communications were severally referred and ordered to be printed.

Also, the following letter from John C. Rives, on the subject of the printing:

Washington, Dec. 30, 1840.

Sir: It is known to you, and to the other members of the house of representatives, that Francis P. Blair and myself were elected printers to the house in January last. Under this election, I fear, has been the printing for the house during the twenty-sixth congress, would be sent to us to execute; and as I superintend that branch of our business, I engaged men, and provided materials sufficient to do with at least the customary despatch. I was informed yesterday that the clerk of the house had sent a very large report to the stationer of the house to be printed by him, and that the stationer was actually printing it, or having it printed. At all other times when there has been no failure to the clerk's account of the expenditure of the contingent fund for the last year, where I find that he has paid other persons for printing which I think should have been executed by the printers to the house.

The persons engaged by me to work on congressional documents exclusively, have not had more than three or four days constant employment since the commencement of this session. There has been some work for them every day, but not enough to employ them the whole day. They are engaged by the week, and we have to pay them, whether they work or not. Now, if the clerk of the house has the power to have the congress printing executed at all other times when there has been no failure at our office in executing it promptly, I desire to know it as soon as possible, so that I may either reduce our force, or make some arrangement with the clerk to get enough of it to keep our hands employed.—The persons paid to us by the house of representatives are so low, that we must sink money, unless we can keep the hands which we have engaged to do the printing, constantly employed; and upon some kind of printing we sink money, even when the hands are employed upon congressional documents.

The clerk of the house and myself have had a controversy about the binding of the documents, which I wish to bring before the house.

Soon after the adjournment of congress, in July last, the clerk sent word to me to deliver the docu-

ments which we had printed for the house, to S. D. Langtree, to bind. I refused to do it. It has been the invariable custom, ever since, to become acquainted with the manner of executing the congressional printing, which is now thirteen years, for the printer to bind all the documents that he prints for congress. Whenever a printer has been elected, during that time, he has been immediately fitted up by a binder, as he has a printing office. He had purchased great quantities of the materials for the binding, and had engaged workmen to do it, and had folded a great quantity of the work, before the clerk sent me word that he wished the documents handed over to Mr. Langtree to be bound. The correspondence between the clerk and myself, which I presume he has on file, will fully explain our controversy about the binding. I wish congress to decide between us as soon as possible, as it is necessary that the binding should be forwarded. Respectfully,

JOHN C. RIVES.

Hon. R. M. T. Hunter, speaker house reps.

Mr. Adams said he would take that occasion to inquire whether a report of the committee on the printing of the house had been made at the last session; and if so, whether it had been printed.

Mr. Davis, of Indiana, said there were two reports on that subject, which had been laid before the house, but no order to be printed.

Mr. Adams said he had never been able to get a sight of the reports, although very anxious so to do. Neither himself nor other members could procure copies of them, which he desired to be printed at the last session, being more than five years ago. This letter, however, from Messrs. Blair & Rives, explained it, and it appeared that the delay was owing to this controversy between them and the clerk of the house.

Mr. Lewis Williams moved to refer the letter to the committee on accounts; but the motion was subsequently withdrawn.

Mr. J. W. Davis moved the following:

Resolved, That a select committee be appointed, and that the letter of J. C. Rives, just read, be referred to that committee.

Mr. Morgan offered an amendment instructing the committee to inquire as to whether the clerk was interested in the contract with Langtree & O'Sullivan for furnishing stationery to this house. Mr. Reed submitted an additional amendment instructing the committee to extend the inquiry to the lithography and engraving.

After some debate of a desultory character, the amendments were withdrawn. The resolution of Mr. Davis was then agreed to; and

On motion of Mr. Adams, the letter ordered to be printed.

Mr. Adams, on leave, reported a bill from the committee on manufactures, entitled, "a bill to insure the more faithful execution of the laws relating to the collection of duties on imports," which was read a first and second time, and ordered to be printed.

Mr. Barnard asked the consent of the house to introduce a bill (of which intention he had given previous notice) on the subject of bankruptcy. Objection being made, leave was not granted.

The next business in order was the motion of Mr. Giddings to reconsider the vote by which the bill making appropriation for the payment of the navy pensions had been passed, containing an amendment to the report of the act of 1837.

The previous question, on the reconsideration, having been demanded by Mr. Jameson, Mr. Adams endeavored to prevail on him to withdraw it.

Mr. Jameson was willing to oblige the gentleman from New York as any member of the house, but could not, consistent with his duty, withdraw the call.

The call for the previous question was then seconded, and the main question, on the motion to reconsider, ordered to be put; and, being put, it was decided by yeas and nays, as follows: yeas 69, nays 108.

So the house refused to reconsider, and, as far as it is concerned, the act of 1837 is repealed.

Mr. Fillmore, in alluding to the great importance of the president's message in relation to the burning of the *Caroline*, moved that 5,000 extra copies of the same, with the accompanying documents, be printed.

Mr. Fillmore moved the motion of the gentleman from New York would prevail. The documents were of the highest importance.

The motion to print was then agreed to.

At a subsequent stage of the proceedings, Mr. Adams moved to reconsider the vote by which the above motion had been agreed to, and called for the reading of the documents, which were read accordingly.

Mr. Alfred said he was happy that he had moved the reconsideration, and that he was now satisfied,

having heard the papers read, that they ought to be printed. He was satisfied that the answer of Mr. Forsyth was a good state rights paper, and he should be glad to think that the interests of justice were blunted by party spirit, if he were capable of doing injustice to that officer under any circumstances.—He (Mr. A.) hoped that the party spirit which had just passed had not blunted the instincts of justice of the great whig party of the United States, nor to the state rights party, of which he had lived an humble member, and of which he hoped to die a member. He was satisfied that the rights of the empire state of New York had been vindicated by the secretary of state in an able and dignified manner; and he was sorry to say that this was the only paper coming from that department that he could commend in that light.

As regarded his sympathy towards the northeastern territory, he, as a southern man, had more than he ought to have; but he did know that the lion of England had been growing for his prey on that northeastern boundary long ago. As an American citizen, he felt humbled at the reflection that, under the administration of Martin Van Buren, the eagle of his country had cowered under the lion of England; he felt humbled that a country which, even in the days of the revolution, was strong enough to defend its rights, and to permit the queen of England to deprive them of every thing. Aggression after aggression had been committed, and it would continue to be so as long as the head of the executive government of the United States declined to consider in this document. Mr. A. then withdrew the motion to reconsider.

Mr. Stansley received it.

Mr. Holmes, of South Carolina, said he was quite delighted with this debate; not, however, because of the incidental question of a vote right had been introduced, for that was about the same thing as the constitution, which every man construed according to his own taste. But he was delighted because the gentleman from Georgia had given his approval to at least one act of the administration. He was glad that one member of the opposite party had the generosity to acknowledge them in the right for once. The gentleman had, however, touched on the very important subject of the northeastern boundary. He had said that the lion of England had growled, while we paid no regard to it, &c. Now, he (Mr. H.) wished to know whether the remarks made by that gentleman were to be considered ominous of the future action of the new administration, or whether he did not judge, from the remarks made by one of his friends, that we were to be precipitated into a conflict with this mighty power, prepared and armed at every point, and that, too, for a line of demarcation? If they were to rush into conflict, if the south was to be prostrated, he was thankful that gentlemen had shown their hands, that the south might know that one of the results attending the triumph of this great party, was a question of territorial war.

Mr. Jifford replied to these remarks, and said that he had not spoken in behalf of the coming administration. He had it not in his eye or his mind at the time he spoke; he knew nothing of its secrets nor its intentions. He had no conference with its friends, nor had his advice ever been asked. He spoke for himself—he spoke the sentiments of his own heart, when he said that the lion of England had growled for his prey on the northeastern boundary. Whatever might be the opinion of the gentleman from South Carolina, (Mr. Holmes), he (Mr. A.) would express his belief that, if ever the issue of which the gentleman spoke did come, the state of South Carolina would be seen. We first came, gallantly defending the honor, and maintaining the rights of the nation. This much he could say—he being one of the first born of nullification out of South Carolina—that South Carolina would be the last to hide her head. If the country should ever be engaged in a war with Britain. His own wish was, that we never might have war with her on this or any other question, if it could be honorably avoided.

For the part which he had taken in the recent vicious struggle, he claimed no honor distinct from his colleagues and his country; and in characterizing as he had done the communication of Mr. Forsyth, he (Mr. A.) had done only that which a sense of justice dictated.

Mr. Cushing said the matters contained in the correspondence just read, were sufficiently grave in themselves; and they had acquired additional gravity incidentally from the remarks of the gentleman from Georgia, (Mr. Jifford), and of the gentlemen from South Carolina, (Mr. Holmes), and he (Mr. C.) had a few words to say on both points.

Mr. C. said that the correspondence contains the first distinct official avowal on the part of the Brit-

ish government, that the attack on the Caroline was authorized by the government. Mr. Fox says it is well known to have been so authorized. Mr. C. decried that. It was about two years since Mr. Stevenson addressed an earnest letter of remonstrance and demand of explanation to Lord Palmerston on the subject; to which Lord P. stood mute to this day, neither avowing nor answering, justifying nor refusing to justify the outrage. Mr. Forsyth was correct in his allusion to this part of Mr. Fox's letter as a novelty. It was true that the British government had indirectly sustained the act by honoring and commending its own minister, Mr. England, such as McNab and Drew; but no direct official declaration of the attack on the Caroline having been previously authorized by the British government had been made before this, to his knowledge.

Mr. C. said he concurred entirely with Mr. Forsyth in opinion of the inadmissibility of Mr. Fox's demand for the release of McLeod. He was arrested in New York, by the legal authorities, to be legally tried for an alleged act of murder and snoot committed in New York—let him be tried by the laws of New York to whom jurisdiction of the case belongs.

But, if col. Prince could murder in cold blood the prisoners he made in the frontier troubles—if the authorities of Upper Canada had a right to try, condemn and punish others of the prisoners—if Great Britain might promote Drew and knight McLeod, and if guilty hang him.

Mr. C. said these remarks were called for by the tenor of the correspondence laid before the house. But now for the other point.

On hearing these papers read, the honorable gentleman from Georgia (Mr. Jifford) avowed the sentiments of patriotism, which I (said Mr. C.) trust are felt not less warmly by the gentleman from S. Carolina, (Mr. Holmes) which I will burn unquenchably in the breast of every American. He spoke in the language of indignant truth of the acts of assentation and concession, on the part of the present administration, to acts of aggression on the United States committed by Great Britain. In saying this, the gentleman from Georgia frankly declared, that he was uttering his own individual sentiments, as sentiments only, and as the sentiments of an individual only. They are sentiments such as every citizen of this country should feel, and the gentleman from South Carolina would approve.

But the gentleman from South Carolina, looking beyond this, treats the remarks of the gentleman from Georgia as the avowal of a plan, on the part of the British government, to enter into power, a plan of settled hostility against Great Britain.

On hearing this charge, Mr. C. could not but revert to the incidents of the great public controversy which this country had just gone through, and the speeches he had listened to in congress and at the hustings, and to the press as it continues to speak down to this very moment, in its reproaches of him and his political friends. What is it that we hear again and again imputed to us, by the thousand voices of the orators and newspapers of administration? Why, that we forsake the allies of Britain; that Harrison, the gallant old hero of Tippecanoe and the Thosoms, that be and his friends come into power as the hirelings and instruments of England. Has not this been wrung in our ears day after day, and hour after hour, for the whole year back? Yes, sir. And now what is the complexion of these assurances, now when the country has passed judgment on the administration, and that we are the hiring allies, the tools of Britain, that we are taking power with a fixed purpose of enmity against her—and as if without cause, in the mere antagonism of hostility.

Mr. C. said that, like the gentleman from Georgia, he spoke not for the new administration, but for himself, and as an individual. He felt bound to make this distinction, because his individual sentiments on this question, between the United States and Great Britain were well known, having been expressed by him often heretofore, whether discreetly or not, yet with freedom which, as an individual, he had the right to use, in the honest expression of his own convictions.

Mr. C. said then, as to both these contradictory charges against the cooling administration, that he believed, for himself, say, he would go further and say, that he knew they were alike equally groundless. We who are about to enter into power care neither as allies or friends of Britain (in any exceptional sense) nor as enemies; but as Americans; Americans animated with the feelings which belong to our country, and at the same time anxious to maintain the rights of our country against any and every foreign power; never doubting that if, by the continued aggressions of Britain, even the most power-

ful of the governments of Europe, we be dragged into a third war, we shall fight that war gallantly and as triumphantly as we have already fought a first and a second war with Britain; we resolved, also, if we honorably may, to maintain the peace of this country, anxious to do it, and to promote the internal prosperity of the union and the harmony of the states by means of peace, and repelling the idea of any act of reprisal or retaliation.

I repeat (said Mr. C.) that so far as I know the objects of the friends of general Harrison, we undertake to set as Americans, and as Americans only, and we are not at all desirous that the States are about to have a president who is not professing to be a northern man with southern feelings—no, nor a southern man with northern feelings, but professing to be what he is, a western man with American feelings, and with the honor, the peace, and the interest of the United States, each equally dear to his soul.

Mr. Duncan demanded of the gentleman from Massachusetts (Mr. Cushing) when and where the administration had charged the whigs with being the "tools of Great Britain." Let the member lay his finger upon the place where it had been asserted by any paper, or press, or if he could, any extracts to the house. The whig party had not been charged by the Van Buren administration with being the "tools of Great Britain; but they had been charged with being under the influence of the moneyed aristocracy of that country—and the influence of British gold upon the minds of the whig States are about to have a president who is not professing to be a northern man with southern feelings—no, nor a southern man with northern feelings, but professing to be what he is, a western man with American feelings, and with the honor, the peace, and the interest of the United States, each equally dear to his soul.

Mr. Duncan was perfectly willing to speak in order, but if he was out of order in showing the falsity of a charge against the administration, why was not the gentleman who made that charge called to order? Mr. D. said the charge against the democratic party having been made, and he having denied it, he was now asking the result; the result just was the denunciation of the country were governed and managed by the moneyed aristocracy of England.

After some conversation of a desultory character Mr. Stansley withdrew his motion to reconsider. So the question of the resolution was put, and carried.

A number of private bills from the senate were twice read and referred.

Mr. Mason, of Ohio, asked leave to move a resolution which was read at the clerk's table; and on objection being made, the resolution was introduced, and it was agreed to, and as follows:

Resolved, That the secretary if he be directed to report to this house in what manner that part of the 20th article of the treaty between the United States and the Choctaw nation, made at Dancing Rabbit Creek, and dated Sept. 27, 1830, has been executed, which stipulates that "for the benefit and advantage of the Choctaw people, and to improve their minds, there shall be educated under the direction of the president and at the expense of the United States, forty Choctaw youths for twenty years."

And that he communicate copies of all such regulations as may have been adopted, of orders issued, and correspondence had, relating to the execution, of this stipulation, and report the result of his inquiries, and the amount expended on account thereof; what agents or agents have been employed, their names, rank, and compensation; what is the accuracy of each school has been established for the education of the Choctaw youths, and at what time and place; whether teachers have been employed, and the names, rank, and compensation of each; the number of the Choctaw youths, or other persons, if any, have been received into, or educated at, such school, and at what cost; what scholars, if any, have been selected for the accommodation of such school, and at what cost; and what branches of learning have been taught here; and how many pupils have graduated, and in what term of time after their admission; and what is the present number of teachers and pupils belonging to the school.

And that he make a similar report and

statement in regard to the execution of so much of the same article of said treaty as provides that fifty "thousand dollars, viz. twenty-five hundred dollars annually, shall be given in support of three teachers of schools for twenty years."

Mr. Adams presented a letter which he considered in the nature of a petition, from Mr. Atteece, of New York, who considered his character as a reporter and man to report and any other of the kind, in the house of representatives, by Mr. Monroe, of New York, of a letter from Mr. Jady of that

the country; and the right of the citizens to have the wrong corrected, if wrong existed, was equally good. He should, therefore, vote against the reconsideration.

Mr. Briggs was understood to say that he thought the house had committed a great error, at the last session of congress, in refusing the members from New Jersey who claimed their seats an opportunity of being heard at the bar of the house. Now, here was a case from the state of Pennsylvania, in which Mr. Ingersoll claimed that the election of Mr. Naylor was effected by fraud, and that, if justice were done, the sitting member would be removed from his seat. He (Mr. B.) knew of no case within the last ten years in which a person claiming a seat had been heard before the house. He thought, therefore, it was the right of Mr. Ingersoll to be heard.—There was great propriety in his being heard upon the ground suggested by the gentleman from New York, (Mr. Fillmore). He (Mr. B.) thought that it would be not only expedient, but manifestly unjust, when a rational candidate came here to contest the right of a man who was in his seat, and who claimed that right—it would, he repeated, be most manifestly unjust not to hear him at the bar of the house. It was not that the election of Mr. Naylor should be heard. He (Mr. B.) hoped that the vote would not be reconsidered; and that the house would do that justice in this case which was refused to the gentleman from the state of New Jersey.

The speaker gave the floor to Mr. Mason of Ohio, who yielded it to enable Mr. Garret Davis to ask for his reading of the memorial of Mr. Ingersoll, (above referred to). The memorial not being at the moment on the clerk's table—

Mr. Mason commenced the resolution offered by his colleague (Mr. Medill) as a very proper one. He (Mr. Mason) had entertained the same opinion at the time the New Jersey case was before the house, and he thought the house offered a resolution of the same import as this; but that under the influences then prevailing, was rejected by an inexcusable majority, some of whom were at this present moment engaged in attempting to have the inexcusable privileges claimed restored to one of their own friends. Where then was the desire of these gentlemen that the parties coming here by virtue of documents emanating from the highest authority of the state should be permitted to plead their case at the bar of the house? He thought, however, to see a returning sense of justice, as indicated by the resolution now proposed. The unexampled outrage perpetrated in that case had reached the ears of the people, and they had responded to the promptings of their indignation. They had repudiated after the existence of the present congress. They were now, he hoped, about to return to the good old practices of the republican school, according to which, as he had read and understood them, it was the privilege of a citizen to be heard before returned to this house as a member, and of him who contested the validity of the return, or the truth of the election, to appear at the bar and be heard "by himself or his counsel," (to use the words of his colleague). He thought that the resolution should have been adopted, and he hoped that it would not be reconsidered.

It was proper, however, that the vote should be reconsidered, for purposes of explanation. He wished to know whether Mr. Ingersoll claimed a seat in this house by virtue of an election by the people of Pennsylvania. He (Mr. M.) supposed that it was with a view to that fact that he had in the reading of the memorial had been called for. For his own part, he would give counsel not only to the contesting member, but to the humblest of the constituency who had given a vote and who believed that the election had not been regularly achieved. He wished this house to be considered a great court of justice as well as the grand inquest of the nation; and that the great rules of right should not be turned aside to secure political objects or party purposes. None attempt to do this in the constitution and to the violated privileges of this house, and he hoped it would now be made, and that those who might hereafter be in a majority in this house would avow, as contamination, the precedent which had been set at the last session of congress.

Mr. Cushing said he was in favor of hearing the petitioner, according to the motion made by the gentleman from Ohio, (Mr. Medill). He (Mr. C.) was in favor of that resolution for the reasons submitted by other gentlemen, and for this further reason. On referring to the record, he found that all the proceedings in this case were based upon a petition of Mr. Ingersoll. The petition set forth that he was duly elected and he claimed the seat, to which he said he was duly elected, as against Mr.

Naylor—the returned and sitting member. That was the record. These proceedings were in continuation of that record. The question before the house was, what disposition should be made of that petition of Mr. Ingersoll. And upon that petition, recorded in the record, and upon the facts stated in it, he (Mr. C.) thought that Mr. Ingersoll was, in justice and in equity, entitled to be heard.

He objected, however, to the form of the resolution, and he asked the attention of the gentleman from Ohio (Mr. Medill) to it. It was inserted in its terms, and there was no expression to which he (Mr. C.) objected. The resolution was to the effect (he did not recollect the precise words) that Mr. Ingersoll should have leave to be heard as well as the sitting member. Now, Mr. Naylor was a member of this house, *de facto* at least, as the gentleman from Ohio admitted; he (Mr. C.) said, a member *de jure*; but, at all events, Mr. Naylor was a member *de facto*, and therefore, as such, he had much right to speak to the gentleman from Ohio or as he Mr. C. himself had, and it did not need a resolution of this house to give that right.

The very mention in this resolution of leave to speak was a denial of his right to speak. He would not assent to the resolution as it stood in its resolution. They were unusual, contrary to precedent, and, in words and in spirit, a denial of the unquestionable right of the sitting member.

Mr. Medill did not think that the resolution contained any thing that was objectionable. He thought the petitioner should be placed on the same footing with Mr. Naylor; and he did not, therefore, see the necessity of the modification suggested. He hoped Mr. Ingersoll would be permitted to go on.

He said much more, but that if he was objected to meant nothing, they were not needed there; and that, if they meant any thing, that meaning was a broad one. He must, therefore, vote in favor of the resolution, unless the words were struck out by general consent.

Mr. Lewis Williams rose to withdraw his motion to reconsider; but, before doing so, he said he thought that this proceeding had in many respects been irregular. When the members of the committee of elections to send for persons and papers, it adopted an unusual and unprecedented course. He believed that from the foundation of the government to this day, no committee of elections had been authorized to send for persons and papers, but that when the house possessed this power, it invested the committee with legislative power—it made it a prosector instead of a judge. How many drafts had been made on the constitution and the consequences of the power being given to the committee to send for persons and papers; a committee which, by the constitution and rules of the house, was solely and exclusively a judge.

He inquired in what capacity Mr. Ingersoll presented himself here to-day—whether as a claimant of the seat occupied by Mr. Naylor, or as the attorney and agent of the people who joined with him in the petition to this house. This was his chief object in making this motion to reconsider. The gentleman from Ohio, Mr. Medill, had stated he did not know how he, Mr. W. had come to the knowledge of the fact that Mr. Ingersoll did not claim the seat in his own behalf. Certainly he, Mr. W. had not spoken from the record. His attention had not been particularly drawn to that point; but what had been said by the gentleman from Ohio himself, Mr. Medill, appeared to him, Mr. W. to corroborate the opinion that Mr. Ingersoll was not here to claim the seat for himself, but that the motion was pretended was, that Mr. Naylor was not entitled to his seat; and the finding of the minority of the committee would be, at all events, a justification to him, Mr. W. for the opinion he had expressed. If he was not with intention to limit the right of speech here on these important subjects. He was disposed to bar Mr. Ingersoll, but he wished to know in what capacity he appeared. It was, he repeated, with this view that he made the motion to reconsider, as many as desired to do so, it was in the habit of acting seemed to be opposed to it, he would withdraw the motion.

Mr. Cushing renewed the motion, (solely he explained, for the purpose of affecting the modification of the resolution.)

Whereupon, by general consent, Mr. Medill modified his resolution by striking therefrom the words "as well as the sitting member."

And then Mr. Cushing withdrew the motion to reconsider.

Mr. Barnard renewed it.

He desired to ask a question of the gentleman from Ohio, Mr. Medill. He, Mr. B. took it for granted that, having submitted the motion in relation to the seat of Mr. Ingersoll, that the gentleman from Ohio, he, Mr. Medill, would be acquainted with the

fact whether it was the intention of that gentleman in addressing the house to do so in the way of a personal claim to a seat?

Mr. Medill (who was very imperfectly heard) was understood to disavow any greater familiarity with the result of Mr. Ingersoll than other gentlemen on this floor possessed; and to recommend that the gentleman from New York, Mr. Barnard, to address his inquiries to Mr. Ingersoll personally.

Mr. Barnard (having first called for the reading of the first resolution of the committee of the minority) proceeded to say, it was evident from the record that not one of the minority of the committee—not even, he presumed, the gentleman from Ohio, Mr. Medill, himself—had any idea of presenting to this house an issue which was to be decided by Mr. Ingersoll or was not entitled to be heard. He was sure that Mr. Ingersoll had petitioned for his seat. The subject was sent to a committee; that committee had examined it, and had come into this house with a unanimous report, in which, he presumed, that to say, that Mr. Ingersoll was not entitled to a seat. Was the house disposed to go behind that report?

A point of order as to the relevancy of these remarks was later raised by Mr. Turney; but the speaker having decided that they were not out of order—

Mr. B. proceeded. He took it for granted that Mr. Ingersoll did originally ask the house to consider his claim to a seat; but what he (Mr. B.) meant to say was, that the question before the house was the question presented by the minority of the committee—namely, whether the election should be declared utterly void, or should be sent back to the people to decide it. The question then was, whether the house was disposed to go behind the report of the committee, in respect, that it was to say, that Mr. Ingersoll was not entitled to a seat. Was the house disposed to go behind that report? A point of order as to the relevancy of these remarks was later raised by Mr. Turney; but the speaker having decided that they were not out of order—

Mr. B. offered the following as a substitute for Mr. Medill's resolution, in case the motion to reconsider should prevail:

"That Mr. Ingersoll have leave to be heard at the bar of this house in favor of his right to a seat in this house in place of Mr. Charles Naylor." Mr. Barnard's question, whether the motion contained in any legislation, as a general principle both gentlemen claiming had the right, by courtesy and parliamentary usage, to be heard. For what had Mr. Ingersoll petitioned? If for a seat for himself, he had a right to be heard, because he petitioned for something which he claimed as belonging to himself personally. As he (Mr. D.) understood the matter, Mr. Ingersoll insisted on his right to a seat, and in support of that claim he had a right to be heard; but in no other state of circumstances had he that right. If it were otherwise, every individual whose name was appended to the petition had a right to be heard.

Mr. Hubbard moved the previous question; but withdrew.

Mr. Alfrod who submitted a few remarks, the object of which was to show that an issue had been made up between Mr. Naylor and Mr. Ingersoll—the one having and the other claiming the seat—and that issue could no wise be decided by the action of the committee of elections, but was to be decided, one way or the other, by the house in a judicial capacity; that the issue had not been changed; and that Mr. Ingersoll had a right to be heard on the subject.

After some remarks from Messrs. Alfrod and Barnard, the previous question was called by Mr. Turney, (who met all appeals for its withdrawal with a negative), and there was a second in the call. The main question being on the motion to reconsider the vote on the resolution of Mr. Medill was ordered, and, being taken, was decided in the negative, yeas 41, nays 140.

The speaker then informed Mr. Ingersoll, (who appeared at the bar) that the house had passed a resolution that he should be heard, &c.

Mr. Ingersoll then rose and addressed the house in support of his claim, and had proceeded about an hour, when, without having concluded, he gave way for a speaker, to which, having been agreed to, the house adjourned.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN AFFAIRS.

The packet ship England, capt. Waite, arrived on Wednesday evening from Liverpool, whence she sailed on the 9th ult. She brings London dates to the evening of the 31st—two days later than our previous advices. The intelligence was favorable and interesting.

ENGLAND.

There is a decided improvement in the money market, caused in part by the favorable intelligence from China and the Mediterranean, but in part also by a general improvement in business. The export of specie to the continent had ceased; stocks had generally improved; wheat was at least firm at former prices, and cotton at Liverpool had slightly improved, and was in active demand. In short, things were looking decidedly better than for many weeks previous.

FRANCE.

The triumph of the king, the South-Gazette ministry and their pacific policy in complete. The ministerial address to the king was carried on the 4th by a vote of 247 yeas to 161 nays, after a stormy debate in which the personal integrity of the king was directly impugned, and a chaos of an hour ensued. The little Tall-yrand would seem to be factually prostrated.

By the packet ship La Duchesse d'Orléans, Havre papers of the 9th Dec. are received. The funeral of Napoleon was to take place on the 15th.

The remains of Napoleon, having been placed, at Cherbourg, on board a steamboat, the solemn train passed by Havre at six o'clock on the morning of the 8th. The steamer with the remains was painted black, with torches burning on the bow and stern and around the tomb. A long retinue of attendants followed. The shore was lined for a mile with national guards. In Paris a hundred thousand men were under arms. The excitement was very great among the people, but the strong military arrangements left no apprehensions of disorder.

The London Standard of the 12th December, received by the Garrick at New York, says: The restoration of the remains of Napoleon seems to have excited a feeling in Paris, of which no other part of France affords any symptom.

The body of Napoleon. The latest Parisian journals contain the official account of the disinterment of Napoleon's remains, and their removal on board the frigate *Belle Poule*, under the supervision of prince de Joinville, assisted by count Rohan Chabot and captain Alexander, commissary appointed, the one by France and the other by England, to superintend the exhumation.

The body appeared to have suffered little change in the twenty years which has passed since it was interred. The three coffins which the exterior one was mahogany, the second lead, and the third had mahogany—having been cut through,

and the white satin sheet which covered the body removed, the form and features of the great man appeared as in the view of a group of his old and faithful followers who were permitted to be present, and of many who now gazed upon them for the first time. The features were so perfect, and retained so completely their original character, that several General Gourgaud, involuntarily exclaimed on beholding them, "Bon! tres bon!"

The process verbal, drawn up by Dr. Guillard, surgeon of the *Belle Poule*, after reciting the precautions used in opening the lids of the several coffins, continues thus:

"Something white, which appeared to have become detached from the lining, covered, as if with a thin gauze, all that the coffin contained. The cranium and forehead, which seemed strong to the touch, were particularly stained with it, but very little was seen on the lower part of the face, on the hands, or on the toes. The body of the emperor was in an easy position, as when it was placed in the coffin; the upper members were laid at the right, the left arm and hand resting on the left thigh; the lower limbs were slightly bent; the head a little raised, rested on a cushion. The voluminous skull, the high and broad forehead, presented themselves, covered with fine reticulated, close to the surface, and to them. Such appeared also the contour of the orbits, the upper edges of which were furnished with the eyebrows. Under the eyelids were to be distinguished the ocular globes, which had lost very little of their volume or color. The eyelids were completely closed, adhered to the subjacent parts, and were hard under the pressure of the finger. Some eyelashes were to be seen on their inner side, and the eyelids were very white, which covered them, were well preserved; the tubes and nostrils alone had suffered. The cheeks were full; the teguments of this part of the face were remarkable for their softness to the touch and their elasticity. The hair of the head was slightly bald, a tint they had borrowed from the beard, which had grown after death. The chin itself had undergone no change, and still preserved the peculiar type of the face of Napoleon."

The remains were parted, and three of the incisive teeth, very white, appeared under the upper lip, which was a little raised towards the left. The hands were perfect, not having undergone the least change. Although the joints were stiff, the skin preserved that reticulated color which is only to be found in the living man. The nails of the fingers were long and adherent and very white. The legs were in boots, but in consequence of the opening of the remains the last four toes were out on each side. The skin of these toes was of a dead white and furnished with nails. The anterior region of the thorax was much depressed in middle, and the sides of the belly hard and sunk. All the members covered by the clothing appeared to have preserved their shapes. I pressed the left arm, which I found to be hard and diminished in thickness. As to the clothes they appeared with their colors, so that the uniform of the horse chasseur of the old guard was to be seen; the dark green of the coat and the bright red facings. The grand cordon of the legion of honor was across the waistcoat, and the white breeches were partly covered by the bat, which was placed on the thighs. The epaulettes, the star and other decorations attached to the breast, had lost their brilliancy and turned black. The gold crown of the cross of officer of legion of honor had alone preserved its polish. Vases of silver appeared between the legs, one surmounted by an eagle which rose above the knees; they were foiled and closed. As there were adhesions between these vases and the parts they touched, I uncovered them a little, the king's commissioner not thinking it right that they should be removed for the purpose of closer examination."

The process verbal goes on to state that the above particulars might have been more full, but they were sufficient to show that the preservation of the body was more complete than circumstances of the nature and importance warranted an expectation of. It then proceeds:

"This is not the place to inquire into the causes which have to this extent arrested the progress of decomposition; but it is not to be denied that the extreme solidity of the masonry of the tomb, and the care taken in making a solid the coffin in

metal, have powerfully contributed to this result. However this may be, I feared the effect of the atmosphere upon the remains, and was convinced that the best means of preserving them still longer was to exclude them from its action. I eagerly complied with the desire of the king's commissioner, that the coffin should be interred in its place, after having steeped it in creosote, and then caused all the wooden cases to be closely fastened as possible, and those of metal to be hermetically soldered. The remains of Napoleon are now in six coffins—one of tin, a second of mahogany, a third of lead, separated from that within by sawdust and wedges of wood, the fifth the sarcophagus of ebony, and the sixth the outer case of oak."

The process of opening the tomb commenced at half-past 12 o'clock on the 15th of October, but in consequence of the strength and solidity of the masonry it was 10 o'clock at night when the workmen arrived at the coffin.

The sarcophagus in which the body was deposited for transmission to France, and all the paraphernalia, were of the most magnificent and costly description, and the funeral apparatus in the *Belle Poule* was fitted up in a style of costly grandeur which must have given it a most imposing appearance. The pall which covered the sarcophagus was of heavy crimson velvet besprinkled with golden beads, freely bordered with gold embroidery and ermine, and had worked through the whole of its rich fabric a white cross of silver threads, to all appearance like lace. At each corner was an eagle surrounded with stars—all embroidered in gold.

LATER. The packet ship Oxford, Rothbom, brings London papers to the 13th Dec. There was great activity in the stock yards, indicating that foreign operations were anticipated, whether in the eastern or western hemisphere, their policy is evidently to prepare for contingencies.

There was a great activity in the stock yards, indicating that foreign operations were anticipated, whether in the eastern or western hemisphere, their policy is evidently to prepare for contingencies.

Interment of Napoleon's remains in Paris. The great pageant of interring the remains of Napoleon in the Invalides took place on Tuesday, 15th December. The line of the procession from the banks of the Seine to the Hotel des Invalides was adorned on both sides with military trophies, and a more magnificent pageant, all the accounts agree in saying, has rarely been witnessed, even in Paris. From four in the morning, undeterred by the coldest day that has been experienced, during the present winter in France, thousands proceeded to the several advantageous positions which different localities presented for the viewing of the procession.

At nine o'clock the first gun was fired, on the bank of the Seine, at Courbevoie, where a park of artillery was stationed. This became the signal for the commencement of the proceedings of the day. From the temple, erected on the left bank of the river, the Abbe Coqueroux and a numerous clergy, in full canonicals, then issued and proceeded towards the steamer La Dorade, which had been brought close up to a wooden quay, forming a communication between the shore and its deck. His royal highness the prince de Joinville met them as they approached between two lines of troops, and, after the exchange of salutations turned towards the vessel lined by the sailors from La Belle Poule, a body of whom proceeded to raise the coffin, and transported it to the temple, the priests going before, chanting, according to the usage of the Catholic church.

The remains of the emperor were deposited there for two hours, the religious rites which were performed, having lasted thus long. The immense concourse of people who were assembled at the spot, viewed this portion of the proceedings in solemn silence, the roar of artillery alone sounding through the atmosphere.

SPAIN.

There is nothing of interest from the peninsula, except that tranquillity is maintained under the regency of Espartero.

There is a general calm on the continent.

EGYPT.

The pasha knocks under. He has had an interview with com. Napier at Alexandria, and offered to relinquish the pasha's office, the Ottoman fleet and abandon all pretensions on the single condition

the warriors, who was spared to act as a guide, promised to conduct him."

The following is a letter from judge Marvin to the editors of the Tallahassee Floridian, giving some additional particulars of the expedition of Col. Harney:

On board the brig *Waculla*,
St. Mark's, Dec. 31, 1840.

DEAR SIR: News had arrived at Key West before my leaving there, that Col. Harney, of the U. S. A. about the 15th instant, had a rencontre with the Indians in the interior of the everglades. With a force of about ninety men he entered the everglades in canoes, guided by John, a negro who was captured by the Indians in 1838, from his master, Dr. Grews, and who escaped and came into the camp at Cape Florida a few months since. The negro conducted the column through the everglades to the Indian town, and to several Indians, and then, killing one or two Indians, and taking thirty-eight prisoners. In the assault the chief of the band, Chai-ki-ka, escaped, but was pursued several miles by one of the dragons, and overtaken and shot.—Among the prisoners taken were ten warriors, nine of whom were hung; the life of the tenth being saved for a future guide. The rest of the prisoners were women and children, and were all spared and taken to the post at Cape Florida.

This band of Indians is said to be the Spanish band, and the same who murdered Mr. Cooley's family and several others at Cape Florida, and captain Walton of the light ship, and Dr. Cries. They are the same Indians, too, who surprised Col. Harney a year since, at Col. Macomber's, by a treaty of peace; and the same who recently burned and destroyed the settlements on Indian Key, killing men, women and children, and mutilating their bodies in a most barbarous manner. This band of Indians, with this same Chai-ki-ka at their head, have been the terror of the south for years, and have probably drank as much white blood as any in the territory.

The colony captured thirteen or fourteen of Col's rifles, taken from him at Caloosahatchie by the Indians, and about two thousand dollars worth of goods carried off by the Indians from Indian Key. This affair of Colonel Harney's will do more to strike terror into the hearts of the Indians, and to make peace, than any thing that has occurred for a long time. The everglade is no longer the refuge of the Indians. His own fastnesses are penetrated by the white man.

Colonel Harney is about again to penetrate the everglades, in pursuit of Sam Jones—the now having a guide to conduct him to his town. He is to be joined by several officers in the navy, and a company of marines, who are now upon the coast.—Every like this will soon be put to rest, and with less loss of life than temporizing measures.

The Floridian also contains the following extract of a letter from Tampa Bay in reference to the pacification of the Indians:

Tampa, Dec. 22, 1840. "Tiger Tail's son and brother, with several others, have come into Fort King, and surrendered themselves. Tiger Tail himself is daily expected. On his arrival, the party will be sent to Tampa under an escort, which is required as a security against interruption from the Miccasukies. Among the delegation is a nephew of Ebo-omathia, the principal chief of the Tallahassee. This man was sent out to bring in the chief, and has returned with him, and with eight others, who will now go to Fort 4, near Cape Keys. The son has gone out again to bring in his father's brother, but has not yet returned. So far, then, as the Tallahassee tribe is concerned, the prospects are certainly fair. A portion of the delegation are now in the neighborhood of Peas Creek, collecting their brethren, the Seminoles proper. Seventy or eighty of these had, some time since, already collected, and were on their way in, but were unfortunately alarmed and dispersed, on seeing an armed boat's crew, who were out scouting. Such assurances have been sent to them, and explanations made, as to leave little doubt of their coming in now; and they are expected at Charlotte's harbor in about a week. A portion of the party met by their chief, Hootoochee, (the principal chief of the delegation), who has promised to bring them from Tampa there in a steamboat.

"The delegation (from Arkansas) has also sent to Coacoochee, one of the most active and formidable of the Miccasukie chiefs, by one of his people, (who lately came in with a flag of truce and surrendered himself), in the hope to induce him to come in. This Coacoochee has an uncle in the delegation, who has sent urgent entreaties to him to come and listen to what he has to say."

Later. Lieut. Colonel Harney has started again, in connection with a detachment of officers and sailors from lieutenant MacLaughlin's command, and

a party of marines, under lieutenants Sloan and Wilson, for Sam Jones' camp. They are accompanied by the negro John, who was wounded in the former expedition, and an Indian prisoner.

Captain W. B. Davidson, the 3d artillery, died of the disease contracted in the everglades.

THE NAVY.

The United States sloop Concord, commander Borden, bound for the coast of Africa, was dropped down to Hampton Roads yesterday morning, and will sail first wind.

[*Norfolk Beacon*, December 25.]

The United States frigate Constitution and the United States schooner Shark left Gayaquil on the 3d October, all well.

The United States sloop St. Louis at Callio, all well.

The United States frigate Macedonian, commander Isaac Wilkinson, arrived at Pensacola on the 21st ult. one month from Norfolk. Subsequently she exchanged salutes with the French corvette Sabine.

The United States brig Consort lieutenant commander Powell, arrived at Pensacola on the 23d, from St. Joseph, having completed the survey of that harbor, and of Apalachicola.

The United States steamer Missouri was launched at New York on the 7th ult. in handsome style.

The New York American states that a court martial was convened at the navy yard on Monday, for the trial of three midshipmen. The court is composed of captains Renshaw, Perry, Cooper, Salmon, Commodore Fawcett, Williams, McClintock, and McClellan and Sands. John McKen, judge advocate.

STATES OF THE UNION.

"THE FAITH OF THE STATES." In a paragraph on this subject the Cincinnati Republican utters the following commendable sentiments:

"We feel an honest pride at the noble stand which our countrymen have taken on this subject. The purpose is fixed all over the land never to violate the faith of the states. A few bold and unprincipled men, reckless of obligation, and regardless of duty, have dared to defend an opposite action. But such conduct has been repudiated by the nation. In an hour of distress and darkness, when no aid was looked for, and hardly a hope of relief was felt, the states, as one man, have declared that their faith should remain unbroken. Let all doubts on this subject be forever dispelled, by the nation's voice. The states will always prove their fidelity by meeting fully and promptly whatever engagements they may make. Not one of them will forfeit its word, or disavow its name.

That portion of the union, which is bounded west by the Mississippi, north by the Great Lakes, east by the Allegheny river, and south by the river Ohio, contains at present nearly four millions of inhabitants. The remainder of the great valley of the Mississippi, is believed to contain about four millions more.

MAINE.

According to the official account, the vote at the late congressional election in Oxford district was as follows:—Long, (W.) 3,687; Littlefield, (V. B.) 4,399, scattering, 752. The 19th inst. is appointed for another trial.

Governor. The legislature of Maine are examining the returns: the contest is very close between the two governors. *Keel*, it is understood, according to the Boston papers, leads Fairbank's a few votes, but there being about 100 scattering votes no choice may have been made. In that case the legislature will select a governor who will assuredly be Edward Kent.

VERMONT.

Fugitive slaves in Vermont. The legislature of Vermont, has passed an act regulating the proceedings on claims for runaway slaves. Its most important provisions are, says the Boston Traveller, that the claim must, in all cases, be passed upon by a jury; that if the decision is against the claimant, the alleged slave shall or may again be molested upon the same claim, and any subsequent arrest, or removal of the alleged slave out of the state, under any process whatever, shall be punished as kidnapping;—that the state's attorney shall appear for the alleged slave, receiving his compensation from the state—thats the alleged slave shall be entitled to subpena without charge—that the claimant, before his claim is ascertained, shall give a bond to the state, in the penal sum of \$1,000, conditioned to pay all costs and expenses of the trial, and to be liable upon him, two dollars a week for the support of the alleged slave while in custody, and one hundred dollars to the alleged slave, besides his damages, if the claim is not sustained—and finally,

that any attempt to remove any alleged slave without the authority of law shall be punished with a fine of \$500 to the party aggrieved, and imprisonment in the next prison for not more than ten years. [Paid.]

MASSACHUSETTS.

The legislature of this state assembled Wednesday morning in the state house, at Boston. This house of representatives is the first to organize at 11 o'clock. A. M. by Isaac P. Davis, the senior member from Boston. George Ashman, of Springfield, was elected speaker, on the second ballot, and Luther S. Cushing re-elected clerk. The senate was organized by the re-election of Daniel V. King, as president, and Charles Colburn, clerk, without opposition.

Election. Tenth congressional district. No member of congress having been chosen in this district at the late elections, a special trial took place Monday, which resulted in the choice of Nathaniel B. Borden, whig, over Henry Williams, V. B. the present incumbent, by the following vote: Borden 4,320; Williams 3,750; scattering 202.

Mr. Borden's plurality over Mr. Williams, it will be seen, is 560—his majority over every thing is 288. The majority against Williams is 792.

Mr. Permenier, of Middlesex district, is the only Van Buren member in the Massachusetts delegation to the next congress.

Mr. Borden was a member of the last or 25th congress, and constituted one of those who have been called conservatives.

This vote had stood thus on the first ballot: Borden 4,091; Williams 4,000; scattering 75.

NEW YORK.

Legislature. The legislature of New York met at Albany on Tuesday. P. B. Porter, jr. (W.) of Niagara county, was elected speaker of the house, and the senior governor Bradish took the chair in the senate.

PENNSYLVANIA.

The legislature met at Harrisburg on the 5th inst. In the senate there was but one election, on the call to order, at 3 o'clock, P. M. On motion of Mr. Strohm, the senate proceeded to the election of a speaker, when Charles B. Penrose, of Cumberland, (whig) was elected on the first ballot. The vote of the senate was as follows: Penrose, 17; Satterly, 3; scattering 4. On being conducted to the chair by Messrs. Kingbury and Snyder, Mr. Penrose made a feeling and eloquent address.

In the house, also, every member was present except Messrs. B. and C. On account of indisposition. After the roll had been called, the house, on motion of Mr. Crab, proceeded to the election of a speaker. On the first ballot, the vote was for Mr. Middleton, (W.) 49; Richard Broadhead, (V. B.) 45; scattering 10. A second ballot was immediately held, which resulted as follows:—Middlehead, (W.) 48; Flenniken, (V. B.) 48; scattering 3. No one having a majority of the whole number, a third ballot was had, which resulted in the choice of William A. Crab, (W.) of Philadelphia, as the speaker. The vote was, for Crab, 53; Middleton 44; scattering 2. The V. B. members to the number of 45 supported Mr. Crab in a body, and with the aid of few whigs, that gentleman appears to have been elected over Mr. Middleton, the regular whig candidate.

Bank of the United States. Philadelphia, Monday, January 4th, 1841. At a stated meeting of the directors of the Bank of the United States, JACOB BRICK was called to the chair, and Joseph G. Grant appointed secretary.

The president of the bank then submitted and read to the meeting the report of the dividend committee, and a very detailed statement of the bank in a printed form.

On motion, resolved that the said report submitted by the president be accepted. Which was carried.

Mr. Lantz offered the following: Resolved, That hereafter no allowance or presents shall be made by the directors to any officer or other persons employed by this institution.

When the following was offered by Mr. Kennedy

Resolved, That the present policy of the directors of this bank in contracting its business and retrenching its expenses, meet the approbation of the stockholders, and its continuance is recommended.

The following was offered by Mr. Josiah Lippincott: Resolved, That a committee of six be appointed to examine into the details of the reports submitted to the stockholders.

Resolved, That the meeting appoint the committee.

Whereupon the following stockholders were nominated and appointed: Josiah Lippincott, Moses

Keampton, Thomas P. Cope, Charles Massey, Richard and Willing, David Kirkpatrick.

Resolved, That the committee be authorized to fill any vacancy which may occur therein.

Resolved, That the meeting now adjourn to meet at this place on the first Monday in April, at 10 o'clock.

SAMUEL BARCK, chairman.

Mr. Gratz, secretary. In the course of the proceedings, the president of the bank, Thomas Dunlap, esq. made some explanatory remarks in relation to a reduction of expenses, which appeared to give very general satisfaction. The resolution approving of the recent course of the directors, was passed unanimously. It may be well enough to mention here, that in introducing a more economical system into the administration of the affairs of the institution, Mr. Dunlap expressed by proposing a reduction on his own salary of 25 per cent.

A considerable number of stockholders were in attendance, and after the official statement had been read by the president, and one or two explanatory remarks had been made, every thing passed off with entire harmony, and the general proceedings appeared to inspire a feeling of confidence and satisfaction. We indulge a hope that from this time forward, the condition of the bank will continue to improve, and its resources to accumulate.

STATEMENT OF THE BANK OF THE UNITED STATES.					STATEMENT OF THE BANK OF THE UNITED STATES.					
ASSETS.		BANK OF THE UNITED STATES.			ASSETS.		BANK OF THE UNITED STATES.			
		December 31st, 1830.					December 31st, 1830.			
AGENCY.	ACTIVE.	Bills discounted on		Domestic bill of exchange.	Total.	STRENGTHED.	Bills discounted on		Domestic bill of exchange.	Total.
		Personal security.	Other security.				Personal security.	Other security.		
Bank United States, Agency, Boston.		1,327,890 42	1,850,035 83	590,095 76	4,107,021 06	Bank United States, Agency, New York.	5,068 81 36	881,437 86	993,627 64	6,550,805 79
Georgia, Washington.		783,672 83		904 94	21,778 02	Washington, Mobile.	438,328 97			438,328 97
New Orleans.		16,654 31	23,202 64	130,487 77	923,117 07	Georgia, N. Orleans.	45,431 07	97,734 44	800 00	143,955 51
London.		124,298 06			13,838 56	Washington, N. Orleans.	166,851 56			171,256 00
London.		1,143,213 66	729,238 70		2,015 67	Washington, N. Orleans.	697,626 81		391,640 50	899,501 31
London.		237,006 77			15,635 60	Washington, N. Orleans.	391,411 93		98 314 84	400,729 19
London.		776,036 77			15,635 60	Washington, N. Orleans.	389,258 25		210,351 00	5,616,068 98
London.		230,127 82			15,635 60	Washington, N. Orleans.	187,000 19	2,988 17		153,990 31
London.		856 81 15			15,635 60	Washington, N. Orleans.	74,884 83			74,884 83
London.					15,635 60	Washington, N. Orleans.		2,350 96		2,350 96
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other sources, during the last six months, is one million two hundred thousand four hundred and twenty-nine dollars and eighty-nine cents, 1,200,489 09. The current expenses of the bank for its officers and agencies for the same period amounting to

135,859 97

Being deducted will leave
To this sum must be added balance remaining to credit of profit and loss as reported by the last dividend committee, amounting to

2,404,056 49

Making together
From which is to be deducted the sum of

1,308,564 89

Being for interest on loans in Europe and on bond to the U. States, loss on foreign exchange, expenses on loans, and cost of specie and specie funds,

2,157,061 52

From which is also to be deducted the semi-annual appropriation for the extinguishment of the bonds

108,000 00

Leaving the aggregate net profit of the banks

2,057,061 52

The committee further report—
That the statement herewith submitted marked (B), exhibits the last return of suspended debt and real estate with an estimate of the probable loss thereon, and an account of the interest due on the same. The statement C, presents a comparative view of these several subjects, and the statement D, presents the state of the contingent fund to meet the losses of the bank. From these several statements it will appear that the amount of the contingent fund is

6,505,281 88

From which deduct the losses chargeable to the same

5,790,630 57

standing on the books of the bank including the losses at Philadelphia and those transferred from the office of the late bank

714,651 31

Leaving to credit of contingent fund

5,832,496 56

And that the estimated probable loss on the suspended debt and real estate is

4,930,640 57

To which must be added the losses at offices and agencies, not transferred to the books at Philadelphia

727,855 99

From which may be deducted the interest on that part of the suspended debt, estimated good

512,125 87

Leaving an estimated probable loss of

5,146,370 69

On submitting this statement the committee of far the following resolution:

Resolved, That it is inexpedient at this time to declare a dividend on the capital stock of this bank.

Bank of the United States, Jan. 2, 1841.

(Signed)

M. NEWKIRK,

LEWIS WALIN,

JAMES MARTIN,

ROBERT TAYLOR,

RICHARD PRICE.

Bank of the United States, Jan. 5, 1841.

At an election, held according to law on the 4th instant, for twenty stockholders to serve as directors for the present year, the following gentlemen were duly chosen, viz:

Thomas Dunlap, Matthew Newkirk,

James Martin, Richard Price,

J. B. McWaine, John Humphill,

George Handy, Samuel Jaudon,

Thomas Fleming, James Robertson,

Robert Kaiton, Hyman Deany,

Robert Taylor, John Steele,

Lawrence Lewis, John C. Boyd,

P. L. Laguerrenne, Jonathan Roberts,

W. M. Meredith, William Ayres.

And at a meeting of the directors held last evening, T. DUNLAP, esq. was re-elected president.

A. LARDNER, cashier.

Bank of the United States. We this morning lay before our readers the semi-annual proceedings of the stockholders of the United States bank. It was deemed expedient not to declare a dividend, but the doings of the president and board of directors were unanimously approved. In the course of the proceedings it became necessary for the president, Mr. Dunlap, to address the stockholders, and we are gratified in saying that his remarks met the approbation of all present. In the progress of the late reduction of salaries in that institution, it seems that the president proposed the reduction of twenty-

five per cent. of his own salary; so that there has been a general abatement of compensation of all the officers of the bank. The president submitted a report made by a committee, which he had ordered to be printed for the inspection of all who attended, containing a detailed exhibit of the actual condition of the institution. We learn with pleasure that the old officers were last evening re-elected. It is desirable that the president should superintend the operations of the bank till it is restored to its former flourishing condition, which, we trust, will be the case before a very great lapse of time.

(Philadelphia Sentinel.)

The Philadelphia North American says: "We learn that Mr. Biddle, the late president of the bank, came to the election a few minutes before 3 o'clock, and by means of proxies held by him voted in four directors, in lieu of four on the regular ticket. Our informant believes that this act of the late president was without the concurrence or knowledge of the present officers of the bank. The following are the gentlemen whose names were on the regular ticket, and whose election was defeated by Mr. Biddle's proxies: Samuel N. Lewis, A. J. Lewis, Hugh Campbell, Jacob Lanes. The gentlemen elected in their places are Samuel Jaudon, Richard Price, John Humphill, James Robertson.

Bicknell's Reporter states that this bank has obtained a loan in London of \$2,000,000, which will enable them to resume and maintain specie payments.

The same paper estimates the loss of the Bank of the U. States, according to their exhibit, (stocks, &c. at market price), to be \$17,315,955 00—but the value of the assets they think will improve as business revives.

In reference to the directors, the same paper says, the new board is composed, generally speaking of men of first rate character. The majority are said to be perfectly independent, and we have heard some of them express a strong desire to do everything in their power to benefit the stockholders and re-inspire public confidence. One plan that has been talked of is to cut down the stock to its real value, by an act of the legislature, and then to permit the institution to do business on a reduced capital, and to pay dividends on that capital. In short, to make a liberal allowance for bad debts and probable losses, and to commence on a new and a better system. A change of officers is also talked of.

MARYLAND.

U. S. Senator. We noticed the election of JNO. LEEDS KERR, esq. by a joint vote of 70 to 19 bank ballots and three scattering, in a former Register. At the election held the evening before the election there were four candidates voted for and four ballots occurred, as follows:

	1st.	2d.	3d.	4th.
General Emory,	19	16	1	1
John Leeds Kerr,	25	27	30	41
Henry Page,	28	29	30	33
Jas. A. Pearce,	3	3		

The contest was between gentlemen all of whom were highly esteemed, and when the result was ascertained the utmost cordiality was expressed.

Mr. Kerr was detained by indisposition for some days but has we believe recovered so far as to repair to the seat of government.

SOUTH CAROLINA.

Legislature. The following resolutions were adopted at the last session of the legislature of this state.

Resolved, That in the opinion of this legislature, a bank chartered by the United States, and whose notes are made receivable in the payment of the public dues, is contrary to the spirit and intent of the constitution; is not warranted by any express grant of power to congress; and is unnecessary and impolitic.

Resolved, That the collection of the revenue of the United States in gold and silver coin is strictly constitutional; and well calculated to preserve a sound circulating medium; and the keeping of the public moneys in the treasury of the United States, instead of entrusting them to the custody of any incorporated company is in conformity to the provisions of the constitution.

Resolved, That the power given to congress, to lay and collect taxes, duties and imposts, does not authorize congress to collect money, except for revenue, and that a tariff to protect the industry of one portion of the community at the expense of any other, is a violation of the spirit and letter of the constitution of the United States, and when such a case occurs the several states will decide for themselves the mode and measure of redress.

Resolved, That the general principles and policy of the administration of Martin Van Buren, are approved by this legislature, and are well calculated to preserve the perpetuity of the union, by an equal

and just protection of the rights of every section, thus avoiding the necessity of any state resorting to her own means of self defence, to secure unimpairment of her institutions and her rights.

Resolved, That the state has been with great satisfaction, the steady and consistent adherer of her senator, John C. Calhoun, to the well known, avowed, and matured principles of the state, and they accord to him their deliberate and strong approval, for rindistating and upholding the settled and well known doctrines of the state from which he has his high mission.

Resolved, That the people of this state have cause to congratulate themselves, that the party funds which lately weakened the vigor of its counsels have happily ceased, and South Carolina now presents to the annals of her policy and to peace, at present an undivided front; and is prepared, as she is resolved, to repel, by all proper means, every aggression upon her rights, as a sovereign republic, the instant that aggression is attempted.

Resolved, That the governor be requested to transmit copies of the foregoing report and resolutions to our senators and representatives in congress with instructions to submit them to that body.

GEORGIA.

It is stated, though on a little room for doubt, in the *Middle Georgia Journal* of the 5th instant, that governor McDonald has refused his signature to the bill which passed both houses by decided majorities, on quarantining the city of Milledgeville, as a means of gratifying and satisfaction for the refusal of that state to deliver up certain fugitives from justice. The *Journal* says: "We presume the governor has vetoed the bill," &c.; and more positively afterwards: "Our object is to deprive our friends that the veto power has been exercised and that this bill is not the law of the land."

OHIO.

The message of governor Shannon to the legislature, gives a lumped account of the financial affairs of the state. He says the total amount of the state debt is \$14,809,447. The amount that will be required to complete the public works now under way, is estimated at \$2,488,000. The amount of revenue for the year which closed on the 30th November, is \$296,498; the disbursements of the year less than this \$11,407. The present school fund amounts to \$296,200. The receipts from the national bank for the year ending on the 30th November less than this \$560. The amount of tolls, fines and water rents on the several public works, after deducting the cost of repairs, are \$953,751. This is an increase over the receipts of last year, of \$21,269.

POLITICAL.

SENATOR BENTON'S LETTERS. The following letter appears in the *Register* of the 14th inst., signed the editor has placed the name of Mr. Van Buren again at the head of its editorial column, as a candidate for re-election.

Senate chamber, Dec. 6 1840.

DEAR SIR: I am glad to see that you have hoisted the Van Buren flag for 1841. This is the third time since the commencement of our government, that the democracy have been defeated in a presidential election, and I think the party will do more as it has done heretofore, and immediately take up their defeated candidate, and move forward with him without division and without faltering. This is the way the democracy acted in 1790, when Mr. Jefferson was defeated by Mr. Adams, and in 1824, when general Jackson was defeated by Mr. John Quincy Adams. In each of these cases the democracy instead of waiting their time in vain regret, or weakening themselves with divisions, immediately took up their defeated candidate, applied themselves to his proper presentation before the public, and carried him triumphantly forward. I am for following the same course now, and can see no reason for an hour's delay. For one, I am for Mr. Van Buren again, and I would do so, and upon a full view and a full apprehension of his conduct, public and private for twenty years past. I want no better candidate, no better president, no better man. I want no fairer and no firmer, no more energetic, no more consistent in his person will afford. The late election I do not regard as settling the question of party supremacy. It is a great victory for the federalists, and a great defeat for the democracy, but the lines were not fairly drawn between two men, and I require a new trial before I can surrender the democratic cause. I want a new trial in the person of our defeated and irreproachable candidate, and look for the same result in his case, which I have seen in the case of Mr. Van Buren in his second trial of Mr. Jefferson and general Jackson.

Yours truly,

THOMAS H. BENTON.

Moses Dayton, esq.

cretary of the navy to report, he found the following statement:

A statement showing the several sums of money belonging to the navy pension fund, which have been at different periods vested in stocks of the state of Pennsylvania, and the dates and rates at which they have been sold.

When purchased.	Amount.	
1832	\$212,659 16	
Cost	\$243,495 92	
When sold.	Amount.	At what rate.
November 8, 1837	\$22,530 84	105½
November 8, 1837	32,000 00	99½
June 1, 1838	2,900 00	100
June 2, 1838	7,132 39	100½
June 4, 1838	11,126 18	100½
June 4, 1838	1,880 50	100
June 4, 1838	\$7,530 84	100
December 22, 1838	6,600 00	101
December 22, 1838	\$2,169 16	104½
December 22, 1838	10,000 00	104½

\$212,469 16

So that the loss between the purchases and sales would amount to upwards of thirty thousand dollars, by these two operations of purchasing and selling state stocks.

Then came a statement showing the several sums of money vested at different periods in the state of Maryland:

A statement showing the several sums of money belonging to the navy pension fund which have been at different periods vested in stock of the state of Maryland, and the dates and rates at which they have been sold.

When purchased.	Amount.	At what rate.
March, 1832	\$12,713 80	101½
Do. do.	40,000 00	105½
Do. do.	6,000 00	107½
Do. do.	4,000 00	104½
April, 1832	12,500 00	108½
Do. do.	4,120 00	101½
May, 1832	11,000 00	110½
Do. do.	16,856 92	105½

\$140,220 72

When sold.	Amount.	At what rate.
August, 1834	\$7,000 00	101
Do. do.	2,500 00	102
September, 1834	1,500 00	102
Do. do.	4,000 00	102
Do. do.	6,000 00	102
October, 1834	2,000 00	102½
December, 1834	3,000 00	103
March, 1835	500 00	106
April, 1835	600 00	106
May, 1835	1,000 00	106
June, 1835	2,200 00	106
November, 1835	1,000 00	103
December, 1835	2,000 00	103½
December, 1836	20,000 00	105
May, 1836	700 00	par.
November, 1836	35,000 00	par.
April, 1839	2,320 72	par.
Do. do.	50,000 00	99½

\$110,320 72

These (Mr. A. said) were premiums given for the stocks of the state of Maryland; with their sales above par, at par, and below par.

Then came a similar statement in relation to purchases made in stocks of the state of Illinois.

A statement showing the several sums of money belonging to the navy pension fund which have been at different periods vested in stocks of the state of Illinois, and the dates and rates at which they have been sold.

<i>been paid.</i>		
<i>When purchased.</i>	<i>Amount.</i>	<i>At what rate.</i>
January 17, 1838	100,000 00	106
<i>When sold.</i>	<i>Amount.</i>	<i>At what rate.</i>
July 6, 1839	15,000 00	99
August 19, 1839	17,000 00	97½
December 28, 1839	20,000 00	63½
Do. do.	25,000 00	63
Do. do.	10,000 00	62½
Do. do.	10,000 00	62½
Do. do.	5,000 00	62½

\$100,000 00

Now, these were not the only sums which had been purchased and sold in the same way. Some assuming he thought, to four or five millions of dollars, had been similarly invested. And he asked what the secretary of the navy told us? That all these stocks were greatly depreciated in value, and that some of them were now under water.

He (Mr. A.) was obliged to make his observations in a desultory manner, because he was quite unprepared. But some of his friends had had the

goodness to obtain for him the report of the secretary of the navy to the last session of congress, and which, he had said, he could not obtain. He wished the clerk to read a few paragraphs.

The clerk then read as follows:
"Acted, March 3, 1837, grants pensions to the widows, and, if no widows, to the children under twenty-one years of age, of all officers, seamen and marines, who 'have died, or may hereafter die, in the naval service,' to be paid from the dates of the deaths, and to be half-pay of the navy, as such pay was on the 1st of January, 1835. It provides that pensions already granted, or to be granted, to invalids, shall be paid from the time when they were established, and that all laws inconsistent with this act, shall be repealed. This most comprehensive act has, in the short space of two years, distributed to navy pensioners more money than was required by the operation of all the other navy pension laws during the period of nearly forty years. Its future effect is beyond estimate."

"Pensions to invalids of the army, and to the widows and children of those killed in the army, have not been so lavishly bestowed as in the navy; and the reason of this difference is said to be, that no navy pension fund was created by the services of the navy, and is not a charge upon the public treasury. So long as the fund thus created shall last, the reason will be satisfactory; but when the fund shall be exhausted, it must be in two years, or in less time, and congress shall find it necessary to make large appropriations out of the public treasury on this account, the reason of the difference will cease. It will then be extremely difficult, if not impossible, to continue to the army pensioners, in similar to the act of March 3, 1837, for the navy. It must be noticed that this act allows pensions to the widows of all persons who ever died, or shall die, in the navy, to be paid to them from the dates of the deaths, and the shall die or marry; not if no widows, then to the children under twenty-one years old. Should the deaths occur in violation of duty, or even by sentence of a court martial, still the widows and children are entitled to pensions under this law. The pensions already vested and granted by this act will, in two years, perhaps sooner, exhaust the fund; and this must be the result even if the act were repealed to lay; for such repeal cannot reach the pensions already granted and vested by the act. The number of persons entitled to pensions by the act to make up the deficiency in the navy pension fund; and, as this pledge must soon be redeemed, it is now necessary to contemplate the subject."

"The vast expense and consequences of the act of 3d March, 1837, will justify a circumstantial detail of its history; and that the whole may be fully understood, it is proper to state that the naval committee of the senate had requested the secretary of the navy to prepare a plan for navy pensions. After the most careful consideration, he submitted a plan which was as liberal as it could be made without diminishing the capital of the pension fund. The committee reported a bill very nearly in all respects conforming to the plan of the secretary. It passed the senate; but, it is believed that, on its third reading in the house of representatives, about midnight, on the 3d of March, 1837, it was most unexpectedly denounced as an extravagant measure, that it would destroy the fund, &c. The bill was then amended, by striking out all except the enacting clause, and inserting what is now the act of March 3, 1837. This amendment was understood to be less expensive than the bill from the senate—that it was a retrenchment measure—would save money to the fund, &c."

"This statement is thus particularly made that congress may have a complete view of the entire subject, and to state it is certain that any postponement of the matter will create embarrassments difficult to be removed by any future legislation. The department has, so far as possible, in every instance limited the disbursements under the act; but, when parties satisfactorily proved their claims under the act, the secretary of the navy had no authority to refuse payment."

"The system has expanded to its present extent through the legislation of congress; and doubtless that honorable body will adopt some course respecting it as will, under all the circumstances, best redeem their pledge of the public faith, without affording any just cause of complaint to the parties interested."

Mr. A. continued. He had had these extracts read to show the house that no fault could be imputed to the secretary of the navy, at the commencement of the last congress, on the ground of not having informed this house what was the condition of the navy pension fund. He (Mr. A.) spent a small portion of the last session in extracting the house to take up this subject. The recommendation was then made to take it up immediately, in order to arrest this

bleeding artery. But not the New Jersey members were to be brought into the house at any sacrifice but as to the funds of the United States, or their obligations, or the want of means to meet them, the house had not time to consider or think any thing about."

Towards the close of the last session of congress a message was transmitted by the president, covering a communication from the secretary of the navy, suggesting that an appropriation of \$350,000 was necessary to meet the payments of navy pensions coming due on the 1st of July last. The message was sent on the 13th of June, and there was in it a letter from the secretary of the navy, stating that the sum of \$300,000 was required to pay pensions coming due on the 1st of July, and that it was, in the opinion of the secretary, impracticable to effect a sale of the stocks belonging to the fund, even at considerable loss, in time to meet the payment. What did the house do with that message? It had no time to consider it; and still it was that he had offered his resolutions. But the house would not receive them—would not allow them to be read. The time of payment came—and notices of the stocks were made, which were also made of the necessity of the house to make the payment. And that \$50,000 was one of the demonstrations and reductions from the expenditures of 1840, about which the president and the secretary of the treasury were consulting themselves. They told the house that if that sum was not appropriated it would be necessary to make great sacrifices. Yet the house refused to consider the subject at all; and this sum now stood less upon the expenditure of the treasury of the president and the report of the secretary of the treasury."

In the report referred to, the statement of the secretary of the navy was, that the stocks at present held by the navy pension fund were:

City of Cincinnati 3 per cent.	\$100,000
City of Washington 5 per cent.	33,339
Bank of Washington,	14,000
Union Bank of Georgetown,	11,400
The total value set out at \$158,739, and then came the note that these stocks were depreciated in value, and that some of them were altogether unsaleable. Here, to be sure, were no state debts; but he knew that there were debts due from several important cities, and that the value of the stocks in city of Cincinnati 3 per cent. stock. What operation that had on the elections in the city of Cincinnati he would not undertake to say; but we were now told that it was unsaleable—good for nothing—and that an appropriation of \$350,000 was necessary to supply the amount of that stock which had been provided for.	

Nor was this all. About the 1st of September, 1838, the sum of five hundred and nine thousand dollars and upwards was deposited in the mint at Philadelphia in gold—in mint drops—a sacred trust which the United States had accepted upon the pledge of their faith to keep it whole, entire, for the purposes for which it had been given by a foreigner. Within three days, the five hundred and nine thousand dollars were on their way to Arkansas to make a bank. Mr. A. (who here was scarcely heard by the reporter) was understood to say that the two members of the senate and the member of this house from the state of Arkansas, had a quick sale of the money that were coming into the treasury. They were not as yet come; and in the bill making appropriations for the support of the academy at West Point, in the sixth session, upon the last day of the session, under the operation of the previous question a provision was inserted authorizing the president and the secretary of the treasury to loan to the states that sum of money when it should come into the treasury. It was three months before, and on the third day after the money was received, the plan was carried into execution."

Now, we had heard of British gold carrying the elections which had just gone off—not in favor of the present administration, which was done by the aid of British gold. There he (Mr. A.) put a finger upon \$309,000 of British gold which contributed, so far as it could go, to the re-election of the present executive—Agassiz; and he (Mr. A.) thought he had shown the means by which it was done. Go to the state of Arkansas. The dollars are not there, but they were there, and they were sent there from the mint of the United States. Here was policy—profound policy—economy—democracy; and all this, too, accompanied with a great and honest confession of assumed state debts, that the hair of gentlemen stood on end at the mere mention of the possibility of such a thing. Was not here a debt of the state

of Arkansas of half a million of dollars. Had not the general government assumed that debt? Had they not employed trust money? If Arkansas should declare itself insolvent to-morrow, congress must pay the debt; they had assumed it. Arkansas had not one representative on this floor. Now, if congress assumed debts to create the banks of any other purpose, what did the rule of justice require if the state of New York came here and called upon congress to assume her debts and take her bonds? Twenty millions of dollars! The state of New York had rights to come and demand that congress should take twenty millions of dollars of her bonds as a matter of right, congress having done the same thing with Arkansas. What would be the rule of justice with Pennsylvania? She had a right to demand \$14,000,000. They could very easily make up a sum of two hundred millions, by doing nothing more than just carrying out the very principle on which the sum of \$549,000 of gold—British gold—would join the creditors of the state of Arkansas to make a bank.

He had desired a long time to say this much to the house, and he said it now, although a little out of order, because he had never been allowed to say it in order. [Laughter.] All the session he had desired to hear him say anything; and it was that consideration which induced him to offer the resolutions he had read, and which gave something like a sample of these things. He offered them after the message called for \$200,000, and the very object had come in. But now it was not in order, and there was a gentleman here who cried out "objection!" [General laughter.] He (Mr. A.) was not heard by the house, but he had now been heard; and he was that when he should have been heard. He had resolutions, as he wished to do, they might at least be allowed to go on the journal as a record, to show that such propositions had been offered. Those resolutions went utterly and entirely against the system of increasing state debts, above the rate of thirty, fifty or sixty per cent. below par. He said that, so far as it went, it was an assumption of state debts; and if gentlemen were so averse to the assumption of state debts as they professed to be, he expected they would put a stop to this course of things. One of his resolutions was to prohibit the purchase in future of any state bonds. He considered it not only an extremely impolitic and excessively improper mode of assuming state debts, but it must be assumed at all as being among the most foolish things that ever done by this government. He had specified this sale of half a million of dollars of British gold to the state of Arkansas; but the same course of objection might be taken against the sale of the state which had been treated in the same way. He wished the whole subject to be looked into, and with the blessing of God, it should be looked into at the next session. He did not expect that it would be this session. He knew, from the course of what out of the record, and had seen this opportunity to open to the house, and so far as he could, to the nation, what was the system which had been pursued—in what manner the funds of the nation—trust funds—had been and continued to be employed in the present administration—continued, at all events, so long as there was an election ahead.

There was no further question which he wished to be considered; that was, to ascertain exactly how the permanent, irrevocable debt had been fastened on this nation by the present administration, the head of which and the financier of which said that they were opposed to all national debt. The secretary of the treasury had expressly said this year that the only way to get rid of the time of peace. Now, that officer was a good friend of Mr. Jefferson; and he (Mr. A.) would ask him what he thought of \$15,000,000 paid for the purchase of Louisiana! He would also ask him what he thought of \$3,000,000 (borrowed money) paid for the purchase of Florida? A gentleman before him (Mr. Downing) thought that he (Mr. A.) was a little pledged in that; but then it was to be considered that he had never pledged himself against a national debt. The great error of all these debts was to make a good bargain; and if an administration did that, they would not come here with their homilies about national debts. Let them tell us they were against a national debt, but let them be against the national interest; but when the national interest requires it, let the debt be contracted on the best terms, and let it be paid honestly. That was the rule of private individuals, and it was the rule of nations; and it was a rule of principle for the head and the financier of a nation to say to us against all debts in time of peace. The president told us in his message that he was against a national debt and a national bank, and that he always had been. Then he (Mr. A.) would break the law, so the president was opposed to what might be very useful to the interests of the nation.

But, more than this—there were debts of millions upon millions which had been made. All our Indian treaties—[and there was now a bill before the house, reported by the chairman of the committee of ways and means, making appropriations of six or seven hundred thousand dollars for Indian annuities;] what, he would ask, were all our Indian treaties but national debts? What were all the sums of money given to Indians for their lands? What was all this but a national debt! A sacred debt which the government was bound to pay; and if the Choctaws and the Chickasaws, and the Kiowas and many other tribes, were not extinguished, as seemed to be the policy, the government, so long as it existed, would have to pay an annual debt to them. The government had only now to provide the interest—\$100,000 dollars, that was to say to a debt of ten millions, at 6 per cent. Of those \$100,000 of principal—how much he knew not—but he believed at least four millions had already been invested in state stocks, exactly as this half million trust fund from the Secretary of the Navy came and told us that these state stocks were good for nothing; and yet, when some of these states came to us and said: "You ought to help us in our distress, in distress, in distress, in distress"—[as the gentleman from Florida says]—these debts are not extravagant debts—they are not for luxuries—we have not been wasting the public moneys—these are debts which, in the long run, will pay you more interest, and under the same conditions—you must take a part of them."—[The exclamation was one of horror at the idea of paying state debts.] That was the answer, and he wished gentlemen who thought this thing so horrible, to make the distinction, and let him know whether or not he had not assumed these four or five millions of debts to the states by investing the treasure of the government, and still more, the mere trust funds of the government, in state stocks, taking the boots of

He could wish to say a great deal more on this subject, but he believed he had said enough now to open it to the consideration of members. It included within itself the policy of this nation, not only in relation to its own debts, but the respectability of the several states of the union. It included the general consideration of a national debt, and, probably, of a national bank. It included the justice of this nation to all the Indian tribes, and the justice of this nation to all the states, in the sums of money, and then spent them by investing them in state stocks.

Another example occurred to him at this moment in the manner in which the government contracted debts, and actually wasted or employed the fund. In another part of this building, within a few days, some reference had been made to one of these trust funds—that belonging to the Smeena nation. About the year 1780 or 1791, the Smeena nation, and the United States was vested in the president of the United States, for the time being, for the benefit of that tribe of Indians, in perpetuity, the government being bound to pay to the tribe the annual interest of the money. The money was invested by order of general Washington, it was held by him in trust, invested in the six per cent. funds of the United States, purchased at an advance. Mr. A. was under the impression that the state that had the benefit of investment of this fund which took place from the time of general Washington to that of Mr. Madison, it had been sunk from \$100,000 to \$86,000. He (Mr. A.) had himself directed a purchase of 3 per cent. stock, and it was made, and when the 3 per cent. were paid off, the sum of one hundred and six thousand dollars was realized for the sum which was originally \$100,000; and which was only \$86,000 when he made the treasury. And that sum of \$108,000 was paid into the treasury by his order. What had become of it? A few years ago, in an appropriation law, this sum of \$108,000 was appropriated for the use of the treasury of the United States for that year, and the money was gone. The United States then state that he spent it. Now, what was that there was a debt contracted of which there was no sign or appearance in the president's message. The government had to pay the annual interest by appropriation; but as to the principal, that responsibility would not be free from this responsibility, so long as the Smeena nation existed as a tribe. The government had used it for its own purpose, but was responsible for it. It had been a part of the responsibility of the government.

At present, he should content himself with these observations, and he would leave it to the chairman of the committee on naval affairs to make such reply as he thought proper; but he (Mr. A.) begged that it should not break the law, so the president was opposed to what might be very useful to the interests of the nation. If there was no alternative but that

he would rather pay three times the amount than give his sanction to the bill.

[This speech has not had the benefit of revision, and was taken down under the disadvantages of interruption, and, in some parts, of doubtful hearing.] Mr. Reed spoke briefly of the absolute necessity of making a law of appropriation, which, he said, in regard to the faith and honor of the government required, notwithstanding that the appropriate fund had been exhausted by an improvement law of this house. He took occasion, also, to call attention to three most important bills, in his opinion, ought not to be staved in order to get the action of the house, and which were, first, a bill to repeal, in part, the pension law, [which law, he said, trenchanted on the interests of the nation by giving both pay and pension to officers who, in his opinion, ought not to receive them]; secondly, a bill in relation to navy pensions; and thirdly, a bill in relation to pursers.—Mr. R. said he earnestly hoped that the house, at once early day, would give short space of time to the consideration of these bills.

Mr. Wier said he did not rise to oppose the bill, on the contrary, he should vote for its passage; but he wished to add a word or two to the remarks which had been made by the gentleman from Massachusetts, [Mr. Adams]. The navy pension fund, to which this bill related, did not belong to congress, but had been raised by the exertions of the sailors themselves, and government stood to it in honor, and in duty. The fund, first established it had amounted to twelve hundred thousand dollars, and what was it now? What said the secretary of the navy, in his annual report at the present session? The navy pension fund, which at the close of the year 1837, amounted upwards of a million of dollars, the annual interest of which was sufficient to meet all demands, now consists of \$100,000 in Cincinnati five per cent. stock, greatly depreciated; \$14,000 of stock of the Bank of Washington, in the same state; \$33,339 five per cent. stock of the city of Washington, and \$11,400 of stock of the Union Bank of Georgetown, the latter totally unavailable at this time. In the letter, however, from the secretary, which was read by the clerk, there was a material error; for, in summing up the nominal value of the stocks in which the fund is now invested, he states it at \$138,729, but the truth is, it does not amount even to that. The nominal value of the whole stock of the city of Cincinnati has been advertised to be sold at auction on the 13th of December, for the purpose, in the first place, of reimbursing the Bank of America the sum of fifty thousand dollars advanced to it in 1837, and the balance of the stock, to meet the payment of pension which became due on the 1st of July last. This sum, therefore, of \$50,000 is to be deducted from the \$138,729, leaving the real amount but \$108,729, and this only at the nominal value of the stock. When, then, is the real fact? In 1837, the secretary reported that he had in this fund \$1,150,000, and that the interest of that sum was sufficient to meet the regular payment of the pension charges upon it; but now he has available funds but \$108,729, and of stock at its nominal value \$108,729, amounting, in all, to \$127,388 61. This, sir, is the whole which remains of the fund, good and bad and indifferent. How is this accounted for? The gentleman from Maryland (Mr. Calhoun) has the honor to be the cause of the effect of the bill of 1837; but I have examined the table of pensions furnished to us from the department, and have taken pains to trace the actual operation of that law, and what was the result? The total number of persons entitled to the pension by that law was 479, and the usual annual appropriation for the payment of their pensions was \$31,119 73. To this amount what has been added since that? Three hundred and forty-four widows, the aggregate of whose pensions amount to \$62,718 74; ninety-one minors, whose pensions amount to \$11,622; being, together, \$74,330 47 per annum, which for three years gives us \$222,990. And this is all that has been added to the fund, for the enormous deficit of \$927,000, which we ought now to have had in the hands of the secretary, not in depreciated stocks, but in good money.

Here Mr. Thomas interrupted, and asked leave of Mr. Wier before he proceeded further, to correct the statement he had made, in two respects. First, as to the original constitution of the navy pension fund. It did not, as the gentleman seemed to suppose, consist of the contributions of the sailors themselves, but was a fund which was given to the gentleman from Virginia seemed to have confounded it, but of the United States shares of prize money.

Mr. Wier received this correction, and explained that he had stated the fund to have been raised by the exertions of the sailors, because it was by their bravery and enterprise that the prizes had been

taken, and the prize money brought into possession of the government.

Mr. Thomas proceeded to say that the gentleman from Virginia had totally misapprehended the provisions and operation of the law of 1837. That law did not merely add new pensioners to the roll, and prescribe the annual allowance they were to receive, but it also enacted that a widow receiving pension under that act was entitled to have it reckoned from the death of her husband; and a person disabled was, in like manner, to have his pension reckoned back to the date when the disability had been incurred—thus requiring the payment of a vast amount of arrears. So large was this amount that \$850,000 had been paid under that law for such arrears within a single year.

Mr. W. resumed. As to the construction put by the department on the law, I have nothing to say. I am not now speaking to that point; but as to the origin of this fund, I repeat that it is the fruit of the toil and enterprise of our gallant navy. It has been earned by their blood. They have a right to what they captured, and in the administration of this fund, the government is but their trustee; and I insist that, by a fair interpretation of the law of 1837, there ought still to be a million of dollars left of this fund. The contemplation of pensioning who, in previous understandings what he is writing about, does not state what has been told us by the gentleman from Maryland. I take his report as it is given; and it shows that the additional pensions since 1837 have cost the government, to but a little over \$74,000. And yet there is this immense deficit to be accounted for. I do not either approve or find fault with the interpretation put by the department on the law; but if they have construed it so, I leave it to the wisdom of congress to amend it to its true meaning. It is their fault, not ours.

There were many other remarks which I have intended to submit, but which have been anticipated, and much better explained, by the gentleman from Massachusetts, and I pay myself a high compliment when I say that, in a great portion of his speech, he pursued this very track which I had marked out for myself.

As to the investments which have been made of this fund, on which that gentleman commented with so much severity, it is possible that some of them were made b-fore the present administration came into power; but the \$740,000 of this fund were certainly purchased since 1837; and the report made this year by the commissioner of pensions confirms (a thing that does not always happen by the) the report of last year. And what does it show? That the rate of \$20,000 at the rate of 62 1/2 per cent; \$25,000 at the rate of 63; \$10,000 at 62 1/2; \$10,000 at 62 1/2; and \$5,000 at 62 1/2. Thus was the amount of \$70,000 in a great measure thrown away. It will not do to tell us that the law of 1837 was unavailing, for the commissioner adds that, since December last, 21,400 dollars in Washington city corporation five per cent. stock have been sold at auction for the purpose of paying pensions—no doubt at a sacrifice, but the rate is not stated. He tells us that, to pay these pensions now on the roll, at least \$100,000 will be wanted in 1841; and this sum added to the debt due the Bank of America will make \$160,000. Ten thousand dollars will be required the ensuing year to meet demands that the office renewal of making an aggregate of \$170,000 which will be wanted in 1841.

Mr. Thomas, of Maryland, (chairman of the committee on naval affairs,) then arose, and to suffer this bill to pass without any comment on his part, for he had not felt himself called upon to reply to the remarks of the honorable gentleman from Massachusetts on the general policy of the administration, particularly as he, as well as the honorable gentleman from Virginia who had just resumed his seat, had commenced their speeches by declaring that it was their purpose to vote for the bill. It was anxious to have it pass the house this year and go to the senate, that the renewal of this fund might be saved, and the demands of the government to pay the existing pensions might be met in time; (for which purpose \$150,000 would be wanted on the 1st of January next). But he would not sit still and hear the extraordinary charges advanced against the secretary of the navy without making some reply. If there ever was an officer of government whose conduct was not only unworthy of blame, but deserved the highest praise and felicity, the secretary was that officer. No sooner did he find himself in office, than his attention was immediately turned to this pension law of 1837; and at the very next session he sailed not in war congress that it was his duty to see that it stood as the navy pension fund would shortly be absorbed in its application to an object

for which that fund had never been originally created. In the senate, this warning took effect, and the law was repealed; but the law of repeal was lost in the house, why Mr. T. could not say. They all knew how time was often wasted in that body by irrelevant and latitudinous discussion. He did not find fault with this, because he believed that, upon the whole, this country was better off by the loss of the house, and the bill reported a bill to put a stop to this waste and misapplication of the fund, but it never had been acted upon. Thus much on the delay which had taken place. In the course of the operation of the law of 1837. He wished the house to see whether the fund had not been exhausted through the legitimate interpretation of that law. The gentleman from Virginia had fallen into most strange mistakes in his apprehension of the subject; to confound which it would be only necessary to look at the law. (Mr. T. here quoted the act of 1837). From this it appeared that there were two classes of pensioners contemplated, 1, the widows and children of officers, seamen, or marines who had died in the public service; and 2, persons who had been personally disabled by wounds or injuries received in such service. In both cases the law was not prospective merely, but retrospective also; it not only gave pensions to the families of those who died, but the pension should be reckoned back to the death of the officer, seaman or marine, and to the date of the disability incurred. In this manner there had been paid, in 1837, to 12,000 widows and children, \$120,000, to 35 widows the sum of \$121,000, and to 129 children \$129,000.

Here was a gross sum of \$329,000 paid as arrears, besides the annual pensions which were to be paid.

Mr. W. here explained, and insisted that, even according to Mr. T.'s own showing, there ought to be a large balance still left in the hands of the department.

The gentleman said that he had only stated the result as it stood (if the reporter correctly understood him) in 1837; (he must be remembered that the law had continued to operate in the same manner ever since).

Mr. W. again interposed, and referred to a report which stated the gross amount of arrears at about \$340,000; and inquired how much it had been since increased?

Mr. T. here held it in his hand an account from the department, stating the amount thus paid at over \$594,000, all the particulars were given.

Mr. W. According to that, there ought to be on hand balances at all left, but the secretary reports a balance of \$1,000,000.

Mr. Thomas said there was about \$108,000 left still. But whence did this law which had led to such a result emanate? Who authorized this application of the pension fund? It was not the secretary of the navy or the commissioner of pensions, but the two houses of congress. Who were the authors of the bill? It had been reported to the senate by the honorable Mr. Robinson, of Illinois, and sent to the committee on naval affairs, of which Mr. Southard was a member, and he had reported the bill to the senate, by whom it had been passed without a division. The senate bill coming into the house had been referred to the committee on naval affairs in the house. Mr. T. read the name of this committee among which that of Mr. W. was one. The bill had been ordered to its third reading without a division, and passed by the house without amendment.

Mr. T. then explained, stating that, though his name appeared on the naval committee, he was not responsible for the bill. He was at that time but nominally one of the committee—his attention was directed elsewhere—he had other fish to fry—and could no longer attend in the business of that committee, (of which he had previously been an active member), being appointed on another which occupied his time and thoughts.

Mr. Thomas had not the least suspicion as to that gentleman's course in relation to the bill. The responsibility rested on the whole house. Congress passed the law, and order the secretary to administer it. That officer had warned them how it would operate and was operating. And was he then to be held responsible for carrying out an act which was the law of the land?

Mr. Reed (also a member of the naval committee) here made some explanation which was totally inaudible to the reporter.

Mr. Thomas then resumed, observed that he concurred fully with such part of the remarks of the honorable gentleman from Massachusetts [Mr. Adams], as related to the policy of leaving in the hands of the department the discretionary power of buying and selling on public stock, and of any description. He had raised his feeble voice

against such a practice many years ago. But while the authority remained, he trusted that parties accused, as the secretary of the navy had been, would be tried by the law as it stood. That, if he had for his acts the express authority of law, he would be acquitted. And if such authority were in itself wrong, congress would withdraw it, but not unjustly charge the fault of the law on the officer who executed it. Nor would the navy pension fund originated from prize money taken in time of war, and as the United States had had neither war nor prizes for some years, he referred that, the secretary would violate the law by selling the fund in the hands of the hands, the investment of it in stock had been made some fifteen years ago.

Mr. Adams here interposed to say that those investments had all taken place since 1837, and ever before.

Mr. Thomas, resuming, said that he referred to the capital of the fund. It was the interest which had been invested; and in thus vesting it the secretary had but followed the course of his predecessors. The law itself provided that the secretary must invest the interest of the fund in any way he thought best. (Mr. T. here quoted the law). The present secretary could, however, have had but a small sum to invest in any way he thought best. He had been already made or not. Mr. T. would now express an opinion; he rather supposed, however, that it would be admitted to be better to place the money in state stocks, rather than in those of any private individual. He would not, however, in congress, in not laying down a rule specifying in what stock the interest of this fund should be invested. As to the sale of the stocks which had been purchased, it was an operation indispensable to meet the engagements of the navy. He would not, however, in conclusion, that he had not attempted to go into a reply to the speech of the honorable gentleman from Massachusetts, (Mr. Adams), nor did he feel bound to do so. He was not in the same position as the gentleman who had just made a speech prepared for delivery at the former session.

Mr. Adams said that his attention had been drawn to this subject at the last session of congress, and to him it appeared perfectly simple. The law passed in 1837, and he had been a constituent, by means of which the navy pension fund had been almost entirely absorbed, in a manner never contemplated or intended when the fund was created. This was an operation over which he was deeply concerned, and which he could not go over. Under this state of things, the manifest duty of congress was to replace the money; to repeal the law of 1837, and in the meanwhile to acknowledge the debt and pay the interest until it was paid. This was his opinion, and he would not, however, in congress, be adopted, the pensioners must come down to the means of the government, whatever they happened to be. This, he held, congress had not the moral right to do as the representatives of a moral and free people. He trusted they would not attempt such a piece of injustice, but would in this matter, as in all others, act as the honest representatives of an honest and an honorable people.

Mr. Anderson, of Maine, next addressed the house, but as he spoke in a low tone of voice, and turned his back to the reporters scarcely a word of what he said could be distinctly heard by them; a thing the more to be regretted as Mr. A. very rarely addresses the house. He was in preparation to effect the interests of fact, and to show how far the actual operation of the law of 1837 was from the intentions and anticipations of congress in its passage, in distributing large amounts of the public money to individuals already in affluent circumstances.

Mr. C. Shepard, of North Carolina, offered the following as an amendment to the bill:

Sec. 2 And be it further enacted, That the act of March 3, 1837, entitled "An act for the more equitable administration of the navy pension fund," be repealed.

Mr. Thomas remonstrated, and expressed his earnest hope that his colleagues on the committee would not persist in pressing this amendment. The committee had been in preparation to effect the object he aimed at; but the present bill had been introduced simply with a view to prevent the sacrifice of certain stock in which the interest of the fund had been invested. Should the amendment be appended thereto, it would be a sacrifice of the fund to the object of discussion, and to such delay as would defeat the object intended.

But Mr. Shepard persisted in offering his amendment. He insisted that nothing could be brought before the house without being the subject of party question; nothing, it seemed, could get the attention of

the house, unless some public individual was to be hunted down. He should not follow gentlemen in their remarks on the course of the secretary of the navy. They had been satisfactorily answered by the gentleman from Maryland, [Mr. Thomas]. He would call the house to the real question before it. The navy pension fund had originated in 1790—being formed out of the United States prize money earned by our gallant navy. Its sole object was the relief of those who had been injured in the public service. In all the successive laws which had been passed in relation to it, one pervading feature was to be found, viz: that none were to receive the benefit of the fund but those who had suffered for their country. That spirit was the basis of the law. It had been introduced; for its introduction some blamed one of the great political parties, and others blamed the other. To whom the blame justly belonged was now immaterial; the law had passed, and it provided that these naval pensions were to be paid not to those who had suffered in the service and defence of their country, but to the widows and children of those who might, at any previous time, have died in the service, who her they had suffered or not. And it also provided that, when pensions were paid to invalids, or persons who had incurred disability, the pension should be reckoned back to the date of the disability, as well as forward from the date of the act. The fund was to be much larger than was actually needed for such applications. It was originally been contemplated, and the interest arising from it amounted to a large sum annually. Government was pledged to keep it as a sacred fund for the maintenance of the navy of this country; but the law which had been hastily passed, operated to divert the fund into a different channel, and to sweep almost the whole of it away. The question arising from such a state of things was, whether it was not now time to stop, and to amend a law having such an operation? He thought it was. It had been said that this application of the fund was a sacred debt; Mr. S. contended that, in reference to the persons who had incurred it, it was not, but a mere gratuity. Had they done or suffered anything for the country? Not at all. Did it appear that their parents had suffered any thing? No. They had died in the service; that was all. Where, then, was the justice in paying such pensions? And how was that to be paid? There was no *quid pro quo*? He thought that this was the time to shut the gate, before the flood of applicants should sweep away the little remnant of the fund that still remained. As the bill was passed, he thought that the minds of our gentlemen were already made up on the subject, he would forbear further remarks. He hoped the amendment would prevail.

Mr. Reed, of Massachusetts, said that, since the law of 1837 had been passed, and it had been alluded to as having been one of the members of the naval committee who reported it to the house, it might be proper for him to state that he had opposed the bill, and had warned the house at the time what its effect would be. He had done this even before that when the principle was introduced in the bill for the relief of Mrs. Deatur. That bill had passed the house, but Mr. R. had strongly opposed it, on principle. As to the law of 1837, it passed with little deliberation, in a hasty, inconsiderate manner; but before the house undertook to repeal it, the bill ought to be examined with deliberation. It had been passed rashly and hastily, and now it seemed the house was asked to repeal it in haste. Mr. R. had been ready to vote for the repeal over twenty years ago, but he was not willing to repeal it in this form; it was an improper mode; and, therefore, he hoped the amendment would not pass, but that the committee would take up the original bill and modify it, and then report it to the house in a new shape; but let it not be repealed at a blow, in this hasty manner.

Mr. Tillamach said he was in favor of the bill before the house, and should vote for it. When the bill was introduced, the whole house seemed agreed; nobody disputed that the existing defect in the navy pension fund must be provided for. But it was a very different question how much of the law of 1837 was proper to repeal. He had no objection to it on many good and important reasons, and it was cherished in the feelings of many; he trusted it would not, at one stroke, be abolished, and no substitute provided; he hoped this would not be attempted in the shape of a rider to the present bill. He could not believe that any friend of the navy would be found advocating such a measure in such a form.

Mr. Peck said he was a friend to the bill before the house, and, as such, would move the previous question.

The motion was seconded, put, and carried, the amendment adopted, and the bill forthwith passed, and sent to the senate.

TWENTY-SIXTH CONGRESS—24 SESSION. SENATE.

January 6. The vice president laid before the senate a message made in compliance with a resolution of the 34th instant.

The following memorials and petitions were presented and appropriately referred:

By Mr. Wright, from the pilots of New York in the neighborhood of Hell Gate, praying a repeal of the law of 1837 relating to pilots.

By Mr. Phelps, resolutions of the state of Vermont favorable to such amendment of the constitution as will restrict the president from being eligible to a second term.

A number of memorials signed by a great number of the merchants and citizens of Philadelphia, praying that the spirit ration may be abolished in the navy, and tea, coffee, or other small stores substituted therefor.

By Mr. Southard, from 320 citizens of Newark, in New Jersey, praying the passage of a general and uniform bankrupt law.

By Mr. Nicholas, from the chamber of commerce of New Orleans, asking the enactment of a uniform bankrupt law.

On motions by Mr. Linn and Mr. Anderson, papers were taken from files relating to private claims and again referred.

Mr. Wall, from the committee on the judiciary, reported a bill for the punishment of certain crimes against the United States.

Mr. Sturgeon, introduced, on leave, a bill making certain appropriations for the patent office, twice referred.

Mr. Nicholas, introduced on leave, a bill to authorize the issuing of patents for certain entries of public lands; twice read and referred.

The bill for the benefit of the Howard institution of Washington was considered in committee of the whole; and after some debate, in which the bill was advocated by Messrs. Merrick, Walker and others, and opposed by Messrs. Tappan and Hubbard, it was ordered to be engrossed by a vote of 29 to 7.

The senate then proceeded to take up the special order—the bill for a permanent prospective pre-emption system; when Mr. Clay, of Kentucky, rose and addressed the senate at length against the bill, and followed by Mr. Wright and Mr. Linn in its support.

January 7. The vice president laid before the senate a message from the president of the United States in compliance with a resolution of the senate, relating to a report of the secretary of war, showing the number of soldiers antedated during the late war that are entitled to bounty lands.

Also, from the secretary of the treasury, in compliance with a resolution of the 4th instant, transmitting information relative to the payment of a certain claim said to be due to the commissioners appointed for the settlement of the Yazoo claims.

Also, from the post office department, transmitting, in obedience to law, a statement showing the names and compensation of the clerks in that department.

Also, from the secretary of the treasury, a statement from the banks of the District of Columbia, showing the condition of their affairs on the 1st of January.

Petitions were presented and referred.

Mr. Wright, from the committee on finance, reported a bill authorizing the secretary of the treasury to extend further indulgence to certain debtors.

Also, making an unfavorable report on the petition of the sufferers at Natchez by the late tornado.

A number of bills of a private and local character were also introduced.

On motion of Mr. Tappan.

Resolved, That the secretary of the treasury be directed to communicate to the senate, as early as possible, in a detailed and full form, all the information in the possession of his department in answer to the following questions:

1st. What amount has the federal government lost, since the time when the banks were suspended, by the use of bank paper, or by its connection in any way with banks, including the depreciation of bank paper?

2d. What amount the people of the United States have lost, from the commencement of the government to this time, by the failure and suspension of banks and the circulation of bank paper, by the loss and destruction of bank notes, and by the existence of banks and the use of bank paper generally?

3d. What have the people and the government paid, directly or indirectly, to the aggregate banks of the United States, for the use of these institutions, annually, for the last ten years?

4th. What portion of the stock of the several banks in the United States is at this time owned by foreigners?

The bill for the benefit of the Howard institute, was read the third time and passed.

Several bills of a private and local nature were considered in committee, and ordered to be engrossed.

The prospective pre-emption bill was taken up as the special order, when Mr. Huntington rose and addressed the senate at some length against the bill, as did Mr. Johnson and Mr. Preston. Mr. Hubbard and Mr. Young followed in its support.

At about 4 o'clock, the senate adjourned.

January 8. The vice president laid before the senate a letter from the treasury department, transmitting a report from the commissioners of a general land office, in relation to the public lands.

Also, from the war department, showing the expenditures of the contingent fund of the military establishment for the year 1840.

Also, from the general land office, memorials of the legislative council of that territory, asking appropriations for the erection of a penitentiary and making military roads.

Mr. Roberts, senator elect from Illinois, after the 4th March next; which were placed on file.

Memorials and petitions were presented and appropriately referred, and a number of reports from committees made, which will be noticed in their progress.

Mr. Linn, on leave, introduced a bill to provide for the protection and settlement of Oregon, and to extend the laws of the United States over its same.

Mr. C. on Mr. Linn's introduction of the bill, made some remarks explanatory of the causes which induced him to offer it to the consideration of the senate, and went at some length into the history of the settlement of Oregon, and the encroachments made on it by British traders.

The senate then proceeded to the discussion of the special order, viz: the bill to establish a permanent and prospective pre-emption system; when Mr. Johnson rose and addressed the senate at length in support of the bill.

Mr. Mangum, wishing to address the senate on the bill, proposed to its friends to postpone its further consideration to Monday, when he promised them his aid, in the question upon ordering it to a third reading.

Mr. Linn made a few remarks in reply to one part of what had been said yesterday by Mr. Preston. The gentleman had expressed an opinion that the application of the law of 1837, in regard to danger on our western frontier from incursions of the Indians were without foundation, inasmuch as it was much more likely that those wild savages would attempt to molest our settlements on the prairies and among the mountains and Caddos than make assaults upon the dense settlements of the whites, where they could expect only an armed resistance. It would be sufficient to take off the force of a rivulet, or to state that the Indians had already made three successive attacks on the white settlements; how many more they might attempt, it was not for him to say.

Mr. Preston explained. He had not said that there was no danger on the frontier—he knew that danger did exist; but he apprehended it had been sufficiently provided for by the establishment of military posts, the raising of regiments, &c. He still thought that, ultimately, the Indians would find it easier to go westward, but he did not insist upon the argument.

Some conversation took place about postponing the bill to the following day. Mr. Crittenden said that he could, on certain conditions, consent to a pre-emption bill; and, as the best mode of settling what they were, he would ask leave to read a motion, for recommitment of the bill with instructions, which he had the honor to read, and then to offer at the proper time. Mr. C. then read as follows:

Resolved, That the bill be recommitted to the committee that reported it, with instructions to report amendments therein to the following effect:

1st. To distribute the proceeds of the sales of the public lands among the several states of the union in just and equitable proportions.

2d. To prohibit any side settlers upon the public lands the right of pre-emption to any quantity thereof not exceeding one-half section, or 320 acres, the land to be sold, at the minimum price of \$1 25 per acre, with such provisions as shall limit the right of settlement and pre-emption to actual bona fide settlers whose estate at the time of settlement shall not exceed 160 acres.

3d. To prohibit any speculators from interfering with, or participating in, the privilege of settlement, and to provide that speculators who are hereby granted and intended for the sole advantage of the needy and honest settlers and cultivators.

Mr. C. wished the motion to lie over for the present and the instructions to be printed.

Mr. Linn gave notice that, should this motion be pressed, he should move to amend the instruction

of such department, or any officer thereof, touching such claim; the answer to which shall be reported with said bill."

The following bills were severally considered in committee of the whole, and ordered to be engrossed:

A bill to authorize the legislature of the state of Arkansas to sell the lands heretofore appropriated for the use of soldiers to be engaged in the war.

A bill to perfect the titles to lands sold to the Arkansas river, held under New Madrid locations and pre-emption rights, under the act of 1814.

A bill in addition to an act to promote the progress of the use of arms.

A joint resolution to authorize the secretary of the treasury to extend further indulgence to certain deposit banks.

A number of relief bills were also considered in committee and ordered to be engrossed.

The senate then proceeded to the discussion of the special order, the bill relating to the permanent and prospective pre-emption system, when Mr. Calhoun rose and addressed the senate at length in favor of his substitute for the amendment of Mr. Crittenden.

Mr. Crittenden followed, and was replied to by Mr. Benton, when, at a late hour, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, Jan. 6. Mr. Jones, of Virginia, from the committee of ways and means reported a bill making appropriations for the support of the army for the year 1841; which was twice read and referred to the committee of the whole on the state of the union, and with the accompanying documents ordered to be printed.

Petitions were presented by Messrs. Chiles, Radford and Griswold.

Mr. Fillmore asked leave to introduce a bill "to regulate the taking of testimony in cases of contested elections and for other purposes," which was referred to the committee on elections and ordered to be printed.

Mr. Davis, of Indiana, presented an amendment which he should offer to a bill for the support of the army, and moved it be printed; which was carried. Mr. Chiles gave notice of a bill in relation to Louisiana that he would ask leave to introduce at some future day.

Mr. Thompson, of Miss. according to previous notice, asked leave to introduce a bill in relation to the Choctaw Indians; which was referred to the committee on Indian affairs and ordered to be printed.

Mr. Leonard, from the committee on the public buildings, which was instructed to inquire whether the falling of the chandelier in the hall of the house was caused by a defect in the workmanship and construction; and whether any money had been paid for it, and if not, whether any ought to be paid, made a report upon the subject. The committee enter into a full account of the making of the contract, its terms and conditions, and express their opinion that its provisions have been fully complied with by the contractors; and that they consider the falling of the chandelier "as one of those casual accidents incident to all material things, and which, like almost every one that occurs, it is so easy to see how it might have been avoided when too late."

It appears that the utmost caution was used to submit the materials to any employer who might be suspended, and no effort was spared to give assurance of its safety. The committee report that no money has been paid to the contractors; that the remaining materials are valued at \$400, which the contractors are willing to take back. In full view of all the circumstances, the committee come to the conclusion to recommend a strict compliance with the contract, by directing the clerk to pay over to Messrs. Hooper & Co. the contractors, such balance as may be coming to them, after deducting the \$300 for the broken materials.

The report was read, when, on motion of Mr. Briggs, it was concurred in; and so the clerk was directed to pay for the chandelier according to contract, deducting \$300 from the amount, and to give up the fragments to the contractors.

Mr. Wm. Cost Johnson moved a suspension of the rules that he might report a bill providing for the relief of the lunatics of the District of Columbia. He was sure that the house would not be five minutes in the consideration of it. He moved that the house go into a committee of the whole on the consideration of the bill.

Mr. Catary Morris hoped that the house would consent at once to take up this bill. He was satisfied, after having visited the prison where they were confined, that the subject demanded the immediate attention of the house, and of every benevolent individual.

The question on the suspension of the rules was then put and carried—whereon, the house resolved itself into a committee of the whole, (Mr. Fillmore, of N. C. presiding,) and took up the bill.

Mr. Cushing asked for information on the subject, which was given by Mr. W. C. Johnson.

Mr. Hubbard moved an amendment to the bill, that the expense of the lunatics be charged on the city, in the proportion in which those paupers were located. It was properly a subject which should be left alone on the local authorities. That the house was not organized for the purpose of regulating the poor house to the District of Columbia. If the provisions of the bill were carried out, the paupers of all the states would flock in here, and we should have notional paupers. Mr. Johnson observed that the bill provided for lunatics. Mr. Hubbard said there was no difference, but the means by which they raised their support was the same. Mr. Johnson thought the amendment very necessary. That the city of Washington ought to remove their lunatics to Baltimore, without coming to congress to ask leave.

Mr. Wm. Cost Johnson said that the states provided for their lunatics. Congress was the local legislature of the District—will you not even act the part of the states. The expenses would be incurred by the city. He hoped that congress would not act on a principle different from that applied by the states. He hoped the gentleman would withdraw his amendment; and if not, that the house would reject it.

Mr. Davis said at some length. He was in favor of the bill without the amendment.

Mr. Hubbard said that the states did not support all their lunatics; pauper lunatics were the proper charge on the states.

Mr. Thompson moved an amendment that the bill might read lunatic paupers.

Mr. Vandeventer suggested to the gentleman from Maryland the propriety of another amendment confining the bill to the lunatics who had a residence in the District. The amendments were those except that offered by Mr. Thomas, and the bill was reported to the house.

Mr. Hubbard moved to lay the whole subject on the table; the vote on which was taken by yeas and nays, and the motion lost; yeas 53, nays 10.

The bill was then read the third time, and the vote called on the final passage of the bill.

Mr. Cure Johnson said it authorized congress to take on itself the lunatic paupers of this District—in the District. The amendments were those except that offered by Mr. Thomas, and the bill was reported to the house.

Mr. Davis noticed an inconsistency between the title of the bill and its provisions. The bill was entitled "a bill for temporary relief," whereas its provisions were permanent in every sense of the word.

Mr. W. C. Johnson had no objection to changing its title. He said that the committee regarded it as temporary, proposing that the lunatics be confined in an asylum which they erected. Their object was economy—that congress was unwilling to build an asylum at present.

Mr. Garland inquired whether there had not acts passed heretofore of a similar character. Mr. W. C. Johnson replied that there had not to his knowledge.

Mr. Fillmore said it was an imperfect bill. He moved to recommit the bill that he might have an opportunity to offer an amendment to be reconsidered; and thus calling on the city heretofore to make provisions for its lunatics—instead of depending on a permanent provision by congress.

Mr. Peck desired that the gentleman would consent to the recommitment. He could not vote for it in this shape; was exceedingly desirous to. He favored a limitation of the bill.

Mr. Wm. Cost Johnson moved the previous question.

The main question on the passage of the bill was then taken and negatived; yeas 72, nays 82.

Mr. Fillmore then moved the reconsideration of the vote just taken on the passage of the bill, for the purpose of recommitting and so amending it that lunatics and many other of its friends might vote for it.

After remarks from several members, the orders of the day were then moved by Mr. Cure Johnson, and the house resumed the consideration of the Pennsylvania contest election.

Mr. Ingersoll resumed his argument from yesterday, in support of his right to the seat now held by Mr. Taylor, and concluded at 3 o'clock.

Mr. Taylor then rose and addressed the house, but gave way to a general call for adjournment.

Whereupon, a motion to that effect having prevailed, the house adjourned.

Thursday, Jan. 7. The speaker having announced the business before the house for the day of the

contested election from the state of Pennsylvania, between Messrs. Taylor and Ingersoll. And Mr. Taylor being entitled to the floor—Mr. Fillmore rose (at the request, he was understood to say, of Mr. Taylor), and moved that the further consideration of the subject be postponed until to-morrow morning. He (Mr. F.) understood that Mr. Taylor was very much out of health, and that he desired, in favor, that a postponement might take place. Mr. Fillmore said he was not at all in a hurry, and would be fixed upon. It was private bill day and ought not, in the present state of the calendar, to be given up to other purposes.

Mr. Fillmore said he would then, at the request of many gentlemen around him, propose Mr. Monday next. Mr. Wm. thought that, before a day was fixed, the house should ascertain the disposition of Mr. Taylor himself. Mr. Taylor then rose and said a few words, of another day, and not to-morrow, by the reporter beyond the statement of the fact that he had suffered severely all night, and (as he was understood) that Monday would be agreeable to him.

Mr. Vandeventer inquired of the speaker whether the subject would come up as a privileged question. The speaker replied in the affirmative. And, the question having been taken, the further consideration of the subject was postponed until Monday next.

The motion of Mr. Fillmore, to reconsider the vote of yesterday, rejecting the bill to make temporary provision for lunatics in the District of Columbia, came up, in order, for consideration.

Mr. Reed said that the reporter of the Globe had misstated him as to two or three things. He was reported to have said that the ward of the District had an annual salary of ten thousand dollars and the persons in jail were in the most wretched condition. I said (observed Mr. R.) that the income or emoluments of the office of marshal of the District were said to be ten thousand dollars, and that it was said that the persons in jail were in a most wretched condition, and (said Mr. R.) I believe it. The income or emoluments of office arise from fees and the profits of boarding prisoners for about \$2 a week.

I hope (said Mr. R.) that the motion will prevail, and that the vote rejecting the bill may be reconsidered, I feel bound, as an act of justice and humanity, to make provision for the poor lunatics in this District. They do assemble here, for various causes, from all parts of the country.—They are in a miserable and wretched condition.—Humanity demands relief for them. This District ought not in justice they are not able in fact, to bear the tax of supporting these lunatics; I am therefore in favor of supporting these rational lunatics from the national treasury.

Mr. Tillgham suggested that what seemed to him to be required was a verbal change in the phraseology of the bill, by inserting the word "paupers" in the last as well as in the former part.

He thought, also, that the bill should contain a provision limiting its operation to the lunatics who might have been inhabitants of the District of Columbia. His motive yesterday in asking for a withdrawal of the previous question was, that he might suggest these alterations, as he could not vote for the bill in the form in which it then stood. He was in favor of the proposition, such an alteration was made in the phraseology as would carry out the real objects which it was intended to accomplish.

The previous question was moved by Mr. Martin, and demanded, put and carried.

The gentleman then moved the reconsideration was then taken by yeas and nays, and decided in the affirmative, as follows: yeas 93, nays 62.

The reconsideration being carried—Mr. Fillmore moved that the bill be recommitted to the committee of the whole house on the state of the union, for the purpose of amendment.

Mr. Jameson moved that it be recommitted to the committee for the District of Columbia.

The question was first put on committing to the committee of the whole on the state of the union, and carried; yeas 85, nays not counted.

Mr. Fillmore then moved that the rule be suspended so as to go immediately into committee of the whole on the bill; carried; yeas 57, nays 57.

The house then resolved itself into committee of the whole on the state of the union, (Mr. Lincoln in the chair).

The bill was then read by the clerk.

Mr. Fillmore moved to add the following section: "That any person who shall be confined in force until the 1st day of March, 1843, and no longer."

Mr. Peck moved further to amend so as to continue the operation of the bill to pauper lunatics of the District of Columbia whose support is legally chargeable thereto; this was also agreed to.

The bill was opposed, at considerable length by Messrs. *Hand* and *Hubbard*; who were replied to, and the passage of the bill advocated by Messrs. *W. Thompson*, *W. C. Johnson*, *Dawson*, *Briggs*, *Monroe* and *Alford*;—when, on motion of *Mr. Fillmore*, the committee rose and reported the bill with the two amendments, they were concurred in, and the bill was ordered to a third reading.

It was then read the third time, and the question on its passage was taken by yeas and nays, and decided in the affirmative, yeas 110, nays 59. So the bill was passed.

The speaker laid before the house the following communications, viz:

1. A letter from the treasurer of the United States, *Mr. Seiden*, transmitting his quarterly accounts for the service of the post office department for the years 1837, 1838 and 1839, each year ending on the 30th June.

The letter of the treasurer states that the balance to his credit for the use of the post office department in the last deposit bank is \$22,844—of that amount, \$22,227 is in the Bank of the Metropolis, and detained by the bank in satisfaction of certain alleged claims against the post office department. The balance in his hands and in the hands of sub-treasurers belonging to the department is \$18,281. Referred to the committee on expenditures in the post office department.

2. A letter from the secretary of the treasury, transmitting the annual statements showing the condition of the several banks of the District of Columbia. Laid on the table.

3. A letter from the secretary of the navy, with a printed copy of the Naval Register for 1841, for each member.

A letter from the postmaster general, accompanied by a list of the clerks employed in his department in the year 1840, with the pay of each. There were 59 clerks—the salary of each clerk named, but the aggregate amount paid during the year is not given. Laid on the table.

4. A letter from the postmaster general, accompanied with a list of regular and temporary agents employed by the post office department, with the amount paid to each from July 1, 1839, to November 30, 1840.

The regular agents are *Arthur Benson*, *Howard Kennedy*, *Wm. Tanner*, *C. G. McIlhenny*, *James Brown*, *Alvin Haynes*, *George Pitt*, at a regular salary of \$1,600 each, with *John A. Grosvenor*, *John P. Robinson*, *substante*, and *other expenses*, about equal in the aggregate, to the regular salary.

The temporary agents were *John Manon*, *John A. Webber*, *Thomas J. Boyd*, *Charles H. Kirk*, *Samuel Fry*, *B. H. Hathaway*, *Thos. A. Grosvenor*, *A. J. Comstock*, *Lemuel M. Barker*, *J. Vassant*, *S. Doubleday*; the nature of the special service is stated, together with the compensation given; which, in general, are small sums. Referred to the committee on expenditures in the post office department.

5. A letter from the governor of the territory of Iowa, enclosing three memorials; one for post routes; one for an appropriation for a penitentiary; the other for a military road from Bloomington to Iowa city, then to intersect the road from Dubuque to the Missouri line.

Sundry bills heretofore received from the senate severally received their first and second readings, and were referred to the committee to be more particularly noticed in their progress.

Mr. Cushing made an intellectual attempt to go into committee of the whole on the bill to provide for the satisfaction of claims of certain American citizens for spoliation committed on their commerce prior to 3d July, 1801.

Mr. Curtis, from the committee on commerce, reported a bill authorizing and providing for the purchase of a lot of land adjoining the custom house in New York,—which was twice read and referred to the committee of the whole on the state of the union.

Mr. Monroe, from the committee on military affairs, reported a bill to found a military asylum for the relief and support of invalid soldiers of the army of the United States; committed to the committee of the whole on the state of the union and ordered to be printed.

Mr. M. moved to print an extra number of copies of the bill and report which accompanied it; which motion lies over under the rule.

A number of other reports were made on private and local matters and several committees discharging their duties. The report of the committee on petitions and memorials which had been erroneously referred, and they were committed to appropriate committees.

Mr. Durin, of Indiana, moved an adjournment, which was carried, and the house adjourned.

Friday, Jan. 8. *Mr. Everett* asked leave to introduce the following resolution:

Resolved, That the committee on revolutionary pensions be instructed to inquire into the expediency of continuing for the term of five years the pensions allowed under the act granting half-pay and pensions to certain widows, passed July 7, 1783.

Mr. Peck thought the subject was already before the house in the shape of a bill; at least, the committee had directed the chairman to report a bill, which he thought embraced all that was contemplated by the resolution.

Mr. Everett asserted that a bill had been reported which, upon explanation, was found not to embrace the provisions contemplated by the resolution of *Mr. Everett*.

The introduction of the resolution was objected to. *Mr. Everett* moved a suspension of the rule, and called for the yeas and nays.

After explanatory remarks from *Mr. Peck*, *Mr. Tullafier*, *Mr. Hand* and *Mr. Galbreith*, the question on suspending the rule was put—yeas 99, nays 58. There not being two-thirds, the rule was not suspended.

Mr. Casey, from the committee on the public lands, to which was referred the bill from the senate to authorize the inhabitants of township 8 north, range 22 east, in the state of Arkansas, to enter a section of land in lieu of the 16th section, upon condition that the same is surrendered to the United States for military purposes, reported that the bill ought not to pass. It was then committed to the committee of the whole house to-morrow.

Mr. Underwood, from the select committee on the explosion of steam boilers, made the following report:

The select committee to whom was referred the petition of John Coates and others, relating to steamboat disasters and the means of prevention, and likewise the report and bills submitted to the house at the last session by the select committee to whom the petition of Samuel Rash relative to his self-acting safety valve was referred, report: That they have adopted the report and bills submitted by the select committee during the last session, and herewith present the same, and recommend the adoption of the following resolution:

"Resolved, That the bills herewith presented shall be considered on the day of _____, and made the special order on that and each succeeding day until the bills are disposed of."

The bills are the following:

A bill to authorize the president to employ persons to construct apparatus with a view to extinguish fires on board steamboats, and to test its utility.

A bill to provide for purchasing the patent for Raub's self-acting safety valve;

A bill to amend the act to provide for the better security of the lives of prisoners on board vessels propelled by whole or in part by steam, approved July 7, 1839, and for other purposes.

The bills were severally committed to the committee of the whole house on the state of the union. The question then came up on the resolution to make them a special order.

Mr. Cushing suggested the propriety of appointing a distant day for filing the bill in the resolution reported by the committee for a special order on these bills.

After some remarks from Messrs. *Cushing*, *Underwood* and *Jones*, of Virginia, as to the day for filing the bill, it was filled with Monday next two weeks, (the 25th instant), and the resolution was then adopted. Tuesday the 12th instant the bill was made the special order of the day for Monday, the 25th inst.

Petitions were presented, on leave, by Messrs. *Grinnell*, *W. C. Johnson*, *Mallory*, of Virginia, *Forrester*, *Brackridge*, *Weller*, *C. H. Williams*, *Tolson*, *Stearns*, *Salladell* and *Stearns*.

Mr. Barnard inquired of the chair, how much of the morning remained?

The speaker answered about 20 minutes.

Mr. Barnard then said that, as this was private business, and the contested election would come on again on Monday, he would waive his right to go on with his speech on his resolutions upon the subject of the finances till Tuesday next.

This was assented to, and so the subject is postponed till Tuesday the 12th instant.

Mr. Crabb obtained leave to introduce the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary be instructed to inquire and report whether it be legal for the officers of the supreme court of the United States to reside out of the limits of the circuit to which they are respectively assigned; and if it is legal so to reside, to make such an expediency of prohibiting, by statute such residence.

Mr. Curtis, from the committee on commerce reported a bill to authorize the enrolment or registration of American Amistad; which was read the first and second time.

Mr. C. moved the engrossment and third reading of the bill, and explained the necessity of its speedy passage.

Mr. Pickens objected, and gave his reasons.

Mr. Curtis further explained, and moved a suspension of the rules, so as to put the bill on its passage. The question was put, and the rules were suspended.

The bill was then ordered to a third reading, was read the third time, and passed, and sent to the senate for concurrence.

Mr. Winthrop obtained leave to offer the following resolution, which was read and agreed to:

Resolved, That the committee on commerce be instructed to inquire into the expediency of making the same provision for the payment of the arrears of their salaries as is made for the arrears of the salaries of the clerks in the custom houses at New York and Philadelphia.

Mr. Salladell obtained leave to offer the following resolution, which was read and agreed to:

Resolved, That the secretary of the navy be directed to communicate to this house what amount of money was received by the United States under the act of June 25, 1812, and the act of February 13, 1813, providing that two per cent. of the net amount of prize money arising from captures made by the private armaments of the United States be applied to a pension fund, as set forth in said act; also, to report whether the same, or any, and what part thereof was invested, and if so, in what stocks or securities, and at what price; the annual investments, and also the sales thereof were made. And also to report when the said pension fund became exhausted, and how much of the same, or of the proceeds of the raising thereof, was paid to persons other than those for whose use the fund was pledged by the said acts, and under and by virtue of subsequent acts.

Mr. Thompson, of South Carolina, obtained leave to offer the following resolution:

Resolved, That the secretary of the navy be required to communicate to this house the proceedings of the naval council, managed for the purchase of Commodore Joseph Smoot, Messrs. Joseph Stallings and J. C. Sharpe.

Mr. Kemble moved to amend the resolution by adding the following: "Also copies of the general order in the cases of Lieuts. Sharpe and Stallings, exhibiting the reasons for confirming the decision of the court martial in the one case, and modifying it in the other."

The amendment was agreed to, and the resolution, as thus amended, was adopted.

At the request of *Mr. Stanley*, the bill to pay over to the states the fourth instalment under the deposit act was ordered to be printed.

Mr. Turney said, as this was the 8th of January, he would move that the house adjourn.

Mr. Stanley said the 8th of January was a very good day to do something for the widows and orphans, and called for the yeas and nays; which were ordered.

The question was taken, and there appeared—

yeas 19, nays 163.

Mr. Stanley congratulated the house that the days of glorification are passed. I hope now, sir, we can proceed, and attend to private claims demanding our attention. *Mr. S.* then moved that the house resolve itself into committee of the whole on private bills, which was agreed to. And the house resolved itself into committee of the whole on private bills, [*Mr. Briggs* in the chair.] When several private bills were disposed of, and the house, on motion of *Mr. Core Johnson* adjourned at half past 12 o'clock.

Saturday, Jan. 9. *Mr. Campbell*, of South Carolina, and *Mr. Hyman*, of North Carolina, appeared to-day for the first time this present session.

Mr. Lincoln, by leave, introduced a resolution, which, at the request of the absent members, he modified, and, as modified, it was adopted, and is as follows:

Resolved, That the secretary of the treasury be directed to furnish this house a statement of the quantity of public land claimed to be purchased by pre-emption under the several acts of congress granting pre-emption rights to settlers on the public lands, distinguishing between those under act of Congress passed June 13, 1835, entitled "an act granting pre-emption rights to settlers on the public lands," and also under an act supplemental to the act aforesaid, passed on the 1st day of June, 1840, and of the amount of money received into the treasury from this respective land offices in the several land districts in which the public lands are situated. And also to report the number of persons who have duly and legally made entries of the same, and paid the purchase money therefor, are superseded by reason of the operation of the aforesaid act, and upon what cause and for what time such persons are to be withheld; and whether, in any event, the U. States are made liable in relation to persons who have permitted make such entries the purchase money paid therefor.

Mr. Jones, from the committee of ways and means, reported a bill to authorize the issue of five millions of treasury notes.

Mr. Granger called for the reading of the bill; it was read accordingly, and committed to the committee of the whole house on the state of the union.

Mr. Stansby, from the committee on expenditures on the public buildings, reported the following resolution:

Resolved, That the committee on expenditures on the public buildings have power to send for persons.

The resolution was read and agreed to.

Mr. Stansby, from the same committee, also reported the following resolution:

Resolved, That neither the president of the United States nor any other officer of the general government shall issue certificates or due bills, or other evidence of debt or contract, without authority of law.

The resolution was read and agreed to.

The following resolution, submitted by Mr. Adams on the 22d of December, was called up by the mover, viz:

Resolved, That the postmaster general be directed to report to this house the names of all the postmasters throughout the union who have been removed from office since the 31 day of March, 1829, with the names of the persons appointed in their stead, and to certify the names of all those removed for official delinquency or misdemeanor, and specifying the nature thereof, the complaint upon which the removal was made, the extent in support of such complaint, and the name of the officer removed was made acquainted with the complaint, confronted with his accuser, or allowed to be heard in his defence.

Mr. Hopkins moved to amend the resolution by striking out all after the word resolved, and inserting as follows:

1. That the power of removing executive officers is vested in the president of the United States.

2. *Resolved*, That this power was conferred to enable the executive "to take care that the laws be faithfully executed," and cannot be exercised arbitrarily or capriciously, without an abuse of power, tyrannical in its operation, corrupting in its tendency, and converting a remedy for unworthiness and misconduct into a terrible engine of executive power.

3. *Resolved*, That the patronage of the executive department has increased to an alarming extent, and ought to be restricted and diminished, so that it is compatible with a safe and faithful execution of the laws.

4. *Resolved*, That it is the right of the representatives of the people to examine into all abuses and usurpations, and may apprehend and correct, in any of the executive departments, in order that they may be corrected and prevented, if possible, by legislation, and, in flagrant and venient cases, exposture and punishment.

5. *Resolved*, That the power of appointment and removal from office vested in the executive may be greatly abused, and its exercise ought therefore to be kept close and strictly guarded, so that it may be prevented the power and patronage of the executive from being brought into conflict with the freedom and purity of the house.

6. *Resolved*, That the representatives of the people have a right to inquire into the causes for which any executive officer has been removed or dismissed from office by the executive.

7. *Resolved*, That, in prosecuting such inquiry, the house of representatives has a right to call for and have furnished to it all official documents, papers and letters relating to the removal of such officer which may be on file among the records of any of the executive departments.

8. *Resolved*, That a select committee be appointed whose duty it shall be to report a bill imposing such restrictions upon executive patronage as may be consistent with the foregoing resolutions, and compatible with the constitution of the United States, so as more effectually to guard against abuse and corruption in the exercise of the power of removal from and appointment to office.

Mr. Care Johnson said that, from the mass of business before the house, there could be no opportunity of discussing these resolutions at this session; he would therefore move that they be laid on the table.

Mr. Adams raised a question of order, on the ground that the amendment of Mr. Hopkins was irrelevant to the subject matter of his resolution.

The speaker decided in favor of the relevancy of the amendment.

Mr. Adams appealed. After some remarks from Mr. Adams and Mr. Hopkins—Mr. Banks moved to lay the appeal on the table. And the question was put, by yeas and nays, and decided in the affirmative yeas 93, and nays 90.

The appeal being thus laid on the table, the question returned on the motion of Mr. C. Johnson that the resolution and amendment be laid on the table.

Mr. Adams inquired of the chair what was the state of the subject under the decision of the speaker. The appeal had then lain on the table, and consequently the speaker's decision was not affirmed; that the appeal was therefore still existing, and the amendment could not be considered as received.

The speaker stated that the appeal being an idle pretence, and laid on the table, the speaker's decision must stand, in all further action on the subject, until reversed.

Mr. Adams said he supposed he had no remedy.

The question was then taken, by yeas and nays, on the motion to lay the resolution and amendment on the table, and decided in the negative, yeas 85, nays 92.

Mr. Hopkins then asked Mr. Adams to accept his resolution as a modification of his proposition; in which event, Mr. H. pledged himself to vote for the whole.

Mr. Adams would be willing, he said, to modify his proposition if he could see how it was possible. His resolution was for a set of facts—his resolutions of the gentleman from Virginia (Mr. Hopkins) contained a set of principles to be acted on by the house.

The question had now been disposed of, when, the house having adjourned, the speaker announced the private order of the day. And the resolutions were ordered to be printed.

Mr. G. Davis, on behalf of his sick colleague, (Mr. Sherrod Williams), asked leave to introduce the following resolution:

Resolved, That the secretary of the treasury of the United States inform this house what six land districts have been discontinued under the act of June 12, 1840, and what salaries or other emoluments were paid the officers of such districts between the 12th of June aforesaid, and the discontinuance of such districts, specifying the same paid to each individual. And that the secretary also report the amount of revenue that was paid to each receiver of such districts between the time of their discontinuance and the 12th of June aforesaid.

The house proceeded to the consideration of private bills, and after disposing of several, and the postponement of others, at half past 3 o'clock adjourned.

Monday, Jan. 11. The journal of Saturday having been read—the speaker announced the special order of the day to be the case of the contested election from the state of Pennsylvania between Mr. Naylor and Mr. Ingersoll.

Mr. Naylor then arose and presented the house in behalf of his right to the seat now held by him; entering minutely into the history of the case; and into the testimony taken in relation to it; and replying *seriatim* to the positions assumed by Mr. Ingersoll in his argument of last Tuesday.

Mr. N. continued to speak (without concluding) until near three o'clock, when he gave way to a motion for adjournment; which, however, was waived for a moment to enable

Mr. Jones, of Virginia, on leave, to report from the committee of ways and means the general appropriation bill for the civil and diplomatic expenses for the support of government for the year 1841; which was twice read, and committed to the committee of the whole on the 12th of the month, and ordered to be printed. The house adjourned till to-morrow.

Tuesday, Jan. 12. Mr. Adams had leave to present a petition of Redman Burke and George Wix, of Washington, who they have been discharged from work on the public buildings at Washington; which was referred to the committee on the public buildings.

Mr. Green asked the consent of the house to introduce the following resolution:

Resolved, That the committee of ways and means be instructed to inquire into the expediency and necessity of laying such duties, for the purposes of revenue, upon imports and exports, and such other articles of luxury imported into the United States, as will meet the necessary expenditures of the government, and pay off the public already incurred by the issue of treasury notes, and such other debts as may be incurred by the government of the United States, and that said committee report by bill or otherwise.

Mr. Turney called for the reading of the resolution, which we read accordingly.

Mr. Pickens was proceeding to make some remarks; when Mr. Hubbard objected to the introduction of the resolution; and there the matter ended.

Mr. Campbell, of S. C. asked leave to introduce a resolution directing the speaker to issue a subpoena duces tecum to Samuel Hart, clerk of the court in Philadelphia, to appear before the house with the election returns of members of congress for the 3d district of Pennsylvania, in 1838.

Many members objected to the introduction of the resolution, and it was returned to Mr. Campbell.

Mr. Sergeant reported the senate bill further to amend the act providing for taking the sixth census with a small amendment, which was adopted; and the bill was then read the third time, and passed.

Mr. Sergeant reported the bill from the senate supplementary to the act to abolish imprisonment for debt in certain cases, without amendment. Mr. S. explained the provisions of the bill, and the urgent necessity that existed for immediate action

upon it. And he asked that it might now be put on its third reading.

Mr. Adams moved to amend the bill by striking out the words "or shall hereafter be," and gave his reasons for proposing the amendment, contending that the act is as now stood, transferred to the state the power which, under the constitution of the United States, belongs to congress.

The amendment was discussed briefly by Messrs. Monroe, Thompson, of Mississippi, Fillmore, Curtis, Vanderpool, Barnard and Pope.

Mr. Everett inquired if it was intended that if that effect of the bill should be lost, it would be to be the effect, he thought that the bill itself ought not to pass.

Mr. Hubbard objected, he said, to the whole act, as well as to the bill passed at the last session of congress; for he believed the operation was partial. He moved, therefore, to recommit the bill to the committee on the judiciary, with the following instructions:

"To report a bill to abolish imprisonment for debt under process issuing from the courts of the United States to all cases except where the judgment shall be against an officer of the United States for a delinquency in his office."

Mr. Peck sustained briefly the motion to recommit.

Mr. Sergeant explained his views in relation to the constitutional points as between the U. States and the several states, and earnestly opposed the amendment.

Mr. Briggs here rose, and reminded the house that Mr. Naylor, who was entitled to the floor in continuation of his argument, had yielded to his colleague, (Mr. Sergeant), under the supposition that the bill would be lost; and that he was now moved.

When several voices called for the "previous question."

Mr. Vanderpool said he would move the previous question if the gentleman from Massachusetts [Mr. Briggs] would give way.

And Mr. Briggs having yielded the floor—Mr. Vanderpool moved the previous question. And there was a second.

The speaker said that the previous question would cut off the motion to recommit, and would bring the house to a vote, first on the amendment, and then on the third reading of the bill.

And the house ordered that the main question should be put.

Mr. Adams asked for the yeas and nays on his amendment, which were ordered, and being taken, were yeas 51, nays 110. So the amendment was rejected.

And the bill (having been ordered to a third reading at this time) was read a third time and passed.

Mr. S. Grant, from the committee on the judiciary, reported three bills from the senate, viz:

To conform to the state of Indiana the land selected by law for that state in the new boundary Erie canal which lies between the mouth of Tippecanoe river and Terra Haute, and for other purposes.

To prevent the counterfeiting of any foreign copper, gold, silver or other coin, and to prevent the bringing into the United States or uttering any counterfeit foreign copper, gold, silver or other coin.

To amend an act entitled an act more effectually to provide for the punishment of certain crimes against the United States, and for other purposes.

These bills were then committed to the committee of the whole on the state of the union.

Mr. Campbell, of South Carolina, again asked leave to move a resolution, which was read at the clerk's table, and it was followed by

Resolved, That the speaker of this house be requested to issue a subpoena duces tecum to Samuel Hart, ex-prothonotary of the court of common pleas for the city and county of Philadelphia, directing the said Samuel Hart, etc., to appear personally or by deputy before this house at 1 o'clock P. M. on Friday, the 15th instant, with the election returns and other papers on file in his office relating to the congressional election in the first congressional district of the state of Pennsylvania in 1838, there to be examined in evidence in the case of the contested election now pending between E. J. Ingersoll and Charles Naylor, from the said congressional district.

Several members objected.

Mr. Campbell then moved a suspension of the rules to enable him to introduce the resolution, and the question was put and decided in the negative without a division.

The house resumed the consideration of the case of the contested election from the third congressional district of the state of Pennsylvania between Mr. Naylor and Mr. Ingersoll.

Mr. Naylor resumed his argument from yesterday in support of his right to the seat now held by him; and before he had concluded, the house adjourned.

CHRONICLE.

ABOLITION POLICY. The *New York Journal of Commerce* gives the following as the amount of the votes polled for Messrs. Baines and Enrie, the abolition candidates for federal and vice president, out of a total of about 2,400,000 votes:

States.	Abolition.	States.	Abolition.
Pennsylvania,	97	Illinois,	97
New Jersey,	69	Vermont,	319
Ohio,	902	Connecticut,	174
Michigan,	42	Delaware,	1
New York,	2,779		
Maine,	194		
Massachusetts,	1,818		

THE BANKS OF THE CITY OF BALTIMORE, it is announced have resolved that it is inexpedient to resume specie payments until they ascertain that those of Virginia at least, if not other southern states will be prepared to resume also. The annual exhibit of the condition of the banks of the city on the 1st January, made under oath to the treasurer of the state, has been published.

BANK OF VIRGINIA. The legislative examination into the affairs of this bank, and the names which have operated to produce the late severe losses of the bank, has not had the effect of inspiring the confidence of the stockholders in the prudence of directors of the institution. The old board of directors were re-elected—Dr. Breckenborough (the president) by a majority of more than two to one.

BOSTON COMMERCE. In 1840, the arrival from foreign ports amounted to 1,628 vessels—being an increase of 76 over those of 1839. Cleared 1,362 vessels, being 72 less than in 1839.

BUENOS AYRES AND FRANCE. The brig *Cervantes* of New York, from Rio Janeiro, brings the important information that the Oriental brig *India* had arrived there with intelligence that a treaty has been concluded between the French and Buenos Ayres, and that the blockade, which has been continued for three years, was raised on the 21st October.

THE CATHOLIC CHURCH IN THE U. STATES. It is stated in the Catholic Almanac for 1841, just published in this city by Fielding Lucas, Jr. that the Catholic population of the United States is estimated at 1,200,000. The number of clergymen in the ministry is 1,436, otherwise employed, 109—total 1,545. The number of churches and chapels is 312; churches 27, of other stations 291. There are 17 ecclesiastical institutions, with 141 clerical students. The female religious institutions number 31, and the female academies 49. There are in the female academies 2,000 pupils. The literary institutions for young men number 24, and the young men in them 1,593. The number of Catholic bishops in the U. States is 14; in 1840, the number was 13. As to the priestly office have been 55. The archdiocese of Baltimore, which comprises the state of Maryland and the District of Columbia, has 65 churches and chapels, 2 churches building, and 100 priests. The number of clergymen in the ministry is 39, and the number otherwise employed, 31. There are 633 young men in the colleges of this see, and 520 pupils in the female academies.

THE CAROLINE AFFAIR. A public meeting was held at Buffalo on the 29th ult. to "commemorate and act upon the means of redress for the outrage of the burning of the American steamer *Caroline*, on the eve of the 29th day of December, 1837." Among the resolutions adopted was one to commemorate the 29th of December "annually henceforth, as a great valedictory of the late of neutrality existing between the American government and Great Britain, until the blood of the murdered Durfee and his fellow citizens be atoned for."

DELAWARE U. S. SENATOR. The legislature have elected the late THOMAS CLAYTON and RICHARD B. DAYARD to represent the state in the U. S. senate—both whigs.

EXCHANGE. New York on London 54p. on France 84 1/2, 17, on Boston 100p. Philadelphia 11 1/2 on Baltimore 2 1/2 on Washington 14 1/2; Richmond, Norfolk, &c. 2; Raleigh, Wilmington, &c. 3; Charleston 11; Augusta 11; Macon 12 1/2; Columbus 25; Savannah 41; Mobile 6 1/2; Mobile of Alabama 6 1/2; New Orleans 24 1/2; St. Louis, Louisville, Cincinnati 6 1/2; Nashville 8.

PRICE. Liverpool, Dec. 8. United States and Canadian flour is 1s. 1p. per drayer; 3s. 6d. no 20s. per bbl. paid for prime red-stripe paragon; 4s. 6d. for former. Liverpool, Dec. 19. The duty on foreign wheat is advanced to 2s. 8d. per qr. on flour to 16s. 6d. per barrel.

At New York, Genesee flour commands \$4 94. At Baltimore, the receipt price is \$4 23; selling price \$4 41 to \$4 50, city mids \$4 62.

FIREBURN. Loss of lives and property. The country at the time being covered with about 15 inches of snow, a heavy rain commenced on the evening of the 21st, and continued for the next forty-eight hours. The consequence has been most disastrous. Property and improvements to the amount of millions of dollars in value have been lost in the forests and in the cities. The interruption of the roads and bridges and mail interrupt the union in all directions. Enough of mail

bags to fill a small warehouse have accumulated at the Southampton, where the ice prevents the boats from crossing. Passengers pass upon the ice at great risk. The railroads in Maryland have stood the frostiest winter we have heard of but little injury yet.

At Georgetown, in the District, the breaking up of the ice in Rock creek carried away the lower bridge, near the mouth of the creek. The Dowman and Leblond rose to about thirty-five feet above low water mark, and the destruction thereof by accumulated ice was terrible indeed. Dwelling houses, houses, and several boats, store houses, &c. have been floated off and destroyed, and some lives lost.

It is feared that the aqueducts and culverts are all gone. The dams on the Lehigh river, above Mauch Chunk, have been swept away, and all the floating fixtures of the company at that place have been destroyed. Several lives were lost. The Lehigh Canal iron works were inundated, and the Lehigh bridge has been carried away. The furnace at the South Eason was inundated while in blast, and the sudden evolution of gas and steam burst the walls and scattered the fragments about.

Numbers of bridges, dams, mills and houses have been swept away on the Potomac, Susquehanna, Delaware, Schuylkill, Lehigh, Passaic, Hackensack, Hudson, Connecticut and all their principal tributaries—indeed, the damage to the Union water works is estimated at \$150,000.

On the North river, King's bridge is gone and no many other bridges that the mail cannot be forwarded by land, it is by the water.

The water works of New York have suffered severely, about one half of the Croton dam was carried away and the several mile-below, where the water has been carried away, as has been the bridge crossing the river above the dam erected by the water commissioners. The three bridges below the dam, one of which was carried by the river and another by the post road, are destroyed. Several dwelling houses, both below and above the dam have been carried away, and three lives have been lost. The flood came so rapidly, and in the night, that persons escaped from their dwellings in their night cloths, and got into trees for security.

From Albany we have advices to Friday evening that at O'Leary. South Market street was impassable for foot passengers, and all communication was carried on by boats.

The damage at this place and vicinity is extensive.

Severities. The losses at this place are estimated at \$100,000.

The Connecticut river rose at Hartford within ten miles of the height it was at in the memorable freshet of 1801. Nearly all Front street was covered with water, and the second story of the second building east of Frost. It will be some days before the stores can be reopened. Numbers of families were driven from their homes, and others in their upper stories. Numbers of horses, cattle and pigs were destroyed.

Several bridges across the Farmington and other rivers were carried away.

This freshet is two or three feet higher than that of January, 1839, and much higher than that of any other year since 1811.

THE FACKET SHIP GARRICK, capt. Palmer. The passengers and crew are all landed here, but the ship went ashore on the north end of Westlands, Jersey shore, 20 miles from Sandy Hook, on the night of the 1st inst., and in a complete wreck—every spar breaking over her. She lies within her length in the shore, and they are hauling her across upon timber, much damaged of course. The cargo was estimated to be worth 400,000 dollars—much of it was not more than one-third landed, freight less £1,200. The ship itself was insured to the amount of \$200,000 in the N. York, Ocean, and Fire Insurance Company.

THE SHIP GAZON, capt. Duff, and of for Africa, with a valuable cargo left Liverpool on the 12th Nov. and on the night of the 6th Jan. ran aground on the S. E. point of the middle ground, thereby unshipping the cargo and causing her to lie on her side. The captain and all on board left her, after anchoring, and proceeded to seek safety and succor. With the latter the captain was returning when he discovered the ship under way for Norfolk, in possession of some pirates, who had manumitted taken possession, and refused to deliver her up. She is now at Norfolk.

SIR JOHN HARVEY is a prisoner in the Calabrian for Liverpool, having been induced in a conspiracy in or about the month of August last to murder the Governor John Bell has taken of the sublime power, as collateral security for monies loaned to carry on the war against the House of Aspas.

The refusal of this officer from authority in our vicinity, is considered unfavorable to harmony between the British and this country. The N. York Commercial says, to him more than any man, is to be made, and he is now in the city.

The Boston Atlas says: Lord Sydenham appears determined to retire, in a quiet way that will cause no disturbance to the country, and the protestant officers in command in the British provinces in America. Not long since we announced the appointment of Sir Colin Campbell to the command of Ceylon, as a quiet way to restore him from the government of Nova

Scotia. Sir John Harvey is now, it appears, to be dismissed as a similar manner. The London Chronicle announces that major general Sir Thomas Pearson, now in command of the north of Ireland, is to proceed to Nova Scotia, in the place of major general Sir John Harvey, ordered to India.

The Commercial says: It appears that Sir John Harvey, the governor of New Brunswick, is ordered to Syria, and we are sorry he is ordered anywhere. For while he has faithfully discharged his duty to his own sovereign, he has manifested a peculiar interest in the welfare of the people of which has not failed to be appreciated by the descendants of Englishmen. His intercourse with general Scott, at a time when the boundary question furnished a pretext for ill feeling, was marked by a nobler and a brighter page in his history, than if he had achieved the bloody triumphs of Caesar or Napoleon. Brighter, at least, than when men come to deal at things in their true light.

Later. The last mail brings us papers which state that Sir John Harvey has received no official intimation of any appointment such as intimated above.

LOANS. From the year 1822 to 1836, the foreign loans taken in London, amounted to £37,000,000—of which \$263,000,000. No United States' loans were included in the above.

MAIL ROBBERIES. Extensive robberies, including packages of letters from Wheeling, Columbus, Cincinnati, Louisville, Nashville and St. Louis, about six packages from each, have been discovered, the perpetrators were taken present 210, necessary by officers Platt and Kennedy, employed by the department. A driver named Carson was first seized, who confessed and named Dr. H. Briggs, his accomplice, named Foy, and an accomplice named Trayer, all residence of Uniontown, Pennsylvania.

Large amounts of money, trunks and carpet bags were taken from mail carriers, have been discovered, and part of the money has been identified as having been taken from the mail. This system of depredation has been carried on by the British mail carriers until the 15th December, at different periods.

MASSACHUSETTS U. S. SENATOR. The whigs of the legislature held a meeting to agree upon a candidate for senator in place of the honorable John Davis resigned, and present 210, necessary by officers Platt and Kennedy, employed by the department. A driver named Carson was first seized, who confessed and named Dr. H. Briggs, his accomplice, named Foy, and an accomplice named Trayer, all residence of Uniontown, Pennsylvania.

NORTHEAST BOUNDARY DIFFICULTIES. The Boston Herald states, by the authority of a gentleman who arrived in that city—late last night, that a party of gentlemen, whose names are given us, Thomas F. Templeton, George Child and John H. Kenwick, while proceeding on their way from Bangor to Canada, were stopped by a party of the British soldiers, who insulted them and without provocation assaulted them. Mr. Child was knocked down with a blow from a musket, Mr. Kenwick received a bayonet wound in the shoulder, and Mr. Kenwick, trying to escape, received a bullet in his thigh. An officer then came up and checked further hostilities.

If the facts are correct, the occurrences will not tend to ally the excitement on the subject of the northern boundary.

POKE MARKET. At Cincinnati about 100,000 hogs had been slaughtered on the 15th ult. prices range from \$3 12 to 12 1/2, baird.

STOCKS. United States bank of Pennsylvania, at N. York 30 to 51 1/2; at Philadelphia 50.

SLAVES. The examination before our district court has resulted in punishing capt. Frye and Mr. Hornbush, the mate of the brig *Tiger*, under bonds of \$3,000 and \$2,000 respectively, for the seizure of a native of Africa, on the coast with intent of making him a slave. Judge Dixon directed the charge sufficiently established to award a trial by the court, which was refused by Mr. May.

(Boston press.)

THE SERGEANT AT ARMS, of the house of representatives, Judge Hught, formerly of Vermont, died at Washington on the 15th inst. The senate voted \$500 to defray the expenses of his removal to Vermont and interment of his remains.

WHEAT MARKET. Liverpool, Dec. 8. On Saturday, at Manchester, good runs of Baltic red wheat were bought at 8s. 9d. to 8s. 10d.; American at 8s. 9d. to 8s. 10d.; and some tolerable 8s. 8d. to 8s. 9d. The Irish new wheat has experienced a similar decline, but the value of English new, which the quantity offering is small, has not needed in the proportion. The best run of white legume still worth 9s. 4d. to 9s. 5d. Sweet parcels of American flour are becoming much less plentiful, and must at this time be sold at 10s. 6d. to 10s. 7d. United States 24s. 6d.; Canadian 23s. to 24s. 1s. per barrel.

The rice was a firmer tone in the wheat trade generally, and a firm advance in the price of the rice, principally to a few prices, at the full prices of last Tuesday.

THE MESSRS. WRIGHTS, bankers of London, who lately failed, it is now said will pay twenty shillings in the pound. Louis Philippe of France it is said will compromise himself in his hands.

*Which includes all the sailing.

NILES' NATIONAL REGISTER.

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FOREIGN ARTICLES.

The packet ship Patrick Henry, arrived at New York on Friday, bringing Liverpool dates to the 26th December.

Her majesty the queen of Great Britain and the infant princess are both well, at Windsor.

The terms of the convention entered into between Mehmet Ali and captain Napier have been agreed to by the members of the conference in London.

Spain and Portugal are quarrelling and about to engage in hostilities concerning the navigation of Durro. The intervention of Great Britain would, were thought, prevent any collision.

The latest Paris official paper contradicts an assertion which appeared in the opposition journals, alleging that M. Guizot had determined to discontinue the fortification of Paris. The ministerial organ says that, on the contrary, the plan, as already stated, is to be carried into execution, unless the chamber of deputies should think proper to interfere by refusing the supplies.

The official papers also give an explanation relative to the intelligence received from Constantinople, by which we were informed that the ports had a second time resolved on the disposition of Mehmet Ali.

Her majesty's ship Fairy, captain Hewitt, while exploring the eastern coast of England, went down in a squall of wind, and every soul on board perished. There were thirty-five persons on board at the time. The Fairy is the eighth ship that has turned over and gone down—cause, faulty build or construction.

The letters of the Manchester bank, by one mail, enclosing drafts to the probable amount of £10,000 were recently despatched and received at the post office by an adroit rogue. Payment of nearly all the drafts was promptly stopped by notices and arrangements.

The coal mines at Ridgely Field, near Bolton, were suddenly overladen on the 16th. Of 39 persons, all but three escaped almost miraculously.

It appears that there have been rumors that the East India company were to bear the expenses of the Chinese expedition. The governor of the company states, however, that assurances had been received from government, that it would not be required.

The prince Louis Napoleon has forwarded to some of his friends in Paris a singular document—an invocation to the name of Napoleon. We subjoin a sample:

You have again beheld Frenchmen whom you loved so well; you have returned to that France which you rendered so illustrious; but foreigners have left traces of their footsteps, which this pompous display alone can never efface.

You behold that young army, the children of your brave warriors; they worship you as the god of their

glory, but the word of command to them is—be still.

Sire, the people that inhabit our beautiful country are still men of the same stamp, but for those whom you made so great, for those whom you found so little, have no regrets.

They have renounced your faith, your ideas, your glory, your very blood. When I addressed them in behalf of your cause, they replied—"we understand you not."

Heed not what they say, nor what they do; the grains of sand o'er which the wheels of the chariot roll effect it not. These men may say you were a meteor that left no traces behind, but they vainly attempt to deny your glory. They can never disinherit it.

Sire, the fifteenth of December is a great day for France and for me. From this instant the pompous procession you have turned into dry dismal abode, and calling to mind the carcases you heard upon me in infancy, you have thus said—"friends, thus suffer for my sake; try, but conduct I approve."

The Jews. There seems to be a movement among the Continental Jews in relation to the late events in the east. The following is the concluding paragraph of an address to the Jews, published in *Der Orient*, a German newspaper:

"People of Israel, raise yourselves from your thousand years' slumbers! Rattle round leaders have really the will, a Moses will not be wanting. The rights of nations will never grow old; take possession of the land of your fathers; build a third temple of Zion, greater and more magnificent than ever. Trust in the Lord, who has led you safely through the vale of misery thousands of years. He also will not forsake you in your last conflict."

The abolitionists have been throwing themselves into paroxysms of excitement about the recognition of the British government, and the committee of the anti-slavery society have transmitted to Lord Palmerston their resolutions on the subject.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate. Alexander H. Tyler, of Maryland, to be consul of the U. States at Rio de Janeiro, Brazil, in Brazil, in the place of Woodbridge Odlin, deceased.

William H. Ward, of Kentucky, to be solicitor of the general land office of the United States, in the place of Samuel F. McKim, resigned.

Oscar F. Bledsoe, of Mississippi, to be attorney of the United States for the northern district of Mississippi, in the place of Samuel F. Butterworth, resigned.

Burrington Anthony, to be marshal of the United States for the district of Rhode Island.

Thomas D. Condy, to be marshal of the United States for the district of South Carolina.

Fidelis S. Hunt, to be marshal of the U. States for the southern district of Mississippi, in place of Wm. M. Griffin, resigned.

Conrad Fan Eyck, to be marshal of the United States for the district of Michigan.

James Miller, to be collector of the customs at Salem, Mass., reappointed from January 3, 1841.

Samuel Sumner, to be collector of the customs at Fairfield, Conn. reappointed from January 8, 1841.

Richard Sands, to be collector of the customs at Annapolis, Md. reappointed from January 8, 1841.

Win. Field, to be collector of the customs at Baltimore, Md. reappointed from January 9, 1841.

Edwin J. Kelso, to be collector of the customs at Praque Isle, Pa. reappointed from January 9, 1841.

Samuel S. Allen, to be collector of the customs at Bristol and Warren, R. I. reappointed from January 9, 1841.

Sylvester Brown, to be collector of the customs at Ocracoke, N. C. reappointed from January 10, 1841.

Abraham Wendell, to be collector of the customs at Michilimackinac, Mi. reappointed February 9, 1841.

Joseph Aborn, to be surveyor of the revenue at Paxtucket, R. I. reappointed from January 4, 1841.

Charles B. Lemer, to be surveyor of the customs at St. John, N. B. reappointed from January 8, 1841.

Issue Burdick, to be naval officer at Newport, R. I. reappointed from December 23, 1840.

TEATRY WITH HANOVER. The Hanover Gazette of December 14, announces the conclusion of a treaty of commerce and navigation between Hanover and the United States.

TRADE AND COMMERCE. Tobacco and breadstuffs. At a meeting of the tobacco planters of Dinwiddie county, Va. the following resolution was passed.

"That, while in a spirit of peace we have submitted to the odious and monopolizing laws of England, we utterly repudiate, as revolting to our sense of justice, the idea of a longer submission to the enormous and oppressive duties now imposed upon our tobacco."

"The Pittsburg Advocate respecting the above resolution says:

It strikes us that this is as good an exemplification of southern feeling for northern interests as can any where be met with. Our very chivalrous neighbors are willing to submit to the brutalities of the north being excluded from Great Britain, but they utterly repudiate the idea of a longer submission to the enormous duty now imposed on tobacco—"the most valued staple," to use their own language, "of nearly two millions of American freemen."

They never entered into the calculations of these patriots to consider how many millions of freemen breadstuffs forms the "most valued staple," or how their interests are affected by those odious and monopolizing laws of England."

"To which they appear willing to submit, provided they can obtain a reduction of the duties on tobacco. There is something extremely ridiculous in this gauding about tobacco, by men who are willing to see the whole manufacturing and agricultural interests of the north sacrificed to the odious and monopolizing laws of England."

We care not how soon the countervailing duties which the tobacco planters desire are imposed, but in the name of all that is just and reasonable, resist against the "most valued staple" of the north being excluded from the benefits of any new modification of our tariff.

The Lake trade. The following statement published in the Buffalo Advertiser, will furnish some idea of the present extent and future importance of the trade of Lake Erie.

Statement of the principal articles of produce reported at Buffalo, during the season of 1840.

Months.	Arts.
April (10 days)	33,551 52 300 62
May	128,864 140,153 272
June	90,142 121,109 274
July	60,891 140,953 223
August	50,612 155,291 208
September	62,718 221,151 223
October	91,293 116,099 213
November	80,469 90,973 254

597,742 1,600,561 1,734

Butter, Whiskey, Flour, Hides, Staves, Kags, Bbls, Bbls, Packs, No. 1.

11,426 6,615 5,926 3,033 9,348 2,594,232

To this must be added 572,327 bushels of wheat entered at Black Rock Dam, making the aggregate of wheat received at both ports 1,985,889 bushels. To which must also be added the 597,742 bbls. of flour received, which if reduced to its equivalent in grain at five bushels to the barrel, we have an aggregate of wheat received at the two places, of four millions five hundred and seventy-one thousand seven hundred and ninety-eight bushels.

Collector's seizure. Some time since we stated that a large quantity of English goods had been seized by the collector at Cincinnati from a Mr. Hall a merchant of that place. The case was tried before Judge McLean, at the circuit court at Columbus, and the jury rendered a verdict in favor of Mr. Hall against the collector for nearly \$16,000.

THOSE TROOPS. At last we have information that can be relied on, touching the movement of troops in, or on, about the disputed territory. The following letter from Sir John Harvey to the governor of Maine was communicated to the senate at that state on Thursday.

(N. York Com. Adcer. Governor John, Frederick, N. B. Dec. 10, 1840.

Sir: As your excellency will doubtless be informed that a detachment of her majesty's troops

has lately arrived in the Madawaska settlement. I deem it to consist with that frankness by which I trust my intercourse with the authorities of Maine has always been characterized, to acquaint you that the movement in question, made by order of the governor general of the province, has no other object than to give support to the civil authorities of that settlement—one of whose magistrates, Francis Rice, esq., has been grossly insulted, threatened with personal violence, and obstructed in the discharge of his duties. Persons professing themselves to be citizens of the state of Maine; and another Jas. McLaughlin, esq., also a magistrate of this province, and holding the office of "warden of the disputed territory," will be threatened by the person in charge of the expedition, and will be told—"Fish River," with being arrested and sent as a prisoner to Augusta in the event of his persevering in the performance of the duties imposed upon him by the government of the queen, and that of this province.

Whether the assertion made, as I am assured, by this person, that, in holding this language, he is only acting in accordance with his instructions, be correct or otherwise, your excellency will let me know; but refusing, as I have done, to believe that he can have received any authority for a proceeding which I must regard as inconsistent with existing engagements, I have not hesitated in expressing to the governor general my belief that an armed civil posse, corresponding in amount and description with that maintained by Maine, will be found quite adequate to effect the object in view, viz the prevention of acts of unauthorized aggression or interference, with persons inhabiting the authorities of the Madawaska settlement; and I am accordingly no reason to doubt that, acting upon this suggestion, his excellency will forthwith give direction for the troops to be withdrawn to their former stations.

I have the honor to be, with great commendation, your excellency's most obedient servant.

J. HARVEY.

His excellency the gov. of the state of Maine.

GENERAL GAINES' SYSTEM OF DEFENCE. He proposes, the immediate construction of seven rail roads, to extend from the two central states of Tennessee and Kentucky, in seven grand divisions of the national frontier. The location of these rail roads, as set forth in his memorial to congress, are as follows: 1st, One from Lexington, Ky. to Buffalo or Pittsburg, N. Y. with branches to Detroit, Albany and Boston. 2d, One from Knoxville, Tenn. to Norfolk, Va. with branches to New York and Richmond, Va. and Newbern, N. C. 3rd, One from Memphis, Tenn. to Charleston, S. C. or Savannah, Geo. with branches in Middlebury, Geo. and East Florida. 4th, One from Louisville, Ky. to Mobile, Ala. with a branch to Pensacola, Florida. 5th, One from Lexington, Ky. via Nashville to New Orleans. 6th, One from Memphis, Tenn. to the Sabine River, with branches to Fort Towson and Fort Gibson, Ark. 7th, One from Louisville, Ky. or Albany, N. Y. to St. Louis, Mo. and thence to the Missouri river, north of the mouth of the Big Platte, with branches from Albany, N. Y. to Chicago, and from the northwest angle of the state of Missouri to the upper crossing of the river Des Moines. These seven principal rail roads, which each be from 300 to 700 miles in length, making altogether a distance of 4,200 miles. The average cost of their construction, general Gaines thinks, would be \$10,000 per mile, or for the whole, \$42,000,000—provided, he says, they are located and constructed by the army of the United States.

THE ARMY.

Florida. An arrival at Charleston from Florida, brings St. Augustine papers of the 8th inst. Col. Harvey in his late expedition had succeeded in discovering the several islands which have afforded a secure retreat to the savages; and the Augustine News says, "the capture of the Indians' security broken up, and his strong hold upon which he relied for safety, are open to enterprise and capture."

We understand this to allude to the expedition, the result of which we gave the last Register, and of which we have additional particulars.

Chakika was killed by the indomitable perseverance and courage of private Hall, of the 2d dragoon. More distant than any of the Indians whom they hunted, he was engaged in breaking wood, and on finding himself discovered, he strove and ran for the grass. Several started in pursuit, but they all gave out except Hall, who followed until he had almost overtaken him, when Chakika snatched and extended his hand, and broke and ran for the shore, women and children. Hall levelled his rifle and the ball sinking in the brain of the chief, he fell

dead in the water, but a short distance from the island which was the depot of his plunder.

This chief was of great daring, headed the massacres of troops at Caloosahatchee, and led the attack on Indian Key. His loss in his people will be attended with results fatal to their confidence, and holds out to the territory a subject for the warmest gratulations.

In relation to the late tragic affair, the *Globe* says—Contrary to instructions from the war department, and in opposition to positive orders issued by the commanding general, forbidding any escort being sent from post to post, under thirty men, a wagon was dispatched from Fort Micanopy in Fort Waculaw with only eleven mounted infantry, and was accompanied by a single mounted trooper; as the morning was fine, Mrs. Montgomery rode out with them. About an hour after their departure, some of the horses returned to Fort Micanopy without their riders, and shortly after two soldiers rode up and announced that the party had been attacked, Mrs. Montgomery and lieut. Sherwood and several soldiers killed. The garrison immediately sallied out, and within three miles of the fort found the bleeding corpse of Mrs. Montgomery, and in its vicinity, lying levelled, the body of a man, just strong to say to her agonized husband, who threw himself on the ground by his wife's bleeding body—"Here!—I fought for your wife as long as I could." Lieut. Sherwood was well wounded, and, if it is reported, have escaped, but would not abandon his fair charge. This barbarous act, it is believed, was committed by a band of the cruel and blood thirsty Mikasuckies.

The frontier posts in Florida are not fit places for the residence of ladies. The same circumstances which render it improper for them to be on board ships of war, might be urged against their being allowed to accompany their husbands to these points of danger. Officers ought to be free to act in moments of emergency without the nuisance of having to protect helpless women and children.

This unfortunate lady had been only three weeks in Florida, and but lately married.

THE NAVY.

Promotions. Charles H. Bell, to be a commander in the navy from September 10, 1840.

Daniel B. Ridgely, to be a lieutenant in the navy from September 10, 1840.

John L. Ring, to be a lieutenant in the navy from October 28, 1840.

Edward Gilchrist, to be a surgeon in the navy from September 27, 1840.

John C. McKim, to be a surgeon in the navy from October 13, 1840.

Levi Twigg, to be a major in the marine corps from November 15, 1840.

Job G. Williams, to be a captain in the marine corps from November 15, 1840.

Thomas T. Sloan, to be a first lieutenant in the marine corps from October 21, 1840.

Addison Garland, to be a first lieutenant in the marine corps from November 15, 1840.

John Thorpe, to be an assistant surgeon in the navy from October 13, 1840.

Joseph Hopkinson, to be an assistant surgeon in the navy from October 13, 1840.

Daniel L. Bryan, to be an assistant surgeon in the navy from October 13, 1840.

Robert Tansill, to be a second lieutenant in the marine corps from November 15, 1840.

John J. Berret, to be a second lieutenant in the marine corps from November 15, 1840.

Wm. B. Scott, to be navy agent for the navy yard in the city of Washington, and for the navy department for four years from October 1, 1840.

George Johnson, to be navy agent for the port of Pensacola, Florida, for four years from December 28, 1840.

The New York American says that the United States ship of war *Cyane* was at Toulon on the 29th of November last, to sail for Mithoon—will well on board. On the arrival of the *Cyane*, she found two three deckers and three 74's, which, in a few days after, were joined by the fleet of evacuation from the Levant, consisting of one three decker and ten 74's—making in all an exhibition of the French naval force, then in the harbor of Toulon, equal to six line of battle ships, 3 of which were of 120 guns each. In the fleet three admirals, 13 captains, and 3 sailing ships, were included, and in command of the station and arsenal, making 3 admirals at that time on duty there. The ships are represented to have exhibited a magnificent appearance. The commander of the *Cyane*, capt. M. de la Motte, had declared that on which occasion salutes were fired. War between France

and England was the all engrossing topic among the French officers.

The following is a list of the officers on board of the *Cyane*.

William K. Latimer, commander; Sylvanus W. Goddard, lieutenant; Samuel F. Haas, 2d id; Alford Taylor, 3d id; Benjamin F. Dove, 4th id; John J. Army, acting master; Lewis B. Hunter, surgeon; William Grier, assistant surgeon; Horatio Bickard, purser; James Jolly, professor of mathematics; George A. Bickard, midshipman; Francis Alexander, Wiltner Shields, Archibald Melkay, Geo. B. Balch, Gustavus V. Fox, Charles W. Peace, Frederick W. Colby, Alexander C. Rhind, midshipmen; George F. Cutler, captain's clerk; George Chubb, brewer; John Barr, gunner; James Farguson, sailmaker; Thomas Patterson, carpenter.

STATES OF THE UNION.

MAINE.

The committee on elections of the legislature of Maine have reported that there was no choice of governor at the September election. The vote stands thus:

For Kent, (whig) 45,575, Fairfield, (Van Buren) 45,507, Hamlin, (Van Buren) 28, Smith, (whigs) 23, scattering, 65.

The number necessary for a choice is 45,590. The acceptance of the report was objected to by the whigs, on the ground that 100 votes for Fairfield and 45 for Kent, informally returned, were allowed, and was laid on the table. If the report is accepted, Kent will be chosen by the legislature; if it is not, and the 100 votes rejected, Kent will be declared elected by the people.

The legislature of Maine having accepted the report of the committee appointed to count the votes for governor, that there was no election by the people, the house of representatives, nominated Edward Kent and John Fairfield to the senate, and the latter body, by a vote of sixteen to eight, on the same day elected Mr. Kent (whig) governor of Maine for one year. On Wednesday Mr. Kent took the oath of office, and entered upon the discharge of his duties.

We learn from the Portland Advertiser, that Mr. Joshua A. Lowell, when the Van Buren governor of Maine has declared election to congress, and to thence to the United States senate, has been chosen. He received a minority of the votes, but gov. Fairfield declared him elected by rejecting the returns of a whig township. Mr. Noyes it is said will contest the seat and obtain it.

Governor Kent, in his inaugural address adverts to the occupation, by order of the governor general of Canada, of the posts at Temiscouata Lake and Madawaska, by British troops, in direct violation of the stipulated agreement between the authorities of New Brunswick and Maine, and says:

"I cannot but view this proceeding, as my predecessor does, in his reply to sir John Harvey, as a direct and palpable infringement of the stipulated arrangement, and as an infringement of that portion of the contested territory. And if the suggestion of lieutenant governor Harvey, who seems not to have been consulted in relation to this new act of jurisdiction, and who so silently regards it with regret, if not as an infringement of stipulating arrangements, is disregarded, and the British troops are permanently located at Madawaska, I shall feel it my duty to reiterate the request already made to the general government, and to urge upon the executive and legislative authorities of the United States, to maintain a military possession on the part of the United States of the territory in dispute. The general government owns it to Maine to move forward in this matter, with promptness and energy, with a sincere and unflinching determination to preserve, but with an equally firm determination to maintain subsisting engagements on our part, and to insist upon a full performance from the other party."

NEW HAMPSHIRE.

Two new counties were constituted in N. Hampshire at the last session of the legislature by the division of Stratford county. The new counties are named Belknap and Carroll; the first contains eight townships and the other thirteen. Stratford county, which was the largest of the state, with therefore contains but thirteen towns. The sections of the county for Belknap county will be held at Gilford; and for Carroll county at Ossipee.

MASSACHUSETTS.

Message of governor Davis to the Boston Atlas of yesterday contains the message of the governor of Massachusetts to the legislature of that state. It occupies only one column and a half of the paper; but into that small space governor Davis has compressed a volume of practical wisdom, and of eloquence in moderate and dignified language; and has

serves these characteristics even in commenting with deserved severity upon "the experimental policy pursued since the chief magistrate of the United States took into his custody and keeping the revenue."

The hon. Isaac C. Bates was yesterday elected U. S. senator for Massachusetts, to fill gov. Davis' vacancy, and for the next term of six years. The vote in the house stood:—Isaac C. Bates, 250; Marcus M. Mason, 114; scattering, 6.

Boston and Worcester rail road company. By an abstract from the superintendent's weekly reports, it appears that the receipts for passengers and freight on the Boston and Worcester rail road were, for

for 1836	\$175,200 79
1837	194,288 62
1838	199,662 70
1839	216,129 63
1840	234,795 67

NEW JERSEY.

The legislature. This body re-assembled at Trenton on Tuesday last and organized for business; the officers of which are the hon. Joseph Porter, of Gloucester, vice president of the council, (senior), Robert E. Lee, of Princeton, secretary. In the assembly, Hon. John Enloe, of Burlington, speaker, Samuel Pryor, jr., of Salem, clerk.

A correspondent writes "that the election of a United States senator to take the place of gen. Van Ness probably be held some time in February, when, of course, a good vote will be chosen to represent the broad seal of New Jersey in the senate of the United States in conjunction with her favorite Southard."

PENNSYLVANIA.

Legislature. Resolutions in favor of a repeal of the sub-treasury act, and advocating the distribution of the proceeds of the sales of the public lands, have been introduced in the legislature of Pennsylvania. They embody instructions to the senators, and requests to the members of the lower house, to vote in accordance with the views of the legislature on these questions. In relation to the tariff, the following resolution is also before the legislature:

Resolved, That our senators be instructed, and our representatives be requested, to vote for such modification or adjustment of the tariff, as may increase the revenue derived from imports, equal to the wants of the national government, so that at no time hereafter, under any pretext whatever, shall any money arising from the sales of the public lands, be used by the general government.

Loan. The bill authorizing a loan of \$800,000, at six per cent. for five years to meet the state engagements on the 1st of February, which passed both houses of the Pennsylvania legislature on Saturday, has received the executive signature, and become a law. The bill originally proposed a sale of bank stock owned by the state, as an alternative, for raising the "ways and means" to meet the interest on the state debt, which falls due on the 1st of February. But the bill was amended in the senate, so as to provide for a loan of five years at six per cent. for the sum necessary, without reference to the bank stock of the state.

DELAWARE.

Gov. Comery's message. The message of gov. Comery was communicated to the two houses on the 5th inst. It refers mostly to matters of local interest. The common school system now in operation throughout the state is, in some respects defective. The appointment of a general superintendent is recommended—also some modifications in the law imposing the school tax. It is proposed to exempt persons whose taxable property does not exceed three hundred dollars.

The penal code of the state is in thought needs revision. Many of the punishments inflicted by it are severe beyond the morals and feeling of the age—inasmuch that the excessive rigor of the law often defeats its own end, through the necessary interposition of the pardoning power, or the nullity of juries to condemn.

VIRGINIA.

United States senator. The legislature proceeded on Monday last to the election of a U. S. senator, for the unexpired term of six years, from the 4th of March, 1839, since which period the state has had only one senator in congress. The vote stood as follows:—Win. C. Rives, 83; John V. Mason, 40; James McDowell, 30; scattering 3.

Mr. Rives received the vote for him in the senate, and two Mr. Smith, of Gloucester, in casting his vote for Mr. Bruce (W.) and he should vote for Mr. Rives, if after a first ballot it was found necessary to elect him, but otherwise he could not vote for him. Mr. Bayly, of Accomack, voted for Mr. Robertson, as did also Mr. Thompson, (V. B.) the senator from Kent-

Mr. Fulton, (W.) of Wythe, voted for Mr. Mason in obedience to the wishes of his constituents.

Francis E. Rives and George C. Dringdale, representatives in the present congress from this state have both publicly declined being candidates for reelection.

The population of Virginia, it is ascertained, is 1,241,444—of which there are—

Whites,	735,813
Free colored,	46,423
Slaves,	457,207

	1,241,444
Population in 1830,	1,211,400

Increase, 29,038
The white population in 1830 was 694,193. The increase of whites is therefore 41,737. The increase of free blacks has been 1,322, and its decrease of slaves 22,517. The excess of white over slaves in 1830 was 224,713—in 1840 it is 228,605.

NORTH CAROLINA.

The inauguration of this new governor of the state of North Carolina, (John M. Morehead, eq.) took place on Friday the 1st instant, on which occasion, after listening the address of the president, the presence of past governor Dudley, the judges of the supreme court, and both branches of the legislature, governor Morehead delivered an address pertinent, to the occasion, the following passages of which especially deserve attention, the first for the moral truths of which it inculcates, and the other for the vindication of the sovereignty of the states which it includes:

"Nothing so surely indicates the happiness and prosperity of a people, as numerous school houses well filled during the week, and churches well crowded on the Sabbath; and the latter are sure to follow the former. If we desire to perpetuate our glorious political institutions, we must give to all our people moral and intellectual culture in the first place, and improve his intellect for six days in the week, and on the seventh endeavors to give it the proper direction from the precepts of our holy religion—who learns to do unto others as he would they should do unto him, that man will never be a tyrant—and he can never be made a slave."

"Believing, as I do, that county and good feeling should exist between the general government and all the members of the confederacy. I shall endeavor, while I have the honor to preside over North Carolina in every occasion that may offer, to meet them with that courtesy to which they are justly entitled—and which a due self-respect and the dignity of our state require should be shown."

"The days of our political existence, under our present form of government, are numbered, when the states shall permit their sovereignty to be confounded, and their great seals to be scoffed at and disregarded."

"I will cheerfully yield to the general government all the powers to which it is entitled, from a fair and proper construction and interpretation of the constitution; while, on the other hand, I shall carefully maintain, protect and defend the rights which pertain to our state only."

"I shall be extremely careful to see that North Carolina, when she speaks in her sovereign character, has a right to speak—and, when she does so speak through her great seal—the emblem of her sovereignty—while I have the honor to control it, it shall be well and respected."

During the late session of the legislature of N. Carolina, three new counties have been erected out of the counties of size too large for convenience. The names of the counties are Stanley, Cleveland, and Beaufort.

It appears by the late census, that the population of North Carolina consists of 227,214 free persons of color, 216,917 slaves, and 497,298 whites—total, 735,939. In 1830 the population was 737,987. Increase in ten years, 18,952.

GEORGIA.

Representative. Hiram Holt (whig) has been elected a representative in the present congress, by a large majority over his opponent, to fill the vacancy occasioned by the resignation of Mr. Colquhoun.

Free patriots are the legislature of Georgia have passed a resolution, raising the pay of members to five dollars per day. A member of the Georgia legislature the other day introduced a bill to reduce the pay of members to two dollars after the close of the present session. Probably the wise and good people expect to be so reduced and probably the Kentucky economist does not!

Resumption. The last Augusta (Ga.) Chronicle contains the proclamation of governor McDonald, of Georgia, in obedience to the 1st of the last legislature, directing the banks in that state, to resume specie payments on the first day of February

next. If any bank fail to comply with the provisions of this act, the charter of such bank is forfeited.

LOUISIANA.

Legislature. This body met on the 4th instant. The hon. Felix Garcia, was chosen president of the senate, and general William Debury, speaker of the house. On the same day the governor transmitted his message, of which we will take some notice hereafter.

KENTUCKY.

The bill providing for a repeal of the existing law of Kentucky, which prohibits the bringing into that state of slaves, for the purposes of sale, was negatively by the house of representatives, after long and arduous discussion. The 9th inst. The vote on the passage of the bill of repeal was—yeas, 34; noes, 33. Referring to the question thus decided, the Louisville Journal says: "No question which has come before the Kentucky legislature for years, has produced so much excitement as this."

INDIANA.

One term. A joint resolution has passed both branches of the legislature, favoring an amendment to the constitution of the United States, debarring a president from re-election.

ILLINOIS.

Riches of the west—products of Illinois. We have before us the statistics of Illinois, and the result is, (even for a single state) a basis upon which produce merchants here and elsewhere, might make some pretty certain calculations. The 9th inst. The vote on the passage of the bill of repeal was—yeas, 34; noes, 33. Referring to the question thus decided, the Louisville Journal says: "No question which has come before the Kentucky legislature for years, has produced so much excitement as this."

half a million—it founded the following production from labor:

Cereal products.—Wheat, 2,302,956 bushels; corn, 19,628,904 do.; oats, 2,767,500 do.; to these should be added, potatoes, 1,596,600 do.

It appears then, that the main crop of Illinois is corn, instead of which is fed to animals. Of wheat, there are about 8 bushels to each soul, or but little more than is ordinarily allowed for the consumption of a people. Illinois, then, has not yet become a great vital state. The potatoes, however, may be considered a surplus crop. If we allow the consumption of the people as we have done from wheat. In fact, however, both are consumed and both partially exported.

Animals.—Hogs, 1,253,181; neat cattle, 164,961; sheep, 337,157.

It seems, then, palpable enough, that *hogs* are the chief animal raised in Illinois, and they are the great consumers of their vast product of corn. Here, too, is an item for the pork packers every where to reflect upon. The amount of hogs put up in Cincinnati is only a little more than a *rich part* of the number of the population of Illinois. Consequently it is impossible for the pork market to be controlled; in Cincinnati, or any other point whatever.

Mineral productions.—Coal, 3,546,000 bushels; salt, 20,000 do.; lead, 263,668 lbs. This is an interesting item, showing that Illinois has within her limits three valuable minerals in sufficient abundance.

Literature.—There are several colleges in Illinois, but the number and pupils are omitted in the account above. Daily newspapers, 2 semi-weekly, 2 weekly, 27; periodicals, 7.

There are two or three counties omitted, but they will not affect the main items of production, as stated above, materially.

Illinois, in the whole, may be regarded as a prosperous state; but not enough so to run the extravagant career of debt, schemes and boasting, which has been undertaken in the last few years. After all, the best mode of growth, both for individuals and states, is the gradual and judicious.

[Cincinnati Chronicle.]

It appears by the recent census that the population is 445,475. It is thought that there are few states in the union, that have progressed faster in growth and population, within the last ten years, than Illinois.

MESSAGE OF THE GOVERNOR OF NEW YORK.

THE STATE AND ITS ANTIQUITIES.

The first of public service in which you have been called, is bonded by no narrow limits. It includes the responsibility of securing civil rights; of defining crimes of every grade, and prescribing their appropriate punishments; of establishing laws concerning the acquisition, tenure and alienation of property, or instituting and maintaining courts of justice; of prescribing and enforcing all duties arising out of the domestic and social relations; of creating associations designed to promote the public good, and controlling or suppressing such as are injurious; taking care of the public health; providing a medium of exchange; sustaining domestic trade,

regulating elections and preserving the purity of the elective franchise; enacting laws for the discipline and instruction of the militia, the education of youth, the support of the poor, the relief of the afflicted, the encouragement of agriculture and all the useful arts, and the development of the resources of the state by the improvement of rivers and the construction of roads and canals; and finally, all the responsibilities and powers which sovereign states may assume and exercise.

Those expressly committed to the federal government, and subject only to the limitations prescribed by the constitution of this state, and that of the United States. These responsibilities affect the welfare, honor and happiness of the whole community of free people. A thoroughly distinguished for the refinement of its social condition, this community is only in the beginning of its existence. Notwithstanding its thousand towns, it has yet an extensive region altogether unoccupied, and with aggregate wealth of a million of millions of dollars; its soil is imperfectly cultivated, its minerals have hardly been disturbed in their beds, the natural obstacles to trade have only been partially removed and the perfect subordination of individual interests to the public is yet to take place. We are in the midst of communities which are neither hostile nor rival powers, nor yet dependent colonies, exhausting their wealth for our support; but free and prosperous states, bound to us not only by common sympathy and affection, but by the strongest ties of common sympathy and affection, and obliged by the natural direction of their trade to contribute to our revenues and increase our commercial importance.

When the federal government has discharged its duty in maintaining peaceful and advantageous relations with foreign countries, in conducting its fiscal affairs so as not to derange the business of the people, in making the necessary improvement of navigable rivers and lakes, and in providing proper facilities for the transmission of intelligence, it can do little more to promote the public welfare. On the other hand, the legislature which by salutary reform, effects a decrease in crime, raises the standard of general education, establishes a new safeguard around the elective franchise, or opens a new channel for commerce, does more to increase the general prosperity and even to strengthen the bonds of the union, than congress with its limited powers can accomplish.

The year which we are permitted to review, has been crowned with the blessings of health, plenty and peace. No pestilence has been abroad, severing the ties from which we derive our strength; no compulsion with disease and death the usual offices of affliction; nor has war, with its fearful desolation, diverted from domestic sorrows their rightful sympathy and consolation. Contentment has been in our dwellings, and the people have received as rendered it more easy to give than to withhold. The laws have maintained their supremacy; and the administration of justice has encountered no resistance. All the departments of the government have performed their services without interruption and with general success. The harvest has been followed by a partial resuscitation of confidence, and the general indications of a revival of enterprise, promises a return of prosperity. Sentiments favorable to frugal and patient industry, have regained their just influence; and the agitation which, for a time, threatened to array against each other manes having common interests, and to establish new, impracticable and revolutionary measures, in the policy of the government, has given way to a prevailing conviction that the public welfare is best promoted by mutual harmony and confidence, and by a conservative support of tried institutions and laws.

The comptroller will lay before you a full report of the fiscal condition of the state. The revenue derived from auction sales, within the fiscal year ending on the 30th day of September last, amounted to \$164,821 88. The receipts for duties on salt manufactured at the salt springs were \$155,961 16.

The revenue from auction sales, have been effected by the depression of commerce, and exhibit a diminution of \$60,790 48, since the previous fiscal year. The quantity of grain manufactured, has been less in the year 1839, by about two hundred thousand bushels, and the revenue is therefore less by the sum of \$23,301 96.

There has heretofore been in use one salt spring in each of the counties of Liverpool, Salina, Syracuse and Geddes. The water at Liverpool contains about seventy per cent. of salt; the springs at Salina and Syracuse, furnish about fifty-six per cent. each; and the water at Geddes yield about thirty per cent. All the springs, except that at Liverpool, furnish limited supplies. The very conservative efforts of the superintendent to discover additional sources of saline, have been crowned with success.

Three springs have been found at Salina, each furnishing water equal in strength and purity to that at Liverpool; and collectively, they will yield an ample supply for the manufactories at Syracuse and Geddes. I am happy in being able to state that the search for salt springs at Onondaga, has been successful, and that a revival of the manufacture of salt at that place, may be expected. As a consequence of these discoveries, we may anticipate a reduction of the expense of manufacture, and an increase of the quantity produced; results which cannot fail to be profitable to the treasury, and beneficial to our fellow citizens.

The amount of tolls and rents of surplus waters collected during the fiscal year, on all the canals of the state was \$169,827 43
And the amount of charges on all canals, exclusive of interest on loans, was 886,011 87

Leaving a nett revenue, \$1,200,215 58 being \$36,981 18 less than the amount of nett income of the preceding year.

The amount of tolls and rents received during the fiscal year was \$1,758,747 87, showing the gratifying increase of \$159,365 55 over the amount received in 1839.

The productive capital of the school fund at the close of the fiscal year, was \$2,023,907 95. The revenue derived from the sale of the proceeds of the appropriation of \$165,000, from the income of what is called the United States deposit fund, was \$268,400 45. The amount paid out for the support of common schools, was \$278,010 30.

The capital of the library at Liverpool was \$283,777 93. The revenue during the year, including \$268,000 appropriated from the income of the U. S. deposit fund, was \$46,935 84. The amount paid out and applied to the support of the higher establishments of learning, was \$47,971 97.

All the colleges in the state are in a flourishing condition. The number of students attending these institutions is six hundred and sixty-two; of whom one hundred and twenty are in Columbia college, one hundred and fifteen in the university of the city of New York; two hundred and seventy-three in Union college; ninety-four in Hamilton college; and sixty in the college at Geneva. The communication from the president of the university, herewith submitted, shows that this institution is suffering a singular inconvenience from the partial liberality of the state.

The number of students in all the academies and grammar schools in the state, is thirty-four thousand six hundred and three. The number of the children attending the common schools is about five hundred and seventy thousand; and the whole number of children between five and sixteen years of age, is estimated as being a million and about six hundred thousand. There are about seven thousand common school districts in the state, including those under the charge of the public school society in the city of New York, in all of which schools are maintained during an average of eight months in the year. Of these school districts, there are very few which have not complied with the act providing for the establishment of school district libraries, and there are at this time in these various district libraries about one million of volumes.

Within the five years limited by the law there will have been expended in the purchase of books, more than half a million of dollars. Although an injudicious choice of books is sometimes made, generally in consequence of the influence of popularity, voyages and travels, works on natural history and the physical sciences, treatises upon agriculture, commerce, manufactures and the arts, and judicious selections from modern literature. Henceforth, no citizen who shall have improved the advantages offered by our common schools, and the district libraries will be without some scientific knowledge of the earth, its physical condition and phenomena, the animals that inhabit it, the vegetables that clothe its surface, and the minerals which under its surface, the physiology and the intellectual powers of man, the laws of mechanics and their practical uses, those of chemistry and their application to the arts, the principles of moral and political economy, the history of nations, and especially that of our own country, the progress and triumph of the democratic principle in the governments on this continent, and the prospects of its ascendancy throughout the world, the trials and faith, valor and constancy of our soldiers, and the inspiring examples of benevolence, virtue and patriotism exhibited in the lives of the benefactors of mankind. The fruits of this enlightened and beneficent enterprise are chiefly to be gathered by our successors. But the present generation will not be altogether unwarded. Although many of our citizens may pass the unimproved life, I trust the treasure it contains, the un-

pretending volumes will find their way to their fire-places, diffusing knowledge, increasing domestic happiness and promoting public virtue.

The institution for the instruction of deaf mutes, and the asylum for the blind, continue to make annual returns for the patronage they have received.

The legislature of 1839 very properly directed the immediate attention of the commissioners of the asylum for the insane to the completion of one of the four edifices contemplated by my predecessor. That building is designed to accommodate about two hundred and fifty persons, and may be prepared during the ensuing season for the reception of those who unhappily are to become its tenants. It duplicates upon the same system for the government of the institution. There is not within the range of the healing art, a department that requires so rare a combination of profound knowledge of the physical and intellectual constitution of man, with firmness, gentleness and devotedness, as that of the cure of mental diseases.

The geological examination of the state will be completed on the first day of June next. The public officers of the several state departments will be transferred to their new offices on the first of July. The building now occupied by those officers will, in pursuance of the law passed at the last session of the legislature, be fitted for the reception of geological, botanical, mineral and zoological specimens and the collection of the state. The final report of the geologists will be submitted at the next session of the legislature. Exhibiting a full view of the zoology, botany, mineralogy and geology of the state of New York, it will be a noble tribute to science and to the state.

The law passed last year concerning the redemption of bank notes has had a beneficial operation.—The currency issued by the several banking institutions and associations, has been assisted in its circulation. The bills of the City Bank at Buffalo have been redeemed by applying for that purpose \$262,358 82 of the state fund, and \$52,795 17 received from the contributing banks. The Wayne county bank at Palmyra, has recently been placed under an injunction at the instance of the bank commissioners, but the holders of its bills will sustain no loss. There remains of the capital of the state fund the sum of \$206,486 76.

The number of prisoners in the state prison at Auburn on the thirtieth day of September last, was six hundred and sixty-seven; of whom two hundred and fifteen were received during the year ending with that day. In the same period, twelve died, thirty-five were pardoned, and thirty-four were sentenced to the penitentiary. The amount received for the labor of the convicts during the fiscal year was \$61,355 35; and the amount expended for general support and necessary improvements was \$57,925 10. The excess of the earnings of the convicts over the ordinary expenses of the prison, was \$6,917 39. The number of convicts in the state prison at Mount Pleasant, at the close of the fiscal year was eight hundred and thirty-two. The number received during the year was three hundred and fifty-six; sixteen died, twenty were discharged by pardon, and one hundred and ninety-two by expiration of sentence, within the same period.

The amount of earnings was \$83,501 14, and the expenses of the prison were \$77,460 10. The fiscal condition of the prison is highly satisfactory, and their discipline has been improved. The convicts are encouraged to industry by the prospect of pecuniary reward, and the system of penitentiary industry to discipline, have altogether ceased. Sundry schools have been maintained, and in pursuance of my recommendation, the cell of each prisoner is always supplied with a volume of the school district library. This measure was followed by a gratifying improvement in the conduct of the prisoners.—Many venerable hours of solitary confinement are beguiled, resolutions of repentance and reformation are formed, and the inmates are in the pursuit of knowledge, and the contemplation of virtue and expanded by knowledge, are gradually prepared to resist the temptations which await them on their return to society.

The efficacy of the administration of justice must necessarily be impaired by a too frequent exercise of the pardoning power. Inconsiderate clemency operates as an encouragement to crime, and produces more misery than it alleviates. I have deemed it my duty to insist on the necessity of the pardoning power being exercised with the same narrow limits that have been heretofore observed.

It has been confined to those cases where the conviction was erroneous; where the punishment adjudged was excessive; where there were extenuating circumstances; where the justice were made; where the insanity of the prisoner showed that a

higher than any human power had interposed between society and the offender against its laws; where diseases threatening life might be removed by a restraint to liberty; and a small number in which the appeal for mercy was commanded by the act, the tender justice of the prisoner, or, or by the temptations which prompted, or the mitigating circumstances which attended the commission of crime, and was supported by evidence of remorse and reformation. The whole number of persons discharged from the state prison by pardon during the last year, was fifty-four. The number pardoned in 1839 was thirty-three. Of those pardoned in the two years, the rights of citizenship were restored to only six in number, who were found to have been unjustly convicted.

The whole number of persons pardoned for every description of offence, including misdemeanors, in 1820 was 254, in 1821 311, in 1822 308, in 1823 100, in 1824 190, in 1825 172, in 1826 253, in 1827 193, in 1828 321, in 1829 338, in 1830 135, in 1831 151, in 1832 107, in 1833 160, in 1834 149, in 1835 131, in 1836 99, in 1837 109, in 1838 153, in 1839 64, and in 1840 85.

Sixteen convictions for murder have been reported to us within the last two years. Of these one conviction was reversed by the court for the correction of errors; one convict was pardoned because, although he pleaded guilty to the charge, it was contrary to the evidence that he had committed the crime; the sentences of three were commuted to confinement in the state prison for life, upon the ground of doubts of the justice of their conviction, or from mitigating circumstances; nine have suffered the penalty of death. Two are now awaiting the same fearful punishment. While many citizens deny the absolute right of government to inflict capital punishment, all agree that its too frequent operation as an encouragement, rather than a preventive of crime, is an interesting and important inquiry, whether that frequency does not now exist among us.

The commissioners appointed to mediate a settlement of the difficulties on the manner of Rensselaer, have prosecuted the duty assigned them in a spirit of equal justice to all parties, and will, as I am informed, soon be prepared to submit a report.

The canals were navigable from the twelfth of April until the first of December, and this navigation has been less hindered than in any previous year. An increased depth of water has been maintained, permitting an increase of burthen in the boats used, and materially reducing the expense of transportation. The time required to complete the repairs in the dam across the Hudson river, at Troy, which was carried away by a flood in February last. It was also found necessary to substitute new structures for several decayed locks and bridges, in order to maintain the navigation of the Erie and Champlain canals. The expenditures for repairs, have therefore been somewhat increased.

The enlargement of the Erie canal has been prosecuted with all the diligence permitted by the appropriations for that object. Various portions of the work have been finished, and others will be completed within the winter. The amount expended for the enlargement prior to the 1st of January 1840, was \$1,650,661. The appropriations for that object, during the last year, were \$2,500,000, and the surplus revenues of the canals applied to the same purpose, were \$369,171. Thus, between the first day of January, 1840, and the first day of March next, the sum of \$2,969,171 will have been expended, making the total amount expended to be applied to this great work, \$7,523,832.

The experience of the present commissioners justifies belief that the sum of the enlargement will not exceed the corrected estimate submitted by their predecessors in 1839, viz: \$12,172,666. Deducting the amount which will have been expended on the first of March next, \$1,523,832, there will be required to finish the enlargement the sum of \$10,648,834. That portion lying between Albany and Rome might be completed in the spring of 1842; the part extending from Rome to Rochester, might be finished by the spring of 1845; and the residue, from Rochester to Buffalo, in the spring of 1847.

The legislature, at its last session appropriated \$100,000 for rebuilding the locks on the Chenango canal. The work has been commenced, and will be efficiently prosecuted. Fourteen of the new locks will be ready for use when navigation is resumed. A section of the feeder of this canal, one mile in length, was left in an unfinished state, and the navigation has been much hindered. The inconvenience has been felt more severely since the business of the canal has been increased by the transportation of coal.

The construction of the Black river canal has been continued. The portion of it from the Black

river to Rome, about thirty miles in length, required as a feeder, may and ought to be completed as soon as an additional supply of water shall be required for the enlarged Erie canal. According to the corrected estimate of the former canal commissioners, the cost of the Black river canal and feeder will be \$2,421,399.29. There was appropriated in 1836, the sum of \$300,000, and in 1840 the sum of \$250,000 was appropriated, to which is to be added the expense of a feeder from the Black river to the canal, estimated by the canal board at \$290,057.66, which has been transferred to the credit of this canal, making an aggregate of \$1,340,057.66; of all which, except about \$160,000, had, at the close of the fiscal year, been devoted to the completion of this canal.

That part of the Genesee valley canal, lying between Rochester and Mount Morris, 35 miles in length, was opened for navigation on the 1st of September last. The branch canal to Danville will be finished and connected with the main canal during the present winter. The cost of the entire improvement was estimated by the former canal commissioners at \$1,900,122.79. The sum of \$1,000,000 was appropriated in 1837, and in 1840, the whole of which will have been expended by the 1st of March next.

Forty-five miles of the New York and Erie rail road, extending from its eastern termination at Poughkeepsie, westward to the Hudson river, at the county of Orange, will be in operation within the present month. The entire length of the road will be four hundred and forty-five miles. Various portions, seventy-two miles in the whole, are graded and ready to receive the superstructure. The whole line, chiefly in the valley of the Susquehanna, are under contract, and the company represents that it is about closing contracts for one hundred and eighty-eight miles. It represents further, that its route will be in capacity for business, and the cheapness and safety with which it can be used, be an exception to none in the United States, and with the exception of its higher grades, equal to any in England.

The company also communicates its expectation of completing the work within the period of two years. The cost of the road, as estimated by the company, will be about nine millions of dollars. The amount which has been expended is one million and fifty thousand dollars. The credit of the state, granted by the law of 1838, was three millions of dollars, of which four hundred thousand dollars were issued prior to 1840, and four hundred thousand dollars within that year.

The construction of the Auburn and Rochester rail road has been successfully prosecuted. That portion of the road which extends from Canandaigua to Rochester, and connects with the rail road from the latter place to Batavia, was put in operation on the 1st of September last. It is expected that the whole will be finished within the ensuing eighteen months; and there will then be a continuous line of rail roads from Albany to Batavia, leaving a space of only forty miles without such communication, between the Hudson river and Lake Erie.

The commissioners appointed to survey the routes for a rail road from Ogdensburg to Lake Champlain, have performed that duty. I lay before you their report concerning the feasibility and advantage of an improvement which I deem essential to the development of the mineral resources of the state, and to its general prosperity.

The Delaware and Hudson canal company, and all the other companies which have been aided by loans of the credit of the state, have regularly paid the interest on the stock issued for their benefit.

The debt of the state, exclusive of that portion which was contracted for the construction of the Erie and Champlain canals, and which is regarded as paid by the accumulation of funds set apart for that purpose, and exclusive also of the contingent liabilities arising from the loans of its credit, is as follows:

Debt of the general fund, exclusive of what is called the permanent loan to the treasury from the canal revenues,	\$1,412,961 62
Debt for the lateral canals that are completed, including the recent loan for the Chenango canal,	3,351,784 21
Drafts contracted for unfinished works, viz:	
For the enlargement of the Erie canal,	6,560,000 00
For the Black river canal,	1,500,000 00
For the Genesee valley canal,	2,500,000 00
For the Onondaga river improvement,	50,000 00

Aggregate state debt, \$15,064,746 33
The net revenue of all the canals during the fiscal year, after deducting all expenditures and the deficiencies of the lateral canals, was \$1,020,918 57

Leaving a clear surplus, after paying the interest on the debt for the enlargement of the Erie canal, and the \$400,000 annually loaned to this treasury, \$398,095 95
The commissioners of the canal fund estimate that the clear surplus of the current fiscal year will be \$570,000 00
The expenditures from the general fund during the fiscal year, exclusive of the deficiency of the lateral canals, were \$779,324 36
The receipts from the sources provided for by the act of 1836, were \$729,211 01
From the payment of the balance due the preceding year from the canal fund, and from other sources, \$400,113 35

The militia of the state consists of four divisions, of which four are artillery, three are cavalry and horse artillery, thirty-three are infantry, and three are riflemen. These are divided into three hundred and sixty-nine regiments and separate battalions. The aggregate number of citizens enrolled in one hundred and eighty-three thousand one hundred, of whom seven thousand three hundred and thirty-six are cavalry and horse artillery, nine thousand and eight are artillery, three hundred and fifty-seven thousand six hundred and thirty-one are infantry, five thousand six hundred and sixty-nine are riflemen, and three thousand three hundred and eighty-two are enrolled in independent uniform companies. The governor has the honor to announce a gratifying improvement in the armaments of the militia, it will excite no surprise that its discipline remains as imperfect as heretofore.

The report of the commissary general presents an account of the department. The state owns two hundred and sixty-two iron, and two hundred and fifty-five brass pieces of ordnance, with arms and impromptu equipments for a force of one hundred and fifty thousand men. Your attention is respectfully called to the subject of the commissary general, concerning the necessary measures for the preservation of the important property committed to his care.

I submit herewith the correspondence which has passed between the executive of Virginia and myself, on the subject of the demand made by the former for the delivery of certain fugitives from justice, charged with stealing a negro slave. In bringing the subject of this demand before you, your predecessor, I observed that it fell within the province of the executive department, and that the duties of that department arose under the constitution and laws of the United States, and not under the laws of the four states mentioned. Nevertheless, the respect I owed to the executive of Virginia, and to the legislature of that state, induced me to submit my action for the information of the legislature. The governor of Virginia, by direction of the legislature of that state, subsequently transmitted to me certain resolutions of that body, with a request that I would lay the same before the legislature of this state. I was at the same time requested by the executive of Virginia to review the position which I had taken. Both these wishes were complied with, and with what results will appear in the correspondence now submitted. I have thought it might not be uninteresting to the legislature to receive also a copy of a special message by the governor of Virginia to the legislature of that state, together with a copy of a circular letter addressed by that functionary to the governors of the slaveholding states.

In discharging the constitutional duty of recommending such measures as may be deemed expedient, I shall have occasion sometimes to express my views, submitted to your predecessors, and to past legislation. It has been recommended that the legislature should insist upon the payment by the federal government of the four millions of the surplus revenues, and require a relinquishment by congress of all claims for a reimbursement of the moneys constituting the United States deposit fund. The moneys deposited with the states were derived from impost and duties on articles of foreign commerce, and were the property of the people of the United States. It cannot be denied that when the distribution was made, it was well understood by congress, that the form of a deposit was adopted, only for the convenience of the president, and at the request of the secretary of the treasury, this deposit is retained as a part of the resources of the treasury which has laid unclaimed for during a long period of fiscal embarrassments, although congress subsequently to the distribution, expressed its views on the subject by demanding the moneys without its express authority. Having observed with much pleasure, the introduction into the house of repre-

mentaries of a bill which would carry into effect the views I have heretofore presented to the legislature, I again respectfully submit the inquiry, whether the people of New York expect to withdraw from the support and endowments of common schools and other seminaries of learning, the sum of four millions of dollars thus derived, and pay it into a treasury which, when well managed, overflows with the tributes of their own commerce.

After the canal tolls, the duties upon the revenue are the duties upon auction sales, and upon the manufacture of salt at the salt springs. Previous to 1838, such sales were required to be made by persons appointed by the governor and senate. It was justly urged against this system, that it was a monopoly injurious to trade, and that it unnecessarily increased the patronage of the executive, and it was therefore abolished. It has been thought worthy of inquiry, whether the plan now pursued is not defective in provisions for securing the payment of the duties constituting the revenue.

The salt springs furnish a supply of water ample for the production of half a million of bushels of salt annually; but the demand within the region dependent upon them, scarcely exceeds half that quantity. It has been believed that by a judicious reduction of canal tolls upon the salt manufactured from the water of those springs, the market might be extended, the quantity of salt sold, and consequently the revenue of the state augmented. To these suggestions, I respectfully add that of a negotiation upon some equal basis with the state of Ohio, for a reduction of tolls upon our salt transported upon the canal to the western shore, might be reciprocated by a reduction of our tolls upon coal and other minerals from Ohio.

It was submitted to your predecessors that the administration of justice was hindered and delayed, and rendered oppressive, by the defective organization of the courts of law and equity; that the court of chancery was incompetent to its important duties; that causes remained on its calendar more than two years; that its patronage and powers were too great to be reported in a single paper; that the supreme court was oppressed with business, and could not perform it with the deliberation and despatch required by the public welfare; that courts of common pleas in the city of New York were overburdened by suitors, and had the form and organization of courts of justice, while they enjoyed little of the popular respect due to such tribunals, and performed few of their important functions; and that the compensation bestowed upon the judges, the clerks in chancery, and to the clerks of the supreme court, to county clerks, surrogate, notaries and supreme court commissioners for their services, to attorneys for the collection of debts, and to solicitors, counsellors and masters in the law, who were not, and were disproportionately to the services actually rendered, and was unnecessarily increased by the prolixity and tediousness of legal forms and proceedings. It was proposed to reorganize the court of chancery and the supreme court, to restore the efficiency and usefulness of the courts of common pleas, to enlarge the jurisdiction of the justices' courts, to introduce greater simplicity and brevity into legal proceedings, and to reduce the fees of the various public officers to such a scale as would afford just compensation for necessary services. Although the necessity of reorganizing the higher courts was earnestly insisted upon by my predecessor as well as by myself, his suggestions were not adopted by the legislature for several years, and has been made the subject of reference to the judiciary and to a special commission; yet such have been the difficulties attending any improvement, that it has been left to your consideration.

The only measures which have been adopted were temporary laws directing the appointment of two vice-chancellors in the first circuit, one in the eighth, and an additional judge of the court of common pleas in the city of New York. The legislature of 1839, reduced the fees and emoluments of registers and clerks in the court of chancery by a law which diminished the aggregate compensation annually paid to those officers by about the sum of \$30,000.

The legislature of 1840, entitled itself to the lasting gratitude of the people, by benign measures designed to produce reform in legal proceedings. It dissolved the counties, and merged the offices of county courts and boards of supervisors in the appointment of county treasurers and county superintendents of the poor, a conception by which judges were made partisans, and the power of the executive department was extended to the selection of the people in the selection of those legal functionaries. The office of commissioner of deeds was abolished, except in cities; its duties were devolved upon justices of the peace, while the fees allowed for their duties were diminished; and thus no officer was dispen-

with, in which there were about three thousand incumbents, and the burthens of the people were sensibly diminished. A law was also passed requiring all judgments designed to effect any real estate, to be recorded in the county in which the real estate is situated. The measure has relieved the situation of land of onerous charges, and much inconvenience, and has removed one of the causes which diverted business from the courts of common pleas to the extraordinary tribunals of the city and county courts was extended, so as to include controversies where the amount involved does not exceed one hundred dollars. It is gratifying to notice the progress of these domestic tribunals in the favor and confidence of the people. Their jurisdiction, which was originally limited to demands not exceeding five pounds or twelve dollars and a half. By other laws, the legislature reduced the fees of many other officers, and diminished the average cost of foreclosure of mortgages to a sum three times less than under the former system, that of collecting debts in actions not litigated to a sum of three months' fees, and the costs in litigated suits to an amount equal to three times the sum of the debt.

While there can be no doubt that these measures were in principle just, and that the reform which has been accomplished was necessary, it is complained by many who are conversant with the practical operation of the measures, that the reforms which have been passed are imperfect, liable to be evaded, and in some respects unequal in their operation. Such a result is by no means improbable. There are few of the works of man which are not susceptible of improvement. The objects of the present legislation, that laws seldom form an exception if the system which has been substituted in the place of one that has long prevailed, is, in any material respect, defective or unjust. I do not think that it will afford any place for the making of the necessary amendments. The charitable institutions under the patronage of the state, have heretofore been commended by you to the legislature; and I am happy to acknowledge that no appeal made in their behalf, has been unavailing. In the year 1839, the annual reports of the state required the visitation of the institutions for the deaf and dumb. The superintendent of the common schools was very properly charged with that duty.

The system of our penitentiaries it has been maintained that discipline ought to be tempered with kindness, and that moral influences should be employed to secure the submission and promote the reformation of convicts. Although some improvement has been made in the management of the penitentiaries, it is too often forgotten that the object chiefly contemplated in the adoption of our penitentiary system was the reformation of offenders. This object is of the utmost importance from considerations of prudence, as well as of philosophy. The unrepentant convict, after being released, spends a brief period in committing depredations upon society, and in corrupting youth, and then returns to the prison to exercise a vicious influence upon his fellow prisoners. Reformation can seldom be expected, without addressing the mind. I would have the school room in the prison fitted as carefully as the solitary cell and the work shop, and although attendance there cannot be so frequent, I would have it quite as regular.

The recent establishment of a separate institution for female prisoners, under the management of one of their own sex, reflects much honor upon the wisdom and humanity of the legislature, and the expectations of the legislature. Females convicted within the district from which criminals are received at the Auburn prison, are now sent to that penitentiary, where they remain until an executive order directs their removal to the prison for females, and such an order cannot be made for less than ten convicts. This temporary imprisonment of females in the prison at Auburn operates harshly towards them, and is inconvenient in regard to the management of that institution. It respectfully recommends that the law be modified so that females be directly conveyed to their proper penitentiary. The chief obstacle to a reformation of this class of offenders is the inflexibility with which society rejects them after their season of penance is past. While the cause of public morals requires their exclusion at least until they have given satisfactory evidence of reformation, humanity and expediency unite in recommending proper efforts to sustain those who are truly reformed.

It has been suggested that a retreat might be provided for them at Mount Pleasant, where, under the care of benevolent friends, they might maintain themselves by labor upon the good conduct they should be entitled to enjoy. I am informed that such a plan must necessarily be left to private liberty, and I am informed that such liberality is unwelcome to the undertaking, and I ready to engage

in it, if a proper edifice can be obtained. There is a building which belongs to the state, situated near the prison, and now of very little use, which might be devoted to this humane purpose, at least until the experiment can be tested. The whole number of male convicts in the state prisons is 1,423, of whom 1,133 are white, 270 are colored persons. The number of female convicts is 74, of whom 40 are white and 34 are colored. The sex has a just claim to extraordinary efforts for the reformation of the small number of persons it furnishes to our prisons.

The success which has crowned the benevolent efforts of the founders of the house of refuge, has induced an opinion, that it would be profitable to establish a similar institution, in the western part of the state, where the subject of its discipline could be maintained at much less expense than in the city of New York.

The law which authorized the imprisonment of non-resident debtors, against whom no fraud was alleged, was repealed at the last session upon the ground that the practice operated injuriously to trade, and was inconsistent with the benign spirit of our code. There remains now only one relic of that usage in this state. Imprisonment for debt is allowed in actions brought in the federal courts; and by the laws of this state, our jails, designed only for the custody of criminals, are permitted to receive a class of debtors confined by writs issued under process issued by the authority of the United States. If you shall be of opinion that no principle of the federal union requires us to extend our country so far, we shall no longer witness the imprisonment of debtors, and the unfortunate debtors, with the sanction of this state.

The legislature at its last session, communicated to our representatives the opinion that congress was imperatively required to exercise its constitutional authority to make the necessary amendments of the bankrupt law. I beg leave to refer you to the views of that interesting subject which were submitted to your predecessors, and to suggest a renewal of instructions during the present session of congress.

Our currency was sustained in 1839 and 1840, during a period of suspension in most other states. For this advantage we are indebted to a supervision of the banks, to the establishment of a free banking system, to the reduction of the price of the circulation of small bills, and to the law of the last legislature regulating the redemption of banks notes. The policy looked most conducive to the public welfare, was the establishment of a law increasing the number of chartered banks, and from legislation hostile to time in existence; to correct defects in the new system of free banking, and to give it a fair trial; to require of all banking institutions and associations, and to require a prompt redemption of their circulating notes; but also that such notes shall be at all times kept in good credit throughout the state. These views having prevailed in the legislature during the last two years, the public conveniences which heretofore existed, have ceased; and it has happened for the first time within thirty years, that the legislature has relieved alike from applications for banking privileges, and from complaints against those by whom such privileges are held.

We, the most careless observer can scarcely fail to perceive that political power in this country resides chiefly with that portion of the people which is engaged in agriculture—the who studies the operations of the soil, and who is the most industrious of the agricultural classes a guaranty of peace, good order and the stability of our institutions. It might therefore be expected, that the policy of our government would be such as to favor the first and most important of our domestic industry. But no such favor has been extended; at least to the agriculture which employs free labor. Our workshops are chiefly in Europe; and yet the productions of the grain growing states are actually excluded from European markets by the operation of our laws. Nor is this all. We import productions similar to those of our own soil; hemp from Russia, wine and silks from France, wool from Spain, and honey from Greece. But the most important of our domestic industry has been called to the subject of agriculture, less from a hope that direct relief could be afforded, than under a belief that our fellow citizens engaged in its pursuits might be assisted in gaining the fruits of their industry. Agricultural improvement have engaged public attention. One contemplates the foundation of agricultural societies, upon the model of that established in Berkshire county, in Massachusetts. A second class of this kind has been heretofore formed in this and many other states, and have been productive of very beneficial results. The other plan proposed for the establishment of a board of agriculture, and

was advocated by an eminent citizen, now deceased, who adorned his life and enriched the state by studies exclusively practical, and eminently useful.

We have many earnest admonitions against a state debt, and against a national debt, from those to whom this generation is indebted for all its experience of either. But I confess that the debt which it seems to me ought most carefully to be avoided, is that which results from an unrestricted importation of foreign legions, without any restriction of exports upon agricultural productions in exchange. The inhabitants of this state, alone, pay annually for foreign wares, more than the interest upon the cost of all its canals and rail roads; and for foreign ships an amount not less than the original cost of the Erie canal. Two provinces in Italy, with a population less than that of this state, and a climate represented as less genial to the mulberry and silk worm, export silk of the value annually of twenty-five millions of dollars. I cannot believe that our country, and especially this state, will always be content to retain its tributary condition. I have observed with pleasure that the school district library now in the course of publication by the enterprising Harpers, contains a very interesting and instructive treatise upon political economy and agriculture, which cannot be without their just influence. The fruits of the seed thus scattered, are sure to be gathered. It is only to be regretted that this generation should not allow itself to anticipate the harvest.

It was submitted to your predecessors, that while we are obliged by the laws of the United States, to preserve an extended and inconvenient organization of the militia, it would be just and consonant to the spirit of our institutions, that the arms and burdens of the service should be reduced and equalized. Our fellow citizens are enjoying the fruits of such a reform in the reduction of military funds, which was effected by a law passed at the last session.

The rank and file of the militia are mustered twice in each year, once by regiments, and once by companies, for the purpose of inspection, review and martial exercise. These parades would, perhaps, be less inconvenient if they were ordered on one or two consecutive days. Experience, however, has proved that they are entirely insufficient for instruction in military science. The number of days assigned for each duty will certainly not be increased. The law of Congress would be completely clogged by an annual muster for inspection on one day only; and for this inspection, a parade by companies would be more convenient than one by regiments. Uniformed companies might be safely relied upon for police, and the former and latter companies might be encouraged by abridging their term of service, and by furnishing them with arms from the state arsenal under proper restrictions. This would not affect the law prescribing the drills of officers, non-commissioned officers and privates, which might be beneficial to extend to this class some or all of the privileges allowed to uniform companies. Regimental courts martial are inconvenient and oppressive. If the commandant of each company were required to report all delinquencies to a justice of the peace, that officer could be charged with the duty of imposing and collecting the penalties prescribed by law.

A well settled principle of the society of Friends, that its members can neither conscientiously bear arms, nor contribute to military purposes. The constitution differs to these scruples, by exempting those who entertain them from the performance of military duty, and the law directs the state to avoid of which the law directs shall be applied to the support of the militia system. To this communication the Friends raise the same conscientious objection, and urge it in a manner sufficiently general and persevering to state that it is worthy of every our capacity, while their known liberality proves that the objection does not arise from any unwillingness to bear an equal portion of the burdens of government.

Every year produces instances in which the property of Friends is sacrificed, or their persons imprisoned for non-conscience sakes. In such cases, I have never refused to let the penalties imposed. But such a practice, if it should become general, would be an avowal of the existing power to abrogate a part of the organic law of the state. I am aware that the question has its difficulties. It is supposed that the grievance can only be removed by an amendment of the constitution; and there is not yet any sufficient evidence that the people are prepared to make this concession to the conscience of those who ask it in that inoffensive spirit which marks all their public actions. I assume to speak only my individual sentiments, when I say that I respect the principle of which the difficulty arises. Believing that war is the chiefest of na-

tional calamities, I am quite willing to see the principle of non-resistance obtain all the influence it is likely to acquire in this country, which, above all others, needs peace. For this reason as well as because I regard concessions to conscience in matters affecting justice as essential to a religious liberty, I should cheerfully consent to the amendment of the constitution in this respect.

I have on all proper occasions directed the attention of the legislature to the violations of the elective franchise. An important measure, in 1839, had been introduced in preventing what was called colonization in wards and towns, and in securing a more satisfactory scrutiny into the qualifications of persons whose right to vote is questioned at the polls. The act of 1840 regarding elections, and the law of 1841 have been universally satisfactory in its provisions for dividing the wards into election districts, and reducing the period for elections to one day. Although the registry of voters under the law is alleged by some to be imperfect, and by others has been deemed altogether unjust and unnecessary, I am free to acknowledge my conviction that it has excluded many illegal votes; and I am not possessed of any satisfactory evidence, that any operation has deprived any citizen of his franchise.

Legislation concerning the elective franchise ought never to be governed by partisan views.—The present season of repose from political contentions, and the opportunity which the present year will be satisfactory to all. I recommend that the time allowed for holding the general election and for the canvass in the several towns be reduced to one day, and that to facilitate the proceedings and promote the convenience of voters, the towns be divided into election districts, by their respective inspectors. To these measures it will be proposed by some of our fellow citizens to add a registry of voters in cities and villages, while a here will desire its extension throughout the state. The principle involved in these propositions is very simple. If a law establishing a registry can be passed, which in its operation will exclude no legal voters, and if illegal voting can in no other way be effectually prevented, such a measure ought to be adopted. But no law ought to be passed which will cause unnecessary inconvenience to legal voters. Your better acquaintance with the exigencies of the case, and with the sentiments of our fellow citizens, will enable you to select the most judicious as will be most conducive to the general welfare.

I recommend that it be made a felony for any unqualified person wilfully to vote, or cause his name to be registered; and that punishment be inflicted upon any person who knowingly and wilfully gives or abets such crimes. He who gives and he who takes a bribe should not only be severely punished, but be forever disfranchised. I recommend that the disfranchisement in such cases be made permanent, and that no person convicted in this manner as the incompetency to give testimony in his convictions for perjury.

It is too much forgotten that in establishing universal suffrage, we have brought into operation a new element of government. It is the equal distribution of political power among all the citizens over whom power is exercised. Universal suffrage is the condition by which we secure universal acquiescence in the laws. It requires the most perfect safeguards to secure its conservative and rightful action. We must not only establish all needful safeguards, but we must constantly maintain them, and after all, we must look upon the most elastic and effective policy, and to the enactments to secure the purity of elections. No efforts which overlook any class enjoying the elective franchise can be effectual to accomplish this great object.

Previous to 1802 no foreigner could be naturalized until after a residence of fourteen years. No one has better understood the tendency of republican institutions or entertained more just views of the principles upon which they were founded, than the illustrious citizen in a speech delivered in 1802 to secure an audacious of the naturalization laws. "Considering the ordinary chances of human life," he observed, "a denial of citizenship until a residence of fourteen years, is a denial to a great portion of those who ask it, and controls a policy passed from their first settlement, by many of the states, and still believed to be of consequence to their prosperity. And shall we refuse the unhappy fugitives of distress, that hospitality which the savages of the wilderness extend to the stranger, and refuse it in this land? Shall oppressed humanity find no asylum on the globe? The constitution has wisely provided that for admission to certain offices of important trust, a residence shall be required sufficient to develop character and discernment. But might not the general character and capabil-

ties of a citizen be safely communicated to every one manifesting a bona fide purpose of establishing his life and fortunes permanently with us?" In concurrence with these suggestions, congress passed the act now in force concerning naturalization. Probably half the population of this country at that time complied with its provisions, and secured to themselves the rights of citizenship; and there cannot now be less than half that number of citizens of foreign birth in the United States. This class is largely increasing.

The number of emigrants arrived at the port of New York in 1823, was about twenty thousand. The number in 1840, was sixty-one thousand. Although the liberal and enlightened opinions of Jefferson have been the basis of our political rights for almost forty years, yet an issue is still maintained upon these opinions between a portion of our fellow citizens, and those to whom the law, passed in conformity with their sentiments, has given a full participation in our political rights and privileges. Hence arise mutual jealousies. The consequences of these jealousies are seen in the separation and alienation of classes having common interests; in the malintention of the weaker, in the perpetration of injustice on the part of the stronger, and in the demoralization of portions of both; in frauds at elections and fraudulent proceedings under the naturalization laws. The policy and measures which I have recommended are calculated to do far better for the respect, the elevation of the social condition of emigrants, and the assimilation of their habits, principles and opinions with our own.

Not much however can be accomplished by legislation, to effect the relations between masses of native citizens and the change desired in this respect, must be left chiefly to time and the operation of our institutions. But it is not so in regard to the rising generation. The census of the United States is said to show that there are at the present time eight hundred and seventy-one white persons in this state who have passed the age of twenty years, without having learned to read and write. Let us make allowance for any proportion of adult foreigners, and there yet remain a large number of uneducated native citizens. The number of children now growing up in the same manner, does not fall short of thirty thousand. These are the offsprings, not of poverty and affliction, but of poverty and affliction, the first fruits of the fruits of our penitentiaries, that of this neglected class, those are often well fortunate, who from precocity in vice, secure admission into the house of refuge or the state prison, through the ways of crime and knowledge to which they have been accustomed for pardon, is urged on the ground of neglected education, I have left it an imperative duty to appeal to the legislature, to render our system of education as comprehensive as the purposes for which it was established.

Of one thousand and fifty-eight children in the alma house of the city of New York, one-sixth part is of American parentage, one-sixth was born abroad, and the remainder are the children of foreignness; and of two hundred and fifty children in the house of refuge, more than one-half were either born abroad, or of foreign parents. The poverty, misfortunes, accidents and prejudices to which foreigners are exposed, satisfactorily account to be used, for the unequal proportion of their children in the neglected class to which the attention of the legislature was called. Although the excellent public schools in the city of New York are open to all, and have long enjoyed great success, yet it is to be feared that, nevertheless the evils there exists in its greatest magnitude. Obviously, therefore, something more is necessary to remove it than has yet been done, unless we assume that society consents to leave it without a remedy. These circumstances lead me to the reflection, that possibly a portion of those whose other efforts had failed to reach, might be brought within the nurture of the schools, by employing for their instruction teachers who, from their religious opinions, might be expected to regard the instruction of the neglected class as a duty. When the census of 1850 shall be taken, I trust it will show that within the borders of the state of New York, there is no child of sufficient years who is unable to read and write. I am sure it will show that, at that time, ten years before, there were thirty thousand children growing up in ignorance and vice, a suggestion to seek them wherever found, and win them to the ways of knowledge and virtue by persuasion, sympathy and kindness, was prompted by a sincere desire for the common good.

I have no pride of opinion concerning the manner in which the education of those whom I have brought to your notice shall be secured; although, I might derive satisfaction from the fact that the said abolition misrepresentation of the method suggested, no one has contended that it would be

ineffectual, nor has any other plan been proposed.—I observe, on the contrary, with deep regret, that the evil still remains as before, and the question recurs, not merely how or by whom shall instruction be given, but whether it shall be given at all, or be altogether withheld. Others may be content with a system that erects a school and offers gratuitous instruction. But I trust I shall be allowed to entertain the opinions that no system is perfect that does not accomplish what it proposes; that our system is therefore deficient in comprehensiveness, in the exact proportion to the extent to which it leaves undisciplined; that knowledge, however acquired, is better than ignorance; and that neither error, accident nor prejudice, ought to be permitted to deprive the state of the education of her citizens. Considering the state, I could not enjoy the consciousness of having discharged my duty, if any effort had been omitted, which was calculated to bring within the schools all who are destined to exercise the rights of citizenship, nor shall I feel that the system is perfect, or liberally safe, until that object be accomplished.

Not personally concerned about such misapprehensions as have arisen, but desirous to remove every obstacle to the accomplishment of so important an object, I very freely declare that I seek the education of those whom I have brought before you, not to perpetuate any prejudices or distinctions which deprive them of instruction, but in disregard of all such distinctions, and in order to afford their education, less from sympathy, than because the welfare of the state demands it, and cannot dispense with it. As native citizens, they are born to the right of suffrage; and as such, they are to be taught to read and write; and in asking this, I require no more for them, than I have diligently endeavored to secure to the inmates of our penitentiaries, who have forfeited that questionable franchise by crime, and stand in the position of slaves, having been plunged by us into degradation and ignorance, has been excluded from the franchise by an arbitrary party qualification incongruous with all our institutions.

I have not recommended, nor do I seek the education of any class in foreign languages, or in particular creeds or faiths; but fully believing with the author of the Declaration of Independence, that even error may be safely tolerated, when reason is left free to combat it, and that, by indulging no apprehensions from the influence of any language or creed among an enlightened people, I desire the education of the entire rising generation in all the elements of knowledge we possess, and in that language which is the universal language of our countrymen. To me the most interesting of all our republican institutions, is the common school. I seek not to disturb, in any manner, peaceful and assiduous exercise, and leave of all, with contentment about faith or forms! I desire the education of all the children in the commonwealth in morality and virtue, leaving matters of conscience where, according to the principles of civil and religious liberty established by our constitution and laws, they rightfully belong.

The policy of the state in regard to internal improvements has been a subject of much difficulty. In 1839, the state having completed the Erie and Champlain, the Chenango, the Oswego, the Cayuga and Seneca, the Chemung and the Crooked Lake canals, and thus open to the city of New York an inland navigation of four thousand five hundred miles was found engaged in enlarging the Erie canal to the dimensions of sixteen feet in width by seven feet in depth, in making the Genesee valley and Black river canals, and in aiding by the loan of its credit, the construction of the New York and Erie, the Auburn and Syracuse, the Ithaca and Oswego, and the Catskill and Champlain rail roads.

The report of the comptroller showed that the debt which had been contracted for the construction of the Erie and Champlain canals was virtually paid, that the liabilities for the completed inland canals were about one-third of a million of dollars, which, added to the remaining debt of the state, exclusive of debts assumed for the unfinished works, made an aggregate of four and a half millions of dollars. The estimated expense of the works in progress, as appeared by the report of the canal commissioners, was about fifteen and a half million of dollars, which, if added to the existing debt, would have made an aggregate of about twenty millions, the same in fact, which would be required for the completion of the Erie canal, yet their future increase could not be a matter of question, and it was equally certain that they would be accelerated and augmented by the growth of the trade from the western states, and by the reduction

of the expense of navigating the Erie canal when it should be enlarged.

The canal commissioners communicated to the legislature their opinion, that in a few years after the completion of the enlargement, the tolls would amount to three millions of dollars. If from this sum even one million of dollars were set aside for the expense of superintendence and repairs, the enlarged Erie canal would yield a revenue of two millions of dollars, double the amount required to pay the interest on the debt of twenty millions of dollars, and would thus secure the annual net revenue of the state, after the completion of the enlargement, would therefore be one million of dollars. The view thus taken in 1839, of the existing and anticipated condition of the state, was regarded by me as justifying the vigorous prosecution of the public works, and the expression of a confident hope, that the time had come when the state might realize the long cherished expectation of an extension of her system, of internal improvement. Experience has fully confirmed the positions then assumed, so far as they depended on the revenue from the canals. The tolls, during the season of navigation in 1840, were \$1,735,747 57.

The legislature of 1839 had directed stocks to be issued to the amount of two millions eight hundred thousand dollars for the construction of the Genesee valley and Black river canals; and the legislature of 1838, under an earnest recommendation by my predecessor, had authorized the issue of stocks for the enlargement of the Erie canal had appropriated four millions of dollars to that object. The canal commissioners, under the express direction of the legislature, to put under contract, with as little delay as possible, such portions as could be readily completed, the entire enlargement with double bonds on the whole line, had made contracts for one-half of the whole improvement.

The legislature of 1839 came into the conduct of public affairs addressed themselves in good faith to the performance of their duties in regard to the public works. A sudden change, however, then occurred. The official report of the retiring comptroller, in relation to the following year, showed that the state, which had in 1836 induced the legislature to undertake the construction of three stupendous works, and had impelled the legislature of 1838 to expedite the prosecution of that one which was expected to be the most important, and in which the state had made, exhibited a dark picture of irredeemable debt and perpetual taxation.

The policy to which, under the auspices of the present administration, the state was committed, and to which it had already devoted millions of dollars, besides pledging its credit in aid of associated enterprise to the extent of four and a half millions was now represented as involving the people in a debt of forty millions of dollars, and what was still more extraordinary, all the improvements of the policy was assigned, not to the administration under whose auspices it had been adopted or to the legislature of 1836 and 1838 by whom all the appropriations had been made, but to an administration upon which had devolved the duty of finishing works long before begun, by which no money had been expended, and under which no appropriation had been made. In his report of 1839 the discovery was promulgated by the late comptroller, that the Erie and Champlain canals, whose revenues had been relied upon by the legislatures of 1836 and 1838 as justifying an expenditure of twenty millions of dollars in other enterprises, had never yielded a revenue equal to the interest on the debt incurred. Although the dimensions of the enlarged canal had in 1835 been fixed at seventy feet in width by seven feet in depth, and although one-half of this work was under contract, it was pretended to be further discovered that the enlargement had been undertaken upon a scale absurd in magnitude and profligate in expense.

It was proposed to reduce the dimensions of the enlargement to sixty feet in width by six feet in depth, and it was contended that no enlargement whatever would be necessary for the purpose of trade for a period of ten, twenty or thirty years. It was maintained that the opponents of internal improvement, by the construction of the Erie and Genesee valley canals and maintenance of the faith of the legislature, pledged in 1835 to the New York and Erie rail road company, were in policy as well as in fact, the enemies of the state and as reckless and dangerous as would be the creation of titles of nobility with patents of numerous landed estates requiring an outlay of twenty-five millions of dollars, and an annual stipend of more than one million of dollars to be paid upon the people. It was also insisted that the first business of the legislature should be to repeal the laws authorizing the construction of the Genesee valley and Black river canals, and also the laws authorizing loans to canals

and rail road companies, to stop the enlargement of the Erie canal or circumscribe it within reasonable bounds, to raise the tolls on the lateral canals so that the revenues from those canals might pay the interest on their cost and the annual expenses of their repair, and to relinquish such of them as could not be made profitable.

And all this was urged as if the sudden abandonment of those enterprises would not involve in wretchedness thousands of families, and as if our state, whose successful policy had been imitated as a model by other states, and had elicited the admiration of mankind, had suddenly become destitute of wisdom, honor and good faith. History may safely be charged with the duty of assigning the reasons for such singular and unaccountable measures, however, for the present purpose to observe that the same canal commissioners who had in 1836 estimated the cost of the works which the state then assumed as fifteen and a half millions of dollars, when required in 1839 to re-examine their estimates, reported the cost of the same works at thirty and a half millions, and that consequently the debt to which the state had become committed rose from twenty millions to thirty-five millions, requiring an additional expenditure for interest of one million seven hundred and fifty thousand dollars.

The discovery of this extraordinary error in the estimates of the commissioners happened at a time when the state was brought to a crisis, the spirit of internal improvement pervaded the community, and our fellow citizens, relying upon the views of our resources before presented, were looking forward to various improvements in which they justly felt an absorbing interest. The immediate results at home and abroad were a severe shock to confidence in the faith of the state, and a serious expenditure for losses in each region in regard to improvements immediately beneficial to others, and impatience in every portion of the state for such immediate and large appropriations as would secure the completion of the public works before the approaching catastrophe should take place. It was doubted for a time whether the tendency of all this was to a desperate compromise, by reckless expenditure, or to an immediate suspension of all public works.

The policy recommended in this emergency was to retrench expenditures, and persevere in the construction of the public works with moderation and economy, to refer the plans of the unfinished improvements to the consideration of the legislature of the Canal, to competent engineers, to ascertain what portions of the same might be delayed without detriment to the public interest, what expense might be saved by executing other portions in an equally efficient, but more plain and economical, and to establish a canal board for the purpose of preventing erroneous estimates and inconsiderate legislation. It was moreover especially insisted, that, with a view to guard against a dangerous increase of debt and the possibility of taxation, all issues of stock should therefor be so limited that the whole debt of the state should at all times be kept within such bounds, that the interest on it should not exceed the net revenue from canal tolls, and that the increase of that revenue should be devoted to the extinguishment of the public debt. It was assumed, that although the adoption of this rule might seem to delay for a season the progress, it would ensure the completion of the great work in contemplation in different parts of the state, and it was maintained that the retardation, which had from such obvious causes become necessary, ought by no means to be considered a hindrance to the progress of the policy of internal improvement, but that on the contrary such retardation was indispensable, and was indeed the only mode of carrying it forward with certainty and success. This policy, which in its inception was clearly and ably sustained by the legislature of 1840, is respectfully recommended to your favor.

I tender you my congratulations upon the happy termination of the embarrassments to which it has been exposed, and the abundant evidence which it has afforded by the pillars of her strength and glory. Time enough has elapsed to show that our fiscal condition is sound; that, although the expense of our improvements was enormously estimated, our resources were abundantly adequate, and that, with judicious management, we may persevere firmly in the policy of internal improvement, with a confident expectation of accomplishing ultimately all that has been contemplated.

The Erie canal has, during the last season, been subjected to a test of its ability. From the opening to the close of navigation, a period of seven months and a half, there was an

average of lockage at each lock of one boat in eleven minutes. The irregular arrival of boats has caused much detention and often delays of several days. The immediate enlargement, therefore, of the portion of the canal in which it is liable to the public convenience, and to the security of trade—1,805,123 barrels of flour and 1,293,195 bushels of wheat were delivered at the eastern termination of the canal during the past season. 616,570 barrels of flour and 1,467,061 bushels of wheat entered the canal from Lake Erie. Of the flour and wheat which entered the canal at Buffalo, 593,262 barrels of flour, and 723,025 bushels of wheat were received from the state of Ohio, 112,215 barrels of flour and 97,239 bushels of wheat from the state of Michigan, 13,726 barrels of flour, and 48,279 bushels of wheat from the state of Indiana, 2,259 barrels of flour, and 10,634 bushels of wheat from the state of Illinois, and 106 barrels of flour from the territory of Wisconsin.

These facts serve to show, not only how safely we may rely upon a continued increase of revenue, but also how much we are indebted to our system of internal improvement for the supply of our markets. If such nations as enjoy the use of the Erie canal is in an imperfect condition, and while the western states are yet in their infancy, no estimates heretofore made have approximated to the results which will be exhibited, when the Erie canal shall have been enlarged, the western states fully settled and their improvements completed.

The earliest practicable notice should be given of the time when the enlargement will be finished.—The capital, invested in boats and other property used in navigating the canal, exceeds the value of dollars. Very extensive business arrangements among our fellow citizens will be affected by the improvement in navigation, and time should be allowed to prepare for the change.

It is the peculiar and rightful province of the legislature to determine the amount to which the appropriations can be carried, and to give them their direction. I may be permitted, however, to observe that the object of internal improvement is not to confer local advantages, but to promote the general welfare; that, although revenue is necessarily an intermediate, it ought not to be the ultimate purpose of the system; that moderation and economy are required, even to save us from the effects of immoderation, then because the revenue is to render the system as comprehensive as the wants of the state. Legislative action should, therefore, always have in view the improvement of every region. Although some portions of the state may have others in point of population, no portion without fertility and resources of wealth. There are some regions in which canals would be impracticable or unprofitable, but there are none in which some form of modern improvement cannot be successfully introduced.

No one who studies the general welfare should wish to have the productions of one district dependent for a market upon the precarious navigation of fordable rivers, while those of another are transported upon an enlarged canal or by steam power; to see mails carried weekly through one portion of the state by the slow post wagon, while other portions of our citizens are receiving daily intelligence, transmitted by rail roads. Those who suppose that natural obstacles, wherever existing, cannot be overcome or removed, and that the course of trade cannot be affected by artificial improvements, may contemplate with advantage the success which has crowned the efforts of our state in counteracting, in its own narrow trade of its northern, and in its own narrow channels of trade than rivers down towards widely distant ports. Another example will soon be afforded in the successful attempt of the citizens of Massachusetts to divert from the valley of the Hudson at least the winter travel and trade between this and the sea shore; an enterprise which they are prosecuting firmly and rapidly, while in regard to that interest we are relying upon the season, but hazardous theory of leaving the course of trade to the laws impressed by God upon mind and matter.

Although seventeen millions of people have founded their cities and established their homes, order and less than one-third of the territory within the boundaries of the confederacy is occupied or appropriated. What remains is the national domain. Every acre of it has a volume—for its future improvement is as certain as the present cultivation of the soil. At the close of the war, the condition, the failure of the public credit effectually prevented the prosperity expected to follow the establishment of independence and the return of peace, while the efforts of the states to establish a more permanent union were embarrassed by their conflicting claims to the vast wilderness, lying between the western settlements. With magnanimity, characteristic

of the revolutionary period, each state ceded its interest to the federal government as a trustee. The whole domain was thus made the common property of all, and it was pledged to the public creditors as a basis for the redemption of the public debts of the union. To 1823 those debts were discharged.

The revenues, derived from imposts upon imported merchandise, and, or ought always to be, adequate to the ordinary expenses of the government. Although those revenues may be temporarily diminished and diminished by errors in the laws regulating them, or by foreign war, or commercial revolution, yet they soon regain their regularity and fulness, and the chief difficulty in conducting the affairs of the government, both before and after 1823, was likely always to be, how to keep the revenues within the bounds of reasonable expenditure without withdrawing all protection from national industry. The reason is obvious. The states have reserved to themselves the powers of taxation, and powers of legislation for the public welfare, but have yielded to the general government an undue proportion of the taxes.

The maintenance of public defence is sometimes made a pretext for withholding from the states the protection of their commerce, and the preparation of military preparation in time of peace are generally preparations to compel subjection at home, and to subvert free institutions. It may safely be left to the people to decide, which are the best defenses of the people, the government, or the people. The army and navy, or standing armies—Danger from foreign aggression is manifestly diminishing, and if unhappily the scourge of nations shall fall upon us, the ability of the states to maintain the public defence will be proved, by the assistance which they bring from the revenues from the public domain.

Experience has proved that the organization of the general government is ill-adapted to secure accountability, at least to the part of its subordinate powers which are exercised in the several states. The people derive their powers, in too independent of congress, and every department is quite too far removed from the people to allow that popular supervision, which is so salutary in its operation upon similar functions in the several states. The contribution of the avails of the public lands was resisted last year by misrepresenting it as a measure by which the general government was to assume or guarantee the debts of the several states. So far as an independent proposition to the people, it was rejected by any one of the states. But the occasion and the motive for this misrepresentation having passed, it is hoped that the true question may now be brought before the people on its merits.

When we remember that the distribution, heretofore made of the surplus revenue, was attained with much difficulty, and then only secured an executive veto, by receiving the force of a loan to the states; when we remember that a bill which had passed both houses of congress and received the assent of the avails of the sales of the public lands was just for want of approval by the president, and that subsequently a veto to release, without equivalent, a large portion of the domain to the new states within which it lies, was passed by the senate, and that a similar bill is now before that body, we shall be satisfied that the true form of the question is, whether those revenues shall now be distributed, or be lost forever.

So long ago as 1806, the discharge of the national debt, and the consequent accumulation of surplus revenues from imposts and the public lands, were foreseen by the enlightened and sagacious statesman who then occupied the executive department of the United States. In two annual messages to congress, he earnestly insisted that the anticipated surplus should be appropriated to the improvement of roads, canals, rivers, education and other great foundations of prosperity and union, and suggested an amendment of the constitution for this purpose. The amendment, foreseen by president Jefferson, was delayed by interruptions of our commerce until 1823.

The eminent citizen, who in 1829 entered upon the duties of the executive department, observed, in his first message, that every member of the union, in peace and in war, would be benefited by the improvement of the inland navigation and the construction of highways, the several states were urged to "endeavor to attain this benefit in a mode that will be satisfactory to all. This, hereto adopted has, by some of our fellow citizens, been decried as an infraction of the constitution. It has been said, 'the several states have reserved to themselves the power of taxation.' All from that it has been employed at the expense of the states in the legislative councils. To avoid these evils, it appears to me the most safe, just and federal disposition which could be made of the surplus revenues, would be, its appropriation among the several states, according to the ratio of representation."

This suggestion by president Jackson met a favorable response throughout the union, and was especially approved in this state. The governor, in his message of 1830, observed: "The several states have reserved to themselves the power of taxation. It is a principle applicable to the extension of our public works, and is as applicable to no distant day from a new source. The duties upon the importation of merchandise are secured by the constitution of the United States to the general government, and have been its greatest source of revenue for all purposes. In a year or two, the national debt will be paid off, and as but a small portion of the revenue will be consumed in conducting the affairs of the union within the constitutional limits, and as there are prudential reasons for continuing the duties to a certain extent, they can be no valid objection to a distribution of the surplus revenues among the states, to be disposed of at their discretion. If constitutional obstacles exist against the measure, they may be removed by constitutional means."

I acknowledge my inability to present a full view of the benefits, this measure would confer upon the people of this state. Our seminaries of learning are now enjoying an annual endowment of two hundred and eighty thousand dollars, arising from the appropriation heretofore made.

The amount of no revenues from the public lands for the present year, an estimate by the secretary of the treasury of the United States, will be three and a half millions of dollars, of which the share of this state would be nearly six hundred thousand dollars. An interest of five per cent. of the settlement of the public lands may be received from the sale, and the population of the state of Indiana has increased, within the last ten years, from three hundred and forty-one thousand to six hundred and eighty-three thousand, and the population of this state, from thirty-one thousand to two hundred and eleven thousand. What the actual value of our share of such a distribution would be, cannot be estimated, but it may safely be assumed that it would far exceed all that we have expended in the construction of canals and roads, the foundation of charities, the erection of penitentiaries, and the endowment of colleges, academies and schools.

After such an accession to our revenues, the various enterprises of internal improvement would no longer be so far from the prospect of success, as they are now, from the influence of local jealousies and claims of taxation. The present generation would anticipate the blessings in store for posterity, and every portion of the state would be absorbed immediately to their enjoyment. It would be no longer our policy to increase our system of improvement but also to increase in other ways the general happiness. We are now obliged to practice a cold and calculating charity. We have more than twenty three hundred lunatics in the state, yet we have made provision for the relief of only two hundred and fifty. We have more than a thousand deaf and dumb persons, yet we are obliged to select by favor from among them, instead of putting the lights of truth and knowledge into the minds of all. Our alms-houses are perhaps sufficiently convenient for those who are brought into them by illness and vice, but do they afford all the enjoyments we would be happy to yield to the aged, the sick, the widow and the orphan, whose afflictions are the result of providential visitation, unattended by vice or error of their own? Should we longer contend about the appropriation of money devoted to education, if our funds are so abundant, and the full enjoyment of all our social and political rights, and the full enjoyment of the great fruits of our common school, the small compensation paid to teachers, if we could adequately increase the common school fund, upon which we rely for the education of more than half a million of children?

But if it be maintained that enough has been done for the relief of wretchedness and the improvement of the foundations of prosperity and union, what reason can be assigned why, with the revenues in question secured, the property of the people, the burthen of the people, should be diminished? Let us bring annually into the treasury of the state, her proportion of these revenues, and our fellow citizens can be relieved of the burthen of repaying common roads, and of paying tolls upon canals, rail roads and turnpikes, and of the heavy expenses of the administration of justice, and the support of schools and charities. We are sometimes called by the adversaries of internal improvement to content ourselves with the existing taxation. Who can object to a measure which secures almost secure a general exemption from the burthen of government?

But we shall derive from a distribution of the surplus revenues other advantages than those resulting directly. We are to partition the vast western benefits conferred upon other states. Our system of

Internal improvement is only a part of that entire system contemplated by the father of our country, and relied upon by him to accomplish the object of his earnest solicitude—the binding of the states together in an indissoluble union of affection and interest. Not to dwell upon the importance of thus securing the ark of our political safety against the storms to which it must sooner or later be exposed, we have interests of a subordinate character, in the completion of the public works of our sister states. It is such a distribution of labor, we should be able, if we are not now, to connect the Chenango, the Chenung and the Genesee valley canals with the rail roads and canals of Pennsylvania; render them productive of the same advantage as time give a new impulse to our domestic trade. Lake Ontario and the St. Lawrence river would no longer be separated from the central valley through which our commerce flows, but the vast territory which intervenes would be traversed by rail roads and canals, its forests would disappear, its soil would be rendered productive, and its mineral wealth be no longer left among the neglected resources of the state. Ohio proceeds in her system slowly. Michigan labors under great difficulties in her efforts to construct roads that will establish a connection between her inland regions and Lake Erie. Indiana and Illinois are struggling with extreme embarrassment in the prosecution of works upon a scale of equal magnitude with ours. It is not surprising that the financial difficulties of those states are magnified, and their credit trampled in the stock markets of Europe. But it is strange indeed, when we reflect that there are members of this confederacy, seeking close union with the great whole, that they should be visited with the censure of the federal government, in a season of embarrassment, and that the senate of the United States should, in the face of the necessities of the crisis, refuse to grant in their behalf a guarantee which they have never solicited and never desired.

One might suppose, from the cold speculations, sometimes heard among ourselves concerning the convenience of those states that they were bound, or at least rival powers, and that our security and prosperity rose with the decline of theirs. Yet it is otherwise. They are communities bound to us by interest, as well as by consanguinity between their citizens and our own; their interests are our prosperity, and no calamity falls upon them by which we do not suffer, although we may withhold our sympathy. The great lakes, about twenty-five hundred miles in length, may be regarded as a prolongation of the canal system, which is our isthmus which separates their waters from those of the Atlantic. Following the policy which has dictated the construction of our lateral canals, the states situated upon the shores of the great lakes, have actually undertaken the construction of improvements, to connect their interior regions with these inland seas. The Ohio canal, three hundred and twenty miles in length, reaching from Lake Erie to the great river which separates the states of Ohio and Kentucky, secures to us the trade of the nearest regions of the great west. The trade of the central portion of the west will be given to us by two other improvements, to wit: the Wabash and Erie canal, two hundred and thirty-four miles in length, extending from Lake Erie through the states of Ohio and Indiana to the navigable waters of the Wabash river; and the Miami canal, two hundred and ten miles in length, reaching from the lake to the north branch of the Ohio river, which flows into the Wabash canal at Fort Defiance. The canal of Illinois will extend to the Mississippi the navigation we now enjoy, and thus bring us the trade of the remotest western settlements.

These three canals the Ohio is already completed. That portion of the Wabash and Erie canal, one hundred and forty-four miles long, lying within the state of Indiana, is finished, and the remaining portion, ninety miles in length, which lies within the state of Ohio, is yet incomplete; but the late governor of that state, in his last message, gave the assurance that it would be ready for navigation during the present year. Of the Miami canal, which the state is under contract to complete, one hundred miles have been completed. Of the Illinois canal, which will cost about eight millions of dollars, about one-half is finished, and the construction of the remainder, unhappily retarded by financial embarrassment, will be completed in the aid which the state of Illinois has a right to claim from the general government, or by a speedy distribution of the proceeds of the public lands. When we consider the vast amount and value of the agricultural productions of the western states, and alone, the only one of those canals yet in full operation, we may form some imperfect conception of the interest we have in the success of the system of internal improvement in the western states. And

when such conceptions become as familiar as they are just, we shall manifest more of wisdom than even of philanthropy, by lending our western brethren all the aid in our power to complete what none but frugal and enlightened states could ever have undertaken. Views similar to these were commended to your predecessors and received their approval. If they accord with your own, I respectfully suggest the propriety of renewing the expression of heretofore made in favor of the great measure I have advocated.

The people of the United States have, within the last year, in a manner prescribed by their own laws, in perfect tranquillity, chosen by free suffrage, the men to whom the administration of the government by whom all the powers of government shall be exercised shall again legal responsibilities, until those powers shall again return to themselves. However we may have differed concerning the questions which have been considered, still agree that the peace, fairness and good order which have attended the proceeding, furnish ample proof that the people may safely be allowed to discuss every measure that concerns their welfare; and that neither force nor violence will be resorted to by the victors, where power is limited, reason enlightened, and suffrage universal.

The chief magistrate of the union will enter upon his trust with favorable auspices. The public good interests and the public mind will be sustained. Fortunate in experience of public services in the senate and the field, in executive and diplomatic stations; fortunate in exemption from prejudice in favor of any erroneous policy hitherto pursued; fortunate in the payment of his country's obligations, and gratitude, and especially fortunate in having at once defined and reached the boundary of his ambition, the president can have no other objects than the public welfare and an honorable fame.

The people expect that he will preserve peace, maintain the integrity of our territory and the inviolability of our flag, co-operate with Christian nations in suppressing piracy and the slave trade, ally himself for every other purpose, conduct our foreign relations with frankness and fairness, terminate our controversies with the Indian tribes, regain their confidence and protect them against cupidity and fraud; confer the actions of the executive within the limits of the constitution, and abstain from interference with elections and the domestic concerns of the states; defer to the wisdom of congress, and submit to the will of the people; observe equal and exact justice to all men, and in the conduct of our foreign relations, be just, steadfast, that enterprise may not be disappointed; with economy, that labor may not be deprived of its reward; and with due accountability of public agents, that republican institutions may suffer no injury. I could not but understand that such expectations, no discomfit can affect—an opposition can embarrass him; for he will act in harmony with the spirit of the constitution, and with the sentiment of the people. And when, like him whose fame is unapproachable, but whose wisdom and moderation this distinguished citizen has adopted as his great example, he will have healed his country's wounds and restored her happiness and prosperity, he will enjoy the rare felicity of a retirement no honored than even his distinguished station.

When called two years since to survey the state for the purpose of submitting the result to the legislature, I could not but be deeply and long-enduring impressions of the wisdom of Dr. Witt Clinton. When considering how I could in any way contribute to diminish the burthens of the people, to promote public prosperity, to diffuse knowledge, to improve the mind and encourage the arts, to develop the resources of the state, to extend its internal communications by land and water, and equalize the advantages of free government among all my fellow citizens, I could not fail to see that its genius had marked out in all these respects the policy which the state, in the emphatic spirit expressed by her noble motto, could pursue to a higher and happier social condition than had ever yet been attained by any community. When reflecting upon the numerous and various difficulties which were to be encountered, I found in his great face an evidence that such a policy might be pursued with safety, although it must sometimes come in conflict with the passions and temporary interests.—Under the influence of feelings thus inspired, I ventured to express a hope that the time had arrived when the state was prepared to acknowledge her obligations to so distinguished a benefactor, but I trust not by any very long period, the justice of my fellow citizens.

WILLIAM H. SEWARD.
Albany, January 5, 1841.

TWENTY-SIXTH CONGRESS—24 SESSION. SENATE.

January 13. *John Leeds Kerr*, senator elect from Maryland, in the place of the hon. Mr. Spruce, deceased, appeared, was qualified, and took his seat. The *senator* presided, laid before the senate a communication from the treasury department, in compliance with a resolution, showing the rates of foreign and domestic exchange in the years 1838, '39 and '40.

Also, from the same, showing the number of clerks employed in the department, with the salaries annexed.

Memoirs and petitions were presented by Messrs. *Leads and Rogers*.

Mr. Graham, from the committee on revolutionary claims, reported a bill to authorize the building of a monument in commemoration of the services of brigadier generals Davidson and Nash, of the state of North Carolina, who fell in defence of their country.

The bills introduced yesterday as having been ordered to be engrossed, were severally read a third time and passed.

Mr. Merrick moved to take up the bill transferring the stock of the United States in the Chesapeake and Ohio canal to the state of Maryland.

Mr. Clay, of Alabama, said he wanted the United States to get rid of all stock of that kind, but, as the *senator* provided laid before the senate a communication from the treasury department, in compliance with a resolution, showing the rates of foreign and domestic exchange in the years 1838, '39 and '40.

Mr. Merrick appealed to the courtesy of the senator—that bill had passed the senate at the last session, but was lost in the other house, for want of a quorum. The legislature of Maryland was now in session, which made a speedy action the more urgent.

Mr. Clay, of Alabama, thought the senator could call it up to-morrow, to which Mr. M. said he must assent, as there was no remedy.

The senate then proceeded to the consideration of the special order, being the bill for a prospective and permanent re-emption system; when Mr. Preston rose and addressed the senate against the substitution offered by Mr. Calhoun for the motion of Mr. Crittenden.

Mr. Sevier said he had something to say on the bill, but as the hour was late he would move to postpone its further consideration until to-morrow; which was agreed to.

Mr. Phelps submitted the following resolution: Resolved, That the secretary of the senate be directed to pay, as a part of the contingent expenses of the senate, \$500 to the order of the widow of Strahan T. Adams, an argonaut of the senate, to defray the expense of placing his body in a proper manner and in a secure coffin, carefully preserved in the public vaults in the city of New York, and in Washington, and the expense of transportation of the body to his friends in Vermont, and its burial there; and that the secretary be directed to pay to the said widow the salary of the deceased for the residue of the term for which he was elected.

After some few remarks from Messrs. Wright, explanatory of the object, and its being in conformity with the wishes of the deceased, Mr. White and Mr. Kerr, the resolution was adopted.

The senate then proceeded to the consideration of executive business; and, after a short session, adjourned.

January 14. The following memorials and petitions were presented and appropriately referred:

By Mr. Clay, from the American peace society, asking that congress would appoint a special committee to reconsider and report on the memorials presented to congress by the said society, and Mr. C. said, while he fully concurred in the benevolent sentiments of the memorialists, yet such was the multiplicity of his engagements, and press of public and private business, that he did not feel authorized to ask for a special committee, but if any senator thought it would be better to have such a committee, they could move it.

Also, a memorial for a bankrupt law.

By Mr. Wright, from inhabitants of Schenectady county, New York, asking a select committee to reconsider and report on the peace society memorials of last year. Mr. W. said it was the same in effect as that just offered by the senator from Kentucky. He could not ask for a special committee; and as the memorials had been referred to the committee on foreign relations, he did not know what better disposition to give them. On suggestion, they were laid on the table.

Also, several memorials from inhabitants of New York, all concerning the same subject.

Also, one remonstrating against the passage of a bankrupt bill during the present session.

Also, one from merchants, mechanics and traders of the city of New York, asking that the passage of a bankrupt law should be deferred to them, and going into the provisions of the same to some length. On motion, this was ordered to be printed.

By Mr. *Reggie*, from citizens of Buckport, Maine, remonstrating against the repeal of the fishing bounty. The memorialists state that the cod fishery is a dangerous business, yielding with the bounty but a scanty and precarious subsistence.

By Mr. *Chey*, of Alabama, from the legislature of the state of Alabama, resolutions against a protective tariff.

Several private petitions were also presented by Messrs. *Norell*, *Allen*, *White* and *Chey*, of Ala.

Mr. *King*, from the committee on commerce, reported a bill to regulate the commerce and intercourse with the port of Cayenne, in French Guiana, and to remit certain duties, with an amendment.

Mr. *Lin*, from a select committee, reported the bill to authorize the adoption of measures for the occupation and settlement of the territory of Oregon, and for extending a portion of the laws of the United States over the same.

On motion of Mr. *Chey*, of Alabama, the senate proceeded to consider in committee of the whole the bill to regulate the land office of the state of Indiana, and for other purposes; which, after being amended, was ordered to be engrossed.

Mr. *Merrick* moved to take up the joint resolution for the transfer of the stock of the United States in the Chesapeake and Ohio canal to the state of Maryland.

Mr. *Mangan* said, this was a subject of great interest to the citizens of this District. It would be expected that the subject would have been introduced, a memorial in relation to this very matter, appended to which were some voluminous documents which had not yet been printed and laid on the tables. He therefore hoped that the subject would be presented in a more complete manner than it was. It could be passed over informally for the present.

Mr. *Merrick* said he was willing to grant any reasonable delay for the purpose of allowing the senator to look into it, and as it was not, therefore, out of its place, he would consent that it should lay over until to-morrow. There was a particular reason why it should be as prompt action on it as possible. The committee for the District of Columbia had the memorial and documents alluded to by the senator before them, and had reported the joint resolution, which had passed the senate at the last session without discussion, but had been lost in the other house for want of time.

Mr. *Grady* said the bill had just been put into his possession this morning (holding up a volume of at least 200 pages), which would require examination before it should be prepared to vote on it. Whether he could be ready by to-morrow or not, would depend on the order of business.

Mr. *Merrick* said, if the senator had to read that volume before arriving at a knowledge of the subject, the resolution must be defeated by the delay, and therefore he could not consent to the postponement. The citizens of this District had memorialized congress not to transfer a stock belonging to the United States, and of which the government was the entire owner. What was it to them any more than to other cities of the union, what congress pleased to do with the stock? He could see no reason for their particular interference! What were the facts in the case? Why, that this stock was hanging like an incubus over the state of Maryland, and was not worth a thing to the government. The United States had no command and no contributors in aid in carrying the canal to such point as would make it beneficial to any body. Maryland asks that the stock of the government may be transferred, on certain conditions as specified in the resolution, and for which the government has an equivalent, and she would then go on to complete the canal. Will you hold out (said Mr. M.) to the stock, to speculate on the public spirit of Baltimore? If so, the state will not go on with the work. It was a kind of dog-in-the-manger, neither doing it yourselves nor suffering the state to do it.

Mr. *Walker* said several years since he had introduced a bill somewhat similar to that now pending, for the relinquishment of our stock in the Chesapeake and Ohio canal to the state of Maryland. He had done this, after a conference with a distinguished patriot, (gov. Kent), then a senator from Maryland, but how called to a higher and a better sphere. At that time he (Mr. W.) had called upon the secretary of the treasury to report what dividends the government of the United States had received from its stock in all these canals, namely, this canal, the Delaware and Chesapeake canal, the Chesapeake and Potomac canal, and the canal at Louisville. The report then stated that these stocks, with the exception of the last, had never yielded any dividend, that they had no market price, and in all probability never would yield any dividend, especially the stock in the Chesapeake and Ohio canal. Under these circumstances, Mr.

W. said he was in favor of dissolving this unprofitable partnership between the government and this company, by the surrender of this stock to the state of Maryland. Mr. W. said that whoever would read the early debates and reports on this subject in both houses of congress could not fail to observe that this government had originally intended to proceed *pari passu* with the state of Maryland in subscriptions to this canal, considering it as a great national work terminating in this District. This design was now abandoned, most happily, by the government, together with the whole inland improvement system by congress, but in the mean time the state of Maryland, relying on the continued co-operation of this government in the construction of the canal, had proceeded and expended enormous sums towards the completion of this great work; and whilst he (Mr. W.) could not, even under these circumstances, vote to appropriate more money to this or any other similar object of internal improvement by this government, yet he thought it subject to the justice to state that the state, without an equivalent, but for the full equivalent provided in this act, namely, the use of this canal forever, free of all toll, for the transportation of the troops and munitions of war of this government, and the mail, and for the use of the army, and the surrender to the states in which they were located, all the stock held by this government in all other canals, and thus complete the divorce between this government and the whole inland improvement system. In relation to the stock held by this government in the Louisville canal, Mr. W. desired to cede our stock in that canal to the state of Kentucky as auxiliary to the great object of relieving that canal free of all toll, and thus remove the heavy taxation which was now imposed on those who travelled or transported products on the Ohio river. In relation to the opposition on the part of this city to this transfer, Mr. W. said he regretted it. The completion of this canal by Maryland would be of vast importance to this city, and she ought to support this bill as facilitating the completion of this work; and as to the idea that Maryland might by obtaining the control of this stock abandon the canal to this city, by carrying the canal from a point out of this District to Baltimore, it was delusive. Mr. W. said a survey for Maryland, by the accomplished head of our topographical bureau, had been made, by which it was demonstrated that all other canals except that from this canal to Baltimore were impracticable, except the route running immediately from and through this city.

Mr. W. said that this bill had passed the senate at the last session by a large majority, and he hoped it would be permitted to pass without delay.

Mr. *Chey*, of Ala. said it was the hour for taking up the special order. He should, as he said before, vote for disconnecting the government from all these stock operations; but he thought it proper that Maryland should be allowed to make her case on the subject. He therefore moved to postpone it for the present.

Mr. *Merrick* would greatly prefer to take the question on postponement. It was important to Maryland that she should know what was to be done, as she would have to regulate her policy accordingly.

The question was then taken on the postponement, and carried, and no time counted. The senate then proceeded to take up the special order—the bill providing for a permanent and prospective pre-emption system; when Mr. *Sevier* rose and addressed the senate, and was followed by Mr. *Smith*, of Indiana, who spoke for nearly four P. M.

January 15. Mr. *Hamilton* presented the credentials of the hon. Thomas Clayton, senator elect from the state of Delaware from the 4th of March next. The credentials were read and placed on file.

The vice president presented the credentials of the hon. Richard H. Bayard, of the state of Delaware, senator elect from that state, which were also read and placed on file.

The following memorials and petitions were presented and referred:

By Mr. *Robertson*, a joint resolution of the legislature of Illinois, requesting such legislation as might be necessary to secure the remission of duty on rail road iron.

By Mr. *Beauregard*, several memorials from the city of New York, all praying that, if any bankrupt bill be passed, banks and corporations may be included in the co-operation of the government.

As several of the memorialists in *extenso*, setting forth the reasons why banks should be included, Mr. B. moved to have them printed and laid on the table.

Petitions were also presented by Messrs. *Wall*, *Williams*, *Hubbard*, *Wright*, *Dixon* and others.

Mr. *Crittenden* moved to postpone all the orders of the day for the purpose of taking up the bankrupt bill.

The motion was opposed by Messrs. *Kiag*, *Benton*, *Lumpkin*, *Hubbard* and others.

Some conversation ensued on a point of order; when, after the usual remarks from Messrs. *Walker*, *Norell* and others—

Mr. *Crittenden* withdrew the motion, but said he should review it, and press the subject on the consideration of the senate immediately after the bill under consideration as the present special order was disposed of.

The senate then took up the special order, being the prospective pre-emption system; when Mr. *Smith*, of Indiana, rose, and closed the remarks which he had intended to be acted on promptly, that the banks of the District might be informed of the ground on which they are to stand. If it were not acted on at once, it would be lost for want of time. Mr. M. thought it would be agreeable to gentlemen to take a recess from a discussion which could have proved wearisome, from its long continuance, and refresh themselves with the consideration of another subject that would be doing a great service to the people of the District.

Mr. *Chey*, of Alabama, thought he would prove recent to his duty if he acquiesced in the wishes of the senator from Maryland. He had always been disposed to do justice to the people of the District of Columbia on the several subjects which he could not consent to have a measure of high public import, and one in which he felt so deeply interested, passed over to make room for any bank bill whatever.

Mr. *Merrick* was aware he was at the mercy of the senate; he thought the bill would not create much debate, as it had been so amply discussed at the last session, and he would feel greatly gratified if the senate would grant his motion.

Mr. *Bayard* asked if the senator really thought the bill could pass without discussion, when he must have been aware of the amendment offered by him, (Mr. T.) He was not well enough to enter into the discussion then; and, besides, there had been no consensus on the several subjects of the treasury for certain information in relation to banking that had not yet been furnished, and which was germane to the matter in question. Did not the gentleman know that the banks in Baltimore had refused to resume the currency on the 1st of January, and that they were ready to resume as soon as the banks in Philadelphia did? Well, the banks in Philadelphia had resumed; but the banks in Baltimore were not compelled to follow, and he presumed they would not resume until the 1st of February, and the Virginia banks would not resume till the Baltimore banks did; and thus neither would pay their debts until they were driven to it by the people of those states.

Mr. *Merrick* made a brief reply, which was not distinctly heard, but insisted on his motion.

Mr. *Chey*, of Alabama, moved to lay the motion on the table.

Mr. *Merrick* called for the yeas and nays, when there appeared a tie for the motion 23 against it 15.

Mr. *Southard* then rose and addressed the senate until a late hour, when he gave way for a motion to a joint.

And then the senate adjourned.

January 16. Mr. *Fulton* presented a resolution of the legislature of Arkansas in relation to ceding the public lands in the states in which they lie; also, a memorial asking that lands may be appropriated in the town of Hays in the neighborhood of Salt Springs.

Mr. *Sevier* presented memorials of the legislature of Arkansas for the improvement of the navigation of the Washita river, and in relation to the appointment of inspectors for the steamboats on the Arkansas river.

Memorials and petitions were also presented by Messrs. *Tomlinson*, *Beckham*, *Merrick*, *Rouse*, *Henderson*, *Norell* and *Wright*.

Mr. *Smith*, of Indiana, from the committee on the judiciary, reported, without amendment, a bill to amend the judicial system of the United States.

Mr. *Wall*, from the same committee, reported a bill to amend the second section of the treasury to compromise with the creditors of Samuel Swartwout, late collector of New York.

Mr. *Chey* submitted the following resolutions:

Resolved, That the secretary of the treasury be directed to communicate to the senate the plan of a permanent change in the tariff, the duties and general

principles of which the states, in his annual report of the 7th ultimo, has considered, and on which he is ready to report at any moment either house of congress may express a wish to take consideration of.

Resolved, That the secretary of the treasury be also directed to report, as soon as practicable, a plan of assessing the value of goods, wares and merchandise in the ports of the United States instead of foreign countries.

Mr. C. expressed a wish to have them acted on at once, as they are substance matters of importance connected with the subject.

Mr. Clay, of Ala. thought they had better lie over one day according to the rule. Mr. C. however, afterwards, withdrew his objection, and the resolutions were adopted.

Mr. Tupper submitted a resolution to the effect that the senate do, on Monday, proceed to the election of a sergeant-at-arms.

Mr. Clay hoped still there was no necessity for any action at this late period of the session.

Mr. Benton introduced the following resolution, which he prefaced with some remarks that occupied the senate about half an hour, in which he went into some calculation on the effect of the drawback on being reduced in the same ratio with the duties on the imports specified:

Resolved, That the committee on finance be instructed to inquire into the expediency of reducing the drawback on refining sugar, manufactured oil of foreign materials, and exported, in proportion to the reduction which has taken place and will take place, under existing laws, in the duties on imported sugar and molasses; and of reducing the duties on sugar and molasses in proportion to the reduction which has taken place, and shall take place, under existing laws, in any duty on imported oil.

On motion of Mr. Rogers,

Resolved, That the committee on commerce be instructed to inquire into the expediency of providing by law for the registering and enrollment of such foreign ships as shall be sold to American citizens under the order or decree of any court of the United States, made on process of law, though the same may now have been built in the United States.

The following bills were then considered in committee of the whole, and ordered to be engrossed: The bill supplementary to an act entitled "an act to encourage the introduction, and promote the cultivation, of tropical plants," approved 7th July, 1838.

The bill to confirm the survey and location of the lands in the state of Mississippi, east of the Pearl river, and south of the thirty-first degree of north latitude.

The senate then took up the special order, being the prospective pre-emption system; when Mr. Benton rose and delivered the remarks which he commenced yesterday.

On motion of Mr. Clay, of Alabama, the senate adjourned.

January 18. The vice president laid before the senate a communication from the navy department, in compliance with a resolution, in relation to experiments made on American water-rotted hemp, and expressing the opinion that it will be found fully equal to any imported hemp.

Mr. Buckner took occasion to say that he felt pleased that the senator from Missouri (Mr. Breckenridge) had called attention to that subject. Mr. Myerby had made many experiments, which had fully proved the superiority of American water-rotted hemp. Samples had been sent to him, (Mr. B.) and he thought he was on judge himself, he had submitted them to those that were, who had given it as their decided opinion that this article of American culture had fully sustained the reputation which it even gives it. According to usage to the navy department, the contracts were given out to the lowest bidder, and in that case Mr. Myerby, who made these valuable experiments at great expense of time and money, would lose the advantages that ought to accrue to him by competition for the contract.

The communication was ordered to be printed, and referred to the committee on naval affairs.

Also, from the treasury department, a communication, in compliance with a resolution of the senate calling for information in relation to the public lands.

The following memorials and petitions were presented and appropriately referred:

By Mr. Benton, from citizens of New York, remonstrating against the passage of any bankrupt law this session, and, if it is to pass, that banks and corporations be included in the compulsory process.

By Mr. Tappan, from citizens of Ohio, asking the passage of a bankrupt law.

By Mr. Huntington, from citizens of Connecticut, asking the passage of a bankrupt law.

By Mr. Brewster, asking a modification of the pilot law of 1837.

Mr. Moulton, from the committee on commerce, reported a bill to repeal or modify the pilot law of 1837.

Mr. Tupper, from the committee on the library, reported a joint resolution for the settlement of the claim of Langtree & O'Sullivan for the Madison papers.

On motion of Mr. Clay, *Resolved*, That the secretary of the treasury furnish the senate with a statement showing, in tabular form, the lands the titles for which were closed under the relief laws of March 31, 1820, and of February 23, 1821, giving the number acres in each district, the value in dollars per acre, from five to ten, from ten to fifteen, from fifteen to twenty, from twenty to thirty, from thirty to forty, from forty to fifty, from fifty to sixty, from sixty to seventy, from seventy to eighty, from eighty to ninety, from ninety to one hundred, and one hundred and upwards; the amounts paid on each sale, respectively, and foreclosed; the rates at which such sales were closed per acre; also the gross amount of lands forfeited under each of these laws, in each district; the amounts in gross for which they were originally sold; the gross amounts paid on them and forfeited; and the gross amounts finally received from them.

On motion of Mr. Sturgeon, the bill making an appropriation for the patent office was taken up in committee of the whole.

Mr. Culbourn moved to strike out the \$1,000 for agricultural statistics, on which a debate arose; in which Messrs. Cadmus, Pomeroy, Walker, and others participated. No question was taken, the hour having arrived for taking up the special order.

The prospective pre-emption bill was then taken up; when Mr. Clay, of Ala. rose and delivered his views in favor of the amendment of the senator from South Carolina.

Mr. White was desirous of addressing the senate on the bill before them, but if senators were not desirous to take the question that evening, he would move to postpone it further consideration until to-morrow; which motion was agreed to.

Mr. Clay said that a communication had been received from the treasury department, while he was out, in answer to a resolution submitted by him some time since, calling for information in relation to the public lands. The document was one highly interesting, inasmuch as it presented information which more than bore him out in the views he had advanced on the subject. He did not desire to appropriate the time of the senate to read it, but would move for a thousand extra copies.

After some remarks by Messrs. Walker, King, and Clay, the motion to print 1,000 copies with the accompanying maps was agreed to.

On motion of Mr. Blair, the senate proceeded to the consideration of executive business, and after a short session adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, Jan. 13. The house opened the consideration of the case of contempt election from the third congressional district of Pennsylvania, between Messrs. Naylor and Ingersoll.

Mr. Naylor resumed his argument (from yesterday) in support of his right to the seat now held by him and continued (without concluding) until after 3 o'clock, when he gave way to a motion, by Mr. Carter, that the house adjourn.

But the motion was withdrawn for a few moments, in order of reading the report of the committee on the speaker's table a first and second time, and referring them to appropriate committees.

The speaker laid before the house a number of communications, namely:

1. A communication of the commissioner of public buildings, containing an account of the expenditures on those buildings during the year 1840, viz:

The treasury building	\$107,768 82
The patent office	83,906 78
General post office	128,472 23
Mail	3,899 62
Court house at Alexandria	3,636 13
Capitol	2,596 39
Capitol square	6,390 14
President's house and grounds	1,018 18
Foundation for statue of Washington	1,990 74
Potomac bridge	2,369 91
Sundry small items for Pennsylvania	
avenue, track, water, &c.	949 77

Referred to the committee on expenditures of the public buildings.

2. A letter from the secretary of the treasury, with the list of clerks employed in the various branches of the treasury department during the year 1840, with the pay of each. Laid on the table.

3. The follow-up letter from the postmaster to Mr. Blair.

Post office department, Jan. 11, 1841.

Sir: In compliance with the second section of the act of the 2d of July, 1836, to reorganize the post office department, I have the honor to submit

estimates for the service of that department for the year commencing July 1, 1841.

For three years past the increasing demands for mail service have exceeded the means of the department to supply them. And these demands will rather be increased than diminished during the next fiscal year.

But as the expenditures of this department are to be provided for from its own resources, I must be governed in submitting estimates for appropriations by the probable amount of the revenue which will accrue, rather than by the extent of the demands of the country for mail accommodations.

The first quarter of the current fiscal year has exhibited a decline of about five per cent. as compared with the corresponding quarter of the last year; the accounts of the second quarter are not closed, but, unless there is an improvement in the two last quarters, there may be a declension in the revenue of the year, compared with the year ending the 30th of June last.

It is believed, however, that the next fiscal year will exhibit an improvement in the revenue, equal to at least six per cent. over that of the past year.

Upon this assumption, the revenue for the year commencing the first of July, 1841, will amount to \$4,811,620, which forms the basis of the estimates submitted.

As the annual revenue, it is estimated, will be required to be expended for the mail service for the year commencing on the first of July, 1841, as follows, viz:

Mail transportation	\$3,260,000
Commissions to postmasters	1,650,000
Ship, steamboat and way letters	40,000
Wrapping paper	23,000
Office furniture	6,000
Advertising	5,000
Blank bags	23,000
Blanks	33,000
Mail locks, keys and stamps	16,000
Mail depredations and special agents	22,000
Clerks for offices	710,000
Miscellaneous	66,620
	\$4,811,620

I am, respectfully, your obedient servant,

JULIAN NILES.

Hon. R. M. T. Hunter, speaker of the house of reps.

Mr. Briggs stated to the house that his colleague (the hon. Wm. S. Hastings) was so indisposed as to be unable to discharge his duty as a member of the committee on private land claims, that he had to have him excused, and that a member be appointed on the committee in his place; which the house assented to, and Mr. Hastings was excused accordingly.

Mr. Adams moved that the bill reported by him at the last session, from the committee on manufactures, to increase the duty on imported silk goods, be made the special order for the 27th of the present month.

Mr. Jones, chairman of the committee of ways and means, would be happy to afford his aid to any proper means for bringing money into the treasury, but the process proposed by the bill now proposed to be made a special order was entirely too slow for the present pressing wants of the treasury. He had proposed other means, on which he wished the early action of the house, to replenish the treasury, and which would do it much more speedily than the bill reported by Mr. Adams. Mr. J. then referred to the bill on the subject of the interest on the attention of the house as soon as he could do so. He therefore felt bound to oppose the motion to give the bill any preference in the business of the house.

Mr. Adams said that, in his estimation, his bill, which was a bill to provide the means for paying of debts and loans, was much more deserving of favor than bills to increase the debt or make new loans. Mr. A. then went on to show the propriety of his motion.

Mr. Jones said he could not, under the circumstances he had already stated, give Mr. Adams' bill a preference at this time. He went into a short review of the condition of the treasury, its immediate and present wants, and of the means by which he proposed to supply them.

Mr. Cushing was sorry to see Mr. Jones confine himself so exclusively to the wants of the treasury during the present session; he hoped that either the government or the world were coming to see on the 3d of March next.

Mr. Hubbard here moved an adjournment which was lost.

Mr. Jones called the yeas and nays on Mr. Adams' motion.

They were taken, and the vote resulted as follows: yeas 64, nays 23.

A quorum not voting, the house adjourned immediately.

Fishing bounties, either out of the treasury or reserved from the accruing revenue 300,000
 Most of the expenses for taking the census 550,000

\$3,400,000

So that, (continued Mr. J.) if the government should realize the whole amount of revenue expected in the 1st quarter, there would still be a balance left to be provided for of one million nine hundred and thirty thousand dollars. This was exclusive of the estimated balance in the treasury on the first day of the present month, (January), and when every dollar now in the treasury, or estimated to be in the treasury on the first of the present month, should have been applied, there would still be a deficiency of three hundred and twenty-nine thousand one hundred and forty-five dollars.

But we all know that this estimated balance in the treasury could not so be applied, because a portion of it had not, in point of fact, come into the treasury. The sum of one hundred and eighty thousand dollars, due from the bank of Natchez, which was expected to have been paid, had not, in fact, been paid; and not more than five or six hundred thousand dollars of that estimated balance was in the eastern section, where it could be made available in a very short period, where full three-fourths of the expenditures would be required to be made.

The residue of the amount was scattered over the country in land offices, mints and other small repositories of the government, in sums of seventy, eighty, or, it might be, ninety thousand dollars.

Such being the means of the first quarter of the year, and such its liabilities during the same time, it became the duty of the treasury, it was intended that the treasury should meet its liabilities and preserve the faith of the country, to make temporary provision for the deficiency which would arise during the first quarter.

He knew he should be told that the deficiency was permanent, and that provision should be made to meet, not a temporary, but a permanent deficiency. If this assumption was well founded, the consequences would follow necessarily.

He knew he should be told that to determine the question, we must look to the best sources of information within our reach. Where should we look to satisfy ourselves? It would seem to him that we should look to the officer to whom all the avenues of communication and information were open, whose duty charged him with the general supervision of the whole subject of the finances—the secretary of the treasury.

Mr. J. then read from page 7 of the annual report of the secretary of the treasury the following passage:

"It may be stated, from the best data in possession of this department, that the receipts, under the existing laws, will probably be as follows:

From customs	\$19,000,000
From lands	3,500,000
From miscellaneous	800,000
Aid the expected balance in the treasury available on the first of January next	1,590,955

The aggregate of ordinary means for the next year would then be 21,160,955

There will be nothing more, either of principle or interest, due from banks, which is likely to be made available, except about 220,000

A power will exist, under the act of 21st of March, 1840, to issue treasury notes till a year from its passage expires, but not to make the whole emission outstanding at any one time exceed five millions of dollars.

This will furnish additional means, equal to the computed amount which can be issued at the close of the present year, being about 312,619

It now there may be added, from these several sources, so much as to make the whole mean for the next year 21,729,473

On the other hand, the expenditures for 1841 for ordinary purposes, if Congress make no reduction in the appropriations requested by the different departments, are estimated at 10,250,000

This would leave a balance in the treasury, at the close of the year, equal to 5,173,478

But certain payments will also be made on account of the funded and unfunded debt, unless Congress authorize contracts to be formed for extending the time of their payment. Thus, there will be required—On account of the funded debt, chiefly for the cities of this District 149,200

For the redemption of treasury notes, for the time being, as they are to be under the present laws, and then the amount returned within A. D. 1841 will probably not exceed 4,500,000

\$4,649,200

Estimated balance in the treasury at the close of the next year, after all payments whatever \$324,272"

Mr. J. continued. He thought he was satisfied the committee, if the report of the secretary of the treasury were to be relied on, that the resources of the government, for 1841, were not only ample to meet all the current charges upon it during the year, but also to reduce the four million five hundred thousand dollars of treasury notes now outstanding, and that portion of the public debt which would fall due in the year, and would leave a balance of \$324,272 at the close of the present year. He thought the committee must also be satisfied that the great inequality between the receipts and expenditures, at different periods of the year, rendered it necessary that some temporary provision should be made to meet this inequality.

That the measure calculated to obviate these difficulties was to be expected, from the report of the secretary himself, appeared too manifest to require comment. On pages 10 and 11 of the report the secretary said:

"It has already been shown that the whole amount of receipts in 1841 will probably be sufficient to discharge all ordinary expenditures, and those parts of the outstanding debt, funded or unfunded, which may become due. But the preservation of a suitable balance in the treasury may require more than will probably be left after satisfying other purposes."

And again:

"It will be arranged, however, that though, under existing laws, the arrangements, enough might be obtained within the whole of 1841 for the objects contemplated, yet not a due or sufficient proportion in the first quarter; because by that time all the measures are not likely to go into full operation, nor will the anticipated increase of receipts from the actual receipts of duties under existing laws. Unusually heavy expenses will also fall on that quarter in the next year. In addition to a full portion of most of the current expenses, and the whole pension payments for taking the census, and for the first installment of the debt of this District; several of them as early as the first day of January.

"From these circumstances, and the considerations that all which is due from the banks may not be then paid, and that the balance in the treasury, under the policy adopted by Congress of late years, will of necessity be small, while the fluctuations and inequalities are very great between the receipts and expenditures in different portions of the year, it can be seen that the emergency, from causes that have on former occasions been explained at length, it must be obvious that entire safety requires a conditional power to be reasonably conferred on the executive to obtain at any time within 1841 such subsidiary means as may be needed for a few months, and as may be sufficient to enable the treasury punctually to discharge, during that year, all the liabilities imposed by Congress."

Mr. J. continued. He was aware that we should be told that these statements were not to be relied upon; and that we should probably be referred to the estimates submitted at the commencement of the last session, and be told that the receipts of the year fell far short of the estimates submitted to the secretary. It was true that the estimates of the receipts of last year were not realized; but every gentleman would recollect that these were mere estimates made upon data which had hitherto furnished a rule both for the secretary of the treasury and for Congress, and for the people, indeed, were it not for these times of derangement in the monetary affairs of the country, when embarrassment prevailed almost the whole land, and when revolution after revolution followed in rapid succession, they would have been correct.

Every gentleman knew that the foreign commerce of the country furnished the chief basis of the revenue of the government; and, knowing this fact, who would be at a loss to account for the extraordinary falling off of the revenue for the last year? Who could have anticipated that the imports during the last year were sink below those of the preceding year 57 millions of dollars; or that the imports of 1839, exceeding, if he recollects right, 160 millions, would have sunk down again in 1839 to less than 105 millions?

At 20 minutes past 4, Mr. B. gave way to the resolutions, and then rose and said: Mr. J. has shown that the committee rise, et tu quoque voluit. The committee rose and reported that fact. And the house adjourned.

It was also known to every member of the committee that the principal sources of our present revenue were most seriously affected by commercial prosperity;—by the crops—by the banks—and by the credit system both of our own country and of foreign nations. Let those gentlemen who made objections to this bill, and who submitted to the commencement of this year look a little further into the subject. Let them turn their attention to the year 1816; and they would find the revenue of the government sinking, in a single quarter, from 9 millions to less than 3 millions. Look at the proceeds of the sales of public land; and it would be found that in 1826 the amount paid into the public treasury from that source exceeded 24 millions of dollars, (more than half of what had been received in 1827), and that in 1827 the proceeds of such sales amounted to less than 3 millions of dollars. In Michigan alone, the receipts for 1836 exceeded 5 millions; and in 1838 they sank again to \$154,000. Louisiana and Mississippi, where, in each of the years of 1827, 1828, and 1829, the proceeds exceeded 5 millions, they sank down in 1838 to \$96,000.

He adverted to these facts for the purpose of showing how difficult it was for any man, with even the best means of information before him, to arrive at any thing like exactness in the estimate of the circumstances in which this country was placed. But if the report of the secretary was to be relied upon—and he (Mr. J.) knew no safer reliance—it followed, necessarily, that there must be ample means on the part of the government to meet its liabilities during the year; but those means could not be received in time to meet the liabilities as they were expected to arise. In this state of things it was that Congress was called upon to furnish such means as it might, in its wisdom, deem just and proper. The friends of the administration, regarding the deficiency as temporary, proposed so to use the credit of the government as to anticipate for a short time the revenue of the next year.

The friends of the opposition, regarding the deficiency, not as temporary, but permanent, would in all probability propose, as they had done on former occasions, to provide a loan; and this, in his judgment, would furnish the means for meeting the national debt. It was needless for him to say that he was opposed to any such measure, unless required by circumstances of unusual necessity. He adverted briefly to the difficulties likely to arise, in the present condition of our country, in the negotiation of a loan, and pointed out the objections to which, in his opinion, it was liable.

He discovered any party feeling or consideration in the matter, and concluded by expressing the hope that those into whose hands the government must shortly pass might be enabled to direct the ship of state as to preserve in their purity our republican institutions, and to enhance the prosperity of our common country.

Mr. Burdett then took the floor, and offered the proposition which follows. Some desultory conversation arose as to the proper mode of submitting it, whereupon Mr. B. withdrew it with the intention, heretofore to offer it in due form. It is as follows:

Resolved, That the committee of the whole on the state of the union be discharged from the consideration of the bill in relation to treasury notes, and that the subject of making provision for the wants of the treasury be referred to the committee of ways and means, with instructions—

First. To bring in a bill authorizing the secretary of the treasury to borrow ten millions of dollars on the credit of the government, and to issue bonds or scrip therefor.

Second. To bring in a bill imposing duties for additional revenue on wines, spirits, liquors, and on other articles, between the States imported into the United States, but in such manner as not to conflict with the principles, policy and spirit of the act of March, 1834, concerning sales of public land.

Mr. B. who some time since, on a resolution offered by him, (of a character similar to this proposition), commenced some remarks, which he never was enabled to finish, being cut off by a call for the orders of the day, never resumed the subject, and addressed the committee at great length on the financial condition of the government, past, present and prospective.

At 20 minutes past 4, Mr. B. gave way to the resolutions, and then rose and said: Mr. J. has shown that the committee rise, et tu quoque voluit. The committee rose and reported that fact. And the house adjourned.

CHRONICLE.

APPRENTICES. At the sitting of the court of common pleas for Rockingham county, Mass. a decision was made in relation to the liability of those who hire runaway apprentices, when of more importance to guardians and parents. An action was brought by Samuel M. Deekam against Jesse Robinson, for harboring Ezra Robinson, the plaintiff's apprentice, and defendant's son, who had left the plaintiff before an expiration of his apprenticeship. The defense was that there was no apprenticeship in law, because there was no writing of indenture, with the defendant by the contract either party might put an end to the engagement when dissatisfied, and that the boy, at the time the defendant was satisfied with his conduct, was merely at home upon a visit of three weeks duration. The court charged the jury, as we learn from the *Free-Press* New Letter, that the boy might be an apprentice without an indenture, with the defendant if they believed the plaintiff's evidence; was liable for harboring him, while at home, and while at any other place, where he afterwards sought with the defendant's consent. The decision of the court therefore is that the apprentice is under the direction and control of his master, whether bound by written indenture or not, and that no parent or guardian can interfere to the injury of the master, either by taking the apprentice home, or placing him under a new master, without rendering himself liable to the plaintiff, if any other person employs an apprentice without consent from the master, he is not only liable for damages but for the earnings of the apprentice for the time of his employment. The decision will serve to remove all erroneous impressions abroad in relation to the obligations and duties of apprentices, their guardians and employers.

THE BANKS RESUMING SPECIE PAYMENTS. The banks of Pennsylvania resumed specie payments on the 1st inst. The Philadelphia papers state that some of the banks of that city have received more specie than has since been demanded of them by the numerous holders. The officers of the banks at Baltimore, last week, came to a conclusion not to resume until those of Virginia should resume also. The last mail brings us the following proceedings of the banks in Richmond. At a meeting of the presidents of the bank of Virginia, the Farmers bank of Virginia, and of the Exchange bank of Virginia, at Richmond, and being authorized to act in the premises, they respectively bore, January 18th, 1841.

Resolved, unanimously. That the banks will resume specie payments immediately after the 1st inst. of Baltimore; and that the president of the Farmer bank be requested to report this resolution to the banks of Baltimore, with a request that an early day be fixed upon for the resumption.

Signed,
JON BENTENBROGH,
WM H. McFARLAND,
JAMES H. McFARLAND.

At a meeting of the board of directors of the bank of Virginia, Saturday, January 16, 1841, the following resolution was unanimously adopted:

Resolved. That the bank of Virginia will unite with the other banks of Richmond and the banks of Baltimore in designating any particular day for a simultaneous resumption of specie payments by the banks of Richmond and Baltimore; and that the president of this bank be authorized to communicate with the other banks referred to, and to enter, on behalf of the bank of Virginia, into the necessary mutual engagements for carrying into effect the object of this resolution.

Resolution in Delaware. All the banks in Wilmington, Delaware, resumed specie payments on the 15th. There was no run upon any, and all passed off quietly.

CENSUS OF MICHIGAN. The last census shows the population of Michigan to be 211,305. In 1830 the population numbered only 95,000. The increase, or full seven per cent. during the last ten years, which is a greater increase than that of any other state in the Union.

DEATHS. The number of deaths in Boston in the year 1840 was 1,947, or 1947 more than in 1839. The population of the city, according to the last census, amounts to 93,192. The deaths during the last year, therefore, were 1 in every 47 1/2 of 93,192 inhabitants, or about 1 in 47.

The whole number of deaths in Salem, during the year 1840, was 252, including six in the infant line.

The whole number of deaths in the city of New York, during the year 1840, was 298. It appears from the returns that the most destructive disorder among us is consumption, which has claimed 75 victims, 11 of whom died in September, 10 in January, and 9 in October—being the most fatal months.

ENSLAVING AN ENFORCEMENT IS FORGOTTEN. The supreme court of Ohio ordered, recently, that an enforcement on a note purporting that a party was a slave, had been made, and which was written by the maker in the presence, with the concurrence, and by the direction of the payee, is a receipt, the alteration or erasure of which by the payee will be forgeries.

EXPORTS TO CANADA. We learn from the Cleveland (Ohio) Herald, that the clearances at that port, for various ports in Upper Canada, for the last year, were 896,560 bushels of wheat, and 70,915 bbls. of flour. The quantity of corn shipped during the same time, is estimated at 15,000 bbls.

FLOOR, at Uniontown, Pa. is selling at \$3 per barrel.

FOGITIVE SLAVES. An *Upper Canada* paper says, that within the last four years more than 15,000 runaway slaves have made their escape into Canada from the United States.

HARRISBURG is a great town. We have three daily papers, the *Intelligencer*, *Telegraph* and *Chronicle*. Three semi-weekly—the *State Capital*, *Gazette*, *Kyrtland*, and *Free Press*. One weekly—the *Advertiser*, edited by C. Waitsinger, Gospel Publisher and Temperance Advocate. In all, 11 papers, in a population of 6,500. It may be well enough to say that we have also ten churches, and that the religious and moralists are pretty well attended to at the seat of government.

(Reporter.)

IMPRISONMENT FOR DEBT. The following says the *Chronicle*, in a true copy of a resolution of the House of Representatives, which passed the legislature of New Hampshire at its late session.

An act to abolish imprisonment for debt. Section 1. *Be it enacted by the senate and house of representatives in general court convened,* That no person shall be arrested, held to bail or imprisoned on any process or execution founded upon any contract or debt which shall accrue or be made from and after the first day of March next.

Sec. 2. And be it further enacted, That all acts and proceedings in relation to the provisions of this act, be, and the same are hereby repealed.

Approved Dec. 23, 1840.

INSURANCE ABSTRACT OF MASSACHUSETTS. The abstract of the returns of the several insurance companies in Massachusetts, has been recently prepared for the use of the legislature of that Commonwealth. This abstract, as we learn from the *Daily Advertiser*, exhibits in tabular form, the names of the respective companies, the amount and modes of the investment of their capital, amount of risks, &c. The number of companies in 1840 was 224, with an aggregate capital of \$3,190,000. In 1839, 191, with an aggregate capital of \$1,765,000. Of the capital of the Boston companies in bank stock, of banks in the state \$3,059,925, real estate \$1,000,000; mortgages, \$819,412, and the remainder in various other stocks and securities. The amount of the marine risks in 1840 was \$3,278,727, and of the fire risks, \$4,938,251. The amounts of marine losses in 1840 were \$6,176, and in 1839, \$1,941,514; and of fire losses, \$757,644. The marine losses paid by the 19 out of Boston offices was \$110,000, and by the 180 out of the other offices was a single loss paid by the Springfield Fire Insurance company. The amount of fire risks by these 190 companies was \$2,155,645, and of marine risks \$252,146.

NEW STEAMERS. A gentleman who recently arrived in the Acadia, informs us that the miniature iron steamer building by the Great Western steamship company (Bristol), will register about 3,000 tons, but that the actual tonnage will exceed 3,000 tons, or about 600 tons more than any ship ever built. A great saving in stores will be gained in consequence of the adaptation of iron for her hull, while the great weight of water will be comparatively small, owing to the great buoyancy possessed by iron vessels. She will consequently be able to carry coal sufficient to sustain her for a week, and backward passages. Her engines are to be of 1,000 horse power, and it is confidently expected that the average voyage across the Atlantic will be reduced to ten days.

LAKE ERIE TRADE. The Philadelphia *Seafarer* states that there are now 200 sail-vessels employed in navigating Lake Erie, giving employment to 3,000 persons. Previous to the year of 1832, and the building of the Great Western Ferry at Piquette Isle, (Erie) but few vessels navigated the waters of Lake Erie. Some ten or a dozen tiny masted and masted-hulled vessels, and scattered in the lake, and the trade was so small that early date, fully adequate to the wants of commerce. There are now two ships of 300 tons each. The class of vessels now employed are mostly hermaphrodites, and scattered in the lake, and the trade is so small that early date, fully adequate to the wants of commerce. There are now two ships of 300 tons each. The class of vessels now employed are mostly hermaphrodites, and scattered in the lake, and the trade is so small that early date, fully adequate to the wants of commerce. There are now two ships of 300 tons each. The class of vessels now employed are mostly hermaphrodites, and scattered in the lake, and the trade is so small that early date, fully adequate to the wants of commerce.

LONDON. if we except some of the Chinese and Japanese cities, it is the largest city in the world. It contains an entity inhabiting in the five parishes of Manx, Chesham, Manx, Connecticut, New Hampshire and Vermont. It has nearly 100,000 men, women, and children, and 660,000 lbs. of animal food annually. Its retail is at least \$3,000,000 per annum, and its profits of at least \$500,000,000 annually. There are 273 churches, 207 dissenting churches, 16 theatres and 6,000 public houses.

M. M. NOAH, of editorial and fictitious memory, has been appointed judge of the court of sessions, N. York. We sincerely congratulate him.

MAGNETIC ATTRACTION it is ascertained is communicated to iron or iron fixed perpendicularly with a bar magnet, the instrument is attracted, and it is rendered uncertain if this fact be not attended to in relation to Copper fastenings should be substituted in iron.

METHOD CONFERENCE. The Virginia annual conference of the Methodist Episcopal church commenced its session in this place on yesterday—the 18th.

bishop Morris, of Ohio, president. The inclemency of the weather has retarded the arrival of many of the ministers, though a large number are already in attendance. It is expected that 30 to 40 will be present. All the churches in town have been politely tendered for the services of the conference. The session of the conference will probably be protracted more than a week. [Lynchburg Virginian.]

THE MILITIA of the United States, according to the latest returns, consists of 1,472,202 men.

MISSENGER OPERATIONS. We find in the Boston Journal the following summary of the extensive operations of the American board of commissioners of foreign missions, extended to the year 1840, recently published. The receipts of the board during the year have been \$211,631.64, and the expenditures \$240,000.27. Connected with the board there are twenty-five benevolent societies, of which the following are what are 123 ordained missionaries, ten physicians, nine preachers, fourteen teachers, ten printers and bookbinders, sixteen and a half, and 196 native assistants—making in all, 365 missionary laborers from this country. There are besides, fifteen native preachers and 167 other native assistants—in all 677, which are under the control of the board, and are supported wholly or in part by it.

Conceded, also, with the board, there are fifteen printing establishments; fifty-five churches, containing 2,234 members; eight seminaries for boys, containing 412 students; 100 female boarding schools, containing 109 pupils; ten female boarding schools, containing 235 pupils—making the whole number of students in the seminaries 412, in the boarding schools 907; of free schools there are 415, containing 31,006 pupils. The number of books and tracts printed the past year is 685,000, containing 43,507,406 pages; and the whole number of papers printed in the establishment of the board is 223,150,311.

THE GREAT MISSENGER. The following extract of a letter is from a gentleman formerly of this city, now residing in St. Louis, from whence he writes:

"I went the other night to look at the greatest curiosity that I have ever seen. It is called the Great Messenger, and is the skeleton of the greatest animal ever known. It was found about 200 miles west of this place, in this state, by a German. It measures to the top of the ribs 20 feet high, is 32 feet long, has two tusks that are from 2 to 12 inches in diameter, and are 16 feet apart. The head and tusks weigh 1,100 pounds. The parts of the knee in the fore leg are inserted in the middle of the tusk, and are required five years from any other animal. He appears to have been web-footed, has no hoofs, but toes about 9 or 10 inches long. The owner has computed its size, in comparison to a man, and he is just 100 times larger than the ox, so that he must have weighed when alive, 100,000 pounds, (50 tons). He is now in the hands of the great messenger, and is exhibited for breakfast. The six musicians, who play at the exhibition of the animal, sit up in his ribs. The owner has been offered \$20,000 for him. He leaves for New York, where he will be taken to New York, thence to Europe. It is worth a good fortune for any six men, but the owner will not sell it." [Troy Whig.]

NEW YORK CRIMINAL STATISTICS. In the court of general sessions, New York city, during the past year there were 131 trials, 322 convictions and 129 acquittals. Of the convictions 111 men were sentenced to the penitentiary and 14 women. 72 men were sentenced to the penitentiary and 2 women. 30 men to the city prison and 2 women. House of refuge 5 boys. 189 prisoners were discharged by the court.

In the court of oyer and terminer there were 6 trials, all convictions.

During this period the grand jury found 1,008 indictments, and dismissed 254 complaints.

In the court of sessions there were 329 trials, of which there were 252 convictions and 24 acquittals for petit larceny, and 228 convictions for assault and battery and 32 acquittals.

The court discharged 493 prisoners, sentenced 300 men and 22 women to the penitentiary, 30 men to the city prison 69 and 32 to the house of refuge 23 boys and 2 girls.

[N. Y. Curr. & Eng.]

TRADE OF ALEXANDRIA, D. C. We were at once gratified and surprised to find, by official documents, that the trade of Alexandria, in the year 1836, was decidedly on the increase. The value of the exports in 1836 was \$205,225—in 1840, \$811,716.

The number of clearances of foreign vessels in 1836 was 24, and the tonnage 1,184. In 1840 the number was 106, and the tonnage 16,723.

The entrances of foreign vessels in 1836 were but 20, and the tonnage 4,866. In 1840 the number was 64, and the tonnage 9,911.

There are now belonging to the port 9 ships, from 321 to 677 tons; 2 barks and 12 brigs.

VATTENMANN'S SYSTEM of international exchange of books is highly approved of in Canada, and a complete system of exchange has been arranged in accordance with the plan, has been placed in Mr. Vattenmann's charge, for exchange with the government of France, and with the government of the United States, and a great number of other honorable gentlemen, have engaged in the furtherance of the project.

NILES' NATIONAL REGISTER.

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FOREIGN ARTICLES.

The steamship Columbia, captain Ludkins, arrived at Boston, on Thursday the 21st inst. bringing Liverpool papers of the 31st inst. and London papers of the day previous.

The Columbia brought 65 passengers from Liverpool for Halifax and Boston, and took on board 14 at Halifax for Boston.

We find important and interesting features in the intelligence brought by this arrival, and as usual, place the whole news in an abridged form without delay before our readers.

The news is of considerable interest, as there appears to be a general stir throughout Europe in reference to the aspect of political events.

In regard to the cotton and money markets, the news is highly interesting and satisfactory. Cotton continues to advance and the money market is improving.

The news from China is of the most important if there be any truth in it. We apprehend, however, that it will turn out to be a mistake growing out of the taking of Chusan. It is against all probability that the British could have taken Peking, and the news just reached London through Russia.

The steamer Britannia made her homeward voyage in thirteen days and 12 hours. The British Queen did not arrive at Southampton till the 23d ult., which caused intense anxiety in London for her safety.—The Great Western arrived in King's Road, Bristol, at 4 o'clock on the morning of the 24th ult.

GREAT BRITAIN.

The queen, prince Albert, and the court left Bockingham palace for Windsor castle, on the 23d ult. where it is expected they will remain till after the middle of the present month, when the queen will probably open parliament in person on the 26th instant.

Vol. IX.—Siu. 22

The court went into mourning on the 20th ult. on account of the death of the queen's grand aunt, the princess princess of Rouss-Koet-lo.

An unusually terrific storm of thunder and lightning visited the metropolis on the 3d inst. accompanied by a fall of hail stones. The spire of a church in Surrey was struck by the fluid, and was entirely destroyed. Some other damage was done by this storm.

Considerable excitement and alarm had prevailed at Newport, in South Wales, in consequence of a fresh charter agitation in that place. A large meeting was held on New Year's day by the chartists, but was unattended by any serious results.

It is now ascertained that her majesty's ship *Valley*, with a crew of forty-five men on board, was lost off the coast of Suffolk during a heavy storm, on the 13th November last.

The weather in England has been unusually cold, and the floating ice in the Thames, for a time, greatly obstructed navigation, and did much damage to vessels and small craft in the river.

The hon. T. C. Robertson has succeeded Lord Auckland to the governor-generalship of India, pro tem.

Repal mentions, with O'Connell to open them, continue to be in various parts of Ireland.

Liverpool corn market, Jan. 4. American flour, free, has sustained late rates, but has been rather slow of sale; best mark of United States at 36s. Canadian at 35s a 36c. per barrel; a little United States has been sold, in bulk, at 26s. per bush.

By the official return of the averages, the duty on foreign wheat is raised to 27s. 8d. on Indian corn to 13s. 10d. per quarter; on flour to 16s. 7½d. per bush, remaining upon all other foreign produce the same as last week.

Liverpool cotton markets. The sales of the week ending the 19th ult. were 32,300 bales, including 1,500 American, on speculation, at an advance on former quotations. The sales of the week up to the 16th were 39,400 bales, including 7,500 American, on speculation, at an advance on former prices. The 20th New Orleans 5 7½, 1,510 Mobile of 6½. The sales during the week ending January 2, were equally brisk, and previous prices fully maintained. The stock exchange, Jan. 4. British market closed this morning rather firmer than it left off on Saturday, at 89½ for account.

Consols may be quoted at 89½, have been 89½ for account; exchequer bills improved to 9 prem. 80½ 79 prem. Bank stock nothing done; Indian bonds 14 to discount.

FRANCE.

The general news from France is not particularly important. The Parisians had witnessed the imposing ceremony of the funeral of Napoleon, on the 15th ult. without offering any violence. Although it was intended by the French government that the ceremony should be grand and magnificent, the English papers speak of it as a decided failure in this respect.

The French journals have again commenced their warlike threats against England. This work on the fortifications has commenced.

The Budget of 1842. On the 30th ult. the finance minister presented the budget in the chamber of deputies. The ordinary and extraordinary expenses are estimated at 1,316 millions of francs. The ordinary revenue is estimated at 1,162 millions which leaves a deficit of 154 millions of francs (6 millions sterling). The minister demanded permission of the chamber to create a loan, if necessary, for a capital of 450 millions of francs; but as the treasury has a reserve of 120 millions, the creation of these debts is not urgent. The minister declared that he did not intend to surpass the fortifications of Paris; but was his intention to spread the expenses of these works over a number of years, his wish being to avoid contracting a war under disadvantageous circumstances.

Minors were prevalent in Paris of changes of the ministry. It is conjectured that M. Guizot will have to succumb to the war party.

The Belle Poule is shortly to sail to the China seas, under the command of the prince de Joinville.

Plots against the king's life. Further plots against Louis Philippe's life are again spoken of. In the pocket of the driver of a Paris omnibus who con-

mitted suicide, a paper is said to have been found, setting forth that being a member of a secret society, his turn had come by lot to kill the king, but finding himself unable to commit the crime, he had determined to hang himself.

The king has resulted that part of madame Lafarge's sentence which condemns her to exposition publique.

There have been severe frosts in Paris, and dense fogs.

Recent despatches from marshal Vallee, from the seat of the war in French Africa, confirm the intelligence of the tranquillity of all the provinces in Africa under his command. The French troops had made several successful attacks in that quarter. The Arab tribes were entering into commercial relations with the French.

Marshal Vallee is recalled from Algiers, and Bugeaud takes the command there.

Quarrel between France and Morocco. It appears that the French government are determined on demanding satisfaction from the emperor of Morocco for the insult offered the consul general of France at Tangier. Admiral Hugon was said to have received orders to hold himself in readiness to sail at the first signal with his ten ships of the line, and two steamers.

The cotton market at Havre was looking up, and the price of the article has already advanced considerably.

ITALY.

Letters from Rome state that on account of the recent melancholy events which have plunged that city into mourning, a complete damp has been thrown over the usual gaieties of the winter season, and that the saloons of the *corps diplomatique* are almost the only ones which remain open. The government has allotted 7,000 scudi to the opera for the expense of bringing out a new work of Donizetti's.

GREECE.

The accounts from Athens continue to give the same details of misgovernment, of alienation of the people from their sovereign, the same determination on the part of the latter to pursue the anti-national system, and to refuse allegiance to the wishes of the Greeks in granting them a constitution. All the endeavors of the British minister to induce king Otto to listen to the proposals to put a stop to the slave trade, which is carried on to an incredible extent under the Greek flag, are useless, or worse than useless. The Turkish charge d'affaires in Greece has had several conferences with the minister for foreign affairs, the result of which has been the settlement of the differences that lately subsisted between the Greek government and the Porte. The declaration of the Greek minister respecting Candia proved wholly satisfactory.

GERMANY.

Warlike preparations on the part of this state have commenced on a large scale on account of similar ones being made by France.

It is reported that the organization of a combined Prussian and Austrian confederate army, has been resolved upon, and that measures are in progress which will enable the Germans to take the field with an overpowering force in the spring, if necessary.

SWITZERLAND.

The grand council of Solothurn have adopted the following principles as the basis of the new constitution of the canton:

1. The sovereignty resides in the people, who exercise it through their delegates.
2. The Catholic religion is the religion of the canton, except in the bailiwick of Bucheggwald, which professes the Evangelic creed.
3. The liberty of the press is guaranteed, saving the repression of abuses.
4. Industry and trade are free.
5. The right of petition is granted.

It is reported that Switzerland is on the eve of a new political communion.

Queen Christian is on her way to Switzerland. Frequent shocks of earthquake continued to be felt in Zante, but almost all slight; when there happen stronger ones (which is seldom) they are sufficient to overthrow those buildings, or parts of buildings, which stand on the injured soil.

From Holland, Belgium and Austria, there is no news of any importance.

RUSSIA.

Disappointment of the Russian soldiers. From the *Deutsche*, Dec. 10. The rapid decision of the Turkish Egyptian question, without the active co-operation of Russia, may probably have disappointed many ardent hopes of our warriors, for the Russian soldiers, and still more the officers, wish for war.

Exports. According to accounts from St. Petersburg, the exports of Russia during the year 1839, amounted to \$41,598,679 bank rubles, and the imports to 249,152,476 bank rubles. The exports accordingly exceeded the imports by a sum of 92,746,235 rubles.

Diplomatic negotiations, a friendly tone, have passed between the Russian ambassador and M. Gruzot. They probably mean nothing more than the usual professions of a disposition to cultivate the relations of peace.

The *Sud*, of Marseilles, contains an account from Constantinople, stating that the Russians had been completely defeated by the Circassians, and driven from one of their most important fortresses, after a decisive battle.

PRUSSIA.

A pretender to the throne. The German papers have given several obscure hints of the existence of a pretender to the throne of Prussia. In a letter under date of last week, it is stated that an elder brother of the king, having been assassinated, left a son who is now a major in garrison in Mentz. It is asserted further that several of the first families in Prussia have determined to support this competitor for the throne, will soon astonish Europe by its results.

The government is having a civil code drawn up for the whole Prussian monarchy. This measure is intended for a two-fold object: first to give to the kingdom a unity, a political homogeneity, without which it would not retain its rank; the second to bring back, under this pretext, the Rhenish provinces to the ancient German legislation.

TURKEY.

The Turco-Egyptian question, which, at our last advices, was supposed to be settled, was again reopened, as will appear from the following intelligence.

On the 26th November, com. Napier concluded a convention with the pasha, by which the latter was to receive the hereditary government of Egypt upon certain conditions.

On the 24 ultimo, admiral Stovford wrote to the pasha, informing him that com. Napier had no authority to enter into a convention he could not approve or ratify; but on the 6th ultimo, he transmitted to the pasha the official authority from the British government, in the name of his four powers, to maintain Mehmet Ali in the pashalik of Egypt only, upon the condition that in three days after the communications made to him by captain Fawshaw, he agreed to restore the Turkish fleet to the sultan and evacuate Syria. In reply, Mehmet Ali accepted the terms proposed, though much hurt at the diplomatic trifling in which he had been subjected.

The precise words of the treaty are, that if he, Mehmet Ali, surrenders immediately to the sultan, and delivers into the hands of the officer charged with the above, a written obligation to restore, without further delay, the Turkish fleet, and to recall immediately his troops from Syria, from the district of Adana, from the pashalik of Egypt, from Arabia, and from the Holy Cities, the four powers will recommend the sultan to re-establish Mehmet Ali in the pashalik of Egypt.

The 9th and 10th ult. were days of negotiation, when Mehmet Ali sent his answer in a note and despatch.

Captain Fawshaw left Alexandria on the 11th ult. with this note and despatch, for Constantinople. We have yet to learn the result of his reception by the sultan.

It was understood at Alexandria on the 11th, that Ibrahim pasha was at Gura with his army, on his way to Cairo, where he was expected to arrive on the 15th inst. Com. Napier had left Alexandria, and had gone to Marmarath. The Bedouins of the desert of Suaz had begun to plunder.

As the affairs of Syria appear to be fast approaching to a quiescent state, it is needless to occupy any space with details of the progress of the intrigues who had hitherto remained faithful to Mehmet Ali, declared in favor of the sultan immediately after the fall of St. Jean d'Acre. The entire army of Ibrahim, which at one time amounted to 75,000 men, had been reduced to about 20,000.

A fearful tempest lately swept over the Black sea and the sea of Marmora, which did incalculable damage. A Russian steamer from Odessa to Constantinople, was wrecked and nineteen men perished.

CHINA.

Still later from China. The British actually in Peking! Reports that the British expedition against China had taken Peking, the capital of the celestial empire, were current in London by the date of our last publication. They were founded on letters received from St. Petersburg, via Holland; and but little attention was paid to them. They have, however, been this week repeated, with increased confidence. The Manchester Guardian gives the following, dated St. Petersburg, 11th December, addressed to "an eminent house" at Manchester and received on Tuesday.

At the beginning of this week, a Tartar arrived here from Kiochian, with the news that the English had taken the capital of China, after having bombarded it, and destroyed all the forts near the river. The emperor, the son of the sun, had fled with all his mandarins. The consequence of this event will be a good treaty which will entirely change the commercial dealings with that empire."

PORTUGAL.

Quarrel between Spain and Portugal. It appears that the government at Lisbon had determined to resist the proposals of that of Madrid as to the Douro navigation treaty. A Spanish force, therefore, had been marched to the frontiers of Portugal, and the time for a definite answer fixed for January 4th; by which time it was expected that the Portuguese government that every thing should be prepared for war, on land, as well as that their old craft were to be hastily put in such a state as to be able to blockade Cadix and other important Spanish towns on the coast. From the hostile despatches of the 10th ult., it was believed that the British government would be likely to interfere and settle the dispute.

NATIONAL AFFAIRS.

U. S. SENATE. The National Intelligencer of Monday says:—In conformity to usage, we learn that the senate of the United States has been summoned by the executive to meet in this city on the 4th of March next, for the transaction of business. (being of course of an executive character, connected with the commencement of a new administration, the formation of a new cabinet, &c.)

MINISTER AT ST. JAMES. The Richmond Enquirer says that Mr. Van Buren had not acceded to the request of Mr. Stevenson (our minister at St. James), that he may be recalled; but in consequence of the new aspect of affairs in regard to the boundary question, and the affair of the Caroline, (being of course of an executive character, connected with the commencement of a new administration, the formation of a new cabinet, &c.)

THE OREGON TERRITORY. Mr. Linn, of the U. States senate, has introduced a bill declaring that the title of the United States to the territory of Oregon is certain and will not be abandoned. The bill further authorizes the president of the U. States to take immediate measures to have the boundaries of the United States on the Pacific frontier ascertained, and in the meantime to take such measures as may be necessary to protect the persons and property of our citizens residing or trading in the territory of Oregon. It also provides that a line of military posts be established at suitable places between Fort Leavenworth and the Rocky Mountains.

The bill grants one thousand acres of land to every white male inhabitant of the territory who shall cultivate and use the same for five consecutive years. It also authorizes the appointment of an Indian agent with a salary of fifteen hundred dollars, whose duty it shall be to superintend the interests of the United States with any Indian tribe west of any agency now established.

REVISION OF THE TARIFF. The secretary of the treasury sent to the senate on Friday a short report on the revision of the tariff, in obedience to a resolution of that body. The gist of the report, after excluding redundant verbiage, is as follows:

The reduction in the duties on imports, which is to take place in 1842, is above five millions of dollars.

The chief existing law on the subject, is the compound tariff act of 1812, which the secretary proposes not to disturb by his revision.

If any changes are made, they should be solely for purposes of revenue.

That these changes should be confined to articles not paying a duty so high as 20 per cent. and that, generally, it should not go above that rate.

That the existing provisions for the payment of duties in cash; and the assessment of them on the value of the merchandise at the port of entry after 1842, ought to be reformed.

It is doubtless a sound axiom to select for highest taxation articles of luxury, rather than of necessity.

It is expedient to select such articles of luxury as compete most with similar articles of American growth or manufacture, though not to tax them above 20 per cent.

It may be useful, also, to select these articles, for an increased import, which may be proper for counterbalancing injurious imports, placed on our own productions by foreign powers.

There are some anomalies in the present tariff which might be abolished; such as discriminations more favorable to luxuries than to necessities.

The value of free articles imported in 1838, exclusive of specie, was about \$25,461,583. A duty of 15 per cent. on these would yield a net revenue near five millions that may be needed in 1842.

Selecting from the free articles those which may be regarded most as luxuries, as tea, coffee, silk, &c. and adding them to those which conflict with American productions, as worsteds, linens, &c. and these would be an amount of \$29,026,445, (taking the year 1838 still as a guide) on the value of 20 per cent. would also yield the amount of about five millions.

On some articles not now free, but paying a duty of less than 15 or 20 per cent. the tax might be raised. Ifines are this description.

Half the duty of increased duties should be made to accrue only from the first of January, in 1842, and the residue commence the first of July next thereafter.

The warehouse system might be adapted and adopted.

It might be expedient to provide for the assessment of the whole of the higher class of duties after 1842 on the ad valorem principle.

Some of the large drawbacks and bounties, now allowed could be beneficially reduced so as to correspond in their proportions with the reduced duties.

This, we believe, is a tolerable synopsis of Mr. Woodbury's report of revision, with the exception of it which merely describes the stipulations and restrictions of the existing tariff. We have interposed no opinions of our own. [Madisonian.]

NORTHEASTERN BOUNDARY. The Washington correspondent of the New York Courier & Enquirer, writes, on the 24th ult., respecting the course of the negotiation between the governments of the United States and Great Britain on the boundary question, reverts to the fact of Mr. Christopher Hughes having been first nominated to the senate by president Adams at the opening of congress in 1828-9, to be minister to the Hague, (with a view to the arbitration before the king of the Netherlands), and the rejection of that nomination upon the same party ground upon which the most important nomination then made by Mr. Adams were rejected, for the purpose of reserving all such appointments and concentrating the greatest possible amount of patronage in the hands of Gen. Jackson, who was to come into office on the 4th of March following. The consequence of which rejection was, that, in due time, the mission was bestowed upon Mr. Preble. The correspondent of the Courier adds to this reminiscence the following, which corresponds with the impression which has been made upon our minds on the same subject.

"It is the opinion of persons best competent to judge, and from what they have said I confidently believe, that, if Mr. Hughes had received that appointment, he would have remained at the Hague, and his means of access to, and intercourse with, the ministers alone, but the king himself, would have enabled him to satisfy the arbiters of the justice of the pretensions of the United States, and would have brought about a settlement of the northeastern boundary question in our favor."

Thus, the first error committed in regard to the boundary negotiation was in the choice of an agent on the part of the United States to attend to the arbitration.

A second error, we believe, was committed in the rejection of the sword of the king of the Netherlands under the treaty of Ghent, after it was made. Upon that head there is, we know, some difference of opinion among patriotic citizens of both of our great political parties. For our part, we wish that it could have been accepted.

A third error was committed, we apprehend, by the present executive, in declining to carry into effect the wishes of congress, as indicated, two years ago, by the making of an appropriation for the outfit and salary of a special minister to Great Britain. Whatever doubt might have existed in the mind of the president, as to the expediency of such a special mission, may still be yielded, in this expression of opinion by congress on the subject.

We allude to this last error with the less hesitation because, as we have heretofore intimated, we are disposed, "veritas excipit," to approve the general course of the present executive upon this delicate question. [Nat. Intell.]

THE TOBACCO TRADE. The Alexandria Gazette has information from the minister of finance of the 11th of December, that the minister of finance has proposed a new tariff of duties, to go into operation 1st January, 1841, by which (amongst other articles) the duties on Maryland and Virginia tobacco will be increased from 50 cents per 100 lbs. to 3 guilders per 700 k.; and that, notwithstanding the remonstrance of the merchants and dealers against the measure, it was generally supposed that the chamber would concur in the recommendation of the minister.

THE ARMY.

Recruits for the U. S. army. The whole number of soldiers enlisted in the army, at the recruiting stations in the different states, for one year from October 1st, 1839 to September 30th, 1840, inclusive, was 6,316; at the stations for the general recruiting service, 3,006; at those for the dragoon service 496, and by regiments, 2,814; total, 6,316. The number of stations was about 40. Of the 3,006, enlisted at the stations, the general recruiting service, 1,444 were in the state of New York—nearly one half of the whole number. At the other stations the commissions were enlisted, at Philadelphia, 215; Cumberland, Md. 153; Baltimore, Md. 145; Louisville, Ky. 150; Newport, Ky. 141; Syracuse, New York, 149; Utica, 135; Albany, 107; Boston, 108. Of the 496, for the dragoon service, 529 were enlisted in this city.

[N. Y. Jour. Com.]

Troops for Florida. A detachment of 104 recruits, for the 1st regiment of infantry, left New York last Tuesday for Tampa Bay, on board the "Tuscarora." The detachment is under command of Lieutenant W. S. Hemy, second infantry. Lieut. J. W. Martin, also of the second regiment is attached to the command.

Florida. A letter has been received at Filadelfia from colonel Loomis, dated at Fort Clinch, stating that thirty-three Indians had come to it at that post.

Tiger Tail had also come in and was going to Tampa. It is thought that in all about six hundred Indians have presented themselves at various posts along the coast on the Gulf of Mexico.

A party of the enemy lately attacked Fort Walker, killing two or three negroes and wounding one white woman. Fort Walker is between Micanopy and Tallahassee.

Captain W. B. Davidson, 3d artillery, died in Indian Key on the 24th December, regretted by all who knew him as a gallant officer and most worthy man.

THE NAVY.

Death of commodore Stevens. The Washington papers of Friday announce the death of commodore Thomas Holdup Stevens, of the U. S. navy, and commandant of the Washington navy yard.

The intelligence says: "In the meridian of life, and in the enjoyment of the highest health, he returned to bed on Wednesday night, and before morning the angel of death had stricken him from the number of the living. Commodore Stevens was a native of Charleston, South Carolina, and entered the navy in 1808, at the early age of fifteen. Young as he was, he had distinguished himself in the war of 1812, even before Perry's brilliant victory on Lake Erie, and he commanded one of the vessels in that ever-memorable battle." The intelligence pays a just and generous tribute to his memory.—The secretary of the navy has issued the annexed official order, under date of the 23d inst.

At a mark of respect to the memory of com. Thomas Holdup Stevens, late of the United States navy, who died at Washington on the 21st inst. while in command of the navy yard and station, the flags of the navy yards, stations, and vessels of the United States navy are to be hoisted at half-mast, and thirteen minute guns fired at noon on the day after the receipt of this order. Officers of the navy and marine corps are directed to wear crepe on the left arm for thirty days.

The U. S. frigate Constitution and schooner Shark were lying at Callao, Peru, all well, September 5th, to sail in a day or two for Paita and Guayaquil. The U. S. sloop of war St. Louis was daily expected at Callao from the coast of Mexico. She had been absent about eight months, and her naval force seems to be to be entirely too limited for the extensive commerce we have in that ocean. It will be seen, in referring to the report made by the committee on naval affairs in the senate of the United States in 1839, that the whale ships alone in the

Pacific ocean number 460 sail, amounting to nearly 200,000 tons, and manned by 12,000 seamen.—The report says: "Every time this whale fleet is sent to sea, there is required, in outfits, food, 80,000 barrels; pork and beef, 79,120 barrels; molasses, 10,000 gallons; coffee, 532,600 pounds; sugar, 256,800 pounds; tea, 172,300 pounds; rice, 1,300 barrels; duck, 46,460 pieces; cordage, 8,860 tons; iron, 4,600 tons; copper, 352,000 sheets, vessels completed every voyage; slaves, 10,000,000.—No part of the commerce of this country is more important than that which is carried on in the Pacific ocean. It is large in amount—not less than \$12,000,000 of capital are invested in, and actively employed by, one branch of the whale fishery alone; and in the whole trade is directly and indirectly involved not less than from fifty to seventy millions of property. It is large in amount—the portion of the whole of the report as a document which throws much light on the important subject of our commerce to the Pacific. [Philad. U. S. Gazette.]

STATES OF THE UNION.

MAINE.

Oxford district. The election for a member of congress in this district, on Monday last, has properly resulted in the election of Mr. Littlefield, of Vass, Warren candidate. Returns from 20 towns give Littlefield 2,144, Long, (W.) 2,123, scattering 293, showing a gain in favor of Littlefield since the late trial.

Treasurer. The whole debt of the state amounts to \$1,675,687, of which all but \$37,420 is funded, and payable in periods of 4, 5, 8, 15 and 30 years. The estimated charge for interest the ensuing year is \$95,500.

Resources.

Cash on hand	\$82,736
Bank tax for 1841	40,000
Duty on commissions	2,500
Balance of tax for 1840	\$7,715
Land notes and other securities available	200,000
Claim on United States	350,000
Bank stock	15,000

Total \$795,951.

The estimate of probable receipts in 1841, is \$458,894, including cash on hand, \$200,000 claimed of the United States for boundary expenses, the state tax, bank tax, and \$30,000 from the land agents. The estimate of expenditure for the ensuing year is \$385,627.

The large debt of the state is the result of an extravagant wheat bounty a few years since, and of its military expeditions to the Aroostook under Gov. Fairfield.

[N. Y. Jour. and Inquirer.]

NEW HAMPSHIRE.

State convention. The friends of the administration in New Hampshire, recently held a convention, and nominated candidates for governor, congress, council and state senate. John Page was named for governor, and Tristram Strong, Ira A. Eastman, Charles G. Atherton, Edmund Burkin, John R. Redding, for congress. The convention recommended a national convention to be held in New York, on the 31st of July, 1842, to nominate candidates for president and vice president.

RHODE ISLAND.

The whig state convention of Rhode Island, assembled at Providence on Thursday. Asner Robinson, of New Bedford, was chosen moderator. Ward King, of Johnston, and Byron Dimin, of Bristol, were nominated as the whig candidates for governor and lieutenant governor of the state. Albert C. Green, for attorney general, and Stephen Caloon, general treasurer.

PENNSYLVANIA.

The public lands. The resolutions in favor of a distribution of the proceeds of sales of the public lands, among the several states, which had previously passed the senate of Pennsylvania, came before a final reading in the house, by a vote of 51 to 14. While under consideration in the house, Mr. Cox, of Somerset, submitted an amendment, in the shape of a second resolution, instructing the Pennsylvania delegation in congress to vote for such an amendment or modification of the tariff laws, as may render the revenue arising from imports equal to the wants of the national government—so that no part of the proceeds of the sales of the public domain—the proceeds of the several states—be applied to the uses of the federal government. This amendment was adopted by a vote of 56 to 37.—The resolutions as passed by the house are as follows:

Resolved, &c. That our senators in congress be, and they are hereby instructed, and our representatives requested, to resist any and all attempts, under what pretence soever the same may be made, to deprive the people of this state of their just portion of the common inheritance in the public

lands, and that they be and are hereby further instructed and requested, to introduce and advocate the passage of a bill, providing for the distribution of the proceeds of the same among the several states, in the ratio of their representative population of one thousand eight hundred and forty.

Resolved, That our senators in congress be further instructed, and our representatives requested, to vote for such a modification or adjustment of the tariff laws as may increase the revenue upon imports equal to the wants of the national government, so that at no time hereafter, under any pretence, no part of the proceeds received from the sales of the public lands be used by the general government.

Resolved, That the governor be requested to cause a copy of this resolution to be forwarded to each of our senators and representatives in congress, and to the governors of the several states, with the request that the same may be laid before their respective state legislatures.

The amendment of Mr. Cox will carry the resolutions back to the senate; but there is no sort of doubt but they will pass that body as amended.

On Tuesday last, John Gilmore, of Butler county, (formerly a representative in congress), was elected, on joint ballot of the two houses of the legislature, to be trustee of the state militia.

Military convention. The military convention at Harrisburg, for a reform of the militia system adjourned on Tuesday last, to meet again on the first of Monday in June. At this state military convention will be held, the delegates to be elected to the regimental trainings, out of the commissioned officers. It is supposed that no less than one thousand officers in full uniform, will be present on that occasion. The resolutions which were adopted previously in adjournment were to the following effect: To effect an efficient organization of able bodied men. To elect respectable men to offices, who would discharge the duty. Recommending to the divisions and brigades to hold meetings in April next. The appointment of a committee to treat of the proceedings to the members of congress and the state legislators, with suggestions to remedy the present evils of the system. Appointing a central committee to select and visit and brigades officers corresponding committees. Appointing a committee to procure the establishment of a military and literary paper, neutral in politics. That the army of the United States should not be increased. Recommending to the divisions and brigades to hold meetings and brigades. All meetings of officers to be in full uniform.

[Ledger.]

French spoliation. DELAWARE. Governor Cornegys calls the attention of the legislature to the case of the French spoliation upon American commerce previous to 1800. The subjoined are the pertinent remarks of his excellency.

"Your attention is requested to the documents now in the possession of the legislature, in relation to the case of the French spoliation upon American commerce previous to 1800. The subjoined are the pertinent remarks of his excellency.

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"Our government thus purchased a release from an onerous and treaty obligation by the property of their fellow citizens, and therefore became liable, upon every just principle, to them for the amount of the claim thus barred away. This claim has been standing for forty years; has been elaborately investigated in the several sessions of congress, and its validity and justice have been repeatedly recognized by committees in each house. In view of all the circumstances, I regard the claim as one entitled to your favorable consideration, and to that of congress.

The governor has appointed John W. Houston, esq. of Georgetown, secretary of state; and the legislature has elected col. William D. Waples, of Sussex, state treasurer, and L. A. Houston, esq. of Kent, auditor.

MARYLAND.

Census of the population of the state for the year 1840: taken in conformity with the act of congress, under the direction of N. Snider, esq. marshal of the district of Maryland.

NAME OF COUNTY.	MALE.										FEMALE.										Total.										
	Under 10					10 to 20					20 to 30					30 to 40						40 to 50					50 to 60				
	Under 5	5 to 10	10 to 15	15 to 20	20 to 25	Under 5	5 to 10	10 to 15	15 to 20	20 to 25	Under 5	5 to 10	10 to 15	15 to 20	20 to 25	Under 5	5 to 10	10 to 15	15 to 20	20 to 25		Under 5	5 to 10	10 to 15	15 to 20	20 to 25	Under 5	5 to 10	10 to 15	15 to 20	20 to 25
Allegany	1,411	915	606	1,067	1,069	1,256	623	264	160	66	28	1	1	1	1	1,527	898	775	627	1,241	760	425	282	126	50	18	2	2	2	2	
Washington	2,221	1,631	1,215	1,812	2,274	1,812	1,019	591	281	108	37	10	1	1	1	2,070	1,682	1,115	1,311	2,278	1,340	705	428	126	50	18	2	2	2	2	
Frederick	2,257	1,806	1,785	1,326	2,262	1,812	1,019	591	281	108	37	10	1	1	1	2,070	1,682	1,115	1,311	2,278	1,340	705	428	126	50	18	2	2	2	2	
Cecil	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	1,257	1,019	
Harford	2,008	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	1,072	1,441	
Monroe	662	608	313	437	622	436	320	236	163	66	20	5	1	1	1	612	561	407	472	632	405	220	115	56	21	2	2	2	2	2	
Prince George	719	612	468	587	622	436	320	236	163	66	20	5	1	1	1	612	561	407	472	632	405	220	115	56	21	2	2	2	2	2	
St. Mary's	415	386	206	415	386	206	415	386	206	415	386	206	415	386	206	415	386	206	415	386	206	415	386	206	415	386	206	415	386	206	415
Charles	305	406	273	305	406	273	305	406	273	305	406	273	305	406	273	305	406	273	305	406	273	305	406	273	305	406	273	305	406	273	305
Anne Arundel	1,287	928	811	711	1,272	838	661	373	186	64	16	3	4	1	1	1,233	918	692	661	1,237	793	520	240	91	38	15	6	9	9	9	
Cecil	1,135	874	762	711	1,151	1,151	667	326	186	64	16	3	4	1	1	1,103	819	692	661	1,237	793	520	240	91	38	15	6	9	9	9	
Keel	318	377	384	291	321	334	232	122	72	22	23	5	4	1	1	465	377	291	321	334	232	122	72	22	23	5	4	1	1	1	
Howard	334	377	384	291	321	334	232	122	72	22	23	5	4	1	1	465	377	291	321	334	232	122	72	22	23	5	4	1	1	1	
Queen Anne's	612	414	384	380	570	456	219	106	60	15	1	1	1	1	1	576	346	298	446	644	348	201	118	44	21	1	1	1	1	1	
Westchester	996	742	639	624	999	629	435	227	122	62	13	4	1	1	1	980	697	586	632	982	642	395	125	45	14	1	1	1	1	1	
Baltimore city	6,202	4,485	3,782	4,410	5,272	3,938	1,508	752	236	70	10	2	1	1	1	5,074	3,782	3,091	3,665	5,068	3,091	1,508	752	236	70	10	2	1	1	1	
Total	29,664	20,410	18,270	16,100	29,005	20,874	12,590	7,284	3,856	1,510	410	62	13	2	2	25,054	19,889	17,609	19,276	25,091	15,295	7,215	4,350	1,750	387	89	7	1	1	1	

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total white population 75,512; free colored persons 431, slaves 19,968, total colored population 19,399. There are 40 deaf and dumb persons, 20 blind and 41 insane and idiots. Of the number of white persons above the age of 20, there are 6,584 who can neither read nor write. There are 9 academies and grammar schools within the state, having 134 scholars, and 108 primary and common schools, having 2,567 scholars.

KENTUCKY.

Prisoners. From the annual report of the keeper, it appears that the profits of the institution from March, 1839, to November, 1840, amount to the sum of \$12,512 12 cts. The number of convicts are stated to be 226.

OHIO.

The Ohio State Journal says that the annual report of the auditor discloses the astounding fact, that the collectors of tolls upon the Ohio canal, at Newark, Massillon, Dayton and Chillicothe, are in default to the state for monies received by them, in the aggregate sum of \$11,560 72.

The absorbing question here, says the State Journal, among those who are sincerely desirous to place the moneyed institutions of our state in a condition to be safe and useful, is whether there shall be a state bank, similar to that in Indiana, or whether the present banks, or such of them as are entitled to public confidence, shall be permitted to remain. **Safe vault fund system,** with such modifications however, as shall secure a larger amount of specie in the vaults of the banks, in proportion to the amount of paper circulation, than is exhibited in the reports of the New York banks. The probability is, that the committee to whom this subject is referred, will report a bill on the latter plan; chiefly because the finances of the state are thought to be unfavorable to the former. "The great difficulty appears to be in determining a rule by which the real available means of the present banks may be ascertained, in order to fix the amount of circulation to which each may be entitled, when presenting claims to the house of control, for admission into the family of solvent banks."

The bank bill has been since reported.

INDIANA.

Legislature. In the house, on Wednesday the 6th inst. the vote on the passage of the bill to regulate general elections was in favor of the restrictive provisions of the bill. In the township in which they may reside, was reconsidered and after a spirited debate, the bill passed. The senate spent the most of the next day in discussing a motion to reject the bill, which was finally carried in the affirmative by a vote of 27 to 15.

State bonds. A report has been made in the legislature of Indiana, on the subject of the bonds issued by that state, in which the ground is taken that all the bonds issued by the commissioners of the state should be paid, except such as had been sold and were not paid for, and which remained in the possession of the original purchasers. This has reference to the bonds sold to the Morris canal company of New York, and for which the state has received nothing. But as that company has disposed of those bonds to the United States bank of Pennsylvania and by that bank have been pledged to England, the proviso can be of no effect. Those bonds constitute a large portion of the debt of that state.

ILLINOIS.

Resumption. It will be remembered that by the unexpected termination of an extra session of the legislature of that state, a few hours, on a day previous to the meeting of the regular session, the state bank of Illinois was in a measure coerced into the work of resuming specie payments, somewhat sooner than it otherwise would have done. This resumption took place, if we mistake not, on the 21st of December. And we now learn from the St. Louis Republican of late date that "the demand for specie on the State Bank of Illinois, had thus far been much less than was expected." We are thus informed that the resumption is going like a run on the State Bank, or any of its branches. The resumption thus far is said to have had no influence whatever on the condition of the bank.

The city of Cairo. The Sangamo (Ill.) Journal says—

"A ship is now contracted for, to be built at Cairo, the ensuing summer, designed for a regular trade between that city and Liverpool. Start not reader! This is not a new project, but one that will hardly pass before ships from the ocean will unload their cargoes at Cairo city, which will then be a port of entry, and will take that rank among the cities of the west, to which her unrivalled position—unrivalled in any portion of the world—will entitle her.

"We will add to this article the fact that the embankment, which will enclose 1,200 acres, will be completed in June, after which an overflow of the city will no longer be apprehended."

This ambitious city—we believe it already has a character—is situated at the extreme southern point of the great continental divide, by the junction of the Ohio and Mississippi rivers.

MISSOURI.

St. Louis. The business between the city of St. Louis and Boston and New York, this year, according to St. Louis Gazet, is \$5,000,000. When the Chicago canal is finished, which will be in the coming year, the transportation of merchandise will mostly be done by the Erie canal and the lakes.

MICHIGAN.

Governor Woodbridge's message was communicated to the two houses of the Michigan legislature on the 7th instant. The subject of education is the first that receives particular notice, and it appears to be one which the governor has much at heart.

Various details are pointed out in the existing system of common schools, especially as it regards the laying off of districts and the imposition of taxes. Amendments are suggested. The constitution of the state university is alluded to—an institution which seems to be designed upon a grand and generous plan, having its chief endowment in public lands granted by the state and the general government. The university has its branches in different parts of the state, some of which are now in successful operation. Of the central institution four buildings for professors' residences are finished, the grounds are handsomely enclosed, and a large edifice for students will be finished probably in June next.

Among the local matters to which the governor refers, the judiciary department of the state gives occasion for a series of remarks. "In all our courts of civil jurisdiction," says the message, "it is too obviously true to need formal proof to establish the fact, that in a few years past, the number of cases has increased to an extraordinary extent; and the crowded and diffused operations of our courts are looked to with a far more general and absorbing interest than in ordinary times." This state of things is ascribed in part to the influence of the general government in relation to the currency and the tariff. In this connection, the message says—

"To establish a national currency, has not been allowed the states; nor does it remain with them to create any incidental institution, tending to invigorate, increase or protect it. No power has been reserved to the states either, so far to interfere with the operations of commerce, as, without materially injuring any other interest, to foster and encourage our own manufactures. And when by a lamentable concurrence of circumstances, principally superinduced by the action of the federal authorities themselves, ruin is brought upon a considerable number of our families, and their families without the guilt of their own, no power exists, except with those authorities, to relieve their distress, by a well guarded and uniform system of bankruptcy." On neither of these subjects can the separate states act authoritatively. But the expressed wishes, or the well reasoned opinions of the state legislatures on all questions of national policy, will be entitled to respect, and cannot but exert a just and salutary influence.

This appears to be some uncertainty concerning the exact location of the northern boundary separating the state of Michigan from the British territory. It is recommended that an immediate application be made to congress for a survey of the district in question.

The internal improvements of the state constitute an important topic of discussion. The great error has been in undertaking too many large works at once. The consequences are that the whole system is brought to a stand in an imperfect condition, and the obligations of the state have accumulated without the means of meeting them being at present available. After referring to the unpromising prospect of things now in view, with the difficult alternatives that lay before them, the governor concludes upon the subject thus:

"And, to rescue our constituents and our state from a condition so rapidly approaching, and yet so full of peril, we are, I think, gentlemen, that but one course remains—that is, to consent to look at our great public works, solely as a matter of finance, as a measure of pecuniary control merely—at once, and unconditionally, to sacrifice on the altar of true honor and patriotism, all local prejudices and partialities, and with one accord, to apply all the available means that remain to us, to the completion of that one of them which will be certainly the most productive, from a full consideration of all circumstances, and an honest

estimate of chances, will furnish the strongest and the best guarantee that its pecuniary avails will be most certainly be equal to the semi-annual interest which the state must soon cast about for ways and means to pay.

Some increase of the general state tax is recommended; also, the appointment of commissioners to make a new assessment and valuation of property in the state.

MESSAGE OF THE GOVERNOR OF MASSACHUSETTS.

Fellow citizens of the senate and house of representatives:

We are the chosen agents of the commonwealth, appointed by the people, each to perform the duties, and bear the responsibilities, imposed on him by the constitution and laws. By the wise provisions of the constitution, the trust confided to the several branches of the government is limited to the short period of one year, when the people are delegated to us, return to their homes, and live to private life. Under such an organization, all being held annually accountable for their conduct, under the heavy penalty of popular disapprobation, there is little danger of a wide departure from public policy, from the will of the majority of the people.

Review of the political system. This system has been in force sixty years, and the prosperous condition of our happy commonwealth, during most of that period, is a strong and convincing testimony to the wisdom and profound sagacity of the devoted advocates of public liberty who formed it.

It is questionable whether human wisdom could devise a system of organic laws, which would give a more efficient and more judicious public sentiment, act with greater efficiency in promoting the great object of popular government.

What sons of Massachusetts is not justly proud of the glorious name! A name illustrious in the country's annals! A name associated with events that will transmit it to nations unborn with a charm surpassing the illusions of fiction. If we can carry our thoughts into the past, and not have our hearts swell with gratitude to end for his signal blessings, we are unworthy the name of Christians. If we can survey the works of our fathers, and contemplate the comprehensive wisdom displayed in founding, broad and deep, our free institutions, without reverence and awe, and thankfulness to God, for our unflattering report of popular liberty, we are unworthy of such ancestors, for who have done more, or done it better! And where are more convincing proofs of the happy success of a self-governed community, than the memory and intellectual and political institutions which exist around us?

Massachusetts, while a weak and humble colony, embraced the great principle, that a people to be free must be enlightened, and was the first to engrave it upon her public mind. The principles of popular education to sustain and carry out freedom of opinion in religion, soon proved to be the strongest pillar in the political fabric. Her schools have shed a lustre upon her career, and imparted a stability and moral dignity to her character, the influences of which have passed beyond her limits, and are felt at the remotest borders of this confederacy.

Moral and intellectual improvement. To extend to a whole people the means of moral and intellectual improvement, to enlighten the minds of the people, to make all wise and good, by enlarging their capacities for enjoyment and usefulness, is a noble conception, as it unfolds the mental strength of the poor, and opens the way for all to attain to honor and fame. We see among all the nations of the world, the power of education, in this fact, that a large portion of those who embellish the walks of literature, or adorn the learned professions, or signalize themselves in the halls of legislation, are the sons of persons comparatively poor.

Education. Thus the schools are constantly exerting a great influence upon our destiny by adding fresh vigor, power and moral energy to the popular mind, and qualifying it to sustain the great cause of humanity and benevolence. We have seen the great results of education, in the most comprehensive sense. While Massachusetts has thus reared her hopes of the future upon the intelligence and moral rectitude of the people, she has seen no cause to distrust the wisdom of her policy.

Respectful character. As the commonwealth has been studiously anxious to imbue the public mind with those qualifications for self-government, so she has not been unfaithful of the duties of humanity and benevolence. She has been ever ready to do justice to all the claims of the poor, to relieve the distressed from the sufferings incident to improvidence or misfortune, and provided for them as members of the great public family. She has also mitigated the condition of the poor debtor, and her generous policy sought to relieve the poor from all small claims to aggravate poverty. Nor has her parental sympathy been withheld from the destitute

blind and deaf and dumb, but their misfortunes have been greatly alleviated by a liberal provision for their education and improvement in the useful arts. Nor has she disregarded the insane, or overlooked their deplorable condition, but has caused many to be rescued from loathsome asylums, where they were confined for crimes unconsciously committed, to an asylum, in which by medical skill and gentle treatment, they are restored to their reason, or greatly relieved from their sufferings.

Works of Christian charity and voluntary benevolence every where abound, embellishing our commonwealth, and bearing testimony to the disinterested philanthropy of our citizens. The spires of churches scattered over the face of the country, mark our character as a people, and the pious pilgrims, and afford an impressive proof that religion abides among us. The sick and disabled find a refuge and an alleviation of their sufferings in our hospitals, and the unprotected orphan has provided for him a retreat from the snares and seductions of vice, where virtue and good morals are sedulously cherished and cultivated. The adventurous mariner, who from his improvident habits and careless generosity, is often the victim of the rapacious, finds a friendly refuge among the benevolent, who labor to arrest abuses and elevate his morals.

Justice. The laws are justly regarded as the exponent of the will of the people, and while they are administered with such impartiality, that the inhabitants feel secure in their persons and property, the decisions of our judicial tribunals are regarded in other states with the respect due to able and learned expounders of the principles of an enlightened people.

Resources, enterprise, industry. We have seen also how the policy of the federal government has not impeded our action, this means of prosperity constantly multiplied, and our resources steadily developed, as our ability has increased. New avenues of transportation have been opened, and fresh impulses given to trade and agriculture, creating strong motives in our citizens to cling to the fortunes of our venerable commonwealth.

Much of all this is the result of private enterprise. But it owes its origin to our popular organization, and especially to the rights of individual liberty which we enjoy. Exciting, as it does, bold and successful enterprise, it is a most gratifying proof of the wonderful energy of a free people, among whom useful labor is honorable. It is the work of a community united under the fundamental principle of equal rights to all, and excluding no one. It is a community that has built itself up, and drawn around it the comforts and enjoyments which follow powerful and well directed efforts—a community in which each member, as far as safely will permit, has been left to pursue his own interests, and to the dictates of his understanding—to follow his occupation in his own way, free from such restraints as impair the right of private judgment and narrow down individual liberty.

Political privileges and duties. In the high enjoyment of these privileges, our citizens have determined, each for himself, what employment he would pursue—whether he would work much or little—whether he would buy, sell, exchange or give away property—whether he would give credit, exact money, or make any other conditions, and they have vigilantly guarded against all attempts to invade or impair these rights.

The almost unrestrained individual energy which we enjoy, the exemption from unnecessary and oppressive burdens; the right which belongs to every person to seek his happiness and enjoy the fruits of his industry in such manner as he pleases, if it be not criminal, are the obvious causes of our prosperity, and have worked out these great results which distinguish our union from all other nations and make it the paradise of the poor man. Almost all we see amongst us in our commonwealth is the work of individual enterprise, exerting itself under these impulses. Business, which has received the freest support due from the government, has never been urged forward with untiring zeal; trade and wealth have been sought by sea and by land, in unexplored regions; commerce, foreign and domestic, has been employed with unabated activity in exchanging the products of labor, and labor itself has been stimulated to its greatest efforts, and has realized rewards seldom equalled in any country.—The earth itself has been annually tasked for more abundant crops, and this general activity of business has imparted vigor to the nation, and has multiplied its rapidly towards higher perfection. What the resources of an individual have been inadequate to accomplish, has been done by united efforts; canals have been excavated, rail roads laid down, ships built, mills erected, manufactures created, and so on. Thus individual energy acting by itself, or in unison with others, has enlarged business in all its forms so

rapidly, and created such a demand for labor, that all who have been disposed to be industrious, have with few exceptions, found as much employment as they desired, and at rates of wages adequate to lay the foundation of success in the acquisition of property. We often see this individual power forcibly illustrated in the rapid progress of our citizens from poverty to wealth—in the transition from the humblest circumstances to a condition which enables them to become the generous patrons of the benevolent. If great institutions which have grown up amongst us.

Individual liberty, coupled with intellectual improvement, is manifestly the vital principle that distinguishes us and moves us on by its own inherent power, crowning our efforts with success. It is not a mere impulse that nothing else can give, and in its great and general results exhibits in strong contrast the difference between those who enjoy it, and such as have no voice in their destiny, but from generation to generation labor quietly on to sustain animal existence, unconscious of the capacities that sleep within them. Almost all we witness around us, is only the proof of what man is capable of accomplishing for himself when free scope is given to his mental and physical faculties. It is not a mere impulse that nothing else can give, and in its great and general results exhibits in strong contrast the difference between those who enjoy it, and such as have no voice in their destiny, but from generation to generation labor quietly on to sustain animal existence, unconscious of the capacities that sleep within them. Almost all we witness around us, is only the proof of what man is capable of accomplishing for himself when free scope is given to his mental and physical faculties. It is not a mere impulse that nothing else can give, and in its great and general results exhibits in strong contrast the difference between those who enjoy it, and such as have no voice in their destiny, but from generation to generation labor quietly on to sustain animal existence, unconscious of the capacities that sleep within them. Almost all we witness around us, is only the proof of what man is capable of accomplishing for himself when free scope is given to his mental and physical faculties. It is not a remarkable that we are sometimes borne forward by the buoyant hopes naturally excited, with a strength that carries us into injurious excesses of business, but as the desolating tempest or the blighting frost, sweeps away the fruits of the blessings of heaven mingled with the waste, so do the people return from excess to their usual prudence, learning wisdom from misfortune. The inconveniences resulting from occasional over-action, and the trifling comparison to take counterbalancing power, which would impair the discretion, diminish the privileges, or restrain the enterprise of individuals. Power always steals upon us under the plausible pretence of bettering our condition, and the general enjoyment of the rights of life, which lessens our privileges. It may be abused and exercised oppressively by majorities as well as by despot. The mere forms of a free government do not, therefore, make a free people, unless, as individuals, they are exempt from oppression, and enjoy the liberties and privileges which constitute all that is valuable in freedom. It becomes us in our possession of such privileges as the people of this commonwealth enjoy, not to be impatient under the evils incident to them; not to destroy the rights of others, in order to remove the cause of their individual liberty as the basis of political happiness. When abuses demand it, a suitable corrective should be applied, but not in a way to cool the ardor, discourage the hopes, or abate the energy of our citizens. Such legislation may say something to power, but nothing to the great cause of universal freedom and prosperity.

Like other states, we have shared the calamities which have fallen to the common lot of the country, and our citizens had the influence upon our progress. But the people have infused into the general course of policy, much of their own free and holy spirit, and have imparted to our institutions a living energy that will sustain and advance them toward higher perfection, and make them more worthy of our love, and more perfect models for the imitation of others. We cannot more strongly avow our attachment to the commonwealth, than by promoting the prosperity and happiness of the people. It is the duty of our legislature, which shall not impair the privileges.

Federal relations. But whatever may be our policy, and however generously the people may infuse their liberal spirit into measures, still our connection with the government of the United States is such, and influences so great, that we can neither avert or control them. Probably no state in the union has so great a diversity of important interests so materially affected by its action. We are agriculturists, manufacturers, mechanics, navigators, and so on. Our citizens are closely united by innumerable strong ties, in a common interest. We hold extensive commercial intercourse with the world, and make the seas tributary to our labor in many directions.

We are thus brought directly under the power and protection of the government of the United States, and if its policy be wise, experience teaches us that we can scarcely fail to prosper, but if it be unwise, or oppressive, we have learnt in like manner, to cling to it, and escape its evils. If it denies us as commercial intercourse, our trade is suspended; if it is regulated upon unfair or unjust terms, we languish under the injury; but when its parental arm covers us with its shield, winning our affection by encouraging our efforts by a judicious policy, then the swelling tide of success

is rolled on with an impetus that none but a free people can give. As therefore, the power of that government reaches, and influences all our pursuits, to the earnings of the humblest laborer, we have in it a vital and abiding interest, and we have a right to demand that it be just, faithful, and constitutional authority, as well as to hold it responsible, if in times of peace and plenty, it pursues a course adverse to our prosperity and embarrasses our enjoyments.

The currency—expenditures. Our public affairs have for a long period of time been in great confusion. Our finances, currency and business have been previously deranged during the experimental policy pursued since the chief magistrate of the U. States assumed the duties of his office, and the revenues. Even those revenues which were then superabundant, have ceased to meet the annual expenditures, and money raised on government paper has supplied the deficiency. Attempts are made to justify this extraordinary state of things on the ground that the currency is and has been excessive, that through the influences of this excess, credits have become extravagant—trade has gone beyond the limits of prudence—importations have become unmoderate and property has acquired an unnatural value. The apparent object of the policy is to retain the revenues under the more immediate control of the executive and to check credits among the people by diminishing the amount of money in circulation. The real effect is to diminish business by lessening the means employed to carry it on, and thus curtailing the value of property and the wages of labor. Among men without wealth credit stands in the place of capital, and just to the extent it is restricted, this policy, a decline in business, and a curtailment, drawing after it a proportionate fall of wages.

The whole weight of the administration has been thrown upon the currency, and its fortunes staked upon so reforming it as to restrain credits and trade founded upon them.

The currency has been reduced till money has commanded ruinous rates of interest—trade has declined—importations have been diminished but not more than other business—credits have been curtailed in a vast multitude of distressed debtors can testify—property and wages have been lowered—but where is the prosperity that was to follow? where the golden era of fruition? The aching eyes of many are still starved in vain after it while it recedes in the mirage of the desert before the wry traveler.

Since this policy commenced, years have passed away, and what have we realized, but the tortures of the experiment? In what has our condition been improved? The people have not, it is true, known those, who are born to inheritances, are to carry on a successful business without credit, or how the country can be made to prosper without it. They have yet to learn how reducing the currency is to bring relief, when they see their property sacrificed and themselves overwhelmed for the want of money. If, as many seem to believe, the sub-treasury act will diminish importations, by restraining credits, we have yet to learn, that it will not affect domestic business and trade which is of vastly greater magnitude and importance than the foreign trade for currency and credit are an indispensable to the one as to the other.

Manufacturers believing that no such favorable results, as have been anticipated, would be realized, have, in consequence, been led to the adoption of this policy, protesting against it, as unjust, injurious and an alarming invasion of the liberties of the people. She deplored that act by which the revenues were taken from the custody of law and employed to sustain a system of trade, to excite power. She resisted the sub-treasury act, because it substantially legalizes that dangerous union of the executive with the moneyed power, and because she considers it as the initiatory step towards a paper currency founded on the credit of the State. We have seen her in ambitious bands, she saw that her own monetary institutions would be subject to executive control, and might be held or crippled at pleasure. She saw indeed nothing to hope, but she saw the triumph of the friends of the people, warning the people of the danger. She has been heard, and a response given, condemning the system by an emphatic expression of public opinion.

Yet we see from high sources the adoption of a disposition to cling to it, and still a lingering hope, that it may satisfy itself, as have been struggling with the adversity of the times, that the country has been prosperous? Can the people be persuaded that the treasury is in a favorable condition, when all revenues, sources from more than one hundred and twelve millions of dollars during the last four years, have

been exhausted and the country left in debt! Is it such proof of a suitable economy, that nearly thirty millions of this fund consisted of a surplus money arising from cash on hand, bank stock, &c. which has been expended in addition to the current revenue? Is a debt the less burdensome because it is not present, when the president has officially assured us that "indebtedness cannot be lessened by borrowing more money or changing the form of the debt?" The people will form their own judgment in regard to these matters, but I see no satisfactory evidence of economy or of a realization of a general prosperity as a justly commensurate result.

Prospects. The time, however, is at hand when we may hope for an administration of public affairs which will relieve business from its fetters and set upon the country a higher career of improvement. We may, I trust, look for enlightened measures, which will quicken into activity the benumbed energies of our great industrial community; and for a system of actual, practical economy, rigidly enforced, and in harmony with that plain philosophy which is the basis of the people. We may also, I trust, anticipate a policy that will watch over the great interests of the country, encouraging, protecting, cherishing and harmonizing all of them; one that will be an appropriate wisdom to the farmer, the planter, the mechanic, the farmer, the manufacturer, the mechanic, the navigator or fisherman.

A great crisis is at hand when congress must settle the measure of protection which the labor of the part of the country is entitled to from the assessment and collection of the revenue from importations. We shall look to the coming event with deep anxiety, trusting that it will be met in the spirit of conciliation and mutual concession, and in harmony with the common prosperity of the great interests of the country. Nothing short of this can give stability to our republican government and impart contentment to the people. In the accomplishment of this desirable object, in which no one has a greater stake than the laborer, I cannot doubt all good citizens will unite with zeal.

Policy. What we ought most anxiously to seek, is a wise, firm and steady policy, for nothing more deranges business than fluctuating legislation. It is desirable, it must be just, for if it shall disregard one class to favor another, the wound inflicted by such partiality will fester till the whole system becomes diseased. The harmony of the states and the preservation of the great interests of the nation, require legislation, that they demand the exercise of the greatest wisdom and patriotism from all quarters. Nothing can tend more strongly to such an end than the adoption of a comprehensive policy, embracing all the great interests of the country, and the wisdom of congress will be united to accomplish a result so necessary and so unanimously desired.

In entering upon the discharge of the duties assigned to me, I am not un mindful of the great responsibilities that rest upon me. I feel that the confidence reposed in me, I can assure my fellow citizens, that my best efforts to promote the prosperity of the commonwealth shall be devoted to their service. I shall with great satisfaction co-operate with the legislature in giving all possible despatch to the public business, and in maintaining a system of rigid economy and strict accountability in the management of the public money, as far as power to do so is conferred upon me.

The management of the finances, do not enable me to speak of the details on this occasion, but I shall unite with you in any suitable measures of economy which will bring the expenditures within the amount of the revenue, and in every and in any just provision for the payment of such balances as may or may fall due.

There are many other important topics which will occupy your deliberations, and might be appropriately noticed at this time; but it will be more convenient to solicit for them your favorable attention at some period, if the public interest should require it.

It now only remains for me to express to my fellow citizens the abundant sense of gratitude which fills my heart at this renowned expression of their confidence, and to entreat that the smiles and blessings of Divine Providence may rest upon them and upon the commonwealth.

JOHN DAVIS.
Governor, January 9, 1841.

MESSAGE OF THE GOVERNOR OF PENNSYLVANIA.

To the senate and house of representatives of the commonwealth of Pennsylvania.

FELLOW CITIZENS: Among the various duties enjoined by the constitution on the executive magistrate, none is more important and more frequently recurring, than that of "giving to the general assembly information of the state of the commonwealth, and recommending to their consideration

such measures as he should deem expedient." On this occasion I am happily relieved from much of the anxiety and embarrassment attendant upon the discharge of this duty, by referring your attention to the annual message which I had the honor to transmit to the legislature on the 8th of January last. That message I felt to be of an imperative duty to deliver into a full and elaborate exposition of my views on several deeply interesting subjects connected with the public welfare, and especially on the subjects of the internal improvements of the commonwealth, the public debt, and the reorganization of the banking system. In regard to these leading questions of vital interest, and the numerous subordinate matters intimately associated and blended with them, I can add very little to the opinions I expressed, and the recommendations I made in a message to which I have just referred you. The experience of the past year has not only confirmed, but strengthened my conviction of the justice and propriety of those opinions and recommendations; and, with the exception of a few unimportant matters, have approved them; and I earnestly invite your careful deliberation, as I did that of the last legislature, upon those portions of the message, to which you will find convenient access upon your journals. I can assure you, with much satisfaction, that I perceive no necessity for changing or modifying, in any essential particular, the recommendations therein contained; and I now here respectfully, but earnestly, recommend the adoption of the recommendations herein made, or such modifications as the present legislature will not separate, until they shall have made a searching and thorough reform of the imperfections and manifold abuses of the present system. To me it has been a subject of deep regret that my recommendations on this subject did not meet the approbation of the last legislature, persuaded as I am, that the most beneficial influences would have resulted from their adoption. It is not, however, too late to apply the remedy still; and I again recommend, with earnestness, those measures for reforming the abuses of the banking system to your early attention.

Redemption of specie payments. The redemption of specie by banks on the part of the banks, which constituted, a year ago, such a formidable portion of the difficulty in the way of efficient legislation, is about to be consummated, without your active interference at all. Under the resolution passed on the 15th of April last, there is no subject now required, on and after the 15th day of January instant, to pay on demand all their notes, bills, deposits, and other liabilities in gold or silver coin, on penalty of the forfeiture of their charter, upon the condition set forth in said resolution. It affords me great pleasure to state, that although the day fixed for the redemption was more remote than I wished at the time, yet the period of indulgence has nearly passed away, and there is now good ground to expect that the banks, which are now wealthy, will, as they are required to do, be prepared again to discharge their liabilities in specie. Should they do so, by continuing strictly to observe the law, and by fulfilling the just expectations of the public, they may regain the confidence which they have hitherto lost, and more particularly may they do this if proper measures be adopted for the better regulation and control of their operations.

One of the most immediate advantages resulting to the commonwealth from the redemption of specie payments, will be the entire extinction from circulation of the illegitimate brood of small notes that have been poured in upon us, from the neighboring states and cities, in defiance of law, and of the most active endeavor to suppress them. I cannot, however, conclude this part of my subject without recommending that no increase of our banking capital be made under any circumstances, and that official provisions be made by law, that if any bank shall, at any time hereafter, issue a specie payable, it shall be *ipso facto* a forfeiture of its charter. Nothing short of an absolute and unconditional provision of this kind can arrest the frequent over-issue of bank notes, induced by the inordinate cupidity of those under whose directions they were conducted. Let the great principle be distinctly announced, as the foundation on which our banking institutions rest, that, hereafter, there are to be no more suspensions of specie payments in Pennsylvania.

Public improvement. The condition of the public improvements during the past year, has been attended to by the officers entrusted with their management, with untiring industry and care. They are in a much better state of repair than they ever have been since their construction, and but little delay or interruption in business has occurred. The amount of business done on the main line, it is true, has not been so large as last year, but it has been owing to causes in no degree connected with the manage-

ment of the public improvements. I refer you to the report of the canal commissioners for a detailed and accurate statement of the present condition of the improvements, the sum required to complete those lines in a state of forwardness, and the amount needed for repairs on the canals and rail roads now in operation, as well as the amount due for repairs heretofore done.

I feel it to be my duty again to state in the legislature, that as soon as those portions of the unfinished lines of improvement, now almost completed, are finished, and upon which, if the work has been suspended more would have been lost to the commonwealth, than by hastening their completion, I think it full time for Pennsylvania to pause in her career of internal improvement, and test for a time the usefulness and value of the stupendous achievements she has already made. I have been from the beginning, the friend and advocate of the internal improvement system of this commonwealth, and shall continue to be, so long as that system is confined to the immediate tributaries of the commonwealth; but our immense public debt, and the sacrifices which the people are called upon to make in consequence of it, for the payment of the interest, and of the principal as it falls due, forcibly admonish us, to consider the wisdom of the policy, which we pursue, and to diminish as much as may be practicable the burdens now imposed upon the people of the state.

The amount necessary to complete the main line and to test the improvement now in use in a thorough state of repair, you will be fully informed of by the canal commissioners; which amount of money I would respectfully suggest, should be immediately appropriated as to as enable the canal commission to make such arrangements as they may see fit with most advantage to the public service. Great and immediate repairs to our improvements are indispensable, if we hope to maintain the character of those improvements, and to prevent our immediate resources from being so extravagantly diverted, as to leave a large share of the business of the west and south. The honor of Pennsylvania is too deeply involved in this measure to admit of apathy or delay. Feeling as citizens of this commonwealth should not on this subject, I am sure in strong advocacy of action could be presented in you, than that of enlightened and many state pride, addressing itself to you through the medium of official duty.

Public debt—Finances.

The present amount of the public debt is
Permanent loans at 5 per cent. \$3,086,913 82
Do. do. 4 1/2 per cent. 200,000 00
Temporary loans at 4 per cent. 15,000 00

\$3,381,913 82

Due U. States on account of de-

posites surplus revenue, 2,867,514 78

Unpaid appropriations, 622,249 69

\$3,670,773 69

Upon an examination of the debts and liabilities of the commonwealth, on the 15th of January, 1839, and the subsequent laws passed, authorizing loans and making appropriations, it will be found that nearly the whole sum borrowed since that period has been applied to debts and liabilities then due and falling due, on account of the public works finished and in progress—to the payment of temporary and stock loans—for interest on the public debt, and for the repairs of the canals and railways of the commonwealth.

The only sums appropriated out of the loans authorized to be made since I came into office, which were not applied to liabilities then due, or growing out of contracts, which existed at that time, are the following:

To the survey of a rail road from \$45,000 00

Harriburg to Pittsburg,

To stock in the Pennsylvania and 50,000 00

Ohio canal,

To stock in the Franklin rail road, 100,000 00

To stock in the Monongahela navigation company, 100,000 00

\$250,000 00

Public property.

Bank stock,	\$2,085,700 00
Turnpike and bank stock,	2,330,315 00
Canal and navigation stock,	143,260 00
Rail road stock,	333,516 90
Money due on land, estimated,	1,000,000 00
Public works, canals, railways, &c.	29,673,595 17

\$36,488,370 96

Thus it appears that the resources of the commonwealth are abundant, but not immediately available for the purpose of paying either the principal or the interest of the public debt.

It is here proper to remark, that it has not been the uniform practice of the legislature to provide sufficient revenue to meet the current demands upon the state treasury. The various appropriations of the public treasure have exceeded the public income. Out of this state of affairs a custom has grown up at the treasury, it seems, to pay the demands upon it, as they are from time to time presented, without reference to the specific appropriation of part of the moneys therein to the payment of the interest upon the public debt, which falls due semi-annually, on the 1st of February and 1st of August. Under this custom it has happened, that by a deficiency of other means, the moneys arising from tolls, auction duties, tax on collateral inheritance, dividends on turnpike, canal and navigation stocks, and estates, which had been set apart by law towards the payment of the interest on the public debt, have been paid out indiscriminately to meet other demands upon the treasury. This will, therefore, be a debt on the part of the government for the payment of interest on the public debt, upon the 1st of February next, of perhaps \$300,000. This, as well as every other subject relating to the revenue, belongs exclusively to the legislative branch of the government, and no recommendation of the executive can be required, to bespeak for it the necessity for some special legislation in relation to its future disbursement.

The tax. It is computed that the tax which will be tendered arisable under the act of the 14th of June, 1840, entitled "an act to create additional revenue to be applied towards the payment of interest, and the extinguishment of the debt, of the commonwealth," will amount to about \$600,000.—The sum which will be raised by this tax, together with the other resources of the commonwealth, will most probably liquidate the interest account, without further resort to loans for that purpose. This act is to continue in force five years, and provides such a rule for the raising of the tax, as to fall with gentle weight upon those who are little able to bear any addition to their expenses. The articles taxed are those purely of luxury, such as gold watches, pleasure carriages, household furniture exceeding the value three hundred dollars, together with boots, bills and notes of solvent obsolescent, bank stock or stock in other corporations, yielding dividends of at least one per cent. salaries of public officers and real estate.

Although this act undoubtedly operates with considerable hardship upon those who fall within the reach of its provisions; still they are comparatively, subjected to very little inconvenience, for in most instances they do not belong to the poorer classes, on whom taxation usually falls with the most peculiar severity.

To impose taxes on any class of our fellow citizens is not very agreeable, nor a very popular task; but when, as in this case, the honor and fidelity of Pennsylvania must be sacrificed, or a tax of this kind be enacted, there are, for very few men in the commonwealth, worthy to be ranked among her free, intelligent and upright citizens, who will shrink from their share of the burthen. When, too, it is known that those who recommended, and who sanctioned the bill imposing the tax, are in no way responsible for the necessity that compelled a resort to it, than any of those who are to pay it, the fully and i-justice of those who would condemn, are rendered still more conspicuous. I found the debt upon which this interest was to be paid, in existence when I assumed the functions of the executive and found nothing to pay it with. The treasury was exhausted, and no means left to meet this responsibility but further loans, a sale of the improvements, or taxation. The first two were impracticable, and I was driven by stern necessity to the adoption of the latter alternative. I saw but one path before me open to pursuit, and that was the path of duty. I recommended taxation; that recommendation was sanctioned by the legislature, and the cause of proud gratification to me, when I consider that the people of Pennsylvania, almost to a man, so far as I have been informed, with a firmness and patriotism worthy of themselves, have yielded to this necessity without murmur or rejoicing. I feel fully

convinced that at the expiration of the five years at farthest, with a reasonable degree of prudence, and wise and judicious economy in the management of our affairs, the income of our improvements will render a renewal of this law wholly unnecessary.

If any difference of opinion exists as to the necessity of this tax, let these questions be answered by those who are in the majority. Do not you have a debt? Is it not morally and legally bound to pay it and its interest, as it falls due? Can they point out any other mode by which this can be done?

You, however, have come directly from the people, and are bound best to know the opinions on this as well as all other subjects; and if you differ in opinion with me on this important subject, and think the tax ought not to have been laid, it is your duty to repeal the law instantly. No part of the interest upon the public debt, which is the cause of extricating the commonwealth from the difficulties in which I found it, my views and opinions remain unchanged. Yet if the immediate representatives of the people think proper to repeal the law, and can substitute any other mode less objectionable which will promptly meet the exigency, be it so; the responsibility rests with them.

Faith of the state. I can never consent, by word or deed, to countenance the idea that the faith of the state can be violated by failure in our engagements. If there be any in our country who would be willing, if they were able, to abrogate the contracts of the commonwealth, and be faithless to our creditors, let their doctrine be distinctly avowed and the sanction made up before the people; the intelligence and integrity of our citizens would speedily convince the world that they feel the necessity in a republican government of maintaining unsullied, public faith and national honor.

Deficiency in the funds for payment of the interest. The deficiency in the funds set apart for the payment of the interest on the public debt falling due on the 1st of February next, must be promptly provided for. By the act of the eleventh of June last, the government authorized to procure its own, and for that purpose proposals have been invited; whether the money can be procured I know not, and in case it cannot, I see no other mode left to avoid the dishonor of the state credit, but the sale of a sufficient amount of the stock owned by the state, or the other, or all of the banks in which she is interested. The state owns the following amount of stock in each of the banks named, viz: The Bank of Pennsylvania \$3,730 shares, Philadelphia bank \$,233 shares, Farmers' and Merchants' bank \$,100 shares. The stock would most probably command a ready sale, and I do most sincerely hope that not a day will be lost before this possible blot on the faith and honor of the state is effectually gilded against by the prompt action of the legislature.

Internal improvements. In my last annual message, the question was distinctly presented to the legislature whether the works then in progress should be prosecuted to immediate completion or not, and the question was by then determined in the affirmative, and the sum of \$600,000 appropriated to each of what has usually been denominated the main lines; and the works being so far progressed in as to warrant the expectation of their being completed in another year, all will now concur in the opinion, I presume, that provision, should be immediately made for the completion of the unfinished works as soon as possible.

A judicious and immediate appropriation, promptly made in anticipation of the usual appropriation bill, specifically for the works under consideration, for the completion of the reservoirs at each end of the Portage rail road—and for ordinary repairs, is impudently called for, and will enable the contractors to complete the whole, and have them ready for use by the opening of the navigation in the spring of 1842. The vast importance of the immediate completion of the main line, as well to the citizens immediately interested in them, as to the fiscal interests of the commonwealth, cannot be too strongly and repeatedly urged upon the attention of the legislature in communication between the great lakes and our commercial metropolis. They will also, by a proper arrangement with the authorities of New York, connect our improvements with those of that great commercial empire, and thus afford an opportunity of exchanging the products of the two states, and strengthening the bonds of our national union. They will also add largely to the revenue of the works now in use.

Waterside differences of opinion may have existed as to the policy of commencing the Erie extension and North Branch canals, there ought to be none now as to their speedy completion. They are nearly finished, a comparatively small sum is necessary to complete them, and the policy of a continued and protracted delay in completing works

which the state is pledged to accomplish, until the first work done upon them has become useless from decay, has proved disastrous and ruinous on many occasions.

The course heretofore usual, of neglecting to appropriate a sufficient sum for repairs, and that early in the season, has been seriously detrimental to the interests of the commonwealth. At the last session, the commissioners stated that the local estimates for repairs cost \$700,000; and that the sum appropriated \$500,000, a great portion of which was absorbed by debts then due. The result has shown that the commissioners were right. The fund has long since been exhausted. The necessary repairs have not been completed, and those who have been engaged at them are unpaid, and the supervisors are without funds to lay in the necessary materials for repairs. The repairs on the lines of canals in use would ordinarily be made in the fall, when they would not interrupt the use of the canals; and it has usually happened that before the arrival of winter the officers have no means at their command, no appropriation bill is passed until late in the session. The whole system repairs, in consequence of the uncertainty of the time of paying the workmen, and those who furnish materials, costs the commonwealth much more than it would do, were the means of payment ample, certain and promptly supplied.

Beaver division of the Pennsylvania canal. The Beaver division of the Pennsylvania canal is already connected with the public improvements of Ohio by the Pennsylvania and Ohio canal, a work which has been completed by individual enterprise, aided by public appropriations from the state of Ohio, and it is a valuable tributary to our public improvements, and a profitable investment for the stockholders. It has been accomplished at a less cost than any other work of the kind which I have visited, and is a monument of the wisdom of its projectors, and of the skill, prudence and economy of those charged with its construction.

Law authorizing the canal commissioners to treat with New York. I respectfully recommend to the legislature, the enactment of the law authorizing the canal commissioners to treat with the authorities of the state of New York for such a connection of our internal improvements with theirs, as will best promote the interest of the two commonwealths. The law should limit the terms and conditions, and define the nature and authorities of the commission in such manner as to leave consideration shall be deemed proper.

Selling or leasing water power. The interest of the commonwealth would also be advanced by entrusting the same board with the power of selling or leasing water power, and authorizing its improvements. There are at many points, and in very advantageous situations, surplus quantities of water which could be profitably applied to various branches of manufacture without injury to the due supply of our canals. The sale or lease of such water power would be increased thereby, and a considerable sum realized from such sale or lease.

Guaranty for the payment of interest on stock of the Bald Eagle and Spring Creek navigation. By an act of the 7th April, 1835, a guaranty was made, on the part of the state, for the redemption of the 5 per cent. for twenty five years on \$200,000 of the capital stock of the Bald Eagle and Spring Creek navigation company; and by a subsequent act, the state has since subscribed \$25,000 to the stock of the company. The works were completed in the spring of 1836, and in active operation, except the last six miles, on which about one-third of the excavation and embankment is made, two locks completed, and another nearly completed. A comparatively trifling sum would finish the work, and the navigation of the company are exhausted, and the commonwealth is annually called upon for the amount of her guaranty, and her subscription is wholly unproductive. It is a very valuable tributary to the state canal, terminating in one of the richest mineral regions in the world, or perhaps any other country. Every article coming out of it pays a toll on our state canal for 150 miles to Columbia. I therefore submit to the better judgment of the legislature, whether a sound economy does not dictate the further subscription of a sum sufficient to finish it, believing that its productiveness will than be amply sufficient to relieve the commonwealth from any further payment of her guaranty.

Improvements by means of private companies. There are at present many public improvements in a course of construction in our state by means of private companies, most of which I cannot but think are calculated to benefit Pennsylvania in a very high degree. Among the latter I may particularize the Williamsport and Elmira rail road as tending with

certainly to produce this result. This road will connect the Grand Erie canal from New York, by the Seneca Lake, with the West Branch canal at Williamsport, and also intersect, at Elmira, the great southern rail road, now being constructed from the Hudson river to Erie. The advantages of this advantage likely to result to ourselves from the construction of this road will be, that the great amount of baggage and travel which now annually finds its way from the lakes, through the state of New York to the Atlantic, will thus be brought directly through our own public improvements to Philadelphia, the distance from Elmira to the latter city, by this route, being 71 miles shorter than from Elmira to the city of New York by any contemplated improvement in that route. The advantages of a similar character, and perhaps of equal importance, might be noticed.

Publication of all laws of a public nature. Every man is presumed to be present in the legislature by his representative, and to know what public laws are enacted, and is therefore held to be bound by them from the time of their enactment. This notice, however, is but a constructive one. I would respectfully suggest that the publication of all laws of a public nature in the immediate publication of all laws of a public nature is not necessary, to give to the people actual notice of provisions by which they may be seriously affected.

Public schools. The report of the superintendent of public schools, which will shortly be laid before you, will show the progress which the cause of education is making in public opinion, and the state and condition of the colleges, academies and schools, throughout the commonwealth.

Geological survey. Though the active operations of the geological survey are not yet entirely completed, a much greater extent of country has been minutely explored during the past season, than in any former one. In the state geologist and his experts were laboriously occupied in the field, their researches extending into various districts, both east and west of the Alleghany mountains. The inquiry, acquired during the progress of the survey, into the more minute features of our geology, and the true position of our various mineral deposits, has served greatly to increase the accuracy and value of the large body of facts now collected. Thirteen, out of several extensive tracts of country, have, up to this time, been accurately and minutely explored, by which particular beds of those useful substances iron ore, coal, marble and limestone can be traced, much of the obscurity has been removed. Several districts, however, of our country, have not yet been examined to be explored. Though some of them have been already faithfully examined, one year more will be necessary for unravelling the intricacies of their structure and enabling the geologist to arrive at a satisfactory knowledge of their position. For this purpose an appropriation will become necessary. The amount, however, will be less than the sum hitherto annually expended. The topographical maps now in a course of construction, are essential as a basis for the geological map called for by the law. In the chemical department of the survey, an extensive series of ores, coal, cement, fluxes, &c., have been analysed, resulting in a species of knowledge now becoming every day more important to the growing manufacturing, and mining interests of Pennsylvania.

Pecuniary embarrassments in the business community. It is an unlamented fact, that the few last years have been a period of peculiar embarrassment in our business community. It has been consoling, however, to reflect that during a portion of that time, our husbandmen have reaped a full reward for their labor in abundant crops, for which, until recently, they have not been rewarded in any manner. But not generally been afflicted with that evil spirit of speculation, which at one time seemed to have seized so large a part of other portions of our citizens, and induced them to engage in almost every visionary scheme in their "pursuit to get rich."

The causes of this embarrassment have been variously explained, as varied the views of those who undertook the task. My own views upon this subject have been fully and ably expressed in my communications to the preceding legislature. No one, however, can doubt, that when our country is importing large amounts of the luxuries and superfluities of life from foreign countries, and not exporting a sufficient quantity of our own products to pay for them, there must be a constant drain of the precious metals, and hence a scarcity of money to supply the wants of our community at home. A retrenchment among our citizens, of those plain republican simplicity has ever been a distinguishing characteristic in the purchase and use of articles of mere luxury, would greatly tend to lessen this cause of pecuniary embarrassment.

The consequences of our embarrassment in our mercantile and manufacturing operations, are now beginning to be felt, also, by our farmers, in the more recent reduction of the prices of their products, although the feeling communicated by the severity of the treasury in his late report is cheering, that during the last year the exports from this country have exceeded the imports by nearly twenty-seven millions of dollars. This is certainly encouraging, especially when we reflect that the proceeds of the reverse was the fact; and that without going back further, in the year 1836, the excess of imports exceeded the exports upwards of sixty-one millions of dollars. In 1837, twenty-three and a half millions of dollars; in 1838, five millions of dollars; and in 1839, forty-one millions of dollars; and that in 1837, the import of the single article of silk, a mere luxury, which our own country is as capable of producing as any other, amounted to twenty-three millions of dollars, while our export of flour during the same year, was but about seven millions of dollars. It is to be hoped, and the increased confidence growing out of the resumption of specie payments about to take place, warrants the conclusion, that the country will resume its accustomed rank, and be taking lessons of prudence from the past, our citizens will not again be tempted into those wild excesses which have well nigh led on to bankruptcy and ruin, and the prostration of public and private credit and confidence.

Our commonwealth's resources, iron, coal, &c. Our commonwealth possesses a fertile soil, and unbounded agricultural and mineral wealth. We have with in ourselves almost all the necessities, and many of the luxuries of life. With the exercise of intelligence and means, we find our farmers augmenting the products of their soil, improving their stocks of domestic animals, and adding to the neatness of their household establishments. No one can pass through our commonwealth, without being struck with the air of substantial comfort, and increasing prosperity, which pervades the agricultural districts of the state.

The variety and extent of our water power, give great facilities to the manufacture of our grain into bread stuff, and for every other branch of manufacture, either needed for the supply of our citizens, or for the employment of their capital.

Our commonwealth is rich in the full development of her resources, with her present pecuniary responsibilities weighing her down, we might well contemplate our situation with trembling solicitude. But this is not the case. Throughout the commonwealth, the people are engaged in the pursuit of a square mile which does not abound in some or all of the great staples of her mineral wealth. Anthracite and bituminous coal, iron, marble and limestone, have been scattered by nature with a most profuse and liberal hand. Her husbandmen are enabled to prove with what prodigality they have been lavished upon us. The coal field of our commonwealth embraces more than one-fifth of its area, and more than three times as much as belongs to entire Europe.

Connected with the coal, which abounds in so large a portion of the commonwealth, we have large supplies of iron ore, almost in immediate contact with it. In addition thereto we have, within convenient distances, almost all the other varieties of iron ore found in any part of the world. The adaptation of anthracite coal to the smelting of iron ore has been followed by its successful and profitable application to the smelting of the same metal, and that the same result may be followed from the application of bituminous coal may be looked for with almost absolute certainty.

While the iron manufactured with charcoal, will also be found to be the finest, and the demand for it increased by the natural increase of the population of the country, that manufactured from mineral coal, will be employed in the construction of rail roads, and for innumerable other purposes.

This discovery must stand as a distinguished era in the annals of our commonwealth. It cannot fail to add millions of dollars to her active and available capital; and will ere long transfer to our own citizens, more than all of the large sums that are now annually sent abroad for the purchase of the same iron manufactured articles. The manufacture of these numerous and valuable commodities will not only result in enriching Pennsylvania, but will cut off a large item in the imports of this country, tend to relieve our treasury from European dependence, enable our sister states to complete their rail roads at a cheaper and better rate, and strengthen the national union, by the strongest of all ties, that of mutual interest.

It is not in Pennsylvania a single class of citizens who will not share directly in the advantages. The owners of coal and iron deposits, and those who engage in the manufacture and sale of these

productions, will derive the first benefit; but the farmer, the mechanic, the merchant, and every other citizen, will feel immediately the salutary impulse which will be communicated to his own peculiar business. The value of our canal and our roads must be greatly enhanced, as well as that of all other species of property. With the cheap and ready means which they will afford for the transportation of our various products and manufactures, there can be no doubt that our trade and business will soon must extend and increase with unexampled rapidity, and by prudence and good management be perpetuated.

In this gradual and certain development of our resources, we may be found abundant means to maintain our public debt, and to discharge every other liability that can justly be cast upon the state. I confess it affords me peculiar gratification to advert to this hope, for it shows most satisfactorily that though this commonwealth has been somewhat in advance of the time in extending her improvement system so widely as she has done, the people, notwithstanding, are destined at no remote period to realize, most amply, all the benefits it was ever expected to produce. It is to be hoped, that our citizens will not necessarily tend to afford additional sources of employment for the laborer, and furnish increased security against all improper combinations for the reduction of wages.

If any degree of apprehension has existed, from the attempts in large manufacturing establishments to keep their operatives in subervieny in matters of opinion and the exercise of political rights, let the evil be corrected by shaking off the shackles of ignorance and undue dependence either upon the information or the will of others. Then instead of having a class of human beings in a state of vassalage, we would rear up freemen capable of thought and action, and capable of being so permanent on that spirit of independence which influenced our forefathers in achieving our freedom, and which ought ever to pervade the bosom of their descendants to the latest generation.

Every citizen who is called to any duty done in an exemplary manner, her duties as a member of the great federal union, of which she has, not inaptly, been denominated the "key stone," must never forget the duties which we, as her immediate functionaries, are called upon to perform, and the duty of advancing and sustaining them, as far as can be done without interfering with her duties to the general government.

On the part of the legislature, nothing is wanted but the exercise of spirit of her various interests, to place this commonwealth on a firm basis of pecuniary independence. Whatever course other states may think proper to pursue, let it be the patriotic duty of Pennsylvania to sustain and cherish every effort to develop her resources, and to advance her glory and renown. Vindicate her character for integrity—fulfill all her engagements faithfully—sustain her resources with economy, but not with a false and mistaken spirit of parsimony. Liberty—and the fair face of Pennsylvania will stand before the world without spot or blemish to tarnish it. To maintain this fame untroubled, should be the first and most unyielding duty of every citizen honored with any station, in which he is called upon to guard and sustain himself unworthy of the office, with which the people have clothed me, if I proved recreant to this high trust.

By a judicious system of laws, corresponding with the highest spirit of industry, fostering, and encouraging enterprise and industry, and enabling our citizens to reap the full reward of their labor and perseverance, we shall fulfil the expectations of our constituents, and be the means under Divine Providence, of perpetuating the blessings of liberty, to be so signally shrouded upon us, by the Author of all Good.

Too much legislation. The experience of many years fortifies me in the belief, that our greatest error in our system of government, is that we legislate too much. Our legislatures have been holding one extra session after another, and that, too, in times of profound peace, and when the calls of patriotism are imperiously made on every public functionary to diminish, or rather to entirely suspend his legislative duties, which the state has been laboring. The consequence has been, an unparalleled increase in the legislative expenses over all other departments of the government. I can recommend no more certain and effective remedy, than to limit the number of sessions; still let the conduct of every department of the government be thoroughly scrutinized, and let no important interest of the people be neglected.

The baneful practice of converting the halls of legislation into an arena for the display of political gladiators, which has too long characterised the halls of our national legislature, is a lamentable departure from the course pursued by the band of patriots who composed "the first congress," and whose example, I hope, for the honor of our common country, has not yet been wholly forgotten by their successors.—The pernicious tendency of this practice of the national legislature, will not, I trust, be extended to the legislatures of their respective states; and I am sure, I need scarcely add, I have no apprehensions of its reaching the legislature of this commonwealth. No public functionary who would yield to its influence need expect to lose the confidence and respect of the people of Pennsylvania.

In conclusion, I shall beg leave to refer you to the views on several subjects contained in my last annual message. That message being the first which I had the honor to communicate at the commencement of a session of the legislature, I went more into detail on the various topics discussed in it, than I supposed would be again necessary, with a view to an expression of opinion on them, as well for that occasion, as for future reference. I therefore refer you to it for my recommendations on the subject of reform of the banking system, &c.—the importance of connecting and completing at the earliest day practicable, the disconnected part of our disjointed and unfinished system of internal improvements—the making of prompt and ample provision for keeping the public improvements in repair—the necessity of preserving unimpaired, the credit of the commonwealth, and promptly meeting all her pecuniary engagements—the most careful attention to be exercised in creating, renewing and supervising corporations—the subject of education, and as connected with it, that of procuring competent teachers and school books—the subject of the increase of writs of error and appeals in the supreme court, and reporting the decisions of that court—the militia system, the encouragement of volunteers and the reduction of militia training to one day in the year—the evasion of the laws relative to collateral inheritance tax—and the revision of the laws relative to the selecting and drawing of jurors.

It will afford me great pleasure to co-operate with the legislature, in these, and all other measures calculated to promote the common good of our commonwealth.

DAVID R. PORTER.

Executive chamber, January 6, 1841.

TWENTY-SIXTH CONGRESS—2d SESSION.

SENATE.

January 19. Mr. Bayard, senator elect from Delaware, was qualified, and took his seat.

The vice president laid before the senate a communication from the secretary of the treasury, made in compliance with a resolution of the 16th instant, relating for the plan of the secretary in relation to the permanent change of the tariff.

Mr. Robinson presented a resolution of the legislature of Illinois, remonstrating against the repeal of the sub-treasury, and against the establishment of a national bank.

Mr. Lumpkin presented several resolutions of the legislature of Georgia; one in relation to the claim of Daniel Hils for services rendered as issuing commissary, another in relation to depredations on property by the Creek Indians; and another in relation to the establishment of several mail routes.

The following memorials and petitions were presented and appropriately referred:

By Mr. Merrick, from the citizens of Baltimore, asking the erection of a fortress on Soler's point flats.

By Mr. Huntington, asking confirmation of claims to land on the north side of Lake of Superior.

By Mr. Porter, from citizens of Michigan, asking the passage of a bill to incorporate the owners and masters of the city of New York, asking that a light boat be placed at Execution Rocks.

Mr. Pierce, on leave introduced a bill relating to the judicial courts of the district of New Hampshire.

Mr. White, on leave, introduced a bill to provide for claims to bounty lands for military services during the late war.

On motion of Mr. Hubbard, the engrossed bill to pay the claims of New Hampshire for the services of her militia, (which was laid on the table a few days since), was read a third time and passed.

Mr. Tappan moved to take up the bill from the house making temporary provision for the lunatics in the District of Columbia. The bill, as amended, restricts the expense to 3,000. The amendment was ordered to be engrossed.

Mr. Sturgeon moved to take up, as the unfinished business of yesterday, the bill making an appropriation for the patent office. The motion pending

being Mr. Calhoun's, to strike out the \$1,000 appropriated for agricultural stations. On this motion the yeas and nays were ordered, when there appeared: yeas 14, nays 23. The bill was then ordered to be engrossed for a third reading.

The following bills were severally considered in committee of the whole, and ordered to be engrossed:

A bill authorising the president of the United States to cause surveys of the lakes and lake coast to be made.

A bill regulating commercial intercourse with the port of Cayenne, in the colony of French Guiana, and to remit certain duties.

A bill to refund the duties collected on the French ship *Alexandre*.

Mr. Clay said it would be recollected that two resolutions were submitted by him a day or two ago, calling on the secretary of the treasury for his plan of a permanent tariff, and for a mode of assessing the value of goods in our own ports, instead of those of foreign countries. The document which had been read in the senate this morning was in answer to the first part of the resolution. There could be no doubt that it was an important matter, and if the senate thought there were additional copies needed, he would move for an extra number, say 1,000. He thought the report himself, but a friend had informed him that it recommended an adherence to the compromise act, acknowledged the deficit in the revenue, and recommended that it be supplied by the imposition of duties on free articles. Mr. King thought the general number would be sufficient, and the total number was accordingly ordered.

The senate then proceeded to the discussion of the bill for the establishment of a permanent prospective pre-emption system, when Mr. Waile rose and addressed the senate until a late hour.

The question was taken on Mr. Calhoun's motion to cede the public lands, &c. by yeas and nays, and decided as follows:

YEAS—Messrs. Allen, Anderson, Benton, Calhoun, Clay, of Alabama, Fulton, King, Linn, Lumpkin, Mouton, Nicholson, Norrell, Robinson, Sevier, Smith, of Connecticut, Tappan, Walker, Young—18.

NAYS—Messrs. Bayard, Buchanan, Calhoun, of Kentucky, Crittenden, Dixon, Graham, Huntington, Kerr, Knight, Mangum, Merrick, Phelps, Pierce, Porter, Preston, Rogers, Smith, of Indiana, Tappan, White, Wright—18.

The question was then taken on the motion of Mr. Crittenden to recommit the bill, with such instructions as would embody the two principles, pre-emption and distribution; when there appeared for the motion as follows:

YEAS—Messrs. Bayard, Clay, of Kentucky, Clayton, Crittenden, Dixon, Graham, Huntington, Kerr, Knight, Mangum, Merrick, Phelps, Prentiss, Rogers, Smith, of Indiana, Sevier, Tappan, White, Wright—18.

NAYS—Messrs. Allen, Anderson, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, Hubbard, King, Linn, Lumpkin, Mouton, Nicholson, Norrell, Pierce, Porter, Preston, Robinson, Sevier, Smith, of Connecticut, Tappan, Walker, Wright, Young—24.

The question was then taken on the amendment of Mr. Prentiss, giving to every head of a family over 21 years of age, (on lands where the Indian title is extinguished), who should be in possession at the time of passing this act and the four months after, the right of pre-emption to purchase of one quarter section of the remaining part.

On this amendment the yeas and nays being also taken, they resulted as follows:

YEAS—Messrs. Bayard, Calhoun, Clay, of Kentucky, Crittenden, Dixon, Graham, Huntington, Kerr, Knight, Mangum, Merrick, Phelps, Prentiss, Preston, Rogers, Sevier, Tappan, White, Wright, Young—25.

NAYS—Messrs. Allen, Anderson, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, Hubbard, King, Linn, Lumpkin, Mouton, Nicholson, Norrell, Pierce, Porter, Robinson, Sevier, Smith, of Conn. Smith, of Indiana, Tappan, Walker, White, Wright, Young—25.

Mr. Huntington said there were other amendments yet to be offered, and though he was not dissatisfied with the result of the vote, yet he was not disposed to insist on taking the question, he was prepared to go on.

Mr. Merrick moved that the senate adjourn.

Mr. Clay, of Alabama, hoped not, and wished the question taken on the pre-emption taken.

The question being put on Mr. Merrick's motion, there appeared for it 21, against it 19.

So the senate adjourned.

January 20. The vice president laid before the senate a communication from the state department, in compliance with a resolution of the 20th July last.

Also, from the war department, transmitting, in compliance with a law, a statement of all the contracts made by that department during the year 1840.

Also, a communication from the secretary of the treasury, in answer to the resolution introduced some time since by Mr. Smith, of Indiana, relative to the canal lands covered by Indian reservations on the Wabash and Erie canal, which, on motion of Mr. Smith, was referred to the committee on roads and canals. Mr. S. said he would not ask the printing now, as the communication would necessarily be printed with the report of the committee.

The following memorials and petitions were presented, and appropriately referred:

By Mr. Wright, from a number of citizens, merchants and others, of New York, remonstrating against the removal of any bank from New York during the present session. Laid on the table and ordered to be printed, with the names attached.

By Mr. Benton, from citizens of New York, merchants, traders and others, asking that no bankrupt law may be passed without including banks and corporations. Laid on the table and ordered to be printed, with the names attached.

Mr. Smith, of Indiana, from the committee on the judiciary, reported a bill, without amendment, relating to the judicial courts of New Hampshire.

Mr. S. moved to take up the bill as in committee of the whole, and have it engrossed. The bill was then considered in committee of the whole, and ordered to be engrossed for a third reading.

The bill from the house making temporary provision for the lunatics in the District of Columbia, was taken up in its passage, when it was opposed by Messrs. Wright, Smith, of Connecticut, Henderson and Calhoun, and then to the states of Messrs. Tappan, Merrick, King, Lumpkin and Walker, when the question was taken on its passage, by yeas and nays and determined in the affirmative, yeas 41, nays 7.

The following bills were severally read a third time and passed:

The bill regulating commercial intercourse between the port of Cayenne, in French Guiana, and for the remission of certain duties.

The bill to authorise the secretary of the treasury to refund the duties collected on the French ship *Alexandre*.

The bill authorising the president of the United States to cause surveys of the lakes and lake coasts to be made.

The bill making certain appropriations for the patent office.

On motion of Mr. Wright, the bill to authorise the secretary of the treasury to compound with the sureties of Samuel Swartwout, late collector of the treasury, was considered in committee of the whole, and ordered to be engrossed.

On motion of Mr. Walker, the bill to relinquish the 2 per cent. fund to the state of Mississippi, according to the act of admission of said state into union, was taken up in committee of the whole, and ordered to be engrossed.

The senate then proceeded to the discussion of the special order, the prospective pre-emption bill, when various amendments were offered, and some adopted. A debate ensued which occupied the senate until 6 P. M. in which Messrs. Huntington, Clay, of Ky., Mangum, Clay, of Ala., Porter, Buchanan, Linn and others participated, when the bill was ordered to be engrossed by the following vote:

YEAS—Messrs. Allen, Anderson, Benton, Buchanan, Calhoun, Clay, of Kentucky, Clayton, Crittenden, Dixon, Graham, Hubbard, King, Linn, Lumpkin, Mouton, Nicholson, Norrell, Phelps, Pierce, Porter, Robinson, Sevier, Smith, of Conn. Smith, of Indiana, Sturgeon, Tappan, Walker, White, Wright, Young—30.

NAYS—Messrs. Bayard, Clay, of Ken. Clayton, Crittenden, Dixon, Graham, Huntington, Kerr, Knight, Mangum, Merrick, Phelps, Prentiss, Preston, Rogers, Sevier, Tappan, White, Wright, Young—20.

And then the senate adjourned.

January 21. Mr. Webster presented the credentials of the hon. Isaac C. Bates, senator elect from Massachusetts, in the place of Mr. Davis, resigned; which being read, Mr. Bates was duly qualified and took his seat.

Memorials and petitions were presented by Messrs. Porter, Pierce, Sturgeon, Mangum and Tullamond.

Mr. Merrick, from the committee for the District of Alexandria, reported a bill to charter the Bank of Alexandria, in the city of Alexandria; which was, on motion of Mr. M. taken up and ordered to be engrossed.

Mr. King, from the committee on commerce, reported a bill, from the house, authorising the enrollment of the schooner *L'Asiat*, without amendment.

Also, from the same committee, a bill to abolish the port of delivery at Currituck inlet and the office of surveyor of the customs.

By Mr. Henderson, from the chamber of commerce, of N. Orleans, praying for a bankrupt law.

Mr. Benton reported a resolution to take measures to settle and quiet the titles of claimants to the Pea Patch.

The senate then proceeded to the further consideration of the special order, being the prospective pre-emption bill.

On which Mr. Allen, of Ohio, spoke at length. After which Mr. Mangum took the floor; but owing to the lateness of the hour, on motion of Mr. Wall, the senate proceeded to a short executive session. And then adjourned.

January 26. The following memorials and petitions were presented, and appropriately referred:

By Mr. Smith, of Indiana, two petitions from citizens of Randolph county, Indiana, male and female, numerous signed, on the subject of the recognition of the independence of Hayti, and also in relation to an amendment of the constitution of the United States so as to provide for the security of people of color in the free states, and to make the free men the sole basis of representation.

On motion of Mr. Sevier, the motion to receive was laid on the table.

By Mr. Merrick, a memorial from the citizens of Washington, respectfully asking leave to protest against the passage, in its present shape, of the bill to amend the several acts, entitled "a bill to amend and continue in force the act to incorporate the inhabitants of the city of Washington."

Mr. M. said this memorial was signed by near 300 inhabitants of the city of Washington, and all American citizens, without regard to party distinctions, and of all classes; the subject was then before the committee for the District of Columbia, to which he would move the reference of this, and that it be passed.

By Mr. Buchanan, from D. W. Prescott, stating the destruction of goods by fire on which a portion of the duty had been paid and bonds given for the remainder, asking that the duties paid might be refunded.

By Mr. Merrick, from a number of citizens of Prince George's county, Maryland, representing a portion of the tobacco planting interest, asking the aid of measures by the general government for the purpose of relieving their staple from the grievous burdens imposed on it by foreign countries.

Mr. M. spoke at some length, showing from the facts the burdens borne by this class, and the inequality that prevailed with regard to it.

Mr. Guthrie spoke in reply to Mr. M. also at some length, expressing his surprise that, at the present enlightened age of political science, any proposition for relieving duties should be countenanced, and denying that such a course would be productive of the results supposed.

Mr. Merrick rose to reply, when Mr. Clay, of Alabama, said the hour for the special order had arrived, and that the discussion could be confined to the morning.

On motion of Mr. Linn, the bill supplementary to an act entitled "an act to amend an act for the appointment of commissioners to adjust the claims to reservations of land under the treaty of 1836 with the Choctaw Indians," was called up.

Mr. L. said this bill had been passed at the last session, but was lost in the house for want of time. He said in the friends of the bill thought it would require some change of phraseology; it was immaterial to him what change was made, so as the object of the treaty would be accomplished. He desired to have the bill as perfect as possible, keeping in view the fact that it would be required to secure action upon it in the other body.

Mr. Henderson moved to commit the bill, which was agreed to.

The senate then proceeded to the consideration of the special order, being the prospective pre-emption bill. When Mr. Mangum rose and addressed the senate at considerable length on the subject.

Mr. Benton followed, also at length, and Mr. Tallmadge replied exclusively to Mr. Benton. And then the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, Jan. 19. By common consent the following session bills, which was lying on the speaker's table, were read the first and second time and referred to committees, viz:

To confirm the survey and location of claims for land in the state of Mississippi, east of Pearl river and south of the 31st degree of north latitude; to the committee on public lands.

Supplementary to an act entitled "an act to encourage the introduction and promote the cultivation of tropical plants" approved 7th July, 1833; to the committee on public lands.

Mr. Mallory, of Va. obtained consent to move the following resolution; which was read and adopted:

Resolved, That the secretary of war be directed to furnish a statement with a comparative view of the average cost of the army proper, for each individual, including the aggregate of the officers, professors of the military academy, cadets and enlisted men in the service of the United States, for the years 1837, 1838, 1839 and 1840; for subsistence to soldiers, clothing, quartermaster's and medical stores, and other articles embraced under the general heading of supplies for the army, not fixed by law; adopting as the basis of the report a comparison to the house of representatives from the secretary of war of March 5, 1832.

Mr. Reynolds asked leave to submit a motion to change the hour for the daily meeting of the house to eleven o'clock in the forenoon.

Objection was made; when Mr. Reynolds moved to suspend the rules, but the motion did not prevail.

The house, in further execution of the special order, resolved itself into committee of the whole on the state of the union, on the bill to authorize the issue of an additional amount of five millions of treasury notes. Mr. Adams was called to the chair.

Mr. Adams asked to be excused from taking the chair of the committee, because he expected to be under the necessity of leaving the hall in the course of the afternoon.

Mr. Casey was then called to preside in the chair of the committee.

Mr. Barnard resumed his argument from yesterday, and continued to address the committee until half past twelve.

Mr. B. closed his remarks by modifying his motion of yesterday so as to strike out the enacting clause of the bill—giving notice that, if the motion prevailed, and a report to that effect should be made to the house, he would then offer the following resolution:

Resolved, That the committee of the whole on the state of the union be discharged from the further consideration of the bill in relation to treasury notes, and that the subject of making provision for the wants of the treasury be referred back to the committee of ways and means, with instructions.

First. To bring in a bill authorizing the secretary of the treasury to borrow ten millions of dollars on the credit of the government, and to issue bonds or scrip therefor.

Second. To bring in a bill imposing duties for additional revenue on wines, silks, linens, spices and other articles, being luxury articles, imported from abroad, but in such manner as not to conflict with the principles, policy and spirit of the act of March, 1833, commonly called "the compromise bill."

Mr. Maine, followed at some length, in reply to what had fallen yesterday from Mr. Jones, of Va. who had introduced the subject.

Mr. Bell, having obtained the floor, gave way to motion the committee rise, the answer to the committee rise, reported progress, and obtained leave to sit again.

Mr. Lincoln obtained leave to introduce the following resolution; which was read and adopted:

Resolved, That the secretary of the treasury be directed to inform this house whether the patents for lands, which have issued from the office of the commissioner of the general land office, since the passing of the act of the 25th April, 1834, entitled "an act for the establishment of a general land office in the department of the treasury," have in all cases, in satisfaction of the terms of the patents, or otherwise, been issued conformably with the requisitions in the 8th section of said act, "in the name of the United States," and been "commonly signed by the commissioner of said office." And that the same arguments have been admitted or departed from, in what particulars, at what time, and under what authority the omission or variance has been committed; that, then, he transmit to the answer of the committee rise, reported progress, and obtained leave to sit again.

Mr. Clifford asked that the report of the select committee on the differences between the public printer and the clerk of the house be recommended to the same committee by which it was made, for consideration, and that the committee be authorized to hold observed in it. The report was recommended.

Mr. Slanly submitted sundry amendments which he intends, at a proper time, to propose to the bill providing for the issue of five millions of treasury notes, and which, at his request, were ordered to be printed.

Mr. Atherton presented a memorial of John Haven and 181 other citizens of New Hampshire in favor of a general bankrupt system; referred to the committee on the judiciary.

Mr. Hoffman presented a number of petitions of citizens of the city of New York in favor of a general bankrupt law; referred to the committee on the judiciary.

Also, a memorial of the Philanthropic Law Reform association of the city of New York; also referred to the committee on the judiciary.

Also, a memorial of Jacob M. Van Winkle and John Randall for relief on account of goods destroyed by fire in the public stores in New York; referred to the committee on commerce.

And then the house adjourned until to-morrow.

Wednesday, Jan. 20. Several petitions were, by consent, presented and referred to appropriate committees.

Mr. Peck asked leave to introduce a resolution, which he sent, to the clerk's table, where it was read for information, and is as follows:

Resolved, That the secretary of war be directed to report to this house the number of treaties and amended treaties held and on what account, and to whom, the New York Indians, or any other portion of them, since the 1st day of January, 1831, and to which the United States were a party; and that place where such treaties and amended treaties were deposited and executed respectively; and when, and the name of the person or persons representing the United States thereto. And, also, the names of all other persons, if any, who now are, or at any time have been, a party to, or interested in, said treaties or amended treaties, or any of them; together with a detailed account of all expenditures, whether in money or otherwise, connected therewith, specifying, particularly, the several items of such expenditures, and by whom, and to whom, and when the same were made, and on what account, respectively, and whether the Ogden Land company, or any member or agent of said company, have delayed, or at any time agreed to delay, any portion of such expenditures; and, if so, what portion, and to whom, and to whom. And that the secretary of war be also communicate to this house copies of all contracts or agreements between the United States and the United States, or any member thereof, and in any manner connected with, or relating to said treaties, or amended treaties, or any portion thereof, and on what account, and to this house copies of all correspondence between the said secretary or any other officer or agent of the United States, and the said Land company, or any member, attorney, or agent thereof, in relation to said treaties, or amended treaties, or any of them, or in relation to the aforesaid expenditures, or any portion thereof.

Several members objected to the introduction of the resolution. When Mr. Peck moved to suspend the rule; and the question was put and negatived. The house then, in pursuance of the expectation of the special order, resolved itself into committee of the whole on the state of the union, on the bill to authorize the issue of an additional amount of five millions of treasury notes, (Mr. Casey in the chair).

Mr. Bell rose and addressed the committee at great length on the subject of the finances, and the condition of the treasury, present and prospective.

Mr. B. having taken his seat—Mr. W. Thompson obtained the floor, and yielded to motion the committee rise, which motion having prevailed—the committee rose, reported progress, and asked leave to sit again.

After the house came out of committee of the whole, sundry petitions and papers were presented and referred.

Mr. Bell submitted to the house the following communication from the secretary of war to the committee on Indian affairs:

War Department, Jan. 19, 1841.

Sir: Strong representations having been made to me that a depredation of Seminoles and Creeks from Arkansas might induce their brethren in Florida to lay down their arms, and emigrate to the western territory, and that the Seminoles and Creeks were authorized, on the 29th day of May last, to take and carry with them to Florida, a delegation for the purpose mentioned. The latter, with twelve chosen individuals, has been in Florida for some time, and it is my determination to keep them so long as there is the least probability of success.

There are no means at the disposal of the department to delay the expense incident to this effort at pacification. I have lately been advised that some influential individuals in or near St. Augustine might be usefully employed to the same end, and have to request an appropriation of \$15,000 to meet the expenses that will be necessarily incurred. Very respectfully, J. R. FORTSSETT.

Hon. John Bell, chairman of the Indian affairs.

Estimate of funds required to cover expenses attending the mission of major Wm. Armstrong and capt. J. Page to Florida, under instructions from the department.

For expenses of twelve chiefs of the Seminole Indians going to Florida, from the western territory, and returning, \$1,500
Expenses while in Florida, 2,500
Pay of six other influential persons for two months, 2,000
Expenses of maj. Armstrong and captain Page while engaged, 2,000
Contingent and incidental expenses, 6,000
\$15,000

These papers were referred back to the committee on Indian affairs for the action of that committee thereon.

While the house was in committee of the whole to-day, a message was received from the president, accompanied with a large bundle of documents. It was not read, but was understood to relate to the troubles in China, and is in answer to a call thereupon moved in the house. And the house adjourned till to-morrow.

Thursday, Jan. 21. Mr. Barnard asked leave to call up the resolution submitted by him several days ago upon the subject of the finances and expenditures of the government. It was objected to.

Several gentlemen asked leave to present petitions; when at the suggestion of Mr. Carr, the house, by unanimous consent, agreed to devote one hour to the presentation of petitions.

Petitions were then presented as follows: By Mr. Burke, of Alden Patridge, president of the Norwich university of Vermont, praying that young men educated at military schools other than that at West Point, may be placed on a footing with those educated at West Point in appointments in the army.

Also, another petition of Alden Patridge in favor of a general national system of education. Also, of H. Kellogg, and others of West Stockbridge, Massachusetts, and of G. H. Gibson and others, of Great Barrington, Massachusetts, for a general bankrupt law.

Also, of the Medical society and board of health of Washington, for an inmate asylum.

By Mr. Lincoln, of citizens of Boylston, in Mass. against the admission of Florida as a slave state into the union.

Also, for a repeal of the rule of the house against the reception of abolition memorials.

Also, to recognise the independence of Hayti.

By Mr. Adams, of officers and members of the American Peace society, in favor of a congress of nations, so as to preserve the peace of the world.

Also, of citizens of Andover, Massachusetts, praying congress to prevent the execution of the treaty said to have been recently made with the Seneca Indians of New York, for their emigration to the west.

Mr. Adams also presented a petition of inhabitants of Allegheny county, Penn., containing the following prayers: 1st, to abolish slavery in the District of Columbia; 2d, to prohibit the international slave trade; and 3d, against the admission of any state into the union whose constitution tolerates slavery. Mr. Adams moved the referral of this petition to the select committee. The last part of the petition only, the speaker stated, could be received; and, on motion of Mr. Cunnor, that part of the petition was laid on the table.

Mr. Adams also presented a similar petition of citizens of Perinton, N. Y. Mr. Warren moved that so much of it as was received lie on the table.

Some remarks were made on the subject; when Mr. Black moved to the point of the petition laying on the table that part of the petition of citizens of Allegheny county, Pa. which prays that no new state, whose constitution may tolerate slavery, be admitted into the union, for the purpose, as he stated, of leaving that petition to be rejected.

Mr. Adams inquired if Mr. Black voted in the affirmative on the vote he proposed to reconsider. Mr. Black said that there had been no audible vote on the question; that he had not responded *ye* or *no*. The speaker said if he did not vote he could not make the motion to reconsider.

Mr. — then made the motion to reconsider. Mr. Warren rose to a question of order, viz: that there was no part of the petition but what came within the exclusion of the rule of the house. Mr. V. then read the several points of the petition, which we have before given.

The speaker said that the rule did not operate upon that part of the petition which prayed that no new state should be admitted into the union whose constitution should tolerate slavery.

After remarks from several gentlemen, the question was then put on the motion to reconsider, and there appeared, *ye* 103, *noes* 51.

The speaker then stated that the question again occurred on the motion to lay the part of the petition on the table which had been received; when Mr. Cunnor withdrew that motion.

Mr. Black then moved that the entire petition be rejected.

Mr. Wase objected to this motion, on the ground that no motion could be made as to the entire petition, as the entire petition had not been received; that, under the rule, the chair had already decided against the reception of certain parts of the petition; consequently, that no motion could apply to those parts which were not before the house, and that

Mr. Black ought to confine his motion to reject, to that part of the petition which had been received.

The speaker sustained the position assumed by Mr. Adams, and decided that the motion to reject the entire petition did not lie.

The question then came up upon the motion made by Mr. Adams when he presented the petition, that it be referred to a select committee.

Mr. Adams decided that he would make a question of order; which was, that if the chair decided that, under the rule, any portion of this petition could be received, he would appeal.

Mr. Adams then moved that he be decided that so much of the petition as prays that no new state may be admitted into the union, the constitution of which may tolerate slavery, did not come within the prohibition of the rule, and that, therefore, that part of the petition was received.

Mr. Black. From this I appeal.

The chair settled the question on this appeal, and after some remarks from several gentlemen, the hour set aside, by unanimous consent, for the presentation of petitions, expired, and the orders of the day were called for.

The house again resolved itself into committee of the whole on the state of the union, on the special order of the day, i. e. the bill to authorize the issue of an additional sum of five millions of treasury notes. Mr. Casey, of Illinois, was called to preside over the deliberations of the committee.

Mr. Waddy Thompson, who was entitled to the floor, reported the committee for an hour and three quarters. Mr. T. having concluded, the chairman gave the floor to Mr. Rhett, who had not proceeded far before he gave way to a motion that the committee rise; which prevailed, and the committee rose, reported the committee, and he left to sit again.

And then the house adjourned. Friday, Jan. 22. Mr. Black moved that the rules of the house be suspended during the morning hour for the purpose of disposing of the appeal taken by him yesterday from the decision of the chair in relation to the reception of a petition presented by Mr. Adams. Mr. Briggs asked the yeas and nays, which were not ordered. And the question being taken, the rules were not suspended.

Mr. Adams moved that the house resolve itself into committee of the whole on the state of the union, for the purpose of resuming the consideration of the special order, (i. e. the treasury note bill).

Mr. Russell moved that the further consideration of the special order be postponed until Monday, with a view to proceed to the consideration of private business, (this day being set apart by the rules for that purpose).

The speaker said the gentleman could make that motion after the motion of the gentleman from Va. (Mr. Jones), had been disposed of.

Mr. Russell called the yeas and nays on the motion, and the house resolved itself into committee of the whole on the state of the union, which were ordered, and, being taken, were yeas 104, nays 70.

The house then resolved itself into committee of the whole on the state of the union, and again proceeded to the consideration of the bill reported to the committee of ways and means to authorize the issue of an additional sum of five millions in treasury notes. Mr. Casey, of Illinois, was called to preside over the deliberations of the committee.

Mr. Rhett returned and concluded his remarks commenced yesterday, when the floor was given to Mr. Nibbel, of Georgia, who addressed the committee, in reply to Mr. Rhett, for an hour and a half, and having concluded, Mr. Thompson, of Miss. obtained the floor.

Whereupon, (on motion), the committee rose, reported progress, and asked leave to sit again.

Mr. Everett asked leave to offer the following resolution:

Resolved, That the secretary of the treasury be directed to lay before this house a statement of the different articles imported which are now subjects to duty at a rate of 20 per cent. *ad valorem*, the value of such articles, and the sum per cent. and amount of such duties, based on the imports of 1838.

Objection was made. And then the house adjourned.

Saturday, Jan. 23. The journal having been read, Mr. Jones, of Va. moved that the house proceed in the further execution of the special order of the day on the bill to provide for the issue of a further sum of five millions of dollars of treasury notes.

Mr. Jones gave way to Mr. Eugene, who, by direction of the committee of elections, asked leave to report a bill regulating the taking of testimony in cases of contested elections and for other purposes.

Mr. Chapman objected to the introduction of the bill, but subsequently withdrew it. Mr. Afford renewed it. Mr. Pullum moved to suspend the rule

to enable him to report the bill. The question to suspend the rules was put and not carried.

Mr. Jones then renewed the motion to proceed to the special order of the day.

Mr. Russell moved that the special order be postponed till Monday, and that the house do proceed to private business. Mr. R. called for the yeas and nays; they were not ordered. Mr. R.'s motion was then directed to the yeas and nays.

The house again resolved itself into committee of the whole on the state of the union, and proceeded to the consideration of the bill reported by Mr. Jones, to amend an act passed on the 20th of June, to authorize the issue of an additional sum of five millions in treasury notes. Mr. Casey, of Illinois, was called to preside over the deliberations of the committee.

Mr. Thompson, of Mississippi, who was entitled to the floor, addressed the committee for the space of two hours, and was followed by Mr. Lane, of Indiana. Mr. L. having concluded, the chairman gave the floor to Mr. Duncan, who yielded for a motion that the committee rise, which prevailing, the committee rose, reported progress, and obtained leave to sit again.

Mr. Everett asked the house now to take up and consider the resolution, which, he said, had been laid on the order of the day yesterday, and on the secretary of the treasury for information on articles imported which are not subject to duty at a less rate than 20 per cent. *ad valorem*.

Mr. W. called the yeas and nays on the resolution never had been received.

Mr. Everett submitted that it had. Some conversation, arising out of this difference of opinion, ensued, when Mr. Briggs, (who was in the speaker's chair) ordered to be annulled. Mr. Briggs, expressed his understanding to be that the resolution had not been received—objection to its reception having been made.

Whereupon the journal (which stated the fact to be the contrary) was ordered to be annulled.

Mr. Everett then asked that the resolution be received; and objection being made, moved a suspension of the rule, and he asked the yeas and nays thereon.

Mr. Wase moved an adjournment.

The yeas and nays were asked and ordered; and, being taken were yeas 41, nays 47. So the house refused to adjourn. But no quorum voted.

Mr. Russell moved that the yeas and nays be taken on the resolution now before the house. I do not wish to put the house to the trouble of having a call at this time. But I will say that if, before this debate is closed, gentlemen on all sides of the house do not and that the resolution is not adopted, called for by this resolution, I shall be much mistaken. And then the house adjourned.

Monday, Jan. 25. Mr. Cushing presented the memorial of Charles T. James, of Newburyport, Massachusetts, requesting the adoption of "Rahab's self-acting safety valve," by law, and praying for the passage of a law requiring the use of steam boilers and machinery on board of steam-boats, proved to be sufficient, and faithful and skilful engineers, uncontrived to be such—by such means as congress may prescribe. While memorial was referred to the committee of the whole on the state of the union.

The speaker laid before the house the following communications, which were appropriately referred to the post office department, a statement of the contracts for carrying the mails, &c. during the year 1840.

From the president of the United States, a report with the accompanying papers from the secretary of state in answer to a resolution of the house of the 16th December last.

From the war department, a statement of all the contracts made by that department for the year 1840.

Also, from the same department, a statement of the appropriations for 1840, and the balance remaining in its treasury on the 31st Dec. last.

From the treasury department, a report from the commissioner of the land office on the 19th inst. in answer to a resolution of the house of the 9th inst. being a statement of the quantity of public lands purchased under the several acts of congress.

From the navy department, a statement of the contracts made by the commissioner of the navy during the year 1840.

A message from the president of the U. States, transmitting a report from the director of the mint, exhibiting a statement of that institution during the year 1840, and calling attention particularly to the over-valuation of foreign gold coin.

From the treasury department, relative to the discontinuance of the mint at San Francisco.

From the war department, a statement of the number of clerks in that department

The following Senate bills were than twice read and severally referred to the undersigned committees:

To abolish the port of delivery at Currituck inlet and the office of surveyor of customs at that port. To the committee on commerce.

To extend the charter of the Bank of Alexandria at the city of Alexandria. To the committee on the District of Columbia.

For the settlement of the claims of New Hampshire against the United States. After some conversation, relative to its reference, by Messrs. L. Williams, Jones, of Va. Briggs, Wise, Lincoln, Hunt and Clifford, it was referred to the committee on military affairs.

The bill authorizing the president of the United States to cause certain surveys of the lakes and lake coasts to be made. To the committee on commerce.

The bill to relinquish to the state of Mississippi the two per cent. fund accruing by the act of admission of that state into the union. The committee on public lands.

To make certain appropriations for the patent office. The committee on patents.

The bill regulating commercial intercourse with the port of Cayenne, French Guiana, and to remit certain duties. The committee on foreign affairs.

To authorize the secretary of the treasury to refund certain duties collected on the French ship *Alexandre*. The committee on foreign affairs.

To authorize the secretary of the treasury to make arrangements of compromise with the sureties of Samuel Swartwout.

The bill relating to the judicial courts of New Hampshire. Which latter were referred to the committee on the judiciary.

The amendment to the bill of the house, "to make appropriations for the lunatics of the District of Columbia," providing that the expense for this purpose shall not exceed in the whole, the sum of \$9,000 per annum, was concurred in.

Several members rose with petitions and resolutions, to which objection was made.

Mr. Chapman moved to suspend the rules, for the presentation of petitions; which motion was not taken.

A motion by Mr. Jones, of Va. having precedence, that the house resolve itself into committee of the whole on the state of the union; which was carried; whereupon the house resolved itself into committee, (Mr. Casey in the chair), and resumed the consideration of the treasury note bill, on which Mr. Duncan was entitled to the floor. Mr. D. then rose and spoke at length on the subject, examining the state of the finances of the country. Without concluding, at a quarter of four o'clock, Mr. D. gave way to a motion that the committee rise.

The vote on which being taken, there appeared no quorum of members present. The committee then rose for want of quorum, and on motion, the house adjourned.

Tuesday, Jan. 28. Mr. Tillinghast from the committee of manufactures, obtained leave to report the following bill:

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That so much of the act entitled "an act to alter and amend the several acts imposing duties on imports" approved July 14, 1828, as provides that pins of foreign manufacture may be imported free of duty from and after the 1st day of April, next, be, and the same be hereby repealed; and that, from and after the said day, pins, when imported, be subject to a duty of 20 per cent. ad valorem.

The bill was twice read, and committed to the committee of the whole house on the state of the union.

Mr. Pope asked leave to present a petition; which was objected to.

Mr. Pope moved to suspend the rules to enable him to present the petition; the question was put and lost.

The house then, again, resolved itself into committee of the whole on the state of the union, and resumed the consideration of the bill reported from the committee of the whole house, for the issue of an additional five millions of dollars in treasury notes. Mr. Carey, of Illinois, was called to preside over the deliberations of the committee.

Mr. Duncan resumed his remarks, and addressed the committee until half past two o'clock.

In concluding his remarks—Mr. D. said that immediately before he had taken the floor this morning his attention had been called to the following statement, published in the "National Intelligencer" of this city:

"Mr. Cushing hoped that, at this stage of the debate, no technical question of order would be raised, because, he said, after the extort to which the remarks of the member from Ohio (Mr. Duncan) had been carried, he (Mr. C.) should feel himself bound to appeal to the courtesy and the honor of 'this house to suffer him to reply.

"Mr. W. C. Johnson submitted to the chair whether it was in order for an individual to charge Gen. Harrison with cowardice who had himself been branded as a coward on this floor?"

Now, (proceeded Mr. D.) I never heard this remark made by the gentleman from Maryland (Mr. Johnson). It was not addressed to me, nor to the chairman of the committee in such a way as to be heard. And I was astonished when it was put into my hands; and if I had had time for reflection, I should have contradicted it through some other medium. I say I did not hear the remark; and I have no hesitation in declaring that the man who uttered it is guilty of a base falsehood, and is himself a liar. And I call upon the chairman of the committee to say where in such language was used in his hearing.

When called upon by Mr. Duncan, Mr. Campbell, of South Carolina, rose and said: I take upon myself to say that I heard no such expression when I was in the chair. I had called the gentleman from Ohio (Mr. Duncan) to order for irrelevancy, and he had acquiesced. I then understood that the gentleman from Maryland (Mr. W. C. Johnson) as rising to the same point of order, and my reply to him was, that I had already called the gentleman to order, and that he had acquiesced in the decision—But, however, I did not hear the expression referred to.

Mr. Duncan. I protest against the statement that I had ever said any thing against general Harrison except what the history of the country sustains. I never said any thing of the kind. I was a coward, nor any thing like it; and no conclusion can be drawn from any thing I have said other than that he was not entitled to that character of a great military chieftain which was claimed by him and his friends.

Mr. W. C. Johnson. The report in the "National Intelligencer" of the remarks I made yesterday is perfectly correct. I made those remarks, and I intended them to be fully audible in every part of this hall.

Mr. Campbell, of South Carolina, rose and inquired of the chair, "is the gentleman in order?"

Mr. Stanley. He is as much in order as you are. The chairman (Mr. Briggs) pro tem. called to order.

Mr. W. C. Johnson proceeded to say that had been conscious of the disclaimer which the gentleman from Ohio (Mr. Duncan) had just made, it would have superseded the necessity of his (Mr. J.) having made any remarks. But as that gentleman denied the fact that such a statement as that reported in the "Intelligencer" had been made by himself, (Mr. J.) he felt it his duty to say that it had been made; and he now held in his hand the evidence of the fact upon which his remark was predicated. The fact was only notorious to all the members of the last congress, but he himself and other gentlemen here present had a perfect recollection that the charge which he (Mr. J.) had yesterday asserted as having been imputed to the gentleman was made upon this floor, not by one, nor by two, but by three several gentlemen. The subject matter had ended there. The gentleman was here upon this floor, and yet, so far as he (Mr. J.) was conscious, he (Mr. D.) had not called upon any one of these gentlemen for satisfaction, nor had any communication been made to them which could have been regarded in that light.

But, as a proof of what he had stated, he would send to the clerk's table, with a view to have it read—a statement.

The chairman said it was not in order.

Mr. Johnson admitted, he said, the irrelevancy of the matter; but he held in his hand the report of a speech made here by a member of congress—a speech of as much weight as any in this house or in the world—in which speech this allegation was made. A reference to this speech would show that he (Mr. J.) had not done the gentleman from Ohio (Mr. Duncan) injustice, but that he was borne out in what he said. He had no desire to engage in controversy on this floor, but if he was not to do the gentleman injustice, he would request the clerk to read two sentences of the speech to which he had referred, and which was delivered in this house in 1839.

By the chairman said it was not in order.

Mr. Johnson. It will simply then say that with these facts—

Mr. Campbell, of South Carolina, submitted to the chair whether the gentleman was in order? If not, he (Mr. C.) would object to his proceeding.

Mr. Stanley. For two days past every subject under heaven has been talked about here, and yet the gentleman from South Carolina (Mr. Campbell) has never raised his voice in a call to order, nor has any body else.

Mr. Johnson was unwilling, he said, to force himself upon this house contrary to its feelings and its

rules. He had been a member of the body too long to make such an attempt. But he felt it due to himself and to the member from Ohio, that the fact on which he (Mr. J.) had predicated his statement of yesterday should be made known. Mr. J. then read from the speech to which he had alluded the following paragraph:

"With these facts before the House, what member will say that such a man as I am a fit associate for gentlemen? Availing himself of the privilege, seeking to destroy the character of his brother members, without the courtesy, or the feelings of honor to prompt him to ask redress for admitted insults can such a man be deemed within the pale of civility?"

That (Mr. J. proceeded to say) was the language used by an honorable member on this floor—language printed and published so long ago as 1839; and it was this fact which induced him (Mr. J.) when he supposed the gentleman from Ohio was charging such a man as Gen. Harrison with want of courage, to ask whether it was courteous, or in accordance with parliamentary rule, that a charge of that nature should be made by a man who had himself been branded as a coward. That charge had been made and repeated over and over against the gentleman from Ohio; and no man who would examine the record could deny it. This was all that he (Mr. J.) had said, and this he had said. The gentleman from Ohio might not consider this an imputation, but it could not be considered as having been done him. He (Mr. J.) spoke only of the fact, and he had read the speech to show the fact; and although he himself obtained from discussions of a personal character as much as possible, yet he had felt it due to himself and to the respect persons whose cause he had advocated, to say as much as he had done when the character of that personage had been assailed.

After one or two further remarks, Mr. Duncan followed in a few remarks, which the reporter could not hear accurately, but which were understood to have reference to a resolution introduced in a previous congress for (Mr. D.'s) expulsion, and to certain insinuations thrown out at the threshold of the discussion that he (Mr. D.) had postponed the publication of certain letters until after the passage of the duelling law; the whole of which, he said, had its origin in a base system of cowardice, by men who had not the courage to stand to their own acts. It was a member of this house who had been introduced—and he had been told that a regular caucus had been held at that time to see what was to be done, in order to get gentlemen out of their predicament.

Mr. Underwood rose to make an explanation, but, being called to order, took his seat.

Mr. Davis, of Ky. then obtained the floor, and addressed the committee in reference to the financial state of the country and its condition generally, and upon several of the incidental topics which had been introduced into the discussion.

Mr. D. having concluded—The chairman gave the floor to Mr. Pope, of Ky. After some little controversy as to the right to the floor. The committee rose, reported progress, and obtained leave to sit again.

Mr. Crobb, on leave, presented a preamble and resolutions of the legislature of the state of Alabama, against a revival of the protective tariff system; which were laid on the table, and ordered to be printed. And then the house adjourned.

The following letter, addressed to the reporter of the National Intelligencer was handed in previous to the adjournment of the house:

"Mr. Webster: Had I been permitted to proceed with the explanation I rose to make, I intended to have said that I was a member of this house when the gentleman from Ohio (Mr. Duncan) had difficulties with two gentlemen, then occupying seats on this floor, from Kentucky, to wit: Mr. Southgate and Mr. Menefee; that I met with the former; that I was upon the best terms with both of them; and that I was in full knowledge of any cause which held to adopt resolutions or to recommend any action on the part of congress with a view to relieve either of those gentlemen from any difficulty in which he was involved with the member from Ohio, I never heard any such thing alleged before, and I have no knowledge or belief that the bill against duelling was at all hastened in its passage by any measure or resolve adopted in caucus in consequence of difficulties subsisting between the gentleman from Ohio and the gentleman from Kentucky, or either of them. I thought justice to the absent required this statement at my hands; but, as I was not permitted to make it on the floor, I request you to introduce it in connection with your report of the proceeding."

J. R. UNDERWOOD.

January 26.

CHRONICLE.

THE BANKS in the city of Baltimore have agreed to resume specie payments on the 1st of February next. The close of the rest of the state will no doubt do the same.

U. STATES BANK. Letters by the Columbia confirm the news of the loans negotiated by the agents of the U. States Bank, with various parties, to the extent of all our million and six hundred thousand dollars, or fully six millions of dollars. *[See our report.]*

The Philadelphia U. S. Gazette of yesterday says: "The case of Hays, the United States land bank, that involved a considerable portion of public attention in Baltimore by an annual increase of the bank, we hear is progressed through the courts, and the bank, we hear is at present, pays the principal and six per cent. interest. As this debt entered into the calculations of the bank on receiving the United States land bank, no difference in the power of the bank, but enlarged means in London giving her ample powers to meet the demand."

CLOSE RUNNING. Three cities in Ohio have nearly the same population. The census of Columbus is 6,018; Dayton, 6,067; and Cleveland, 6,071. The run among the three was close for the rank of the second city in the State.

COAL TRADE OF PENNSYLVANIA. The following is the actual quantity of coal shipped from the different regions in the years 1839 and 1840.

	1839.	1840.
Schuykill,	424,290	422,494
Lehigh,	109,650	102,264
Lackawanna,	122,300	148,170
Beaver meadow,	28,429	42,612
Hazleton,	21,000	21,000
Nazareth,	7,250	29,900
Pittsburg,	20,439	22,860
Shenandoah,	11,693	15,605
	817,629	865,414

Add quantity remaining on hand April 1st,

200,000 150,000

Tons. 1,017,629 1,015,414
The whole amount shipped from the various coal regions in the State between 1839 and 1840, inclusive, is 6,877,172 tons, and now that so many new iron works have been established, and the fact of anthracite being introduced into steamboats, will create a demand for it, which, in a few years, will double the present use.

THE CHALLENGE. We published a challenge from a capt. Glover, for any one to beat his vessel. The rejoined explanation of a correspondent in another column, to the contrary of our readers.

U. S. GAZ.
"Mr. Erskine has taken one of the pocket-ships, nearly 400 tons, of the Havana, and placed on board an engine in the after part of her cabin, and the two shafts of the propellers pass through her bottom under water. By this simple contrivance, Mr. E. calculates upon making his ship equal to the rate of the ship's sailing, under certain circumstances. Should this succeed, and there can scarcely be a doubt of it, at least the enterprising owners have full confidence in it, judging from their challenge, a new era in navigation must take place."

THE REV. A. H. COHEN, the venerable and beloved pastor of the Hebrew congregation at Richmond died suddenly on the 21st inst. The Compiler says: "There could be no more ardent devotee than he, in the cause of the Jews—the amelioration of their political and elevation of their moral condition; and at this period, in a era as it were in their history, his loss is sorely felt by them."

DEATHS. In New York last week 142; in Baltimore 45, of which 23 were under two years of age, 13 were free colored and 3 slaves.

DOMESTIC PRODUCTS AND FOREIGN TRADE. The Louisiana Advertiser estimates the consumption of sugar in the United States at 80,000,000 of highlands per annum, or one hundred and eighty millions of pounds. Taking the cost to the consumer at the average rate of seven cents, we have the sum of \$112,600,000 paid yearly by the nation for the use of this valuable and now scarce article.

The sugar lands of Louisiana do not produce annually over 30,000 highlands or eighty one millions of pounds—half of the quantity consumed in the country—every year. This fact is to be accounted for, not from any scarcity of land, but from the fact that the culture of sugar—but from the foreign importation of the article, by means of which the demand for the domestic product is kept up. The sugar lands of Louisiana are not capable of producing double the quantity of sugar now consumed in the United States—that is, 80,000,000 highlands annually—half the land now in use would be held up to culture in order upon the production of the staple. In view of this the planters of Louisiana are calling for the imposition of duties upon foreign sugar.

FAVORABLE NEWS. The New York and Newark, N. J. Express mentions that a vessel plowing the earth was 100 ft. or twenty rods on Monday morning the 28th inst. at two miles north of New York, and was guided by a plowman. The phenomena was noticed on Long Island.

EXPORTS TO CANADA. We learn from the Cleveland, (Ohio), Herald, that the clearances at the port, for that port in the Upper Canada, for the past year, were 866,550 bushels of wheat, and 70,495 bbls. of flour. The quantity of pork shipped during the same time is estimated at 15,000 bbls.

DR. LIVES. The notorious rogue who was lately sentenced for fourteen years to the state prison at Boston Rouge, for negro stealing, broke out and made his escape on the 12th inst. A fellow culprit who escaped with him, is also at large.

The last mail brings news of the recapture of the doctor, after remaining in the swamp two or three days, being used of longer fasting, he came out on a pike, and was taken up, and requested the negroes to take his iron out. The slaves at once took measures for securing him, in which they effectually succeeded, notwithstanding the violent resistance which he offered with a pocket-knife. He has again taken his proper place in the cells of the penitentiary.

HURRICANE. Early in January a most tremendous hurricane fell along the southern coast of Mexico, devastating a tract of country 25 leagues in length and 7 in breadth, so completely that a tsunami was apprehended, unless success speedily reached them. Corn, sugar cane, palm trees, and even vegetables were swept away.

IRON TRADE. The exports of iron and steel, hardware and cutlery, from England in 1839, amounted to 2,441,569, declared value, or about \$2,200,000, official value.

LAW DECISION. A case was recently decided in the court of errors of New York, in which was involved the question whether chattle mortgages were valid, where the mortgagee did not take possession of the property, but had been requested to take possession, and the supreme court of the state that such mortgages were in law fraudulent, and against creditors of the mortgagee, void.

The court of errors reversed this decision, and established the doctrine that where the party to whom a mortgage is given produces evidence of good faith and the absence of any fraudulent intent in the transaction, the possession of the property is immaterial, and the question of fraud is a question of fact, and should be submitted for the decision of the jury.

LISERKE has a population of 4,500 American colonists and 20,000 natives. It has nine settlements or towns; the two most distant being 300 miles apart, on the sea coast—the others at various distances, intermediate. The territory procured by purchase, contains nearly 600,000 acres of land, and is well adapted for the raising of the native owners in the same way. The government is modeled after our own, and largely modeled after the French, and is well adapted for the people. Agriculture is thriving and greatly extended. Four printing presses are in operation. Twenty-nine churches are organized, some of them composed of native converts. More than 20 religious managers are engaged in religious teaching. Many Sabbath schools are regularly attended. And, on the whole, the colony never appears better than the actual state of affairs, and is very attractive to its friends on the ground of its great usefulness. *[Presbyterian.]*

LIABILITY OF TENANTS. Heretofore we have always understood it to be good law that a tenant occupying premises that were destroyed by fire, remained liable for the rent until the expiration of his term; but in the marine court, on Monday, justice Randall charged the jury that by recent decisions this doctrine had been overruled, and that the owner of the tenancy by fire exonerated him from the payment of rent from the date thereof. If this is true law, the people ought to know it. *[N. Y. Com. Advertiser.]*

THE LEATHER TRADE. The amount of leather on hand in the stores of trading, for the month of January, is \$11,695,414. The Journal of Commerce says: "The average yearly sales of the trade of this city, from 1831 to 1840, were about 850,000 additional, and the stock on hand is not therefore equal to the annual consumption of the article. Hides have been scarce for a year or two, and dear, that a large proportion of the owners have not returned to stock their works. For the same reason the stock of leather in the country generally is small."

MISSION TO OREGON. The Missionaries who left this port in Oct. 1839, arrived at the Sandwich Islands on the 20th of the inst., and remained for previous to May 23d last.

The exploring expedition had not arrived at the Sandwich Islands on the 20th of the inst. *[N. Y. Com.]*

MANUFACTURE SUBSCRIPTION. A subscription in aid of the New York theological seminary was opened on Sunday last, and David Leavitt, esq. of Brooklyn, subscribed \$250.

MONEY. Money is said to be very scarce in the city of Philadelphia, and commands one and a half per cent. per month.

PRESIDENTIAL ELECTION. The election for mayor and city council of Pittsburgh, took place on Tuesday the 12th inst. There were four candidates in the field, Mayor, James Smith, of the Whigs; Marshall, of the Whigs; McElwey—the first three Harrison democrats and Wilson, the last Van Buren. Mr. Thompson, the tegu-

larly terminated Harrison candidate, was elected mayor, over Mayor Smith, by a majority of 281. Mr. Harrison's councilmen were elected in every ward, except one in the east ward, who received a vote with an opponent.

Tommy Temple was on the same day elected mayor of the city of Albany. The conclusion chosen for that city are all Harrison democrats.

PUBLIC LANDS. The resolution introduced into the house of delegates of Maryland, by Mr. Gaither, requesting the senators and representatives of this state in congress to vote for the distribution of the proceeds of the public lands among the several states, passed that body. A member of the assembly moved to amend the word "requested" and insert "instructed"—but on a call for the yeas and nays, no yeas, not one, not even the person who made the motion would vote for it, and against his own proposition was noted upon the journal.

RESURRECTION IN PENNSYLVANIA. So far as we have heard, the banks throughout this state have resumed, without any material ruin upon them for specie.

SMALL NOTES. The bill authorizing the banks of the state of Maryland to receive and pay out the notes of the Baltimore and Ohio rail road, for any denomination not under one dollar, has passed both houses, and is now the law.

STEAM. H. M. brig Racer arrived at Halifax on the 7th from Tampa, with \$100,000 for the use of the commissary of the army at that place.

ST. JAMES' N. B. In 1831 had a population of about 15,000. It has now 27,000 and promises soon to rank with some of the largest cities in the United States.

STEAM SHIP OF FIRE. The Atlantic Steamship Co.'s, the Philadelphia Inquirer, at two o'clock, A. M. on the 3d inst. was within about 400 miles of Halifax, and was on fire for some minutes. A great commotion prevailed, and the vessel was put for the nearest land, the fire was extinguished, and the boats placed in readiness for the fire. The vessel was then taken up on the alarm behaved with coolness and great self-possession, and was safely sustained by his crew, in half an hour all danger was over.

THE STEAMER CALLEDONIA took from Boston fifty-four passengers for Liverpool—reaching Halifax in two hours, took in 100 passengers, and departed for Europe at 7 P. M. the same day.

THE BRIG TIGRIS. The Philadelphia Ledger says: Capt. Frye and Mr. Barnhart, the mate of the brig Tigris, whose examinations at Boston has been going on for some time, have been put under bonds of \$3,000 and \$2,000, to answer the charge of being a native of Africa, on the charge, with intent of making him a slave. Judge Davis has granted a writ of habeas corpus, and the Tigris is to be tried by the circuit court which sits in May next. The crew were released. The boy Horse made a statement in the Portuguese language to the court, that he was a native of the interior of Benguela, and passed through various hands into the possession of a merchant named Almeida, and when he alone one day and been seized by a boat crew and carried on board a foreign ship, from which four days after he was transferred to the Tigris. Capt. Frye, it also appeared had made a contradictory statement in respect to the manner in which the boy came on board the boat.

TEARS. The whole number of passengers that arrived at the port of Galveston by sea, from the 17th June to the 31st December, 1840, was 1,032. Of these 26 were children, 39 slaves, and white adults 977—[which 10] were recruits for the army and navy.

SAMUEL WILLIAMS, ESQ. The Philadelphia U. S. Gazette publishes the following anecdote respecting the late Samuel Williams, esq. formerly a distinguished member of the Legislature of New York: "One dark, stormy night, while at sea, Mr. Williams left his berth below with an intention of repairing to the deck of the vessel. He ascended the companion way, closed the entrance to, and entered from the ship's cabin, feeling his way along in utter darkness. The storm was howling, and every rope about him seemed strung to some unseen motion, while the spray of the sea, driven by the wind, was beating against the ship's side. He reached the deck, the darkness on one side seemed to threaten, and the noise of the water to come in more terribly, suddenly upon him, and he was seized and along the breast of the astonished mate. He seized him almost involuntarily, and held them with a convulsive grasp. An awful crash followed, and he was borne overboard. The mate, who was on the ship's side, seized, while the deck which had sustained his feet had sunk beneath him.

A larger vessel had run down his own, and he and his companion were saved by a miracle to tell the story of destruction, for the larger ship went booming on in her course, and not a cry was heard from the sinking ship. It was a recent fact of the shattered bark. All were

"In the deep bottom of the ocean buried."

WAYS AND MEANS. Mr. Bowie, from the committee on ways and means, reported on the 21st inst. in the house of representatives, a bill for the relief of the poor, and to the amount of \$660,000 in aid of the treasury, and to sustain the credit of the state.

that the Chinese government has gained its point.— That it has referred us to a land of promise, and we have consented to forego the acquisition of a portion of the bond of promise. Some little time ago, we stated, that if we wished to make an impression upon the Chinese government, we must strike at the heart and not the extremities; it would seem that we have made an ineffectual blow at the heart, which having failed, we have been referred very coolly to the extremities, and by so doing we have given the Chinese authorities, be it emperor or mandarin, a basis whereby to erect a "mighty big lie." The empire of China exists on a "mighty big lie," and they will now swear that they, that is the Chinese government, have made us knock under, that is agree to say, that they have forced us to go to Canton to settle preliminary arrangements, and that they were in the position *en bello*. We have thus lost our opportunity, we shall be obliged to do that which we ought to have done at first, to strike at their heart.

Great sickness prevailed among the troops at Chusan, only 110 men of the 18th regiment, and 220 of the 49th being fit for duty, and this chiefly on account of the bad state of the provisions sent from Calcutta. The island itself, however, is stated to be unhealthy. Capt. Anstruther of the Malrae engineers were unfortunately captured by the Chinese, while sketching within a mile of the town of Chusan, and was taken to Ningpo. The Kite and the Indian Oak are lost, and the officers and crew of the former are in the hands of the Chinese at Ningpo. Opium was in great demand at Chusan, and had advanced to \$900 and \$1,000 per chest.

From the *Canton Press*, of Aug. 27.

Fight at the barrier. It will be seen from the circular copied below, addressed by captain Smith to the British military resident there, that his excellency the governor informed him, that the Taisue had left Macao on the 11th of this month, for the sole purpose of laying before the viceroy Lin the strongest demands for the release of Mr. Staunton. On Monday, the 17th, the Taisue returned, but without Mr. Staunton. We are informed that the only answer he gave was that it was impossible that Mr. Staunton could be liberated, he not having been seized on Portuguese territory, and that besides he, the Taisue, was not at all with him a number of soldiers to assist the Portuguese in driving away the English.

It was known before, and as we stated last week, that strong additions had been made to the fortifications at the barrier and to the number of the garrison there, and a great number of soldiers with soldiers were on Tuesday seen to pass through the inner harbor towards the barrier, where also were stationed eight war junks, which before had been anchored off the town of Macao. The Hong company's steamer *Escoler* left the road here for the Capingoon soon after the return of Taisue was known, and returned on Tuesday, in company with her majesty's ship *Druid*, and towing the transport *Nazareth* ship, having the Bengali volunteers on board. From the Taisue's answer, it was evident the Chinese had hostile intentions towards the English residents in Macao; and there seemed but the alternative of quietly awaiting the attack, or to check them by falling upon them first.

On Wednesday morning, the 19th, her majesty's ships *Hyacinth* and *Larne* were seen getting under weigh, standing towards Fisherman's bay, and the Bengali volunteers were embarked on board the steamer, whilst we saw nine boats filled with marines and sailors were sent to the fort, in the same direction as the *Hyacinth* and *Larne*. The weather was favorable, a light southerly breeze wafting the ships very soon to a favorable position right in front of the barrier and the fortifications there, at a distance of only 600 yards. At about half past one o'clock the *Hyacinth* began the cannonade, which was answered by the Chinese from their fort, or rather breast work, consisting of pyramids of sand bags, and a succession of about nine yards square, and upon which the 32 pounders made little or no impression.

The Chinese had altogether 21 guns in the embrasures of this fortification, 15 of which were pointed towards the ships, but their fire was very soon silenced by the *Hyacinth* and *Larne*, after the guns had been only three fired. The neck of the land on which the barrier is built is just there only about 100 yards wide, and close to the land on the inside were anchored the eight junks already mentioned, of which, from the ships, only the masts could be seen, the hulls being hid, and in a great measure sheltered from shot, by the land. There was besides, on this side of the barrier, and on the territory hitherto considered as subject to Portuguese jurisdiction, a joss-house, or temple, where there were several cannon, from which a brisk fire was kept up upon the ships, and it was observed that these guns car-

ried further than those from the junks, many of whose shot fell short of the ships.

Through several balls passed over the ships, they received no injury in their hulls, but a few balls passed through the awning and sails of the *Hyacinth*. After the engagement had begun, the garrison at the joss-house was reinforced by about 200 Chinese soldiers, who marched to it from the town of Chusan, and landed a considerable quantity of ammunition filled with the soldiers just behind the barrier, and sheltered by a sand hill, and it is supposed that there must have been altogether about 200 Chinese soldiers in the yard, of whom a considerable portion were armed with muskets. The distance from the barrier to Macao being scarcely two miles, the whole of the engagement was witnessed from the town, and numerous spectators, crowded the adjacent heights.

From half past one until half past three, the ships kept up a heavy fire upon the fort and the junks behind, which was latterly and only faintly answered from the junks, but with more spirit from the joss house, often interrupted in their course by the shot passing over them or plunging into the ground near them, when they would cower down, or creep along on all fours. Twice we saw them fire, and on a wound was done.

At about half past two the British troops began to be landed on the beach at some distance from, and on the Chinese side of the fort. Some Chinese soldiers, favored by the rising ground, crept up and fired upon the parties landed, but a fire-piece was brought on shore, and planted on the height, and a sharp fire kept up from it upon the Chinese encampment below, upon the junks, and latterly also upon the British subjects in Macao. Orders from captain Smith, had, however, been issued, as being considered on neutral ground; but when the firing from it continued, all pretence to neutrality of course ceased, and a great number of our men were seen flying out of it, and from some of the boats, through which a few balls were sent, and running back to Macao.

A little after 4, all the troops being landed 250 Europeans, 120 marines and 80 seamen, commanded by captain May, and the British volunteers, marched upon the fort, which they were met by a fire, when already in the fort, was opened upon them from the junks and the joss house, which was soon silenced by the musketry of the volunteers.— The Chinese soldiers on board the junks tried to save themselves by leaping into the water, but a fire, if it is supposed, were killed. Two of the galleys in the fort, (they were very large and heavy, in bulk equal to 32 pounder cannonades, though bored for 10 pounder shot) were disabled, and carried off to some other place, and the other broken to pieces by a shot.

All the guns were spiked, and every thing else in the fort destroyed and burned. A powder magazine blew up, and two men, who were very young, were severely hurt by the explosion. The Chinese encampment was next burnt, and, in fact, every thing found on that side of the fort destroyed, by the exception of the junks, which escaped being burnt from their being too boats available to get at them. Many of them were, however, so injured by shot, that they will probably never float again. The joss house, from which the liveliest fire had been directed, except destruction, as being on neutral ground, very much to the disappointment of the assailants, who could only by the strictest orders be restrained from attacking it sword in hand. Indeed, during this affair, Smith seemed to have been anxious not to violate the neutrality of the degree the neutrality of the territory. Although the Chinese had no such scruples; for not only was the joss-house on this side of the barrier, and, therefore, on Portuguese ground, but the great part of the soldiers that occupied it marched to it from the town of Macao itself.

The barbarous of captain Smith in not attacking the enemy on neutral ground arose, no doubt, from a consideration of the very peculiar position in which Macao is placed with regard to the Chinese, and we hope that his conduct will not be imputed by the Chinese, who have in no reason whatever for complaining of the Portuguese in this active hostility; their soldiers, although engaged in active hostility, were spared because they were on neutral ground.

The English had four men badly and slightly wounded, a marine had his arm shattered by a ball, and another sustained a laceration of the limb; another was shot in the body, and, as we have already said, was badly injured by the explosion of the powder magazine. The loss of the Chinese cannot be known with any degree of certainty. Those killed, or in our hands, and also it is only four killed, but other statements at about 50 or 60 killed,

and double that number wounded, are probably more correct. One shot was seen to strike a tanka boat plying between the junks, and pulled by two men, the boat was diverted to pieces, and nothing was seen of the poor wretches, who, it is possible, however, may have escaped, they being all expert swimmers.

We hear that the Chinese soldiers ascribe their defeat to the cowardice of their officers, who, they were, the first to run away, and that they were therefore obliged to follow their example. What the result of this affair may be it is difficult to foresee, but we hope that, having received this severe lesson, the Chinese will be very cautious in troubling Macao. The Chinese population has been very quiet ever since the exception of many families removing. The Taisue it was rumored had disappeared since the fight, but we learn he is now at Cosabura. The Keemsoon fow and Tso tang have also left Macao.

The following letter was circulated on Monday last:

"Macao, August 17, 1840.

"SIR: As the British consular residing in Macao must be deeply interested in the fate of Mr. Staunton, lately seized by the Chinese, I have now to request you will be pleased to make known to them, that assurances have been received from the government of Macao, by the British minister, the Taisue Yieh left Macao, at 7 P. M. on the 11th instant, for the sole purpose of laying before the viceroy, Lin, the strongest demands for the release of the undersigned British subject, and H. E. has been kind enough to state that he had arrived at the earliest period the result of this officer's mission. I have, &c. (Signed)

"M. SMITH, commanding blockading squadron. The following letter was circulated on Monday, Dec. 1. Our Calcutta papers of the 16th November have arrived, and in a great measure confirm the news we gave from Chusan. The emperor has received admiral Blyth's distinction, and agreed to a treaty to be negotiated at Canton. £3,000,000 is to be paid before Chusan is evacuated. In the meantime a letter has been received at Malacca, which states that our ships had forced the passage of the straits, captured the forts, and proceeded on to Canton.

Raising of the blockade of the coast of Syria. The following copy of a letter, addressed by Her Britannicity's consul general at Constantinople to the British consul at Smyrna, was transmitted to Lloyd's by their agent at that place.

"Constantinople, Dec. 7, 1840.

"GENTLEMEN: I have been requested by his excellency the undersigned to inform you that he has received from his excellency the Ottoman minister for foreign affairs an official notification, stating that, in consequence of the definitive occupation of the coast of Syria by the troops of his imperial majesty the sultan, the British ports have ordered the blockade of the forts and archipelago of that coast to be raised. I have the honor to be, gentlemen, your obedient servant,

(Signed) "JOHN CARTWRIGHT, consul general. To the British merchants."

SOUTH AMERICA.

Letter from the river Plata. The bark R. H. Douglas, at this port from Rio de Janeiro, brings copies of letters received there from Montevideo, from which we make the following extracts. The commercial advisers from Rio, received by the R. H. Douglas, are three days later than our previous accounts, and represent the markets to be without any change worth noting.

Montevideo, 11th, 1840. Since our last, the convention agreed to between the Buenos Ayran government and the French, has been duly ratified by the house of representatives of Buenos Ayres, and the port of Buenos Ayres has been declared open. Upwards of one hundred and six vessels immediately proceeded up. Our data from there are to the 28th inst. at which time shippers declined chartering vessels as no launches could be procured. This difficulty, however, will soon be obviated. Few estimates were making there, and some time will elapse before business again gets settled. Confidence restored, of which there is but little prospect until either the federal or unitarian party shall be put down.

In reply to your inquiry we beg to state, that no wheat has been sown in this province in consequence of heavy rains at sowing time. The consumption in this city has been from 3,000 to 3,500 barrels per month, and the price has been from 10 to 12 pesos. Emigration has also served to increase it. The probable consumption after the French leave, may be set down at 2,000 barrels per month. The stock of wheat at Buenos Ayres, is also small, and flour will be wanted there by and by.

late from the Pacific. By the arrival of the Coquette, in 69 days from Islay, in Peru, near Callao, we learn that the Bolivian congress had declared all the acts of the administration of gen. Santa Cruz valid, and ordered his property to be restored. It was the general opinion, both in and out of congress, that a revolution would shortly take place in favor of Santa Cruz.

The Peruvian government had informed the Bolivian agent in Lima, colonel Agredo—(authorised agreeably to the treaty of April 19, 1840, to inspect the reduction of the Peruvian army)—that they did not consider themselves obliged by, and should not fulfil, the treaty as regarded military matters; alleging, that the Bolivian congress had not approved some of the articles of the treaty; and they also notified the inspector to suspend any measures that he might be about to take, as inspector, in virtue of the treaty. Several notes had passed between the Bolivian commissioner and the minister of foreign affairs.

Private letters say that the Peruvian army had been concentrated to the interior, and, instead of being directed, agreeably to the treaty with Bolivia, is being augmented—that the government continued as unpopular as ever, and that they anticipated themselves in power only by their tyranny, that they must at last (pretend the non-approval of some articles of the treaty, on the part of Bolivia, (when in fact the treaty was entirely approved) for keeping up a large army; and the people to express their opinion, as they loom from the experience of others, what the consequences would be.

General Pallares, the Ecuadorian charge d'affaires near the Bolivian government, had sailed for Guayaquil.

The Comercio de Lima says that a Peruvian officer had been arrested in Bolivia, by a party of soldiers, but that he was released as soon as presented to their chief, who told him it was a mistake, that he had orders from his government to arrest general Pallares, who having conspired against the government, had fled.

A consultation of the Peruvian government was pointing in a body called council of state, regarding the claiming, as Peruvian citizens, any foreigner who had or might marry a Peruvian lady, although he might not choose to become a Peruvian citizen.

MEXICO.

Tariff regulations of the state of Yucatan, adopted by the late congress. The ports open to foreign commerce, are Campeche and Sisal. For exportation only, the ports of Laguna and Bacalar are designated.

For anchorage duty on foreign vessels, from foreign ports is fixed at \$1 50 per ton, according to her register. Vessels arriving in distress to be subject to charge, except that of their anchorage duty.

The officers, crew and passengers of all vessels arriving in the port of Yucatan, are forbidden to land without a permit from the visiting health officer, under a penalty of \$200.

The duties on importations, which shall not exceed \$200, to be paid in cash if exceeding that sum, to be paid by three installments in the course of 90 days. The duties on exported articles, to be paid on the clearances of the vessel.

Prohibited articles. The importation of the following articles is prohibited, under the penalty of confiscation, viz: cotton, indigo, rice, sugar, (ranks, sugar, chocolate, cereals, and other pictures, beans, copper pans, grain, lime, yam, soap, (except scented), lard, waxes and honey, combs, skins, (except morocco leather), clothing, salt, fallow and caudles, saddles, straw hats, tobacco, beef, shoes.

Articles duty free. Live animals for improving breeds, newly invented carriages; wooden houses; instruments of agriculture, of science, or of the arts; types for printing; books, in sheets or bound; iron, sugar machinery; specie; iron and steel; for machinery; waxes; exotic plants; leeches; seeds; turning machinery.

Export duty. All articles are free of duty for exportation, except the following: gold, in bars, or coin, 1 per cent; silver, 2 per cent; logwood, 8 per cent. Every captain and supercargo, is permitted to export \$100 worth of articles, free of duty, on account of the expenses of the vessel.

General import duty. Flour, 40 pr. ct. ad. val; olive, linseed and whale oil, 20 do; steel, 20 do; brandy, 40 do; coffee, 20; empty bottles, 20; cotton goods, 15; cotton cloth, 15; pork in barrels, 15; Cashmere goods, 20 do; wax, 40; beef and porter in bottles, 50; nails, 15; sheet copper, 15; glassware, 20; knives and forks, 20; linen goods, 15; drugs, 40; brandy fruits, 20; sewing thread, 20; hams, 20; liquors, 40; distillers, 20; apples, 20; mustard, 20; muslin, 20; paper, 20; perfumery, 40;

cheese, 20; cutlery, 20; watches, 6; clocks, 20; vinegar, 40; wines, 40.

Destructive tornado—300 houses destroyed. A tornado was experienced on the Pacific coast of Mexico early in November, which is represented to have been nearly as violent as that which visited Natchez, and which has been heretofore extensive. They had already learned of its ravages for a length of 70 or 80 miles, by 12 to 15 miles in width, prostrating almost every thing to its course. At Acapulco, more than 300 houses are said to have been blown down; and at Cayula the number destroyed is stated at 350. Consternation and distress were universal among the surviving inhabitants.

MAYANA.

Savings bank. The institution promises to realize the brightest anticipations of its projectors. According to the statement just published in the Diario, for the month of November alone, \$21,250 50 have been deposited, without bearing interest—withdrawals, \$3,387 62½. Remaining in the bank \$12,847 87½. Deposited to bear interest, \$13,925 50—withdrawals, \$414 50. Remaining in the bank, \$13,515. Total deposited, \$26,361 57½. Of the depositors 32 were whites, 13 of whom were for the first time.

TEXAS.

Advices from Galveston to the 16th ult. has been received at New Orleans.

The idea of war with Mexico has pretty nearly died away. It is now ascertained there are no Mexicans approaching the frontier, and the policy of the English treaty with the provision for the mediation, assures to Texas for a time to come, a truce from Mexican aggression.

M. Harrison, the French minister, has made a proposition to the Texas congress, to establish a line of French settlers along the projected railway road, to form a living barrier between the interior settlements and the hostile Indians.

It is proposed in the newspapers to increase the duty on imported goods from 15 to 30 per cent, at valorem. This, it is stated, would be about equal to 15 per cent. in par funds.

The editor of the Galveston Times, in his paper of the 16th ult. has published for the small quantity of editorial matter, giving as an excuse, that the judges of the district court had sent him to prison for a contempt, for publishing an article on the 24th of the previous month.

Despatches for Mexico, taken to Texas by Mr. Iken, have been conveyed by the Texas ship of war San Bernard to Campeachy, thence to be transmitted to Mexico. This route, it is stated, was intimated by general Hamilton in London.

No less than six vessels, it is stated in the Texas papers, were loading, at the last advices, in Liverpool and London for Texas ports. It is feared the market may be overstocked with British goods.

NATIONAL AFFAIRS.

GEN. HARRISON'S DEPARTURE FOR THE EAST. Yesterday at about 12 o'clock, general Harrison took his departure from our city, *for his own sake.* At an early hour, crowds of citizens congregated in front of the Hemis House, anxious to see him for the last time previous to his entering upon his important duties of the presidency. The numerous assemblage was not composed entirely of his political friends. Many who opposed his election were there, seeming to have forgotten their opposition, and were anxious to feel that they were permitted to pay their respects to him who had been selected by the free and unbiassed suffrages of his fellow citizens to discharge the duties of the most important office in the world.

It was the general's original intention to have sailed for Europe. This course was approved by many, but the great mass felt an anxiety to embrace this opportunity of manifesting their love and respect for him, who had spent his life amongst them, and who had been called to direct the destinies of a free people. It would have been an affliction of justice, if the general had attempted to do so quietly, and without letting the time of his departure be known. He was leaving the acquaintances and friends of his youth and manhood—those for whose welfare he had spent many a sleepless night, and weary day—those for whom he had often periled his fortune—his life—his all—those who loved him as a father—those who had stood by him and defended his character from the unenviable and unjust imputations of destruction. We say, we should have had a right to complain, if he had not avowed this opportunity of taking leave of our benefactor and personal friend.

Several of our splendid military companies, without any previous understanding, were on the ground to escort the gallant old chief from his quarters to

the steamboat Ben Franklin, which conveys him to Pittsburgh.

The day was cloudy and the streets muddy—a carriage had been provided to convey him to the river, but he preferred walking. He was escorted by the Greys, and Washington cadets, and an immense crowd of citizens. The forcibles were on board the boat, and the Citizens' guards came down a short time after he reached the boat to fire a parting salute.

The crowd upon the wharf was immense; from twelve to fifteen thousand had assembled to take leave of their friend and benefactor, and to the nation's president. The scene was touching and sublime. The martial music, the military display, the cannon roar, the glittering steel, the vast multitude, the mingling of those who had recently been engaged in fierce political strife to get the last look at him, who was the nation's hope—was a scene which no one could witness unmoved. We never saw the general so deeply affected, than when from the deck of the boat, to a short distance he took leave of the assembled thousands. He spoke of the diffidence of his feelings then, from the time when he had landed at that spot in his youth, as a humble captain in the army of his country. He briefly contrasted the course of the country then, when all around was a dense and dark forest except were occasionally the humble log cabin varied the scene. The panther's scream and the fierce yell of the savage were the only sounds that broke upon the stillness of the night. The hardy pioneer who at that day, had but far penetrated the wilds of the west, was exposed to dangers of every kind in establishing a home and procuring subsistence for his family. He spoke in brief of the condition of this rich valley now of the highly cultivated fields—the beautiful cities that had sprung up as if by magic—of the security, peace and plenty—that every where prevailed—of the noble steamboats, which in short a few years had taken the place of the rude canoes of the pioneer—of the almost incredible speed with which they walked to our doors the comforts and luxuries of every clime.

When he spoke of the part he had borne in all these changing scenes, of the interest he had always felt in the loved west—of the slanders that had been heaped upon him, and of the proud indignation by his countrymen from all these charges by the secret friends of the traitors and traitors of men, there was no heart in all that crowd unmoved.

When he spoke of the vast responsibilities of his station—of the importance of the duties that awaited him—of the anxiety he felt to discharge them aright—no one doubted the justice of his judgment, could for a moment doubt, that honesty of purpose and the nation's weal would be his compass and his polar star.

He asked that his opponents would cease their railing against him, and that they would judge him by his acts—and if then they found him varying from the course he had promised to pursue—if they found him deviating from the high road of genuine democracy, he felt that he would smelt their condemnation and rebuke.

His address was brief, and we heard him but indistinctly, and therefore cannot pretend to give any thing but a brief outline of his remarks.

The boat left the wharf about 12 o'clock. She was crowded with citizens of all places and Louisville, some who will accompany him to Pittsburgh—Some half a dozen of his intimate friends will accompany him throughout his journey.

So pressing have been the invitations he has received, and so great the anxiety to see him, that his route to see him, that we think it probable he will reach Washington much before the 11th or 12th of February. [Cincinnati Rep. of Jan. 27.]

At 11 o'clock, general Harrison arrived in this city yesterday afternoon, at about half past six o'clock. During the whole day our wharf was crowded with persons anxiously awaiting his arrival, and at about two o'clock the boat on which he came was discovered to be in sight five or six miles down the river, and the many guns of the discharge of cannon, and in about half an hour the alighting steamer Ben Franklin rounded the point, and came into port in gallant style. Four or five pieces of artillery on shore were fired without intermission, and the cannon on board the boat responded. The bells of the city were rung, and almost every whig house displayed a flag.

By the time the boat arrived at the wharf the concourse of people was tremendous, and three heavy cheers were given at the sight of the great old Virginia soil. Gen. Harrison was waited on by the committee of reception, and escorted in an open carriage to the United States hotel, where a cordial welcome and the hospitalities of the city were tendered to him by S. Spilgee, esq. in a neat and appro-

private address. The general responded in a forcible and happy manner.

During the afternoon he received the congratulations of thousands of our fellow citizens from every point for miles around, and in the evening he was escorted to the residence of Mr. E. Dorsey, where a splendid entertainment was provided, and here he was waited upon by hundreds more, including our fair country women. General Harrison left for Iron's hotel, at a late hour last night.

[*Whelan Gaz.*]

At Pittsburg: The Pittsburg Advocate of Saturday afternoon at 4 o'clock, in the "Ben Franklin," and was received with the greatest enthusiasm. He will address the people at eleven o'clock to-day in front of Iron's hotel, Wood street.

THE SENATE TREATY. The meeting called in Buffalo in relation to this treaty, was held at the court house, on Saturday evening. Several Indiana spoke pro and con on the subject, in the vernacular of the tribe, the sentiments being given in English through an interpreter. Speeches were also made by H. W. Rogers in favor of the fairness of the treaty and by Dr. C. C. Handcock against it. Resolutions affirming the *foundational* nature of the treaty were passed by a strong majority. The Buffalo Republican, in concluding its remarks on the doings of the meeting, says:

"It is but fair to tell our readers, that from all we have seen and heard of this treaty, it is not a deliberate opinion, that there is now and always has been a majority both of the chiefs and warriors of the nation opposed to it, and that *fool and disgraceful* means have been used to procure a *semblance* majority of the chiefs to sign it. This being our opinion, we would consider ourselves *derelict* in duty not to express it, and we shall give our reasons for our opinion, as in our privilege, and as we are willing should be done on both sides."

THE WESTERN BANKS CONVENTION. The last Louisville Journal says: Nearly twenty banks were represented in the late bank convention in this city—the banks of Ohio, Kentucky, Indiana and Tennessee. The usual resolution, moved by Mr. Guthrie, was adopted:

Resolved, That the communications from the banks of Tennessee, New Orleans and Illinois, be referred to a committee consisting of Messrs. Telford, Harris, Bowles, Groesbeck, Wright, Fitch, Linn and Breck, with authority to make report of such measures as in their opinion it is proper for this convention to adopt in relation to the resumption of specie payments, and the future action of the banks in the west and south.

The said committee immediately retired; and, after a short time, returned and made a report, which was read and adopted, in the following words:

The committee to whom was referred the communications from the banks of Tennessee, New Orleans and Illinois, with authority to report proper measures to adopt, in relation to the resumption of specie payments and the future action of the banks in the west and south, have had the subject under consideration, and report it as their opinion that the banks of Ohio, Indiana and Kentucky, ought not at this time to resume specie payments without further concert with other banks in the west, and some of the principal banks in New Orleans. The committee are of opinion that an early resumption is *slight* demanded by the best interests of the banks and of the community; and, therefore, that the banks represented in this convention should so shape their business as to be able to resume at the earliest opportunity, and that it be recommended to the other banks in the west and south to shape their course for an early resumption.

They are of opinion that the banks can avail themselves of the proceeds of the last year's crop, and place themselves in a position to resume specie payments at an early day; and, if most of the other banks in the west and south can be brought to act in concert, that resumption may take place without prejudice to the banks or the community.

They think a committee should be appointed by this convention to correspond with the banks in the west and south, and endeavor to induce them all to act in concert and place themselves in a condition to resume specie payments at the earliest possible day, and that said committee have power to call a convention of the banks of Ohio, Indiana, Kentucky, Tennessee, Illinois, Louisiana, Alabama, &c., whenever they may think it expedient, to propose to meet at Louisville, for the purpose of agreeing on a day for the resumption of specie payments.

COMPLETE CENSUS OF THE UNITED STATES FOR 1840. We have the pleasure of presenting our readers with the complete aggregate results of the census for 1840—and we believe we are the first to give it entire. The secretary of state furnished all the returns he had to the house of representatives. By the politeness of Mr. Cist, we are furnished with these. They lack, however, three states and several counties, of which we have the states and part of the defective returns, from local papers. We shall first give the totals with the ratio of increase for each, and hereafter furnish some comparative tables.

1830.	1840.	Ratio of inc.
Maine	209,462	501,798 25 per ct.
Massachusetts	610,041	737,468 21 "
N. Hampshire	209,533	241,448 15 "
Vermont	290,679	391,848 4 "
R. Island	97,210	108,337 12 "
Connecticut	297,711	310,933 4 "
New York	1,913,504	2,422,853 27 "
New Jersey	320,739	372,352 16 "
Pennsylvania	1,347,872	1,700,000 26 "
Delaware	78,720	93,193 19 "
Maryland	446,913	507,567 4 "
Virginia	1,311,373	1,521,414 2 "
N. Carolina	728,470	752,110 3 "
S. Carolina	581,458	591,439 2 "
Georgia	516,567	618,166 20 "
Alabama	308,397	475,414 56 "
Mississippi	136,806	276,609 158 "
Louisiana	215,675	319,634 49 "
Tennessee	648,522	823,067 20 "
Kentucky	528,284	737,359 41 "
Indiana	927,579	1,245,693 32 "
Ohio	341,592	682,314 100 "
Illinois	127,575	245,765 93 "
Michigan	31,260	102,701 232 "
Missouri	140,074	342,071 160 "
Arkansas	30,283	55,642 220 "
Wisconsin	—	50,692 "
Florida	34,729	no returns "
D. of Columbia	39,805	42,612 10 "

Totals 18,556,171 16,421,004 23 per ct.
The census now taken is the sixth since the adoption of the constitution, and shows conclusively that the population of the United States moves on with the same uniform law of progression, without reference to emigration, disease or any other cause. This law is an increase of one-third of the existing population for each period of ten years.

REPRESENTATION OF THE STATES IN CONGRESS.—The result of the new census of the United States will soon be known, and it will devolve upon the present or next congress to fix the ratio of the apportionment of representatives from the various states to the lower house of congress, for the next ten years. The following table, prepared for the New York Express by Mr. E. Williams, will therefore be found interesting, as they show the progress of political power, the increase of representation from some of the states, and the decline of relative strength in others. The census of 1840 will show a great increase of relative strength in the western states; while the two great middle states of New York and Pennsylvania, and the two eastern states of Massachusetts and Maine, have held their own by an increase of population equal to the average of the whole United States. This will not probably prove to be the case with most of the southern states.

In 1793, the representation from the thirteen states was fixed by the constitution, as the table below, annexed to 65 members. There have since been five enumerations of the inhabitants, exclusive of the last for 1840, under which the ratio has been fixed by acts of congress as follows:

Center.	Pop. of state.	Rep.
1790	2,932,835	84,614 one in 34,600
1800	5,245,515	4,830,112 " 33,000
1810	7,036,568	6,584,239 " 35,000
1820	9,635,181	8,969,514 " 40,000
1830	12,167,668	11,928,721 " 47,700

Unrepresented fractions.	
1790	169,914
1800	235,112
1810	249,268
1820	449,814
1830	475,478

The federal number is found by adding three fifths of the number of slaves to the number of free persons.

"One county and part of another in Pennsylvania were wanting, for which, however, we have added their proportions."

"Some small counties are wanting in Georgia, but their proportions contain but few inhabitants."
The western district of Louisiana is omitted. This, with Florida, also omitted, will make up about 150,000 to be added to the sum total.

The above shows how difficult it has been to fix a high number for a ratio, and by how slow a progress the numbers have been raised.

The following table shows the apportionment under the constitution, and by acts of congress, at five subsequent periods:

House of representatives.	1793	1794	1802	1812	1822	1832
New Hampshire	3	4	5	6	5	4
Massachusetts	8	14	17	20	13	13
Rhode Island	2	3	3	3	3	3
Connecticut	6	7	7	7	6	6
New York	6	10	17	27	31	41
New Jersey	4	5	6	6	6	6
Pennsylvania	10	13	16	16	16	28
Delaware	1	1	1	2	1	1
Maryland	6	8	9	9	9	8
Virginia	10	13	13	12	12	11
N. Carolina	6	6	8	9	9	9
S. Carolina	3	2	4	6	7	9
Georgia	3	2	4	6	7	9
Total	65	101	123	152	154	160

New states.	1792	0	2	4	6	5	5
Vermont	1792	0	2	4	6	5	5
Kentucky	1792	0	2	6	9	12	13
Tennessee	1796	0	2	3	6	9	13
Ohio	1803	0	0	1	6	14	19
Louisiana	1812	0	1	0	1	3	2
Indiana	1816	0	0	0	0	3	7
Mississippi	1817	0	0	0	0	1	2
Illinois	1818	0	0	0	0	1	3
Alabama	1819	0	0	0	0	3	5
Maine	1820	0	0	0	0	7	8
Missouri	1821	0	0	0	0	0	1
Michigan	1836	0	0	0	0	0	1
Arkansas	1836	0	0	0	0	0	1
Total		65	107	142	181	213	242
SENATE		29	32	34	36	48	52

EXTRA SESSION.—"The Spy in Washington" alluding to the fact that the nation was in debt almost twenty millions of dollars, says:

"I have just an informal meeting of the whig senators was held last evening. All in the city, whose health permitted, were present. The situation of the treasury, and the demands upon it, will be the means provided to meet those demands, were duly considered. The result of their deliberations was that without an extra session, the government would be disgraced. This, I understand was the very general impression of those in attendance.

SIR JOHN HARVEY AND THE BOUNDARY. The provincial legislature of New Brunswick met at Fredericton on the 25th ult. and here, sir John Harvey delivered a speech. He concludes his speech by alluding, in the following terms, to the subject of the boundary line:

"I regret that I have not in my power as yet to communicate to you any definite arrangement of the boundary line. Experte explorations have been made on either side, preparatory to the final settlement of this important question, and I see no reason to apprehend that the result can be otherwise than favorable to British interests, as well as to the continuance of that good understanding with the neighboring states, which it is the true interest, and, I am convinced, the sincere desire of both nations cordially to promote."

CLAIMS UNDER THE OLD FRENCH TREATY. Once more to observe, the petitioners to congress for the allowance of claims which are to be due under the old convention with France have made their appeal to the justice of congress and the honor of the nation for the examination and adjustment of these claims. For more than thirty years these claimants have been petitioning to congress for the allowance of indemnity solemnly guaranteed to them by the faith of the United States in a treaty concluded with the government of France, and they have been petitioners in vain. We have seen our countrymen the verge of a war with that same power because of her delay of a single year in paying a stipulated amount for claims of our merchants of later origin, whilst the government of the U. States had been delinquent to its own citizens in regard to precisely similar claims (of which it assumed the payment) for nearly forty years! France redeemed her faith, and paid the debt admitted to be due to the citizens of the United States. The government of the U. States, even after this example, persists in its disregard of its solemn obligation to its own citizens, for which the government received value now more than forty years ago.

The government took the property of these claimants at its own valuation, and applied it to its own use, and, in the face and eyes of the constitution, has refused them compensation for it.

*Date of admission into the union.

The claims of these petitioners were good and valid against France. She acknowledged them, in effect, to be well founded; and our government relinquished them to France upon condition that France would discharge the United States from the burdensome stipulations in the treaty of alliance, entered into in 1778. As we all know, France has, since that relinquishment, made indefinitely for other claims. When the former claims were twenty years ago, to distribute the relief received from France, these petitioners applied, among others, for indemnity out of that fund. But they were told, and properly told, that they could receive nothing, as their claims had been for, and solemnly relinquished and surrendered to France by our own government, by the treaty of 1800. Other claimants, therefore, divided the whole fund among themselves, and these claimants got nothing.

From other governments we have insisted on and obtained indemnity; but where we owe it ourselves, we do not pay it. He whose claim was suffered to remain against France has got his pay; but he whose claim was on his own government has yet received nothing. Is this just? Is it honorable? Is it consistent with our professions of regard for the faith of treaties? Is it not, on the contrary, a stain on the national escutcheon, which no time should be lost in effacing?

We do not know that we are acquainted with a single individual interested in these claims. The subject is one upon which we have no feeling, but that of a sense of what is due to the national character. But, without any personal knowledge of any of the claimants, we cannot but feel a sympathy also for them. Many of the original claimants are now no more, and their widows and orphans it is who throng the doors of congress, and supplicate those of the Legislature. Claimants who yet survive have grown old in waiting for what is their own by right.

We will conclude these few observations with the following passage from a letter from one of these young claimants, a respectable man, a native of the island of Nantucket, and a member of the Society of Friends, which has just now accidentally fallen into our hands.

"I am now," says he, "in my eightieth year, I was one of the original owners of a valuable whale ship, laden with oil, (captured before 1800 by the French), which was taken from me, for valuable national purposes, by my own government. For more than forty years I have been soliciting that government to perform a simple and honest act of justice, but hitherto have solicited in vain. In the course of nature, after a few more years of delay, the justice of government will come too late for me."

This simple appeal, it seems to us, ought to make it way to every heart.

[Nat. Int.]

AMERICAN IRON. A writer in the National Gazette estimates the present consumption of iron in this country at three hundred thousand tons, and the average annual expenditure of each member of the community thereof, at two dollars sixty-five cents. The present selling price of bar iron is about one hundred dollars per ton, and it is asserted that it can be produced in the anthracite coal region for less than forty dollars, or much less than the amount of expenses and duty upon that which is imported. It supposes that the reduction of prices would enable us to purchase the new works that become capable of supplying the demand, and to increase greatly the amount per head, because of the substitution of iron for numerous purposes for which wood is now used, and because of the great facility of supplying demands of every description that may arise, and that the average annual expenditure of each person shall continue the same; and that the reduction in the price shall be only twenty-five per cent. he estimates that they will be required to supply not less than 550,000 tons to supply the demand of a population which then amount to from twenty-three to twenty-five millions.

The quantity required for that of 1850 then amounts to about thirty millions, or will be nearly a million of tons of iron ore, and six millions of tons of coal for its conversion into the various forms in which it is to be used, from the water pipe and stove to the pen knife. The production of Great Britain has risen in twenty years from 1,000,000 tons to a million and a half, and it is difficult to see any reason why that of the United States may not increase as rapidly. If these calculations be verified by time, those who have invested their means in the iron lands of Pennsylvania, and the iron companies leading thereto, will have little cause to regret it. In England acres of coal land sell for hundreds of pounds and we see little reason to doubt that such will be the case here, as our population will

speedily equal that of Great Britain and Ireland, and will double itself again in little more than twenty years, and with every increase in the number of the population there must be an increase in the value of the land which yields the commodity that is to be consumed.

Anthracite iron is appropriately termed in the Philadelphia Commercial list the second staple of Pennsylvania, the first being coal. That paper remarks that although not one year has elapsed since it was brought into use, it has already increased with a rapidity that may fairly be taken as the harbinger of what it is destined to become in a few years.—Within the brief period of nine months the furnaces here constructed and are now in blast, three furnaces, making iron of the first quality, with no other fuel than anthracite coal. They have been in blast from three to five months, and turned out each from 40 to 60 tons of pig iron weekly. During this time many experiments have been made, in nearly all of which it has been satisfactorily ascertained that they can be managed and kept in order as easily, as the furnaces using charcoal or coke. Two more furnaces are erected, which are to be put in blast this month. Sixteen more furnaces are already erected, or are now in progress, all of which will use anthracite coal. Four large rolling mills with puddling furnaces are erected, one of which will commence operation, and the other will soon commence manufacturing with coal as fuel. Two additional mills are to be put up this winter and next spring.

The above twenty-one furnaces and six rolling mills will be puddling furnaces, and will use anthracite coal as fuel. Thirteen of the furnaces and five of the mills, are located on the line of the Lehigh and Morris canal, and will create a tonnage including ore, coal, limestone and pig iron 227,500 tons, of which amount by the candidate himself, his partner, guardian or any of his friends. No preference will be given to applications on account of priority, nor will any applications be entered in the register, where the candidate is under or above the prescribed age, nor will any application be considered in cases where the age and other qualifications of the candidate are not stated. The fixed abode of the candidate must be set forth in the application.

Applications, if not renewed annually, will not be considered. This general may be considered a letter addressed to the secretary of war, merely stating the fact of such renewal. In the month of February or March annually, the appointments are made from among the applicants whose names are on the register, care being taken to distribute them as nearly as circumstances will permit, so as to give one call to each congressional district, except in the states of Delaware, Arkansas and Michigan, which, in consideration of the large unrepresented fraction in the first, and the growing population in the others, will be allowed two candidates each. As a general remark, it may be observed, that no certain information can be given as to the order in which the candidates before the arrival of the period for making the selections, as the number of vacancies, and other circumstances proper to be taken into view, cannot be anticipated. Persons, therefore, making application must not expect to receive information on this point.

At a general rule, no person can be appointed who has had a brother educated at the institution. All applications are regularly registered, to be considered in the order of their arrival. **Qualifications.** Candidates must be over sixteen and under twenty-one years of age at the time of entrance into the military academy; must be at least five feet in height, and free from any deformity of the body, or any other physical defect that would render them unfit for the military service, and from any disorder of an infectious or immoral character.—They must be able to read and write well, and perform, with facility and accuracy, the various operations of the ground rules of arithmetic, the reduction of simple and compound proportion, and of vulgar and decimal fractions.

J. R. POINSETT, secretary of war.
War Department, Jan. 21, 1840.

We enclose the National Intelligencer of the 23d ult. the following letter from Mr. Wise, of Va. to his constituents. The consideration which he names as those which will influence him in making the nomination referred to, are worthy of his character, and such as will be acknowledged to be just and patriotic.

To my constituents. You are notified by the subjoined letter from the War Department, that you will be entitled to the appointment of a cadet to the military academy, when the selections shall be made in February or March next. You are also advised of the regulations relative to the admission and qualification of candidates, and you will see that I am requested to nominate an individual to fill the vacancy, and that no names of applicants from my district have been entered or renewed the present year. Now, in order to enable me to make this nomination impartially, and respectfully request that you, who you desire the appointment, to transmit to me the names of applicants, at the same time that letters are addressed to the secretary of war, in conformity with the regulations. The applications had better be made immediately, but I will postpone the nomination to the latest day in February or March allowed by the department. In making the nomination, I shall be governed, next to the intellectual and moral character of the applicant, by his condition and connection in life. All else equal, I shall nominate the penniless and friendless youth, especially if he be fatherless, or if his father have rendered signal services, or made great sacrifices for the country. No moment will be lost in making it the duty of my mind, shall a thought of the politics or party of his friends be made a consideration. Proud that more from my district have been important for this appointment heretofore, I invite all who desire or are in need of it, now to become applicants. And to give general information to my constituents, I respectfully request the Richmond and Norfolk papers of both parties, to give this circular an insertion, and if there be any change, to transmit it to me.

HENRY A. WISE.
Washington, Jan. 7, 1841.

THE ARMY.
Appropriations for the Florida war. In reply to inquiries of the committee on ways and means, the secretary of war states that the following appropriations will be immediately required, and urges the early action of congress thereon.

For the quarters of the army, &c.	\$1,300,000
For the commissary general of subsistence,	222,421
For pay of 1,500 mounted volunteers,	459,911
For pay of 500 foot volunteers,	77,206
For pay of arrears for Florida militia in 1840,	221,244
For pay of arrears for a battalion of Georgia volunteers in 1840,	25,146
For the ordnance department,	30,000
For the medical department,	10,000
	\$2,385,327

We are requested to state that Messrs. Beall, Newton and Harrier, of the United States army, who were among the passengers in the Louis Philippe for Havre, on the 9th instant, were a commission appointed by the secretary of war to digest and report a system of tactics, &c. for the cavalry service of the United States.

[Nashville Beacon, Dec. 16.]
The above paragraph being calculated to convey erroneous impressions, we think it proper to give the actual state of the case.

A year ago, at the request of our readers, three officers of the first regiment of dragoons were sent to Europe, with the view to examine into the various systems of tactics and exercise practised by those nations, which have long employed cavalry as a component part of their arm.

These officers (Lieutenants Enstis, Turner and Kearny) entered the school at Saumur, and passed through a regular course of cavalry instruction; and having returned from their visit, with obvious improvement in their state of knowledge in the military art and service, the secretary of war, in the same spirit of liberality and regard for the interest of the army, has now granted permission, or given orders, to the three officers above named, of the second regiment of dragoons, so that they may enjoy equal advantages with the first; they will likewise go through a similar course of instruction at Saumur.

The officers of the first dragoons brought with them to this country a copy of the French system of tactics, which two of them have been since engaged in translating. The translation is completed, and will be submitted to a board of army officers for examination if approved, it will be adopted into the regulations of the army.

Modern improvements in weapons and instruments of war. The New York American has the following notice of some of the items contained in the preliminary report made by several officers of the

ordinance department, who last year, by order of the secretary of war, visited Europe, with a view to examine and report upon any improvements in fire-arms and other implements of war.

The principal change in the small arms in England, France and indeed throughout Europe, is in the lock, which is now universally on the percussion principle, instead of the flint. Our service still retains the old slow and uncertain flint. This should be changed. These officers have reported the mode in which the old locks and barrels are altered for the use of percussion locks.

The officers visited all the public and private foundries of cannon, manufactories of small arms, and many of those of gunpowder, in Great Britain, and were every where received with entire kindness and openness. Several small and heavy cannon, to serve as models, were ordered at the works of Messrs. Walker, of Birmingham.

From Great Britain the officers proceeded to Sweden, and concerning one of the vast arsenals in Stockholm, we have the following particulars.

Arsenals at Stockholm. One of these establishments, for clothing, camp and hospital equipage, &c. contains cloth sufficient for clothing an army of forty thousand men six years, and it is preserved by means of curtains of canvas saturated with lin, which enclose it, closely packed in piles about seven feet square.

Woolen cloths thus stored remain secure from moths many years without being aired.

Several carriages for artillery, travelling forage and caisson, were sent as patterns to the United States.

Of the excellence of these carriages, and the skill of the Swedish flying artillery, we have this evidence.

The board were present, by invitation, to observe the manoeuvres of two eight gun batteries of horse artillery, which were executed with great rapidity, firing upon rounds only eight feet high, (with six horses to each carriage,) crossing deep ditches and other difficult places for the purpose of showing the perfection of the carriages, and especially the effect of the regulator, in relieving the wheel from the weight and violent motions of the pole.

The celebrated iron mines of Dannemora are thus described:

These great and celebrated mines are about eighty miles north from Stockholm, and produce every yielding from 80 to 90 per cent. of iron.

They have been wrought upwards of one thousand years, and are now about six hundred feet in depth. The iron made from the Dannemora mines is sold at prices far exceeding any other, and is exported for the sole purpose of being converted into steel in England.

Passing from Sweden to Russia, several days were advantageously spent at the camp of Krasnoe Selo, where the imperial guard of 60,000 infantry and 15,000 cavalry, were manoeuvring under the immediate command of the emperor.

A huge military arsenal exists at St. Petersburg. The gun room of the main building forms three sides of a square, the front being 500 feet, and each side or wing 230 feet long, and contain 400,000 arms.

Other rooms of equal capacity are filled with 600 large cannon, mounted upon carriages, or ready to be mounted; with calibres of all sizes, and complete quantities of equipments, ancient arms and armor of every age and form, models, &c.

The board passed through Prussia to France, visiting all places and establishments connected with their duty.

At Liège, muskets of our model are completed for \$6 each, (30 francs).

The arsenal at Douai is vast and well filled.

The arsenal is one of the largest in France. The workshops are spacious and ample, and contain the stock of materials large and conveniently assorted; among which there is timber for 3,000 carriages, harness complete, or in parts, 40,000 horses, &c.

It contains upwards of 2,000 new house field and siege cannon, a number which is daily augmented by the active operations of the foundry.

It is nearly destitute of machines; manual labor, performed by soldiers, being cheaper than steam power.

There are many other curious items of information in this report, for which we must refer to the volume that contains it.

Whenever they went, our officers were received with great courtesy at all establishments, public and private, were freely thrown open to their inspection.

Militia. We find by the recently printed Army Register for 1841, by the adjutant general of the army, a general abstract of the militia of the United States, as follows:

67,941 federal officers, 3,846 general staff officers, 13,941 field officers, &c. 53,413 company officers, total commissioned officers 72,036, non-commissioned officers, musicians, artificers and privates 1,431,902. Aggregate 1,503,932.

The state of Maryland has 22 general officers, 68 general staff officers, 5,413 field officers, 1,363 company officers, total 2,397 commissioned officers, non-commissioned officers, musician, artificers and privates 44,467. Aggregate 46,864.

THE NAVY.

Proposed convention of naval officers. A "naval officer known and respected," says the National Intelligencer of the 21st. ult. is the author of a communication in this column, over the signature of "Nicholas Nepon, U. S. N." in which he urges the holding of a convention of the officers of the navy, "in order," amongst other objects, "to give a tongue to the navy itself;" and he thinks that "the voice of the navy, once raised to tell its own pitiable condition, would not pass unheeded." In a *pastorist*, the writer requests "all papers in favor of a naval convention, to say aye, and support the call."

At first blush the proposition strikes us as being exceedingly injudicious. Conventions are appropriate for political and religious and social organization, where there is no legal and established authority; but where there is, or ought to be the strictest organization and discipline established by law, and where obedience is as indispensable, as it is in the army or civil service, the idea of organizing a *distinct*, not to say a *counter* authority or influence, to those of the government and the laws, would seem to be a kind of radical insubordination, and of a very dangerous tendency. Be the occasion for reform ever so great, we cannot depend upon the government in its organized and responsible departments, to take whatever measures may be required to ascertain the evils, as well as to suggest and carry out adequate remedies, we must have very little faith, indeed, in our political system, and too much confidence in the results of less systematized and altogether irresponsible agencies, if we hope better results from their attempts. If the government really requires the aid and council of experienced officers in a task of reform, they can command it at any moment, and no doubt would do so, if they conceived it necessary. But let there be no attempt at *unauthorized*, or even *unauthorized* movements of either the navy or the army, or their officers, and the government is lessened to its country in the case of the famous *Newburg letters*, at the close of the revolutionary war, should never be forgotten. General Washington during his first presidential term, advised Congress to prohibit by law, the formation of self-created secret political associations. What would he have said of self-created associations of army or navy officers, openly avowed to be for the purpose of changing, if not of overthrowing the laws passed or ought to be passed by Congress? If either the laws or the administration of the laws require reform, it would be better to resort for a remedy to the authorities expressly constituted for the purpose of government.

The author of the suggestion, in proposing a convention of officers, no doubt, was actuated by the most friendly solicitude for the navy, and for the welfare and honor of our country, to which the navy has already so largely contributed—but he has certainly mistaken the *method* by which an improvement of its condition should be sought.

STATES OF THE UNION.

MAINE.

U. S. senator. The hon. George Evans, (whig), was elected, on Thursday last, by both branches of the legislature of the state, to represent it in the United States senate, for six years from and after the 3rd of March next. In the house, Mr. Evans received a majority of 10 votes over Fairfield; and in the senate a majority of 6.

Banks. According to an abstract of the returns from the banks of the state, made on the first Monday of last month, the amount of the capital stock of the banks paid in was \$1,371,500; amount of bills in circulation \$1,754,390; deposits on interest \$126,900; not on interest \$733,594; due to other banks \$45,251. The amount of specie was \$209,729; due from other banks \$600,894; bills of other banks in the state \$146,550; out of the state \$67,187; notes and bills discounted \$5,820,792; real estate \$322,750.

MASSACHUSETTS.

Gov. Davis' message on the north eastern boundary. The following is the message of Gov. Davis, on transmitting to the senate of this state last week, some resolutions relative to the north eastern boundary, from the states of Maine and Indiana.

To the president of the senate:

I found among the files placed in my hands by my pre-decessor, resolutions from the states of Maine and Indiana—and to conform with the object of those states, I transmit them for the information and use of the two houses. These resolutions were reported in regular order, from the eastern boundary, and I may be permitted in this connexion to add, that I see little prospect of an early adjustment of this disturbing matter; indeed, I fear there is no disposition on the part of Great Britain to bring it to an issue upon its merits.

The terms of the treaty of 1783 are plain and intelligible, and not easily perverted. They make the elevation of land, which divides the rivers that flow into the St. Lawrence from those which fall into the Gulf of St. Lawrence, the dividing line between the United States and Canada on the north. On the east the treaty provides that the line shall be run from the source of the St. Croix, directly north to this highland which so divides these waters, and at the point of their meeting shall be the north west angle of Nova Scotia. When we consider the provisions of this treaty, and the known facts, it seems impossible that any question raising a doubt can exist. The question is, where does the treaty place the line near Maine Highlands?

We know there is a river called the St. Lawrence, having many streams rising in the highlands south of it, and flowing into it. We know also that several rivers rise on the opposite of these high grounds at the mouth of a small river called the Riviere du St. Lawrence, in a south west angle of Nova Scotia. It is impossible to comprehend how any serious obstacle to the accomplishment of this can exist—Another half century may pass away, and additional facts may be discovered, but these facts will never be changed, or the decisive character of the evidence in support of the treaty.

We know also that the source of the St. Croix has been ascertained, and a monument erected by agreement. We know further that from this monument a line has been traced directly north some 40 miles, to a place near Maine Highlands.

All that remains, therefore to be done, according to the treaty, is to continue this line to the lands that divide the waters flowing into the St. Lawrence, from those which fall into the Atlantic ocean, and at the point of their meeting, to draw the line in a south west angle of Nova Scotia. It is impossible to comprehend how any serious obstacle to the accomplishment of this can exist—Another half century may pass away, and additional facts may be discovered, but these facts will never be changed, or the decisive character of the evidence in support of the treaty.

Under the circumstances, it is painful to see the present position of the matter, and the grossness of pretension to take from us a territory larger than our state, as their tendency is to disturb our pacific relations, and bring the two countries into a conflict.

The late report of the British commissioners, if it be a true statement of the facts, is a gross insult to the public mind, with indignation—and the sane reasoning and unvarnished conclusions contained in it, ought to be fully exposed. It is not, however, within our province to adjust the controversy; yet having a great interest at stake in the controversy, as well as in the peace and honor of the United States, it would seem no more than just to respond to this call upon us by our sister state—to extend her sympathy for the manifold wrongs which the usurpation of our territory has occasioned, by her hearty disposition to maintain the integrity of the country.

Finances. The report of the treasurer of Massachusetts states the whole amount of the funded debt of the state, exclusive of the loan of scrip to certain rail roads, at \$1,600,137.

Result is this debt, the state has loaned its credit to five different rail roads, by the issue of scrip bearing interest at 5 per cent. and redeemable monthly at different periods from 1857 to 1870, when it holds the guaranty of the respective rail roads with a pledge of the entire property of the said rail roads, for the payment of the interest and principal of the said scrip. The amount of scrip thus issued is \$3,850,000; of which \$1,600,000, \$500,000 to the Erie, \$100,000 to the Norwich and Worcester, \$150,000 to the Andover and Haverhill, and \$100,000 to the New Bedford and Taunton rail road. An issue of like scrip to the Nashua and Lowell rail road, for the amount of \$500,000, redeemable in 1846, has been returned to the treasury.

The principal receipts of revenue during the year were, from the bank tax \$244,369; and from this auction tax \$257,146.

The principal expenses were, for the pay of members of the legislature \$96,357; salaries established by law, civil, judiciary and military, including judges and registers of probate, and clerks of the ex-cutive departments, \$71,162; county balance \$64,236; and paper accounts \$45,806.

The income of 1841 from sources already provided, is likely to fall short of \$400,000.

Black and White. The bill to repeal that section of the marriage act which prohibits intermarriage between whites and the blacks, came up on Saturday last. Mr. Bradstreet introduced the bill at some length. Mr. Park of Boston, said he should vote for the passage of the bill, not for the reasons given in the report of the committee, but because the statute proposed to be repealed, was an act violating a matter of taste. He thought all such laws had better be stricken from the statute book. He considered this subject as much a matter of taste, as whether a woman should wear a black or white ribbon on her bonnet.

The bill passed to a third reading by a vote of 144 to 92.

The lower house of the legislature of this state, has rejected the bill which proposed to repeal the law prohibiting the marriage of whites and blacks. The vote was 204 against, to 140 in its favor.

The Charleston concert. A proposition has been made in the house of representatives of this state, and so far entertained as to be referred to a select committee, to pay, from the state treasury, the amount of damages sustained by the destruction of the convent at Charleston, in 1837. The question has once before been agitated in the legislature, and was, most discreditably decided by a large majority against the memorialists.

NEW YORK.

Mr. Bradstreet, of Ulster county, has been appointed by gov. Seaward to procure for Holland a copy, or copies from the archives of that country, what he can find in relation to the early history of New York.

State finances. From the comptroller's report, we learn that the expenses of the last fiscal year, were \$3,293,917—the balance left on hand, was \$47,705. The estimated revenue for the present year, is \$963,097—estimated expenditure, \$949,506.

The whole debt of the state, is \$13,434,891.

Election. John A. Culler has been elected by the legislature of New York, comptroller of that state.

State lunatic asylum. By the annual report of the commissioners, transmitted to the legislature on the 13th inst, it appears that the sum of money in the command of the commissioners at the close of the year, was \$95,000. This sum has been expended, except \$3,186, mostly on the main front building, which has been nearly completed. This asylum is located about one mile west from the city of Utica, on a high and healthy site. The buildings are finished, they will not only make an imposing appearance, but stand as a monument of one of the noblest charities of the age.

NEW JERSEY.

Legislature. A bill was introduced in the house on Wednesday to extend the charter of the People's bank of Paterson. Notice was given that there would be asked to introduce a bill to extend the charter of the Salem banking company. On the 21st, the resolution that the legislature will not take cognizance of divorce cases, when the court of chancery could have jurisdiction, was debated and negatived—ayes 16, nays 33. On the 23d a resolution was introduced to the effect that all persons applying for divorces after March 1, 1841, should receive a notice of such application in a newspaper circulating in their county.

[N. Y. Com. Adc.]

PENNSYLVANIA.

Governor Porter—Despotic power resisted! It is with pain we record the fact that the present governor of Pennsylvania has exercised a power during the last week, which no governor could exercise in the letter of the constitution, certainly never was contemplated by those men who conferred upon the executive the "pardoning power"—and is a matter which calls loudly for immediate legislative action. The principle is too dangerous to be encouraged, and the power, if it does exist, should never be entrusted to any man. We hope, therefore, to see the matter investigated and the corrective employed.

During the sitting of our court of quarter sessions last week, a bill was found by the grand jury against Messrs. Huettner & Canine, editors of the Harrisburg Magician, for a gross libel upon the citizens of Gettysburg, and Mr. Stevens particularly. It was called upon to put in their plea of acquittal, their counsel presented to the court a petition under the broad seal of the state, giving a full and free pardon from the governor of Pennsylvania to Messrs. Huettner & Canine, for all the libels published in the Magician, "in Adams county or elsewhere"—thus wiping off all their sins in this particular by a stroke of the pen! They could not,

therefore, be tried for the offence—and have gone off "unwiped of justice."

A pardon given before trial and conviction!—What a license to commit crime! What to check the commission of any act of villainy—any murder—when the perpetrator has no pardon in his pocket? It is high time the people should look into these matters, and give a check to such high-handed and dangerous acts. It is only worthy the despotic power of the clerk's key!

To show that there is no mistake in the statement of the Gettysburg paper, we copy the following account of this affair, as given in the last Harrisburg Keystone, the official organ of gov. Porter. The Keystone states the fact of the pardon in substance, but does not add a word in justification of the proceeding:

Libel suit. The prosecution instituted in the session of Adams county, by Thaddeus Stevens, ex-against Huettner & Canine, for the publication of an alleged libel upon the character of the former, in the Magician, was, we understand, brought to a final decision on Wednesday last. When the defendants were called upon to plead to the indictment, they, by their counsel, W. N. Irvine, explained away the charge, and asked for a full pardon of the alleged offence, by the executive.

Loan. The recent loan of \$800,000 dollars, created by the legislature of Pennsylvania to raise funds for the publication of the new edition of the Manual next, was taken, in the following sums:

United States bank,	\$400,000
Pennsylvania bank,	150,000
Philadelphia bank,	75,000
Central Mechanics,	25,000
Northen Liberator,	20,000
Manufacturers and Mechanics,	15,000
Mr. C. S. Baker,	15,000
By other individuals,	20,000
Taken previously by the Eastern bank,	20,000
By other individuals,	30,000
Total,	\$800,000

The canal commissioners of Pennsylvania recommend improvements and repairs for the present year to the extent of \$3,588,827 00. This (says the Philadelphia Inquirer) added to the loan of \$800,000, which has just been effected, will increase the state debt to more than *forty millions of dollars.*

Canal commissioners. We learn from the Harrisburg papers that the bill relative to the election of canal commissioners, passed the senate yesterday. It provides for the election of one by each branch of the legislature and the appointment of one by the executive. One is to serve for one year, another for two years, and the third for three years—the term of service in each case to be determined by lot.

The object of the bill is to exclude, as far as possible, the influence of party considerations from the management of the public works.

Asylum for the insane poor. Aware of the multiplied engagements of the members of the legislature, the friends of an asylum for the insane poor of this commonwealth, have prepared a brief statement of a few prominent facts on the subject.

[Penn. Telegraph.]

1. The state asylum for the insane poor at Worcester, Massachusetts, furnishes suitable accommodations for two hundred and thirty patients, and the whole cost, including a term of sixty acres, with the whole of Worcester, one of the most populous and thriving towns in that state, was but \$104,000, which sum was expended in the course of several years, and it is hoped and believed, that with the advantage of a large fund of the experience of others, an asylum for three hundred patients, with a suitable farm, may be provided for \$120,000.

2. The comparative expense of supporting paupers of this class, in such an establishment, and out of the almshouse, is as follows:—The ordinary cost, it cannot be accurately determined. The ordinary expense of supporting a sane pauper in Massachusetts, is from \$1 to \$1.50 per week. Many persons who contract to support paupers (sane and insane) in that state, by the year, being the insane portion of them in the state asylum and cost \$2.50 per week, choosing to incur this extra expense rather than take care of them at home with the same paupers.

A serious maniac decently taken care of in an almshouse, or by friends, usually costs from two to three times as much as an asylum would charge.

"The alleged 'libel' is understood to have consisted in charging the destruction of one religious sect or community upon a public meeting of the Harrison democratic citizens of Gettysburg, during the late canvass, at which meeting, the gentleman named by the Keystone, was present, and bore a prominent part."

That an insane pauper may be kept in a stable, or cavern, or cage (as some are kept) for less than \$1.50 per week, none will deny. But, in a civilized and humane community, such a course of treatment would be contemned when known. The true question—what is the cost of such a course of treatment as the unfortunate condition of the sufferer demands, and as will be likely to alleviate if not to remove his calamity! And in answer to this question we feel warranted in saying that even if it were practicable to carry the asylum treatment into an almshouse or a private family, the expense would be on an average, at least double. In determining this question, however, the probability of recovery is the first importance.

3. The probability of recovery depends entirely on the seasonable employment of the proper means. The difference occasioned by this circumstance would hardly be believed if it were not established by this question we feel warranted in saying that even if it were practicable to carry the asylum treatment into an almshouse or a private family, the expense would be on an average, at least double. In determining this question, however, the probability of recovery is the first importance.

The following statement from the sixth annual report of the Worcester asylum, sets this matter in a very convincing point of view.

Average expense of twenty old cases, (taken in the order of their admission), previous to their entering the asylum,	\$806 25
Average expense in the asylum,	744 00

Total cost of each, \$1,550 25

These still remain in the asylum.

Average expense of twenty recent cases (taken in the order of their admission), before the entrance into the asylum,	\$16 25
Average expense at the asylum,	31 25

Total cost of each, \$47 50

These were cured and returned home after an average of nineteen weeks of insanity.

4. The friends of the proposed state asylum, do not design to increase, in the slightest degree, the public burden. Our insane paupers must be and are now supported at the public charge in some form. It is not designed to charge any new liabilities, nor impose any new obligations on the parties now chargeable with their support, but materially to lessen the expense—for, if by the contemplated measure, the numerous insane poor of this state can be decently provided for, without any additional burthen—should it not be done!—And if such an asylum may be reasonably expected to cure, within an average of from three weeks to three months, four out of every five patients who are placed within it. Within one year from the first appearance of the disorder, (a disorder which is proved to yield to medical and moral treatment as readily as any other complaint to which human nature is subject), who then can question the expediency of the erection of the asylum, if but simply on the score of economy?

It is confidently believed that whoever will examine carefully and without prejudice, the incontrovertible evidence in favor of asylums for the insane, as furnishing the most humane, economical and restorative treatment of insanity, will agree with the very numerous and highly intelligent pensioners, that it should be among the earliest measures of the present session of the legislature to provide such an asylum, which would afford to the hitherto neglected portion of our fellow citizens. These suggestions are intended to draw the attention of the governor and the legislature, to this important subject, and to invite a most thorough investigation of the subject.

Our delays only settle in hopeless, incurable disease, many who might be relieved and restored if seasonably provided for, and to incur a permanent and enormous tax in the support of a confirmed maniac, rather than provide the cure by restoration to reason and usefulness at a trifling present expense, is neither economical nor humane. So think and so have mind (in the file of memorials), THOMAS H. THOMAS, THOMAS THOMAS.

DELAWARE.

A special election took place a day or two ago, in Newcastle county, in this state, for a member to fill a vacancy which had occurred by death in the senate of the state. Mr. Thomas S. Mauden (formerly a senator of the United States, and a whig) was elected.

MISSISSIPPI.

We learn from the message of the governor of Mississippi, that the latest census of the colored population of the state, was 178,667, against 193,761, free persons of color, 1,266.

[Louisville Jour.]

relation to the public domain—discussions which go to draw lines of injurious distinction between the friends of the old and the friends of the new states? Is it not evil that this consumption of time and this drawing of separating lines is continually growing upon us, and that to such a degree that, if nothing shall be done for its arrest it may endanger the peace of the country? Is it nothing that congress should be occupied nearly one-third of every session in legislation growing out of the public lands, at a large annual cost, besides the absorption of time which ought to be given to other subjects? Is it nothing that there should now be held by this federal government two-thirds of that entire territory over which these nine states have no control? Nothing, that all questions in relation to it have to be decided by congress, which out to be settled by the local authorities? Is there no influence thus exerted upon members representing the new states? And is not this species of legislation used to sway them? Is there not a corresponding influence on members from the older states? And is this nothing? Is it nothing that a question so pre-eminently local as that of land should—will boldly say it—contrary to the genius of our constitution, be under the influence of congressional action? Are members not supposed to be subjected to the same authority, the evil none can deny—the great question is, what is the remedy?

Three propositions have been brought forward. The first is to distribute the proceeds arising from the sale of the public lands among all the states. But will that relieve us? Will that stop the contest here between the new states and the old states? Will it put a stop to our interminable land debates? Will it place at our disposal the enormous revenue? Its operation will be precisely opposite to all this. Instead of relieving us from the evils under which we now labor, it will aggravate them all.

The second proposition is, that of graduation and pre-emption, namely, that we will let the new states relieve us? Will it touch any one of the evils I have enumerated? Not one. Acting as an antagonistic power to the scheme of distribution, it aggravates our danger and increases the excitement of the whole subject.

Where then, I again ask, where are we to find our remedy? It is a great and solemn question. To me it appears there is only one remedy, and that is cession—Cession. That will bring to a close the whole of our evils. That will settle all our land debates. That will cut off, at a blow, one-fourth of the patronage of the government. That will diminish the length of the sessions of congress. That will put a stop at once to the dangerous strife between the new states and the old states.

The only question is, can a cession be effected on such terms as shall do justice both to the old and to the new states, and at the same time not materially derange the existing land system? I think it can. In the abstract I believe it may be effected. I believe, and on this principle I have framed the amendment.

In the first place, it proposes that the whole of the public domain contained within the new states shall be ceded to the states where it lies. The quantity of this land amounts to 160,000,000 acres, two-thirds of which has been surveyed and is in market. It has been culled over twenty times. It has passed through the great process of speculation. Those who formerly purchased it have sold it at a great advance and picked it over thoroughly. This land I propose to cede, but to cede it on certain conditions. First, to secure the system now in force; next, to secure to the general government a fair pecuniary interest in the land, realizing all that it now realizes; and, lastly, to secure the fulfillment of the contract, viz: that if the states shall violate the terms of the contract, then all grants of land made by the states shall be null and void. These conditions are necessary for the object in view. And will they be the best that can be devised or met, I will not undertake to say. That is not the question now. The question is whether cession on some conditions is not the best remedy. If the general measure is approved in its details afterwards be settled by an able and experienced committee, and subsequently passed on by the senate.

If, then, this measure will secure the great object in view; if it will arrest existing evils, if it will secure justice and equity between the new and the old states, if it will preserve the land system—only altering it with respect to graduation and pre-emption—then, I trust, there will be in the senate but one opinion as to the propriety of its adoption. If we can have any reasonable measure, it is this. It will not alter to their contract, and that it will not make too great an inroad in the receipts of the government—that is the question and that only. And even in regard to this, the only real question is, whether the states will adhere to their contract; for as to the pe-

rennary results to the general government, these, as I shall hereafter be able fully to demonstrate, will be greater than they are at present.

And what reason have we to doubt that the states will adhere to that, which in its effect is better for them than any thing that can be proposed? I have no doubt that the states will adhere to it, and that they will conclude that these states will violate their pledged faith to this government? You contract with them now not to tax the lands of the government within their limits. Have they violated that? I am sure they have not. Never. And ought you to suspect that they will violate their other compact, should they enter into it? This doubting of the fidelity of the states all becomes us. Our government itself is only a compacted and violated. And this federal government has violated that compact a dozen times, where the states have violated it once—once. And does it become you to call in question the states adherence to their contracts.

But admitting, for argument's sake, that there is some danger, more or less—on this point, I put to the senate the solemn question, is there not a far greater danger in an opposite direction? Is there not far more danger that we shall lose the public lands altogether, than that we shall lose them by cession? I will now undertake to show you that the actual danger is not on the side of cession. The man who has not carefully watched the progress of the legislation of congress is regard to the land system generally, will not form a very accurate estimate of the danger that does exist. It is two-fold; first, that the lands will be lost by us to the occupant who will hold them, without paying a cent to the government; and, secondly, that they will be lost to the states themselves from the competition between the new and the old states. These dangers combined are likely to terminate in our final loss of the public lands, unless some preventive measure shall be speedily adopted.

First, the danger of losing the public lands to those who shall occupy them is seen from the amount of land still unoccupied. 320,000,000 acres have, from the beginning of the government, been set free from the Indian title. Of this vast amount we have as yet sold only 81,000,000, and of the latter amount not more than 39,000,000 were sold in the years 1831, '35, '36 and '37. We now hold 226,000,000 acres, to which the Indian title has been extinguished.—But mere numbers give us a very inadequate conception of the extent of the evil. Let us take the case of one thing like a realizing idea of it, we must compare it with the superfluities of some of the states, and we shall then perceive that the public domain in the hands of this government is equal to all New England, with the addition of New York, New Jersey, New Jersey, Delaware, Virginia and about one-fourth of North Carolina. This government holds a space on the surface of this continent equal to the vast extent of territory I have mentioned; but as good as one-fourth of the population of the United States, and covers a space equal to the whole of the old 13 states, with the addition of Florida and half of Tennessee. Into this wilderness domain population is daily pouring in thousands upon thousands. It is wide, strong and deep, and not to be arrested, is sweeping westward, a portion of it consisting of persons having both disposition and means to select the choicest portions it contains. Others again are without either disposition or means, but they are anxious to purchase it when it shall be offered for sale; while a large mass of the poorer portion of the community, content themselves with land of an inferior quality, not worth any thing like the government land, and, realizing all that it now realizes, are not disposed to expect to be disturbed for thirty or forty years to come.

In the southwest (and with that portion of the country I am the most conversant) the settlers select the richest springs and a few of the choicest spots, while all the surrounding land is of a poor quality, and there they squat. Now, it is utterly impossible that this process can go on for any length of time, without creating in the minds of men this occupancy. The best, a large mass of the poorer portion of the community, content themselves with land of an inferior quality, not worth any thing like the government land, and, realizing all that it now realizes, are not disposed to expect to be disturbed for thirty or forty years to come.

of voting equal to the man who holds 10,000 acres, and they exert a powerful influence in all our elections. Will not such a class of men acquire an importance which will necessarily command respect? And let this idea of property and of right to the soil once become matured, and your hold of the public lands is gone.—

The first idea, then, which presents itself in the view of such a state of things, is that the government shall not encourage these men, that they are intruders and trespassers, that the public land belongs to all the union, and that every man has a right to it. Such is the natural sentiment which spontaneously arises in the mind from the lunatic sense of justice. But we must often yield a question of abstract right to the necessities of the case. The number of such settlers is vast. The territory is widely extended. How are you going to prevent them from thus taking possession of it? Are you going to send your marshals there to warn them off? That will never do. Will you send your army there? That has proved equally ineffectual. Will you send your army? It would take an army of twice the size, and would absorb every cent of the public revenue. Do gentlemen reflect upon the extent of the territory? Divide it among your great states, and you have 550 square miles to each soldier. Drive off the settlers at the point of the bayonet; they will flee before you, and in two weeks they will all return. I saw the proof of this when I was in the war department.

We made a law, that every soldier should be a trader on the Indian lands, and there the result was just the same. So no matter how it belongs to the case. Among all the presidents of the U. States—I do not know exactly how many we have had—many of them had had great success in the west, and of them ever attempted to enforce the law against the intruders upon the public domain? The senator from Kentucky (Mr. CLAY) seemed to suppose it might easily be done. Well, that gentleman and his friends will be in point some six weeks from this time, with the president of their own choosing; let us see whether it will be done. But no spirit of prophecy is needed on that subject. That gentleman is by far too judicious to give the new president such advice. For gentlemen will not do it, and if he does he will go out of office by a majority of times as large as that by which he came in. His worst enemy could not give him worse advice.

What then is to be done? We must accommodate the man who has no right to the land, and we must do it in a thousand other cases: we must yield to circumstances, and try to lessen an evil we cannot conquer. The strongest governments are often obliged to yield, when they cannot by force prevail, and it will be wise in us to do the same.

How is this accommodation to be effected. 1. By uniting the state and the general government, and giving them a common interest. Without this nothing can be effected. Without this the state will always be the enemy of the general government, and against the general government—the state of things which cannot but be productive of evil.

What is the next point? The price of the land must be brought down at short intervals, step by step, as low as it is worth while to go.

It is vain to say that every acre of the land is worth a dollar and a quarter. I reverse that position: I say that there is not one acre of it worth the government price which is now taken up. I do not estimate the value of the land at all, but at what by their present use. In this matter, we can alter our matters of buying and selling, the relation between the demand and supply must always regulate the market. On this principle I am warranted in the opinion, that the price of the land now taken up is not taken up now is worth less than the minimum price. It may be worth it at some future day, but how far off? It is depreciated by this type of time. It is unreasonable to suppose that a man will wait until he can only get a dollar and a quarter, will give a dollar and a quarter for it when he can get a tract, the whole of which is of the first quality, at only a dollar and a quarter. When he is now settled, he remains indefinitely never expecting to sell, and he never expects to pay. He will have to pay. Again, if we are to bring down the price within a moderate time, or to see the whole will be lost. The provisions in my bill have been graduated accordingly. By the cession principle you unite the general and the state governments—having at the same time graduation and pre-emption united. I propose that, after the land shall have been in the market for ten years, its price be one dollar an acre; in five years more I reduce it to twenty cents an acre; and in five years more, to ten cents an acre. In 1852, when it will have reached twice and a half cent; and then I leave the rest to the states where it lies. I have anticipated that the states will, at intervals, pass pre-emption laws. This, I think, will reach the

evil. The occupant of the land will feel that he is waiting for a time when he will be able to pay for his land, and he will be willing to do so. When the day comes, all who are able to pay their dollar an acre will make their money and get their title, and the rest will wait till the next period goes round, and such as are able to pay seventy-five cents will pay it and get their title; and thus, instead of continuing to be intruders and trespassers on the public domain, they will be converted into lawful occupants. These are the very men who ought to be there; they will fight your battles and defend your soil; and be the most efficient of all ramparts against aggression from without. Subjects, such as agriculture, have a most directly efficient on the prevailing morals of those men; it will teach them to look forward to the time when they will be the lawful owners of a peaceful home; it will break up the *esprit de corps* which now unites them in the debate of the government, the weight will be thrown on this government, as it ought to be, and an end will be put to most of the evils and dangers we now experience.

I said that the danger arising from the present system was two-fold; that it includes the danger of losing the land to the settlers, there was another; that of losing it to the new states. This danger grows out of the contest which now agitates us between the new and the old states. It is a danger which itself grows out of the nature of things. The man who lives on the land sees it daily, and feels an interest in it which those at a distance never can feel, and hence the policy which may to others appear greedy and grasping in the farmer, may be truly probably wise, and calculated to avert still greater evils. But the old states very naturally consider all who desire what they consider as their undoubted right, as prodigal and unprincipled. Hence arises a contest between the two sides; and extreme measures will ultimately be resorted to. The new states will seize upon the lands. They can do this if they wish to do it; for the next census will show that they will then possess a majority of the population of this nation, and will of course have command of the government, especially in the other branch of congress. Ought we not to foresee such a posture of things and provide for it in time? If no remedy can be provided, the danger of losing the land to the new states is great as if we were to lose it under the existing system. I would throw round the *cession* all the guards which can be given in the forms of the constitution, and would throw it under the jurisdiction of our courts of justice, and would have the courts be inclined to enforce the contract the courts may correct them.

The only remaining point to be considered is, whether the proposed measure will not be attended with too great a sacrifice of the public domain, and will now proceed to prove that, so far from sacrificing the pecuniary interests of the government, it will go to increase the means of the treasury. We are in the habit of regarding the future value of the public domain the same as it is now, overlooking the fact that time exerts the same influence on value as distance exerts on apparent magnitude. We overlook this. But if we would rightly view the matter, we must bring the public lands to their present value in land.

Mr. CALHOUN here entered into a train of reasoning to show that, as it would be only at a remote time that the government price would be obtained for all the lands lying in the new states, (resuming them at 160 million dollars, and that the value of each acre can only be estimated at what amount they would command in reference to the distance of time at which they would be available. By this process of reasoning, Mr. C. arrived at the conclusion that, after deducting the expenses of survey and estimating the sales at two and a half millions of dollars a year, at which rate it would take eighty years to dispose of them, they might be worth a sum to hand of twenty-six or twenty-seven millions of dollars, and that the government, who had such a sum of money at his disposal, and wished to purchase the whole, could afford to give more for them, it as much.

Mr. C. went on to apply the same process of reasoning to the proposed graduation system. Suppose, with the committee of last session, that the lands would be exhausted in 35 years, and that equal sums will be received in equal times, (which is far from being correct), what will the government get? Allowing an average of 100 million dollars as the amount of sales, the 160 millions of acres will bring 165 millions of dollars. Divided by the 35 years, and the proceeds will be found to be 4.7 millions of dollars annually, which is equal to a value in hand of twenty-six or twenty-seven millions, instead of twenty-six or seven millions, as before shown: so that, by adopting the graduation

principle in place of the present system, the government, instead of losing, will be an actual gainer. (Mr. C. pursued these statistical statements and calculations still further, with a rapidity of utterance which rendered it impossible for the reporter to follow him.)

I have now met the two only possible objections to the measure of *cession*. I have demonstrated that it will make our tenure of the public domain more secure, and that it will be a better for the government in a pecuniary point of view; and is not this all I am bound to do in order to show that it ought to be adopted?

I will not present a single view more of the subject, but I address a few remarks to the friends of the new states. I cannot doubt that they feel this measure to be more favorable to them than the present bill; but they feel apprehensive that it may not pass, and hence some may vote against it. I think the ground of their action is erroneous. It is not probable that any measure in relation to the subject will pass at the present session of congress. It is known to every one that the plan of graduation has always had to encounter great difficulties; the measure has been twice voted on before congress, and to this day no bill has ever been passed. Can gentlemen expect better success now? I apprehend not. We can only hope, at this time, that the measure will be rejected. This rejection will be the whole. If I thank gentlemen of the new states whether they have the slightest hope the measure will pass under the new administration, which is just coming into power? I know not, and they need not to graduate under the present. I am aware of it; but so far as the mind of the new administration may be known, I feel assured that if graduation and pre-emption be pressed alone, it will be the certain means of inducing gentlemen on the other side to push the antagonistic principle of distribution.

If the senators from the new states shall, from feelings of liberality or political party spirit, support the plan of graduation and pre-emption, it will present a contrary feeling in the Atlantic states, and they will immediately press the plan of distribution; there will be a sort of *see-saw*; as one side pushes the one measure, the other will insist the more strenuously upon the other, and in such a manner, the time will pass away. It will be difficult for a man to sustain himself in voting upon local questions, unless he can elevate his mind into a higher region, and take enlarged views of the general principles of national policy. But should the friends of graduation and pre-emption men will confine themselves to a narrow view of local interests, then a measure of the most dangerous character and tendencies will be in a fair way to succeed.

On the distribution scheme I shall not now enter; I presented my views of it fully at the last session. The measure is either *idle*, or *unjust*, or *foolish*. The distribution of five millions of dollars will produce a deficit of five millions, which must be met by taxation to bring it back into the treasury. If, then, the government gives out just what it gets back again, this measure is idle. If the government gets less, it is unjust; if it gets more, it is foolish. It can have but one effect, viz. to enable the friends of the *cession* to get the measure through congress, and collect that successively which they are afraid to take collectively and by a single act.

I have now concluded what I had to say on the amendment I have proposed, save in regard to a few of the objections which have been made over the way. (Mr. LINN, who has suggested a most honorable and high-minded application of the proceeds of the public domain, namely, that it shall be set apart as a fund for the support and increase of the public schools, and that the government be rejoiced to hear him bring forward a proposal of this character. It shows in the mind of that gentleman a high and just feeling of regard for the value of that fund of national strength; let regard our gallant navy as a branch of the public service in respect to which it is difficult to say which portion of the republic has the deeper interest in its existence and prosperity. To the north it is every thing—it is indispensable to the protection of the coast, and to the south, it is the only barrier against the spread of certain fatal principles, it has become more important. To the west it is not incalculable value as a means of protecting the great outlet for their products, and of keeping open a passage to the Gulf. On the ocean our commerce is in jeopardy, it is in a process of diminution. A power is about there greater than our own—a pow-

er whose character has become essentially military, is daily increasing, and in reference to which we are constantly multiplying points of contest. Nothing can protect us from the dangers to which we may be ultimately exposed, but an early attention to this branch of the national defence, and I thank the senator from Missouri for bringing forward the measure he has proposed. I hope he will follow it out, and I accept with the greatest pleasure the amendment he has offered as a modification of my own.

Mr. C. now moved his amendment, and demanded the yeas and nays on the question of its adoption. Mr. CALHOUN also demanded the yeas and nays on the amendment he had proposed.

The question being about to be put first on Mr. CALHOUN'S substitute—

Mr. CALHOUN said that, before the question was put, he hoped the senator from Missouri would declare whether he was willing to modify his amendment by uniting it with that which had been offered by himself.

But this, after some conversation was objected to, and the question was about to be put, when

Mr. CALHOUN rose and observed that he had hardly ever felt more surprised than in listening to the amendment proposed by the senator from South Carolina. In offering the amendment which he himself had proposed, he had not intended that the purpose had been merely to put on record the views he entertained, and what he was willing to do on this subject of pre-emption. He had been desirous that his views should not be misunderstood or perverted, and he had drawn up his amendment in the language of showing that he was willing to go for pre-emption if it was combined with a just distribution among the states of the proceeds of the sales of the public lands. For these two measures of distribution and pre-emption, he had been desirous of putting this on record, and that was his whole purpose in offering his amendment. For the audacity of making such a proposal, said Mr. C.—no, not I—but my proposition itself has been denounced in the vain empty epithets which the eloquence of the honorable senator could supply. It has been pronounced to be "idle, unjust or foolish."

This was the sententious condemnation passed upon it by the senator from South Carolina, (Mr. CALHOUN) and the senator from Missouri, (Mr. BAXTER) had directed against it a storm of epithets yet more puerile. According to the thunder of that gentleman's eloquence, the proposition was "enormous," "monstrous." So monstrous, that it was not to be considered, and all attempts at defending it, and the honorable senator did not wonder! Now these argumentative epithets of the senator will, I rather imagine, make no very great impression on the understanding of his constituents. Does the senator think it is right to epithetize those gentlemen, high as they may believe themselves to stand, can put down measures in this body. Great as may be their power of animadversion, it is not on that power that the fate of this measure is to depend. The gentlemen may suppose I shrink from the very thought of defending my amendment, because I do not choose to occupy an hour or two in debate—on what? On a measure now before the senate! Not at all! The bill before us is to grant a prospective pre-emption on the public lands. Did the honorable senator expect I was about to take up the time of this body in unfolding the advantages and disadvantages of a measure of this kind? To him, at least, all such questions are of no importance, and I am sure it is unprofitable. Pre-emption and graduation have been abundantly argued, both now and heretofore; there remains but one more proposition to be considered, which is distribution. Is that to be decided by the yeas and nays? I do not think it is right to carry to debate that question with the vain hope of carrying it now? Surely not yet, because I have obtained from him, I am accused of shrinking from the defence of my amendment. I thought I would have said, I am not prepared to undertake it if I should attempt such a thing. And though, from the manner of the honorable senator from Missouri, my frankness must have surprised the senate, he has multiplied a repetition of his thanks for my proposal of a measure perfectly stale from repetition. The propositions have been repeated for years. What is there about them that is so "monstrous"? Is it pre-emption? Is that so atrocious? Is it distribution? Is that "idle, unjust or foolish"? If it be, let the honorable senator denounce it on himself. Pre-emption law we have passed again and again, and a bill for distribution passed both the senate and house of representatives by triumphant majorities, and would have been the law of the land, if it had not been for the extraordinary and unparalleled instance of executive interposition. Was this the measure that was so

"monstrous," "so enormous," "so outrageous," as to deter any gentleman from even an attempt at its defence?

But the honorable gentleman from Missouri seems to consider this proposition so monstrous and so outrageous, as a measure of *outraging*, that I will now say a word or two on that point. It is, on my part, no cunning proposal. I have very little of that quality in my composition; it is a thing I know not to say to public houses, to wit, to the people, and I think I leave to older and more practised politicians than myself. It was not my purpose or design to do any thing cunning when I offered the amendment to the present bill; and I do not intend to put my exact position on record, that all might see it. I do not see any thing very "cunning" in this. I knew, before I had said a word, that all who will not yield their unquestioning assent to depositions on the public lands calculate on being denounced here as enemies of those hardy and adventurous men who are our precursors in subduing the wilderness. I never was their enemy. I am the son of a pre-emptor, and was myself born on pre-emption; and if I have been restrained from going the full length with gentlemen on this subject, it is from no enmity towards the pre-emptors, but from a sense of duty to the union, as one of the trustees to whom has been confided the management of their common property. I do not mean to find that there is now a way in which I may at once gratify my sympathies with the industrious and hardy settler, and at the same time do my public duty to all the states; that I can make a compromise between the rights of the settler and the rights of the union. I am now ready to concede to the pre-emption right of three hundred and twenty acres of the public land to every real bona fide settler who is not worth over one thousand dollars. I am prepared to meet the gentleman from Missouri the host of rich and grasping speculators who, under the pretext of your pre-emption law, and under the deceptive mask of an intention to settle and improve your lands, are seeking to get the public domain into their hands, that they may convert it into an engine to enrich themselves. Is there any thing in this proposition so very unreasonable—so "monstrous"—so "enormous"—so "outraging"? If we are to have a pre-emption at all, for whose benefit is it to be granted? Is it for the benefit of the speculators, demanding our sympathies and ask our loyalties for the poor and needy. This proposition meets their sympathies and complies with their demands: it holds out a bounty to the poor and the needy—a bounty to the needy and the poor, and it proposes to give; and all it asks is a guard that this bounty shall not be given to the rich. Is that "monstrous"? What do gentlemen desire? What would they have? Do they want to give pre-emption to the rich? To make the territory a monopoly? Why do they reject my proposition? Mine has the very essence of a pre-emption law; and it is the only sort of a pre-emption law which can be honestly vindicated. Few men worth over a thousand dollars seek for themselves a home amongst the distant wilds of the public lands. Very small, indeed, is the number whom such a restriction will exclude; but it will shut out the men who make their wealth out of the public plunder. Do gentlemen resist it on that account?

I would not occupy a moment of the senate's time were I not bound to show that I am not ashamed of the measure I have proposed, and have no thought of "shrinking" from its defence. What objection can be made to my offering this amendment which proposes to annul with the pre-emption the principle of distribution? It would be idle at this time to repeat the history of the collision to the union of the public domain—on which the states rested the right of the territory to participate in its proceeds. These lands were ceded, be it remembered, in 1784, at a time when the old confederation was the fundamental law of the union—when the treasury was supplied by requisitions on the states according to the ratio of population in each state; it was ceded with the express purpose that it should be and remain for the common benefit of all the states. The proceeds were to be divided according to the quota furnished by each state to the expenses of the general government, and how was that quota regulated? According to an estimate of the amount of improved lands in the several states. But is that the rule of the states confederation now? If the proceeds of the public lands go to the treasury, do they go in the same way as now in this proposition? Not, unless the taxes were in exact proportion to the lands in each state. The rule has been altered. You have changed the means of taxation. But you cannot change the basis of the acts of congress which divide the public lands; and the only way to fulfil the intent and meaning of that cession is to go accord-

ing to the terms in which it is expressed. The revenue from the public lands is not like the rest of the revenue under the constitution. Those lands were ceded to us, not under the constitution, but under the confederation; and the purpose of the cession can only be fulfilled by as near as approximation to the very words of the deed as circumstances now render possible.

This proposition is very "dangerous." The honorable gentleman from Missouri, reminds us that when, some years ago, we were about to distribute the surplus then in the treasury by depositing it with the states he uttered the prophecy that the states would be ruined by the distribution; and he said, if the states once began to lap that blood it would eventually become their common food; that the general government would be stripped of its revenue; that the states would seize upon the money in the treasury and would have the general government to cover the deficit as it could; in a word, that the states having once got the taste of blood, would fasten on the general government like so many vampires, and would drain its veins of the last drop of its vitality. Well, the honorable senator just now seems to change his mind. I concur with him that it would be to reposit the fullest confidence in the good faith of the states, and rely without hesitation on their fulfilling all their contracts. But what does the honorable senator think of the states? Confidence in the fidelity of the states! What a magnificent compliment has the honorable gentleman paid to the states of this confederacy! In his opinion, they are no many vampires—they are no states that would devour the general government upon its strength and suck its veins. Why what is the general government? Is it not their own offspring? And is the parental sentiment so weakened, so destroyed, so reversed, that the parent will devour the child? The states are not to be trusted; they are a set of vampires; they will lap the heart's blood of the government, and drain its veins. That is the senator's opinion of them. I believe no such thing, but he does; and we were told all this, and a great deal more. The states, if they once get their hands upon this money, will apply it to unwisdom purposes; it will corrupt them—destroy their dignity and sense of independence! In our pure lands alone there is no contamination. The states are a pack of idle spendthrifts—made by the sight of money, intoxicated by the touch of their own property, corrupted by its possession, and led into all sorts of folly and mischief; therefore, we, as a sort of wise guardians, must keep these our pure lands away from the states, and keep them from them from themselves, by—keeping their independence! [Laughter.]

The states have a right to demand this distribution; and if they have, their circumstances render it desirable that they should have what is their due. They have debts to pay; and under such circumstances, think you that they do not, like private individuals, like to receive what is due them? We are their debtors; we owe them this money; and they ought to have it. If it is their just right, then it is no argument to say "we need this money; we cannot spare it; our treasury is at a very low ebb, and if we take out this amount to pay it to them, we shall have to lay taxes to make up the deficiency." We have no right to use their property for our purposes. We possess ample modes of raising funds that the states do; and if paying your just debts leaves you with a deficit, it is much easier for you to supply it than for the states to tie out of their property. I have already said that the states, and all he says about the monstrosity of my proposition.

It is said to be "idle" to pay over this money to the states if by taxation we must raise an equal sum. It is idle to give property, and to receive an equal distribution is to be regulated by the principle which prevailed under the old confederation, and not according to the ratio of taxation established by the federal constitution. The principle of distribution is to be regulated by the ratio of population, and not general; it is regulated by the terms of the original cession, which was made while the confederation was yet in force; but we have gone very wide from the rule then laid down. Give this money to the states, and every man in the state, rich and poor, will share in the benefit. It is their right, and they ought to enjoy it. I might stop there, without going into any question of consequences. But if, by distributing to the states the proceeds of the public lands, we are to give property, we are to make up the deficit, have we not ample means?—Are there not luxuries on which a very small tax will be sufficient for this purpose, without reaching the poor man at all? Lay your tax on these luxuries, and you tax the rich only. This you can do if your treasury is in straits. I hope, too, that the abstraction of this money may operate to

bring back the government to a just and economical administration—such an administration as gentlemen all profess to desire. But how has it been administered during the expiring dynasty? Has the little stream of money flowing in from the sale of the public lands had any other effect than to increase the extravagance of the government? More than thirty millions a year has been expended during the late Bureaucratic administration. It would seem that this landed revenue of which we boast so much in Missouri takes on so solemnly, has done little but feed their extravagance. There is nothing, rely upon it, that so promotes extravagance in expenditure as to feel, partly at least, in one's pocket—[A laugh.] I wish it to have no money flowing insensibly into its possession. I want it to have none but what it gets by taxation—so that the people may know and feel where the money comes from. Give a government an income independent of taxes, and the people do not feel what they are paying. Such a mode of filling the government coffers must be dangerous. I do not desire it to continue; and I hold, therefore, that justice and expediency alike require that this great subject of the public domain shall be settled as soon as possible. Give the simplest provision you please to the poor bona fide settler; I do not object to it; I am ready to be understood, and to stand by it, until while I do this, I would at the same time do and discharge my duty to the states, by giving their just shares in the proceeds of the whole domain.

I hold this to be greatly preferable to the scheme of cession which has been proposed by the senator from Carolina. I was, I confess, greatly surprised by many of the demonstrations of that honorable senator. He reduced the value of one hundred and sixty millions of acres of the public lands, lying within the states of this union, to six millions of dollars! He reverses the position that each acre of that land is worth a dollar and a quarter, and holds, on the contrary, that not an acre of it is worth that price. [Mr. CALHOUN here explained. He had meant to be understood that the lands were worth of them worth a dollar and a quarter cash in hand value; and that none were worth that but such as could now be purchased in market.]

The senator thinks that he can reduce the total value of the public lands to the value of a sum in interest, will bring us more than the lands will. Why, what is the value of land covered with the ocean which no man can drain? Or what is the value of land which no man can cultivate, or enjoy the fruits of it? What is the value, in hand, of land so situated! Yet the senator concludes that, in case such land is of no value now, we ought to let it, now, for nothing. That is the substance of his argument. What is the selling price of land under the sea, not drained, or land at present inaccessible to settlement? No man can get at the one, or wants the other—and, while things so remain, it has no present value at all. But would a prudent man, or a prudent government, therefore, part with it for nothing? The value of a thing consists in the use of it—that is the value of land, and that only. Its value depends on the demand for it. Till the demand advances, we must content ourselves to wait. When it comes to be wanted, then it will have its value.

It is disgraceful to witness the manner in which matters are now proceeding—to see the sale of valuable lands proceeding as it has lately been. The sale is made in the face of a cold and a chilling inclement weather, and when this is completed of the secretary then writes a most gracious letter declaring that, though he is in very great want of money, yet he will condescend to put off the sale a little longer. The secretary then writes a letter and does not know where to go to it, until it is time to get up a pre-emption law; then Mr. Secretary in haste advertises the lands for sale, at a time proper or improper, no matter. Just as a speculator has time to sell a good article, and then he is obliged to pay for the extravagance of yesterday, and to get what he needs for more extravagance to-morrow.

The whole basis of the honorable senator's argument is perfectly idle and visionary. To talk of the present value of 160 millions of acres of land, when every body knows that not more than fifty millions of it are wanted in a year! What demand is there for 160 millions of acres of land? What the price such a tract will bring it put up to sale? Had we not better sell it at a low price, and sell it by little, as it is needed? Can we not hold the property and sell it off for homes to settlers as homes are needed? Can we not keep it for posterity, when they will want to use it? This is not a subject to which to apply the calculus of the day. The value of land is not wanted now, and therefore, there is no ground on which to calculate its value at this moment.

But this is an able scheme of evasion is to remove at a stroke all our evils. This to put an end to our angry debates; this to put far away the danger of the lands falling into the hands of the settlers, or of the states. No more jealousies are to be felt between the states and the federal government; no more treasure in this body or elsewhere; no more lands and bribes are to be offered by ambitious seekers of the presidency—nothing of all this is to be felt any more—all, all is to be an end, and the ground for your lands is to be brought up to the ground for your lands!—[A laugh.] Now, I differ entirely from the learned senator in all these calculations. I will show you how it is. He makes the land profitable to the states, and the states to the land. But the land would fetch if set up at auction when one wants to buy, and then contrasting this with what we are to get for it from the states to which we are to cede it. But will this remove our solidities? Will this remove our debts? Will this remove will be our debtors, and they are to promise to pay. Can the gentleman's perspicacity see no possible matter of controversy in the interpretation and in the compliance with the laws? Will this remove the laws? Will the states be taken as for graduation and pre-emption laws, and it produces a vast deal of prolonged and angry debate; if we substitute money for land, will that diminish the debate? Shall we have a new state? Shall we have a new state now? And more! No, the general government acts on individuals; it grants pre-emption to A and B, and it has them in its power; and yet he says this is the utmost danger of resistance, and of our not paying the debt. But he says, let us have the state land, and then all will be peace and quietness. Why, will there not be as much danger when all who might oppose our authority are consolidated into one, as when we could deal with them as individuals? Will there not be as much danger when we make with more effect than on a single man? Is it so easy to deal with states and to compel them to fulfil their engagements? Was it found so in the days of the confederation? Under the confederation we had states on states who had made promises; and did the plan work well? Was it perfectly easy to raise the respective quotas of the states, even under the most urgent pressure of the necessities of all? No; it was found to be a contest of government against government, and it was found that governments are not as likely to pay as individuals; and, if they refused, it was much harder to get them to pay than if they were individuals. It was enlarged; and our revolutionary fathers were so "idle, or unjust or foolish" as to think they gained by the exchange and the federal constitution a monument of their wisdom in this day. But we have seen the result. We have seen the complete failure of the old exploded confederation! We are to give up the land which is ours, and in the sale and management of which we have to do with individuals only; and we are to have to do with the land-lord's creature, to the debt of particular states. I do not distrust the honesty of the states, or their good intentions; but we know that it is not always convenient to pay to-day. Do debtors never allow themselves to be taken by the nose? No; they will not. These lands, are we perfectly sure they will never become a subject of controversy? May the states not say the progress of graduation is too slow? It keeps our people waiting too long; give us a constitution, so that we may get the land at nine pence the acre so much sooner? His peace-making proposition only changes the ground of controversy; it does not remove it. The whole people are to be taken by the nose, and we are to be taken by the nose, and look out for new seeds of discord as present unknown. Shall we leave the ground we have so long tilled, and with every foot of which we are familiar, to plunge into a new and untried one? Shall we leave it to them? And then we are to purchase all this trouble at a price.

A few years ago the proposition of the honorable senator was to give up half the public lands. Was this fair, to surrender by cession to the use of a few that which is equally the property of all? To pacify the enemies of nine states, shall we give up one-half of 160,000,000 acres of land? Is not such a price rather high? And have we a right to pay it? I hold we have not. The entire scheme seems to me to be one of the wildest, most wasteful, most visionary conceptions that ever entered into the brain of a statesman.

But the object of the shrine is to get rid of executive patronage. Now, I am not an advocate of executive patronage. But, let me ask, what a vast patronage will there not be exercised by giving away, in one single act of generosity, an entire moiety of the public domain. Seldom, indeed, is one individual so fortunately placed as to be able, by a single

net of inaccuracy, to make a present of eighty million acres of land—a vast and royal donation, to be sure. Yet the honorable senator, while making this popular largesse of eighty million acres of land—belonging to the whole union, is ferriily opposed to the same thing when it comes to the individual "States," that, if we refuse to make this gift, the States will be able to seize and carry off the whole property in a body, against the will of the other seventeen states. The "demonstration," I confess, is a very poor one. But I do not think I can believe these states will ever be so unjust, so rapacious, so prodigal, as to attempt thus to seize upon the property of their fellow citizens. But if there is such great and imminent danger that these states will do this, I think it is very probable that, if we then, can not the honorable gentleman suppose, on the same ground of reasoning, that the States may tear up his bonds if we do cede in—? If he considers them so utterly unprincipled, so impotent, so unworthy, that he thinks it necessary to strip themselves lands which belong to the whole, family of confederated states, what will there be to restrain them from vacating their bonds after we have surrendered the land into their possession? One party will be all virtue and good faith, the other all rapacity and violence. There is great danger, imminent danger of our losing the whole domain, and we must give it away before the states take it by force; but, in the shape of a bond, then these states are to be all purity, all honesty, all fidelity. For my part it seems to me that if we cannot depend on these nine states for their fulfillment of their constitutional obligation to pay for the land, why should we ever voluntarily engage them they may now reject into.

I apprehend no such danger. I do not call upon the senate to cede the public domain on any such ground. If that is to be the ground of our procedure, I say let the lands go. I will not be one to encourage the spoilers. I will never be one to say this thing must be done and will be done. On their own heads be it. I will take neither part nor lot in the responsibility.

I repeat that I have no objection *whatever* to consent to pre-emption, provided the rights of all the states can be respected. That is all I ask.—That was all my amendment proposed. I am sensible that I have not been able to convince the senate, but, challenged and called out as I have—en as one who had offered a proposition so outrageous, so enormous, so monstrous, that I shrink from all attempt to defend it, I could not refrain from saying that I am not a hypocrite, and that on every subject I know is perfectly safe. Not a whole can be said upon it that has not been better said already. Yet, as my proposition was pronounced an enormity, I wished to show that I did not mean to be so, and that I was not guilty of the guilt of which I have been guilty is a simple act of obedience to the instruction of my state legislature. The plan is before the country, and denounced as it may be, I can no longer resist it. I am called, it may be, to such a contest with the public opinion as I have never before engaged in, and I will fight wherever I have been. My own state has passed a solemn resolution giving the seal of her approval. In offering it here, I have but obeyed her voice, and I have no other apology to offer. I have not returned aside from the course she has marked out for me to pursue. She understands her interests; she judges calmly; she asks nothing but her plain

recoiled right, and I ask nothing more in her name. Mr. BENTON rose in reply, and noticed in the faces of the audience the expression of surprise and indignation. "I am not a politician," which he appeared to consider as personally aimed at himself. If the phrase had been so intended to apply, it was a great error. He had been a politician for more than thirty years, and he had enjoyed the honor of a seat on the floor of the senate, he recollect-ed reading with great satisfaction the printed speeches of the honorable member from Kentucky, and he had been the oldest politician in this body, the oldest sitting member of the senate was then upon his right hand, (pointing to Mr. KNOTT, of Rhode Island)—a man who had been a senator for twenty years, and he had enjoyed the honor of a seat in the senate of his own state for 23 years. There was but one example here present of an older politician than the senator from Kentucky himself, and for that the senator must look to the honorable member from New York. Mr. LARSON, the honorable gentleman (said Mr. B.) suggests that I make use of the word *unwilling* in application to him. I did make use of that term in what I said of the honorable member from New York, and I will not use the word. But if I did, I freely admit that, it was applied to that honorable senator, it did him injustice. I will treat that frank and magnanimous gentleman as I would any other senator, and there is nothing in his character which deserves

such an epithet. So far from that, the defect in his character (and in every character, however excellent, there must, it seems, be some alloy) lies in the opposite direction. So far from deeming him cunning over-much, his defect lies in not being cunning enough, as is manifest in the present case; for he has not had sufficient cunning to prevent his being made sponsor on this floor for a child of which he is not the father. [A laugh].

And now to the epithets of which the honorable senator seemed so much to complain. I have never aimed, in any poor speech, at more than one quality, and that is intelligibility. I have never aimed at the language of the rhetorician, but have aimed at the language of the philosopher. In the present case, however, it seems that even in this I failed; for the gentlemen from Kentucky do not seem able to take in that feature of his proposition which drew from me the epithet which I employed. The proposition itself—I mean that part of it which says that the land of the living is a better place than the land of the dead, always bad. It was this I characterized as enormous, and as outrageous. As it has been denounced by me from the first. But, odious as it is in itself, it has a feature a thousand times more odious than it ever exhibited before, and that is its date in its chronology—the time when it is offered.

It proposed at a time like this, and to the existing state of the treasury, to withdraw one-fourth of the public revenue, and it is to be followed by what has been distinctly intimated to-day, viz: the imposition of a tax upon the French silks and the gentleman's amendment—the withdrawing one-fourth of the revenue and supplying the deficit by exercising the tax levying power—that I denounced as an enormity. I denounced it. I denounced the proposition. I denounced the enormity. I denounced the revenue. I never say the proceeds of the public lands, nor do the gentlemen on the other side of the question ever speak of the landed revenue. I always speak of the revenue, and never of the proceeds of the public lands. I never speak of the violation of the constitution to give the revenue we have got to the states, and then to levy other taxes to supply the deficiencies. It is in principle the same thing. I do not say that for that purpose. This feature of enormity is not a new one. I do not think it more odious. The gentleman has let out to-day a little more of the policy of the coming administration than he did yesterday. He did not believe in the proposition, and he has now been proved by withdrawing the existing landed revenue to be made up to the treasury. But to-day he has come out more boldly, and has avowed his plan to be to lay a tax upon luxuries. I then felt him that he was not a gentleman, and that he was not a man to lay a tax necessary of life, if the tax is laid for unconstitutional purposes. It is as unconstitutional to lay a tax upon silks and wines as upon sugar and salt, if the tax is levied to supply a deficit caused by the withdrawal of the revenue of the treasury for several states. And as to the plan of taxing French silks and French wines, I am prepared to show not only that it is unconstitutional, but to demonstrate that a tax on French silks and French wines is a tax on our Southern States. I am prepared to show, although Southern cotton and western tobacco are willing to pay their honest share of the constitutional revenue of this country, yet they are not willing, and they are not prepared to pay the unconstitutional portion of them. I will show that France has fifteen to sixteen millions worth of Southern cotton, and receives from this country four-fifths of all the tobacco which is consumed in her kingdom; and in consequence of this, she is enabled to show us how can you cut off her products by your tariff, and not at the same time cut off the export of America tobacco? I pledge myself, on this subject, to go through all the complex mazes of commerce, and to show that France is not to be taxed, and then to follow the course of the French silks and the French wines as they return in exchange for it; to trace them to South America, where they are exchanged for sugar, and then to follow the course of the sugar, and to show how it replenish the treasury and to augment the constitutional currency of the country. I am ready; I will meet the gentleman at any time; I am prepared to show that the proposition of the gentleman's argument, not with a sylph, but with a sword, which have been published and annually submitted to congress for nineteen years. I have kept these documents; I am in the habit of keeping them, not only for the purpose of showing the gentlemen that they and have traced every branch of your commerce, and see how it operates on the relative interests of every country in the world. I dismiss the subject now, repeating the opinion that the non-acceptance of the amendment is not a clear violation of the constitution.

But the gentleman is pleased to remark on the language employed in speaking on the consequences of this distribution. I said that when the proposition was first introduced, I opposed it on the threshold, as tending to a seizure of the revenue of the country, and that I then predicted that if we once brought the state to this blood, if they once learned to lick this blood, and to lap up this blood, they would go on until they sucked out the very last drop of the life-blood of the federal government, and drained its veins, till at length they were satisfied with this blood, and were full; I said these words; I wrote them down at the time; yet there they stand in a volume of Gales & Searson's Register of debates; and though for attesting them I encountered such a shower of denunciation on the ground that it required some personal courage to ride down to my lodgings, yet I have not any of them. Whatever may have been said then, or may be thought now, I feel a conviction that the time is coming, and coming more rapidly than I then thought, when the current revenue of the government will be seized on. And I have now made a proposition to do that very thing. The senator from Kentucky (Mr. CATTENDEN) has brought into this body, and urged on this floor, a proposition I denounced four years ago. Yes, the time has come, the measure is proposed, and we are about to hang the twenty-six states of this confederacy on the breast of the federal government, to suck the life-blood from its veins. Here is the realization of what I then said, that if the states once get the taste of this blood, they would be satisfied with no other food. "It is my pride and glory to have sold out," I have stood up nearly alone, (murmurs of "solitary and alone,") or with only four or five companions, against a stream of popularity which overturned all opposition. Yet, sir, I said this, and then uttered the prophecy which I have now seen fulfilled. I see this exercise the privilege of a man who has had a seat for twenty years on this floor (though I am not the oldest politician in this body) of saying, when my friends have gone wrong, "I told you so," yet I am not quite so bold as the old lady who is accustomed to utter this expression, who, when she was told that the cow had swallowed the grindstone, exclaimed, "I told you so." I am not quite so bold, but what I told them was true. I could not see far enough into futurity to see 1839, or even to see the present day, yet I denounced the proposition as being the old requisition of the confederacy reversed. It was the states calling for money on the general government, instead of the government calling on the states, which was the very thing which reversed the old confederacy. I could not then foresee that only four years after the words were uttered, we should have had a proposition brought in here to take the current revenues of this government and distribute it among the states. I said another thing at that time, I said that the money which was called a surplus, and deposited with the states, was gone. It was gone forever. That point is now given up. There was one thing which I did not foresee, that the government, being stripped of its revenues and forced to issue treasury notes, and, therefore, failing to make its last deposit of this surplus, would be accused of a breach of faith towards the states, and charged with not paying a debt it owed them. That I did not foresee. When I denounced the measure of distribution, as it became a public man to do, and I warned the senate, that in no operation of this kind, once begun, it was "the first step which cost" all, I did not foresee that, within six months from that time, a fortification hall to receive the defenders of the country was to be broken and laid under a proposition for another distribution.

Why do I recur to these facts? It is for the purpose of justifying what I said as to the enormity of the proposition of the senator from Kentucky. It is to support myself in the course now proposed, we shall be going on to the destruction of this government; marching towards it at full gallop. Who talks about public defenses now? My honorable colleague over the way, (Mr. Who else? Nobody.) I said that we had our difficulties with Europe! Many gentlemen; but on that subject I have never opened my mouth. And why? Because I was afraid to let my sentiments be known upon it? No. But I will tell you why. Because the country was not ripe for it. The public mind was not ripe to hear them. It was the womb of evil contained. Because I could not go into the subject without touching on what I see a few years ahead. But what has become of the whole idea of the public defenses? From the time that the distribution scheme was proposed, the whole idea vanished at once from the minds of our politicians, (I do not say from the minds of the people.) As chairman of the military committee I was cried down on this floor for bringing in the fortification

bill. So keen were gentlemen to get hold of the public money and divide it among the states that not a dollar could be got for the public defense. All was given up, and distribution! distribution! was the cry, and that is to be the whole policy now. I set my face against it from the beginning, and the remembrance of it is one of the convictions I now carry with me from public life. I see this government reverting to the condition in which it stood under the old confederation, though by an opposite process, and I foresee that this appetite for the federal revenue will grow by what it feeds on. I thank you for putting me in mind that I said then what would be the effect, if it was not the object, of the proposed deposit with the states, namely, to break down the deposits banks. I say that the money would be an evil present to every state that received it; that it would operate as a curse; and I now appeal to senators from every state to say whether that has not been the effect of it. I ask every state whether they do not condemn the measure at this day; whether they were not like a public enemy and a degraded man, who, when he won a prize in the lottery, rushes at once into a hundred extravaganzas, the very first of which soon swallows up the prize. The states felt, when they received this money, as if they had gotten hold of an intermediate supply, and with one accord they all rushed into experiments, for scarce one of which they were ripe. It was only the first instalment they received, they had not got the rest, and the expenditure was worse than useless. They are involved in debt, and they are some here who may pay the instalment, but it is to have 26 states rushing on to this feeble government to suck out its vital blood; bad as this is, it is a trifle to the evil of bringing upon the banks and capitalists of Europe to influence our elections, and change our executive government, that they may thereby raise the price of American stocks. It has brought us to what all the genius of Sheridan never foresaw. We have seen monarchs of Europe despoiled, and kingdoms seized, to pay a note of hand. We have seen rajahs and empires the descendants of the great world, torn from their thrones, and their kingdoms seized and ravaged, to pay a note of hand; and yet all this is but a trifle to the degradation suffered by the American people in witnessing the election of a president, and the seizure of the stock jobbing operation on the London exchange. All this was more than I expected, but it is upon us, and we must endure it. But so long as I hold a seat upon this floor, I shall be found fighting for the general government against the states, and against the stock jobbers, and the bankers and capitalists who have changed the executive of the American government to augment the price of stocks.

Mr. CATTENDEN. The senator has based his whole reply to my remarks on the assumption, that the states do not possess the right to demand of the general government a distribution of the proceeds of their common estate in the public lands. I went on the assumption that they have that right. That is not denied; and has not been disproved. True the money has to pass through the treasury, but still it is their money. This point the senator has not touched; every thing has been argued but the principle point in the argument, on which all the rest hangs and turns.

The honorable gentleman in his concluding remarks made a very extraordinary assertion indeed. Alluding to the late presidential election, and the influence of foreigners in this country, he ascribed the change in the executive administration of this country to the bankers and capitalists of England and in this country. Can this be possible? Sure I am that if such an influence does exist, it has not reached the part of the country where I reside; nor can it have operated where the honorable senator resides, in the state of Virginia. I thank Mr. Van Buren conclusively proves. It is not at that end of the union, then; and I am sure it is not in the centre; where, then, is this dangerous and irresistible influence which has revolutionized our whole political history? Where I ask has it been? Where have been collected representatives of every portion of the entire union, then; to each senator I put the question. Was it your state whose vote has been controlled by the tricking, stockjobbing capitalists of Europe? Which of the states is it that lies under this influence? Or if it branched on the foreign side, of the whole American people? Is this entire republic to be considered as justly charged with this dishonor? Is it true that the 2 or 3 millions of voters who constitute that majority whose votes have brought in a man, who has been in the service of the slave, bought up with FOREIGN MONEY—the meanest and basest of all influences. Where is the evidence that fixes a blot like this to the American name? For my self and my constituents, for the noble and belov-

ed state I represent is not on this floor; I put the charge far from me. If there has been such an influence at work, it has not been among us. Not one man of the twenty-six thousand majority of vote cast in Kentucky for Gen. Harrison has acted, as I in my soul believe, from any such base, unworthy, degrading influence. Let me, I do believe that, and I feel free-born American citizen has acted so unworthily of his name; and his birthright. And again, I ask where is the proof? Does the senator believe that proof to be found in a correspondence between an agent in the Missouri and some financiering gentleman in England.

[Mr. BENTON, across, "A director of the bank of England."]

Well, a director of the bank of England, with respect to the sale of a portion of the Missouri stock? Is that what the senator relies on? The agent here writes to his correspondent in England as to the influence likely to be exerted by public evas in this country on the price of American stocks. Is there any thing so wonderful—any thing "so monstrous," so "outrageous" in this? Can any thing be more natural, more in course, than such a correspondence on such a subject and purpose? Is it any more of the price of stocks, he might be heard writing about the probable price of cotton, might he not have referred to a probable change in our financial system as likely to affect that article of trade? Does not every body know that the very fluctuations in public affairs have an effect on the commercial world, and immediately affect the state of the prices in the market? And why should not this be mentioned in regard of stocks, as well as any thing else for sale in the market? Is it not the price I have heard in support of this nighty charge about British stockjobbing influence in American elections.

[Mr. BENTON, across, "Not the tenth, not the hundredth part of the proof."]

No. I will tell the honorable senator what has produced this astounding political change. The gentleman shall not escape from the argument—from a fact so notorious. It would indeed be a melancholy consolation to the gentleman and his friends to ascribe their defeat to the dishonor of their entire country. Were I in their situation, sooner than cast a stigma like this on the land of my native land, I would rather cast it on the heads of my countrymen. I would admit that my party had mismanaged public affairs; or that at least the people thought they had; or, somehow or other, they had lost the public confidence. Never, never since the foundation of this republic, did I see a more American freemen cast their votes with one spirit and specific understanding as to the grounds of their united action. That is my opinion. The result of the late election is not the effect of British gold, but the sense of the American people as to the management of the public affairs, and the policy they expressed. Let not gentlemen attempt to get out of the position in which that election has placed them, by stigmatizing the people of the United States with corruption. No, no. This expression of opinion comes from the large number of republican stock who set up the government; it is a spark from the old revolutionary fire, and it has blown the gentlemen sky high. Let them not, now that they have reached the ground, and are rubbing their bruised and broken limbs, try to disguise from themselves the truth as to what hurt them. Strange indeed would it be, could the magic wand of British gold be applied to produce such a result. All the natural causes, on that subject, seem to point the other way. We might expect that kings, and presidents who try to be as good as the king, and who go down the path with each other. They do not seek to put down the throne to raise the cottage. If the real truth could be come at in the matter, I verily believe that there was more foreign sympathy than republican opposition. There is not a state, no, not a county, through this wide union, that was swayed in its late vote by any influence from the London exchange. Gentlemen are sadly puzzled to account for the result of the late election, and it was all the work of British gold. Others say it was nothing but the senseless cry about log cabins and hard cider." All sorts of devices are used to disguise a fact so appalling. Some say it was all the effect of cotton. [A laugh.] And one very distinguished intellectual gentleman was so assured as that, if the principles of the whig party were to be carried out, they would lead only to this, that we should put down this magnificent capitol, the proud hall of American legislation, and build in its place a log cabin, with a few shingles for cov- [Laughter.] But the gentlemen do not—or will not—understand what they say. It is no cry about log cabins or hard cider that has thus moved, as one man, almost the whole American people. It

was something greater, higher, deeper. I know that the election of William Henry Harrison is to the politicians a stumbling block, and to the Van Buren men footstools; but to any unbiased, candid intelligent observer, it must appear to be the wisdom and the power of a great people. I can tell the gentlemen that it is not so very politic to sneer at log cabins. They are the emblem, the visible type, of the power of the people. Log will continue to be dear to them as a remembrance of the fact that they were able, by a powerful feat of their will, to take the man they loved from a log cabin, and set him in the place of their dominion. It is the practical, visible, tangible symbol of their power—which may God preserve! Think you to see their favor by sneering at their great deliverer? You forced it on us by your taunts; you laughed at our candidate as the inmate of a cabin; and you have seen, and you now feel, the effect of your own will; and, if I am not very much mistaken, you will never need another lesson to teach you the danger of sneering at log cabins. The people are coming, on the 4th of March, to show you what it is to set your foot upon them. They are bringing the man of the log cabin, and they mean to place him in your midst as a household god, and to be ready to account for it; and we will work out the plan for you.

Mr. BENTON. I have not attributed the result of the late presidential election to any one cause, though I did say that it was the result of the bankers and stockholders on the London exchange. The two letters on that subject to which the senator from Kentucky alluded are but as two grains to a mountain in the mass of evidence on that point. But I did not ascribe the result to any one cause. I acknowledge it to be perfectly inconceivable to me. [A laugh from many senators.] I profess myself to be without any belief on the subject.—[Laughter.] I see and hear a thousand opinions on every side. I give my ear to them. I give them the weight they are entitled to; but still I am left without a belief on the subject. When I see the gentleman who has been deposed receiving 570,000 more votes than at his last election, when I perceive that he got 450,000 more votes than ever General Jackson did, and yet see him beaten by 130,000 or 140,000 votes, it is, I own, inconceivable to me. While I did say that I felt the degradation that European capitalists should hang in our political struggle, and control our elections; and while I did say that it is humiliating to see the election of an American president made a stockjobbing speculation on the London exchange, yet I did not attribute to that influence the majority of its voters who have been elected to our executive office. I acknowledge that result is inconceivable to me. I cannot yet see how it was done. [A loud laugh on one side of the senate.]

The question now recurring on the amendment moved by Mr. CALHOUN.

Mr. CLAY, of Ky., resumed the senate that the amendment contained a blank which should be filled before the vote was taken.

Mr. CALHOUN said he left the blank to be filled by the senate as it might think proper. If the amendment should prevail, the blank might be filled afterwards.

Mr. CLAY, of Alabama, said there was no need of filling for blank at this moment.

Mr. FULTON said the amendment was one of importance, and he requested a little time to reflect before he voted upon it; and he thereupon moved that the senate adjourn. The motion prevailed, and the senate adjourned.

TWENTY-SIXTH CONGRESS—24 SESSION.

SENATE.

January 27. The following memorials and petitions were read and referred to the proper authorities.

By Mr. HALLER, a document in relation to the claim of the village of Carondelet, in Missouri, to a certain tract of land.

By Mr. ROGERS, from citizens of Maine, asking that there may be a repeal of the fish bounty law.

By Mr. BEYD, from citizens of Philadelphia, asking the erection of a new custom house.

By Mr. FULTON, from the legislature of Arkansas, asking an appropriation for a road from Helena to Custer.

Also, from the same, for a donation for the River turnpike company.

By Mr. PORTER, from citizens of Michigan in favor of a bankrupt law.

Mr. WELL reported a bill for the relief of the New England Mineral Land company.

The senate then took up the unfinished business of yesterday, being the disposition of the memorial from the tobacco planters of Prince George's county, Md. when Mr. MERILL spoke in reply to the remarks of Mr. CALHOUN yesterday, showing the justice of the prayer of the petitioners.

Mr. CALHOUN replied—though favorable to the tobacco interest he was opposed to retaliatory measures, and thought the memorial should be referred to the committee on foreign relations.

After some further debate, in which Messrs. CALHOUN, Rogers, Preston and Linn participated, at the suggestion of the latter gentleman, the memorial was referred to the committee on agriculture.

The senate then proceeded to the discussion of the special order, being the pre-emption bill. Mr. CALHOUN, Johnson and Wright addressed the senate—the latter gentleman, at 4 o'clock, P. M. gave way for a motion to that effect, when the senate adjourned.

January 28. The vice president laid before the senate, a letter from the president of the United States enclosing the annual report of the president of the District of Columbia.

Mr. SMITH, of Indiana, presented a joint resolution of the legislature of that state, instructing their senators and requesting their representatives in congress to oppose the repeal of the sub-treasury law, at as early a day as possible.

After some remarks by Mr. SMITH, the resolution was read, laid upon the table and ordered to be printed.

Mr. CLAY, of Alabama, presented the report and resolutions of the legislature of that state relative to the controversy between Maine and Georgia, on the subject of the delivery by the former of certain fugitives from justice.

The following memorials and petitions were presented and referred to the proper authorities.

By Mr. TALLMAGE, from citizens of Poughkeepsie and Whitesboro', N. Y. and from an association in New York, in favor of a bankrupt law.

Also, a remonstrance from the chamber of commerce of New York against the repeal of the pilot law.

Also, a petition from citizens of New York in favor of tea and coffee being substituted for the opium in the navy.

By Messrs. ALLEN, of Ohio, and NARRELL, of Michigan, from citizens of their states, in favor of a bankrupt law.

On motion of Mr. TALLMAGE, the committee on the subject was instructed to inquire into the expediency of allowing house rent to officers attached to navy yards, where no houses are provided for their accommodation.

Mr. PINCE moved a resolution inquiring into the propriety of reducing the rates of postage on newspapers.

On motion of Mr. PRESTON it was resolved to appoint a committee on the part of the senate, to join a similar one of the house, to count the votes for president and vice president of the United States, and to certify the persons elected to their election.

Mr. PRESTON introduced a bill to secure to dramatic authors their right of property therein.

The senate then took up the bill relative to pre-emption rights; when Mr. WRIGHT rose and closed his remarks thereon. He was followed by Mr. CLAY, who, after speaking some time, gave way for a motion to that effect, when the senate adjourned.

January 29. Mr. WHITE rose and presented the resolutions of the general assembly of the state of Indiana, in favor of a national bank with certain regulations, and gave his own views upon the subject, and concluded by moving that the resolutions be printed and laid on the table, which was accordingly agreed to.

Mr. NARRELL and TALLMAGE presented petitions, from citizens of their respective states, in favor of a bankrupt law.

Mr. GRAHAM, on leave, introduced a bill to ascertain the practicability and probable cost of re-opening a direct communication between Albemarle sound and the Atlantic ocean. Mr. G. spoke at some length upon the subject.

Messrs. PRESTON, HUNTINGTON and HUBBARD were named as the committee, on the part of the senate, to count the votes for president and vice president, and to certify the persons elected to their election.

A bill increasing the pay of certain officers of the revenue cutters, while serving in the navy of the United States, was considered in committee of the whole, and ordered to be engrossed.

The senate then took up the pre-emption bill, which being further discussed, the senate adjourned.

January 30. Certain communications were received from the president and laid before the senate.

Mr. TALLMAGE presented the credentials of the hon. W. C. RIVER, senator-elect from Virginia, who was duly qualified and took his seat.

Mr. KNIGHT presented the credentials of the hon. JAMES F. SIMMONS, senator elect from the state of Rhode Island, from the 1st of March next, which were read and placed on file.

Mr. ROGERS presented the petition of citizens of Maine, remonstrating against the repeal of the fishing bounties.

Mr. PRESTON reported a bill amendatory of the act granting certain relinquished lands in the state of Alabama, and for the purpose of improving the navigation of certain rivers.

Mr. ALLEN reported a bill extending the time for continuing Virginia military land warrants.

The senate then proceeded to the discussion of the pre-emption bill—when Mr. CALHOUN delivered his views thereon.

Messrs. MANGUM and WEBSTER each, replied at some length, to Mr. CALHOUN.

Mr. YOUNG moved, as an amendment to the bill, the proposed substitution of Mr. CLAY, of Alabama, which had been rejected some days since.

After some remarks from Mr. CLAY, of Ala. and Mr. YOUNG, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, Jan. 27. Mr. CRABO, of Alabama, under a suspension of the rule, presented a memorial of the legislature of that state, paying to be reimbursed \$150,000 expended by them in the late war with the Creek Indians—referred to the committee on military affairs.

The treasury note bill was then taken up in committee of the whole—Mr. CAREY, of Illinois, in the chair.

Mr. POPE, who was entitled to the floor, concluded his remarks at half past 2 o'clock, when the chair gave Mr. HAY, who yielded it to him, for the purpose of personal explanation to Mr. W. C. JOHNSON, who said that, in the report in the Globe of last evening of a discussion which arose in this house yesterday, the following language appeared as having been used by Mr. DUNCAN:

"But that not being done, he denounced its author (pointing to Mr. Wm. Cost Johnson) a base liar, a contemptible puppy, a scoundrel and an infamously coward."

All that I have to say (continued Mr. J.) is, that this language was not used by the member from Ohio, (Mr. DUNCAN), as will be remembered by every gentleman who was present. The member had stated yesterday, most untruthfully, that the statement in the "Intelligencer" was false; and he also stated in this report that "Globe" had not heard my remarks made in the day preceding. I did not feel disposed to enter into discussion on that point, but I was determined not to be deceived by the report. I had in view by epithets or interruptions of any kind. That object was, in the first place, to show the language attributed to me in the report of the "Intelligencer," and, secondly, to prove that what I had stated was true, that the member had not appeared in the "Intelligencer." This latter remark had not appeared in the "Intelligencer." I did not wish to go into a discussion as to whether the member from Ohio heard the remark I made or not. He says he did not hear me; and yet he replied at the time to the first part of the sentence, declaring that he had charged general Harrison with cowardice. It was a little curious that he should have heard the first and not the last words, when those last words were uttered in a louder voice than the first. The chairman (Mr. CRABO) said that he did not hear me; and he said that it was not strange, as they were heard all over the house, and in the galleries, and by every one else, except the member from Ohio and the then chairman. I must have had some power of omniscience, as I picked up every voice over the chamber, and into the galleries beyond him.

I say, as regards this statement in the "Globe," that it is false; that the language imputed to this member from Ohio was not used; and that there is no member here of that name, who will rise and assert that it was used; that it is not my purpose to engage in a personal controversy with him; and that I shall never resort to the use of Billingsgate myself, nor allow myself to be governed by it. But I will not suffer the manifest injustice which is done in this matter to be changed, and which was practiced upon a fact for which I was ready to vouch, and of the truth of which I yesterday gave abundant evidence to this house. I say, in conclusion, that I have no objection to be the subject of the remarks of a member on this floor as depriving him of the rights of a gentleman—wherever, as in this case, I had directly and unequivocally assailed such a man—I should not take the ground that he was not a gentleman, however I might know such to be the fact. But I repeat that the language which I have read

was not used; and if it had been, I certainly should not have noticed it. I have not been taught that an insult, direct and unequivocal, was to be revenged by Bellingrege words; and if the member is satisfied with that revenge, he is altogether welcome to its enjoyment.

Mr. *Wise* then took the floor, and addressed the committee. He directed his remarks, in the first place, to a certain matter of fact, which he had stated on a former day, in reference to an outstanding debt for public land donated at Old Point Comfort, and to the verification of the statement he then made by the introduction of evidence of the fact.

Messrs. *Johns* and *Mallory*, of Virginia, made brief statements in favor of the point.

Mr. *Wise* then proceeded in his argument, which was addressed, in the first place, to an explanation of the grounds on which he intended to vote for this bill, and which he stated to be three:

First, he said he would vote for the bill as a friend of the coming administration, and with a view to supply that administration with the immediate means to carry on the government after the 4th of March, knowing no other means of meeting the exigency. Secondly, to prevent an extra session.

And, thirdly, to prevent, during the year 1841, a premature agitation of the compromise act.

Mr. *W*. proceeded for about an hour, when, giving way to a motion for the purpose, the committee rose, reported progress, and obtained leave to sit again.

Mr. *Boardman* obtained leave to introduce the following resolution; which was read and adopted:

Resolved, That the secretary of state be directed to communicate to his house an abstract of the report of the marshal of the district of Connecticut, showing the number of slaves within and subject by the census of 1840. And to ascertain and report to him house whether the captives from the schooner *Ananias* were included in the said number of slaves.

Adjourned until to-morrow.

Thursday, Jan. 22. The speaker laid before the house various reports from the post office and war departments.

Sundry bills from the senate received their first and second reading, and were referred as follows:

To provide for raising evidence in the District of Columbia and in the territories of the States, in certain cases. Referred to the committee on the judiciary.

To confirm claims to lands in the district between the Potomac and Sabine rivers. Referred to the committee on private land claims.

Confirming certain land claims in Louisiana. Referred to the committee on private land claims.

The house then again resolved itself into a committee of the whole on the report of the committee, Mr. *Carey*, of Illinois, in the chair, and took up the treasury note bill.

Mr. *Wise* having taken the floor, in continuation of his remarks of yesterday—

Mr. *Duncan* rose and spoke to the gentlemen from Virginia to yield the floor for a moment, for the purpose of personal explanation.

Several voices were heard in dissent; but,

Mr. *Wise* remarking that, as he had yielded the floor yesterday, for purposes of explanation, to the gentlemen from Maryland, (Mr. *Johnson*), it was but an act of courtesy that he should now yield it to the gentleman from Ohio, for a similar purpose, took his seat.

Mr. *Duncan* then rose and reiterated the statement which appeared in the "Globe" of a previous day, in relation to certain language stated to have been applied by him to Mr. *W. C. Johnson*, and announced his intention, that there might be no mistake, to republish that statement under his own signature.

Mr. *W. C. Johnson* (who was not in the hall when Mr. *D.* commenced his remarks, but who entered it at the close) said that he had not heard the remarks which had just fallen from the member from Ohio, but that he had been informed of their tenor and abusive character. If he had heard them, he should not have replied. His only object in rising now was to do an act of justice to the reporter to the "Globe," who had yesterday addressed him a letter, which he (Mr. *J.*) would send to the clerk's table to be read, showing that the remarks published in that paper had been prepared by the member from Ohio himself.

The clerk then read as follows:

House of Representatives, Jan. 27, 1841.
Sirs: As an act of justice to myself, I thought the liberty of stating, that the reported proceedings in the Globe in relation to certain language which you deigned to apply to me, were by Mr. *Duncan* previous to their going to press. Very respectfully your obedient servant.

W. HUNTER, reporter to the Globe.
To the hon. W. C. Johnson.

Thus (continued Mr. *J.*) it will be seen not only that the member from Ohio has been branded with cowardice, but that he is now doubly branded with falsehood. Now, I appeal to honorable gentlemen whether, in this state of things, it is possible that I could notice this member from Ohio.

Mr. *Wise* then rose and said: Mr. Chairman, I do not think I ever will give way, while I have the floor, to another scene of this sort. The anti-duelling bill is producing its bitter fruits—it is making this house a sad "hot-bed of war." Here, with permission of the chair and committee, and without a call to order from any body, we see and hear one member (Mr. *Johnson*) say to another (Mr. *Duncan*) "when he is on the floor, stand on your feet, and do not be afraid of the other say back that 'he is a liar!'" And, thus, their matter will stop—there will be no fight.

Mr. *W.* then resumed at length his argument from yesterday, which was directed to the two latter reasons then assigned by him as governing his vote he intended to give in favor of the bill under consideration, namely:

To prevent an extra session.

And to prevent a premature interference with the tariff question during the year 1841.

Mr. *W.* had not concluded, when at half past 3 o'clock, he gave way to a motion that the committee rise; which prevailed.

And the committee rose, reported progress, and asked leave to sit again.

After the committee of the whole had risen, Mr. *Proffit*, of Indiana, obtained the floor and said he hoped the house would take some action upon the bill which had long been the subject of debate, and which he had made up his mind to do. Mr. *W.* had heard long lectures delivered on the subject of wasting the time of the house by gentlemen who were now occupying two or three days each, discussing the question of the tariff, and a hundred other irrelevant questions; and now, when the session was rapidly drawing to a close, without any thing beneficial to the country having been accomplished, we were adjourning at three o'clock, apparently mindful of nothing, but our personal comfort. He (Mr. *P.*) was anxious to render this subject of importance to its state—the bill confirming a grant of land to the Wabash and Erie canal—and would move that the house now resolve itself into a committee of the whole on that bill.

The question being put, the house was found to be without a quorum, and then adjourned.

Friday, Jan. 23. Mr. *Burke* asked leave to introduce a resolution to revive a committee appointed at the last session relative to contracts made by the government for fuel for stations, &c. which motion was rejected.

Mr. *Culcary Morris* asked leave to introduce a bill (notice of which he had given at an early period of the session) to repeal the sub-treasury law; but several members opposing, he moved to suspend the rules, and called for the yeas and nays. The yeas and nays being taken, the house refused to suspend the rules by the following vote—yeas 79, nays 87.

On motion of J. Q. Adams the house granted the use of the hall on Monday morning next to the pupils of the deaf and dumb asylum.

Mr. *Pickens* made an ineffectual effort to introduce a resolution calling upon the president for certain information or correspondence in relation to reports of the search of American vessels upon the coast of Africa.

The house then, on motion of Mr. *Johns*, went into the consideration of the bill to authorize the issue of five millions of dollars in treasury notes, Mr. *Carey*, of Illinois, in the chair.

Mr. *Wise* having taken the floor for the purpose of resuming his argument of yesterday, Mr. *Rett* requested him to yield it for a moment to enable him to make an inquiry of the gentleman from Virginia. Mr. *Wise* having yielded, Mr. *Rett* said he had understood that the gentleman from Virginia (Mr. *Wise*) had said yesterday, that a member of the convention of South Carolina, (now holding a seat on this floor) had in that body (so high had the excitement run) proposed a dissolution of the union. As he (Mr. *R.*) was the only member of the convention on this floor, he supposed the gentleman must have referred to him.

Mr. *Wise* was understood to say that he did allude to the gentleman from South Carolina, (Mr. *Rett*); that such was the impression then prevailing in the hall, and that if the newspapers at that time were to be believed, a dissolution of the union was actually proposed or talked of in that convention.

Mr. *Rett* said that the gentleman was entirely mistaken. Neither he nor any other member of the convention ever proposed a dissolution of the

union, nor was any such proposition ever made or discussed in that convention.

Mr. *Wise* was understood to say he was glad he had made the remark, because it had afforded the gentleman from South Carolina (Mr. *Rett*) an opportunity of contradicting it. He hoped, so far at least as South Carolina was concerned, that that section of the country would stand vindicated from the charge forever.

Mr. *Wise* then resumed his argument from yesterday, and concluded at half past 3 o'clock; the floor was obtained by Mr. *Hubbard*, when Mr. *Johnson* moved that the committee rise, but there being no quorum, the committee rose and reported itself fact to the house.

On motion of Mr. *Slattery*, the house again resolved itself into a committee of the whole, when Mr. *Hubbard* addressed the committee until nearly 5 o'clock, when, on motion of Mr. *Fanderford*, which prevailed, and so the house adjourned.

Saturday, Jan. 24. The special order on the treasury note bill was announced; when Mr. *Pickens*, by consent, obtained leave to introduce the following resolution:

Resolved, That the president be requested to communicate to this assembly, last and in compliance with public interest, any information or correspondence he may have in relation to recent seizures or search of any of our vessels upon the coast of Africa; or elsewhere, by British or other ships, and the circumstances of such search or seizure, and the authority under which they have been made.

Mr. *Johnson* moved that the resolution be added thereto the following:

"And also copies of all correspondence between the government of the United States and of Great Britain relating to the slave trade, since the 3d of March, 1837, and of despatches from Mr. *Calhoun*, P. *Forrest*, consul of the United States at the Havana, to the department of state, relating in any way to the said African slave trade."

Mr. *Pickens* accepted this amendment as a modification of his resolution.

And, as thus modified, the resolution was agreed to.

On motion of Mr. *Cushing*, the following resolution, received from the senate yesterday, was taken up, read, and agreed to:

Resolved, That a committee be appointed to join such committee of the senate as may be appointed on the part of the house of representatives, to ascertain and report the results of examining the votes for president and vice president of the United States, and of notifying the persons elected of their election.

The speaker then laid before the house a communication and report upon the subject of the survey of the northern tier boundary, proposing an additional appropriation of 75,000 dollars to defray the expenditures of the current year for that object.

The report was laid on the table and ordered to be printed.

On motion of Mr. *Johnson*, a communication from the secretary of the treasury in answer to a call, giving the amount of treasury notes and drafts issued since Jan. 1, 1841; also in relation to the deposits of treasury notes in bank, the amount and description of funds received for such deposits, and whether the money was left in deposits or transferred to the sub-treasury; which was laid on the table.

The bill from the senate for the settlement and payment of the claims of Alabama, arising out of the Creek war, was twice read and referred to the committee on military affairs.

The house then went into committee of the whole, Mr. *Carey*, of Illinois, in the chair, on the treasury note bill, when Mr. *Hubbard* concluded his speech, Mr. *Jeffrey* gave notice of an amendment which he intended to offer to the treasury note bill, restricting the amount, interest, and time of redemption, and then addressed the house for two hours; chiefly in reply to Mr. *Wise*.

Mr. *Jeffrey*, having concluded, Mr. *Fanderford* obtained the floor, but yielded it momentarily to Mr. *Cushing*, who explained the policy of the north with regard to the tariff—they wished for a tariff because they believed the alternative to be direct taxation.

They wanted a discriminating tariff, and not a high protective tariff with extravagant duties. They desired a policy of conciliation—a policy of compromise, in which a just regard should be had for the welfare of the whole United States. They desired a discriminating tariff, in that a moderate degree would maintain the interests of all parts of the United States, and it would be in no degree beyond the wants of the general government.

Mr. *Fanderford* then took the floor, but gave way to a motion that the committee rise.

After the committee had risen, Mr. *W. C. Johnson*, on leave, presented a memorial, claiming indemnity for French spoliation prior to 1800. The house then adjourned.

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FOREIGN ARTICLES.

The packet ship *Emerald*, capt. Howe, arrived at New York on the morning of the 7th inst., from Liverpool, bringing dates to January 9th, her day of sailing.

The state of Paris was tranquil; the *emute* which was expected when the North America left Liverpool, had not broken out.

The important news from China, which was brought by the North America, and which reached London by a telegraphic despatch over land, viz. *Marcellus* and Paris, was doubted by many mercantile men in Paris. The "*Courier Francais*" says that if the Chinese have agreed to pay the English 65,000,000 francs, 35,000,000 of this sum may go to pay the opium merchants, leaving only 30,000,000 francs to defray the expenses of the war; whereas the war will cost England double that sum.

The same paper adds, that admiral Elliot could not have any authority to make a treaty with the Chinese, unless he thereby obtained some permanent advantage to the British government, which was not spoken of in the late news.

The "*Courier Francais*" further says, that they are assured upon the highest authority that the British government will positively insist, (as an ultimatum) to their reconciliation to the emperor, if they shall be allowed to have a resident minister constantly at Peking.

In Paris, M. Thiers had not made any further progress. M. Guizot was strengthening himself and endeavoring to preserve pacific relations all round. The comte de Pontou and M. Cochelet had not been recalled from Constantinople and Alexandria when the *Emerald* left.

Great dissatisfaction still existed in the public mind in Paris, relative to the state of the Egyptian question but no further demonstration had taken place in the chambers.

The weather was still very cold in Paris. The fortifications around the city were progressing slowly.

Herre coffee market, Jan. 9. The market remains nearly the same. The arrivals of the week have been large, but the holders not being anxious to press the sales, the prices have been well maintained to the close.

THE GERMAN CONSPIRACY.
Frequent mention has been made lately, in the English and continental papers, of the military

league for mutual defence, comprising almost all the European powers except France and Russia, and bearing the general title of the German confederation. This prominence has been given to it in consequence of the threatening position assumed by France; and as the possibility of a war in Europe is not yet entirely removed, it may be interesting to our readers to know of what elements the league is composed, and what power it could bring into the field against the Gallic nation.

The army of the confederation consists of 10 corps, seven of which are united, and three mixed or composed of the combined complements of several different states. During peace it is not required that the whole amount of each contingent shall be in active service, many being away on leave, but it is requisite that one-sixth of the foot and two-thirds of the cavalry should be always engaged. Those on leave, however, must present themselves each year, and be exercised for six weeks.

The following is the exact quantum of troops supplied by each state, according to the last arrangement made by the diet in December, 1830; no state is state required to supply more than was at first settled, although since that time, (1831), the population in some is considerably increased:

Corps No. 1, 2 and 3—Austria contributes three army corps, amounting in all to 94,822 men, with 192 pieces of cannon.

Corps No. 4, 5 and 6—Prussia contributes three army corps, amounting in all to 79,234 men, with 160 pieces of cannon.

Corps No. 7—Bavaria contributes one army corps, amounting in all to 35,690 men, with 72 pieces of cannon.

Corps No. 8—Württemberg, Grand Duchy of Hesse and Baden, together, contribute one army corps, amounting in all to 89,159 men, with 60 pieces of cannon.

Corps No. 9—Saxony, Electoral Hesse and Nassau, together, contribute one army corps, amounting in all to 21,718 men, with 44 pieces of cannon.

Corps No. 10—Hanover, Holstein, Luebeck, Brunswick, Oldenburg, Schaumburg, Schaumburg, Steilitz, Oldenburg, free towns of Luebeck, Bremen and Hamburg, together contribute one army corps, amounting in all to 29,038 men, with 56 pieces of cannon.

The remaining confederate states, instead of forming any army corps, are required by the last arrangement to form in common a body of infantry reserve, which amounts in all to 11,396 men. In order to the maintenance of these several forces, each state is required to contribute a certain sum to the general fund.

The grand total amounts to 300,928 men, and 534 pieces of cannon. But it must be observed that the numbers above given are only the required minimum of each of the confederate states, and that in case of need the force actually contributed might probably be doubled.

[N. Y. Com. Adls.

SOUTH AMERICA.

The slave trade at Rio Janeiro. An officer of the United States ship *Palmetto*, writing to the editor of the Delaware Free Press, gives the following picture of the slave trade at Rio:

The slave trade has never been prosecuted with more vigor and success in Brazil, than during the past five years. Angola is the port in Africa which chiefly supplies this market. The difference in price between a negro in Angola and Rio, is but one hundred dollars—selling for one hundred and fifty dollars in Angola, and two hundred and fifty in this place. Indeed, it is said to be common for vessels to bring slaves, as passengers, from one port to the other, for one hundred dollars per head. This shippers can afford to do, as insurance can be effected on a cargo, for ten per cent. ad valorem.

Some years since government took measures to suppress the trade, but they have not been or are not now very sincere in their professions, or more might have been done towards affecting it. In 1838 there was a colonization society founded by the United States, for the purpose of inducing individuals of the purpose of returning all freed negroes to Africa, (I think Liberia), but I do not know that any good whatever has resulted from it. One cargo, I am informed, was despatched, but were not allowed to sail. It is supposed the whole number (6000) were captured by a slave and taken to

Cuba. It is however, most probable the agents betrayed the confidence reposed in them, and instead of taking them to Africa, shipped them to a slave trading country and sold them.

From Buenos Ayres. By the brig *Cadet*, captain Babson, at Boston, from Buenos Ayres, a file of the British Packet has been received by the Boston Daily Advertiser. The only news of importance is the subjoined extract, of Nov. 28.

Letters from Santa Fe relate the particulars of an engagement which took place on the 16th inst. between a body of 200 men of the confederated army and a considerably superior force commanded by Lavalle in person. The action commenced about sun set at a place called Tres Intes, and lasted till dark. Lavalle's troops are represented as not having long resisted the shock of their opponents, having fled in all directions, leaving upwards of 400 killed on the field of battle, including officers, whilst the lost of the victors is stated as comparatively small, although embracing two officers. Lavalle is said to have escaped, accompanied only by four adjutants; his carriage, however, was captured. The victorious troops appeared to have been exclusively composed of a division of Santafecinos, under the command of colonel Andrade, and some squadrons of the Guardia del Monte militia of the province.

It is affirmed that Lavalle's troops have evacuated Santa Fe and that such are their privations from their supplies being cut off, that only one head of cattle is allowed for the daily ration of 100 men. Governor Lopez is still in the province at the head of the troops. President Urbe continued in the command of the combined army.

TEXAS, MEXICO AND GREAT BRITAIN.

The London Morning Chronicle of a late date contains some interesting information which appeared in this country, in relation to the treaty recently made between Mexico and Great Britain, and the more recent acknowledgment by the latter power, of the independence of the republic of Texas. Lord Palmerston is reported to have said that the Texas government agreed to take upon itself \$1,000,000 of the Mexican debt. It is added, that a deputation that waited upon the minister upon the subject, expressed a wish that provision should be made for giving the bondholders the option of receiving part of the debt thus recognized by Texas in land, with a view to colonization. Lord Palmerston, requested the deputation to put their views in writing. From the same source we learn, that it is expressly stipulated in the Mexican convention that 100,000,000 of acres of the vacant lands in the departments of California, Chihuahua, New Mexico, Sonora and Texas, shall be specially hypothecated in the payment of the principal and interest of the national consolidated fund until the total extinction of the bonds; and, by the decree of the Mexican congress confirming the terms, it is declared, in addition to the general hypothecation, that 25,000,000 acres of government lands in the departments of the north, in communication with the Atlantic, shall be specially set apart for cession to the bondholders, and for the purposes of colonization.

On the same occasion, a communication was read from the London agent of Mexico, stating that the plan proposed for the consolidation of the overdue coupons has been approved by the Mexican executive, and was under the consideration of congress. The whole of the custom warrants sent out, during the year 1840, were paid off by the end of the present year, leaving the 1/5 part of the custom revenues available for the payments of the dividends. The Mexican converted debt is about £3,506,415, one half of which is an active five per cent. stock, making the difference presently payable equal to £2,250,000 per annum.

TEXAS.

The steam ship New York at New Orleans from Galveston, brings Texas papers to the 22d January. The congress was still in session, but no important matters were under discussion, and the latest advices from Austin contain any additional intelligence from the Mexican frontier.

There have been great floods even in Texas.—Buffalo bayou, near Austin, has been so high, causing much devastation. People living on Bray's bayou were obliged to climb trees, to escape drown-

George Strobel, to be consul of the United States for the port of Matanzas, in the island of Cuba, in the place of D. W. Courts, resigned.

ELECTION OF PRESIDENT AND VICE PRESIDENT OF THE UNITED STATES. The election of president and vice president of the United States to serve four years from the 4th day of March next, was on Wednesday consummated by the opening and counting, by the vice president of the United States, in the presence of both houses of congress, of the votes given by the electors in the respective states. When the votes had all been counted, the vice president proclaimed, in audible and distinct tones, that,

WILLIAM HENRY HARRISON, of Ohio, having received a majority of the votes of the electors, is elected president of the United States; and that

JOHN TYLER, of Virginia, having received a majority of the votes of the electors, is duly elected vice president of the United States. [Nat. Int.]

PROGRESS OF GEN. HARRISON. We copy from the correspondence of the Baltimore Patriot the interesting account of general Harrison's journey, meetings and salutations of the people, &c.

Pittsburg, Pa. Jan. 30. In my last communication I informed that general Harrison had made an engagement to meet the ladies of this city, at a Concert Hall. Scarcely before the hour, an immense concourse of individuals were assembling in the neighborhood of the building. The room of the hall was soon thronged with the beauty and fashion of the town. From my own observations, and from what I could collect from others, I suppose not less than three thousand whig young ladies were present, exhibiting the most beautiful and animated spectacle I ever beheld. Within an hour of three arrived, the old hero alighted from the carriage, and accompanied by his distinguished aide, and the hon. Harmer Deany, he entered the hall amidst the exclamations of the admiring crowd—amidst the shouts of "the conquering hero come." The general rose, evidently much affected by this homage, thus paid by such a fascinating audience, addressed the ladies, in a few brief and eloquent remarks. During the delivery of this speech, the general took the liberty of making a beautiful episode in his observations, of the most deeply interesting character. He feelingly alluded to an incident that occurred in 1794. He observed that he had to have been in a Pittsburg wig; that in 1794, he exchanged locks of hair with the ladies of this town. The lady with whom the general had the good fortune to meet in 1794, happened to be present, and she (Mrs. A.) forthwith advanced to the general and tendered him her congratulations. The meeting exhibited much interesting behavior. After he concluded, the general then shook by the hand the whig daughters of Pennsylvania, and all retired to their boxes highly delighted with the "people's president," and highly gratified that they had an opportunity of grasping by the hand, the general, who had protected their country in times of danger and of difficulty.

He will have been for Brownsville to-morrow about 10 or 11 o'clock. The purpose of this place looks like a fair, for the committee of conveying him and the gentlemen accompanying him to that place.

Brownsville, Pa. Feb. 1st, 1841. General Harrison reached here to-night about 11 o'clock. Before I proceed to enunciate the circumstances attending the landing of the president elect at this place, I will give you a brief sketch of what took place this morning, prior to our embarkation from Pittsburg. Early in the morning, before the cannon and roar of artillery were heard in every part of Pittsburg. The whole town, before 9 o'clock, was in motion.

The military corps exhibited a most splendid appearance. The front of the Pittsburg hotel, conducted by the enterprising and accommodating major Iron, an old soldier under general Harrison's, was crowded with individuals who had collected to receive the salute of the president elect. A general having left the hotel, to pay one or two visits, to one or two valued friends, shortly returned, when the most enthusiastic cheering commenced. Some six thousand persons stood before the hotel. The general, in obedience to the request of his enlightened auditor, appeared before them, and made a few eloquent remarks in his usual felicitous style, characterised by his usual vigor of thought and eloquence of observation. Having concluded his remarks, the committee of arrangements intimated to the vast assemblage, that the general would move onwards to the steamer Loyal Hann, which had been prepared for his transportation to Brownsville. In a short time an immense

concourse appeared on the levee, although it was raining and snowing immoderately. He delivered them a farewell address in the most touching and affectionate manner. The military companies accompanied him to this place. We left Pittsburg with hearts grateful for the homage which the citizens had manifested for our old chief—we left the beautiful and fascinating daughters of that city, who were so kind and so respectful to the patriotic people. The hospitable roofs—the splendid entertainments of the citizens of Pittsburg will long be remembered.

As we ascended the river, every demonstration of respect was tendered the general, and the highest degree of enthusiasm displayed. On reaching Elizabeth, we found an immense crowd on the banks of the river, ready to receive the general. At the warm salutations of his friends, he tendered his kindest regards. A numerous collection of ladies were present to welcome him to the town. He received them with that warmth and cordiality of feeling, for which he is so distinguished. At Williamsport he was also received with every degree of attention. On reaching Belle Vernon, a beautiful village immediately on the banks of the river, we discovered that a portion of it was brilliantly illuminated. In a few miles from this place, another dwelling was in a state of brilliant illumination. The length reached this place, about four thousand individuals at 11 o'clock at night, to welcome the general, and to tender him their hearty congratulations. At this place, he received the visits of numerous citizens. They soon expressed the promise of the general, that in the morning the general would receive them with pleasure. Great enthusiasm pervades this section of the state.

General Harrison expects to leave here about 10 o'clock to-morrow, for Uniontown, at which place he will spend to-morrow.

Uniontown, Tuesday, Feb. 2. This day we reached Uniontown, Pennsylvania. The concourse as you may well conceive, was immense, as this is the largest city of the county from which the soldiers volunteered their services under general Harrison, to defend the northwestern frontier. The old soldiers here, without any exception, made great efforts to meet the general, and the friendly and cordial manner in which he has received them uniformly. I am sure, will endure his elevated virtues to their memory. The assemblage at Uniontown was immense, upwards of fifteen hundred in the evening alone. The general's bed quarters was at the Clinton house. At this place, he delivered himself to-day to a numerous auditory. To say that it was eloquent and able would be faint praise. It was a masterly exposition of the great principles upon which the republican government was founded, and a luminous analysis of the constitutional law. As an evidence of the general ability of his gigantic effort, I will remark, that he mislaid even his enemies, as regards his views of the powers of the executive. That according to the views of the present executive, it was omnipotent. Such omnipotency he viewed as obnoxious to democratic principles, and highly pernicious to our liberties. He said it ought to be controlled, but, to his exercise, he should himself be careful not to overstep its legitimate powers, and thus prove himself unworthy of the confidence reposed in him by the people. He said he was elevated to power by the people, and not by the wily politician or corrupting influence of the high-sounding names of the land. To-day, the president elect delivered, in receiving the visits of his political friends.

Hagerstown, Feb. 5, 1841. I have just time to inform you that general Harrison reached here last evening about 10 o'clock. To-day, the greatest manifestation of feeling was displayed. The number of persons who assembled to pay their respects to the president of the people. About three thousand persons were present, and a high degree of respect was evidently displayed. He addressed the people this morning, and in a statesmanlike manner. To say that he gave general satisfaction to his friends would be poor praise—it elevated him highly in their opinion, as a man, and as a patriot. He also delivered a speech, in which, during the delivery of his speech he was frequently interrupted by shouts of applause. He took his departure to-day amidst the shouts of honest sufferers. The address was delivered before the house of B. H. McIlenny, Hagerstown hotel, the headquarters of the general. He also attended to the reception of the whig ladies—a numerous party attended. I will add that the liberal proprietor gave the most perfect satisfaction to his distinguished guests.

Frederick, Feb. 5, 1841, 9 P. M. We found Gen. Harrison here, having arrived about six o'clock. He is very much fatigued, and declines receiving

company to-night. He will exchange salutations with the company of Frederick to-morrow morning—but will certainly leave with the train for Baltimore at ten o'clock. So you may expect him about 2 o'clock, P. M. Saturday. In the morning he was addressed by L. P. W. Balch, esq. and replied therein.

Reception in Baltimore. Our streets were all alive on Saturday afternoon. Our people from town and country, anxious to witness the entrance of the president elect into our city, it having been ascertained that he would certainly come during the afternoon. We are not advised of the ceremonies which took place at the relay house, on the Washington road, where he was met by a escort from this city, but the cavalcade, after passing down Baltimore street, arrived at the city hotel about four o'clock, where he was presented to an immense crowd, in a handsome address, by Charles F. Mayer, esq. Gen. Harrison responded in a very few words, asking to be excused for the present from saying any thing, on account of the fatigue and debility experienced by his travels. After observing that he designed remaining in the city several days, he withdrew amid the cheers of the multitude.

We neglected to mention, in its proper place, that Gen. Harrison was accompanied to the city by the rifle-corps from Elliott's Mills, under the command of Gen. S. W. Taylor, of the Tippecanoe. They turned out in considerable strength, and with their banners made quite a handsome appearance. [Sun.]

On Monday morning, a few minutes after ten o'clock, Gen. Harrison appeared in public, in a room which had been erected for the purpose, in front of the City hotel. And being introduced, in a few brief and appropriate remarks, by J. J. Kennedy, esq. he proceeded to address the vast assemblage, which was present. The general's discourse was long, being congregated in this square, celebrated as it is for its mighty gatherings.

General Harrison spoke for about half an hour.—The veteran and beloved chief in closing his short and retired amidst a round of the most heartfelt applauses.

General Harrison received the visits of the ladies of the city, from one to three o'clock.

On Tuesday morning at nine o'clock, general Harrison departed for Washington. He was accompanied in his journey to the seat of government, where the cares and duties of exalted station are so soon to devolve upon him, by the committee of escort, appointed on behalf of the committee of arrangement.

Washington, Feb. 6. General Harrison arrived among us this forenoon, shortly after eleven o'clock. Notwithstanding the extreme inclemency of the weather—there being a fall of snow and rain—an immense concourse of citizens assembled to meet him on his arrival, at the railroad depot. He was first addressed by the mayor of the city, very briefly; and then it was determined, in consequence of the great pressure of the crowd, and the severity of the exposure, to defer any other ceremonies until his arrival at the City Hall, whether he was escorted by the committee of reception, the Tippecanoe elms, and a large body of citizens. The general looked extremely late and hearty, and as the procession moved along P-maryland avenue, he walked uncovered nearly the whole of the way, repeatedly bowing to the ladies who thronged the windows and balconies. On reaching the City Hall, he was conducted to the aldermen's chamber; and here the mayor and council expressed to him which he was present from delivering at the depot.

General Harrison responded briefly, and in terms highly complimentary to the city, and the District; and declaring, in reference to some remarks of the mayor on the disastrous consequences of the misrule of late years to the interests of our people, that he had the greatest disposition to do his utmost to remedy all the evils under which this District has been suffering. The general then received a large number of felicitations, and expressed his thanks to their respects to him. His arm continued to be considerably affected by the fatigue he has gone through in shaking hands during the last five or six months, and more especially since his departure from home; and he was obliged to receive the mode of salutation. He repaired soon afterwards to his apartments at Galley's hotel, where he will remain during his sojourn. In the course of the afternoon, Messrs. Webster, Crittenden and Ewing, had a private interview with him. Messrs. Clay and Preston, and other distinguished gentlemen, were called to see the general. He dined with the committee of reception, and the gentlemen who escorted him from Baltimore. He left the dinner table very early, and spent the evening in the company of his friends. He will receive the ladies to-morrow. Gen. Harrison has expressed his intention to leave the city for Richmond, on Thursday, unless after

lated) to the mortification of flogging their enemies armed with pike instead of leaden bullets. Captain Barnum, with three companies of the 24, is operating in the neighborhood of lake Churchill. The command at Fort Holmes under captain Smith and lieutenant McKinstry have been operating in the islands at the mouth of the Oklaishah, during which time they subsisted upon a preparation of parched corn and sugar.

P. S.—Since writing the above, glorious news from the everglades has reached us.

Colonel Harte's expedition has resulted in his capture and killing 16 warriors. Major Childs has taken 44 men, women and children. Lieutenant Steptoe has also killed and captured six warriors, making a total of 66.

We are all looking for a speedy termination of the war, the news from the Gulf ports, tending, as it does, towards such a consummation of our wishes.

January 27. Captain Barnum has returned to Fort Russell, the camp of Halleck's tie-tugger was discovered within a few miles of Fort Russell. He got wind of the troops and escaped. Captain B. captured 3 squaws, one child and 3 ponies.

By a passenger in the steamer Isis, capt. Fitcher, we learn that lieut. Col. Clark, of the 8th infantry, had in charge there two soldiers who showed themselves in the vicinity of Fort Dade, and were brought in by the friendly delegation from Arkansas. They are on their way to Tampa.

Information that can be relied on, has been received from Col. Loomis, of the 6th infantry, that a number of Indians were expected to come in, say from 30 to 40, and would proceed to Tampa.

Among them was Licho-Esahtha, the chief of the Tallahassee.

The prospect of the termination of the war, it is thought by some, is rather brighter, whereas by others, the promises of the red men are looked upon as mere humbuggery. [See Savannah Georgian.

THE NAVY.

The exploring expedition. Murder of two of the officers by Cannibals. Letters and papers from the Sandwich Islands to the 24th October have been received at New York. The exploring expedition had arrived there.

The papers contain the particulars of the murder on the 24th of July last of lieut. J. A. Underwood, and midshipman Wilkes Henry, a nephew of captain Wilkes, in a most treacherous manner, by the natives of Matelo, one of the Fiji Islands. Three unfortunate officers having gone ashore with but a few men, were attacked and killed almost instantly, but not until they had shot four of their assailants, who were the very same who a few months before they had been engaged in tracking boats over the reef. The men with them were wounded, but escaped.

The squadron's boats being near, immediately pulled in and commenced firing upon the savages, under cover of which lieut. Alden landed and brought off the bodies, which were entirely stripped. Had not the natives been fully occupied in carrying off their own dead, the bodies would have been taken away and devoured. Captain W. immediately made preparations for leaving their town and fort, which the savages considered impregnable. The seamen were landed and a fire was opened upon them, but without much effect, until a rocket, or "flying spirit," as they called it, set fire to their town, and kindled great consternation. It was finally carried by assault. The natives fought well, and even stood a charge of bayonet, but were finally beaten at all points, seventy or more were killed. The fort and town burnt, their plantations destroyed, and the island laid waste. These islanders have always been noted for their ferocity and treachery, and cannibalism, characteristics which it seems they fully retain.

A letter to the N. Y. Commercial says: "Lieut. Underwood and Wilkes Henry were killed as they were endeavoring to secure the retreat of the men, in which they succeeded, but at the cost of their own lives. They were buried on a small uninhabited island off the coast of the Fiji Islands, named Henry's island, in memory of that gallant and ill-fated young officer. The whole island, on which the massacre took place, was severely punished two days afterwards—when the big and schooner arrived. Nothing was spared but the women and children, and these, I am sorry to say, are by this time slaves to some of the neighboring group."

The letters state that the squadron would not return before Jan 1842.

A chief was captured and taken on board the Vincennes, who seven years since killed ten of the crew of an American vessel.

The Porpoise visited one of the Fijee Islands to protect or take away as the occasion might require,

a family of Wesleyan missionaries settled there, whose lives were supposed to be endangered by the savages. They were protected, remaining, having been promised protection by the old king.

STATES OF THE UNION.

NEW YORK.

Census. Of the white population of this state, 1,207,322 are males, and 1,170,958 are females. The colored population, 48,969, of whom 23,729 are males, and 25,236 females. Among the latter there are three slaves, residing in King's county. In 1830 the colored population of the state was 44,032; of whom 78 were slaves. Increase of the colored population in ten years 5,020.

The number of pensioners in the state for revolutionary or military services, is 4,029.

Colleges or universities 12, students in 6, 5,885; academies and grammar schools 501, students in 20, 36,633; primary and common schools 10,871, children in 50,195; scholars at public charge 26,366.

While persons over 20 years of age who cannot read and write 42,715. The greater portion of them we presume, are foreigners. [N. Y. Sun.

Banks. Legal reform and bank investigations—says the correspondent of the Madisonian—has the standing topics in our house of assembly. It appears that the new free banks resist the operation of the law of last session subjecting them to the supervision of bank commissioners. The Erie county bank at Buffalo having taken the lead in this course, she has been cited to show cause for so doing. This course she has given rise to a rumor unfavorable to its advocacy.

Within the last ten years I believe but three banks have failed under our safety fund system—the Lockport, City bank of Buffalo, and Wayne county. The notes of each was immediately redeemed from the safety fund contributed by all the banks. The Lockport has repaid nearly in full from her assets; the city of Buffalo will make a large hole in the safety fund; the Wayne county probably a small one. The stockholders of course suffer; the billholders do not.

About ten of our free banks have blown up—the Farmers' of Seneca county; the Millers' of Clyde; the Farmers' and Merchants' of Batavia; the Chelona, Wool Growers', and City Trust, our city are all now remember. Their pledged securities, generally, pay about 75 cents on the dollar—perhaps more.

PENNSYLVANIA.

Finances. The receipts into the treasury of Pennsylvania last year, were
Loans and interest upon the same 14,627,220 56
Cash tolls \$682,993 22
Rail road 216,653 00
Motive power 336,182 22

Other sources 1,195,754 34
744,204 77
Balance in treasury 6,567,206 67
1,357,170 17

Receipts total \$7,904,377 31
Expenditures 7,279,120 94
Estimated receipts for 1841.
Canals \$600,000 00
Rail roads 205,000 00
Motive power 310,000 00

Other sources and balance above 1,165,000 00
21,277 07 31
\$8,411,079 31

Estimated expenditures for the same period.
Loans \$2,635,000 00
Other expenses 2,555,598 75
\$5,190,598 75

Anticipated deficit, 31st November, 1841, \$1,773,519 42

Consolidation. We learn from Harrisburg that, owing to some oversight or remissness on the part of the senate committee to compare bills, the bill, charging the mode of appointing canal commissioners, which had passed both houses, was not laid before governor Potter in time to prevent his reappointing the board on Monday as heretofore.

Governor Cooper, in his inaugural address states that Delaware has never known what a state debt is from any experience of her own. That she has collected but one small state tax since the adoption of her amended constitution, and that she has about a million and a half of dollars, which experience has shown to be sufficient for all the necessary purposes of state banking within her limits. She has a surplus of more than half a million of dollars in her treasury.

VIRGINIA.

Small note bill. The bill authorizing the Virginia bank to issue four dollar notes, on their respective capitals, in one and two dollar notes, until the 1st of August next, has passed a second reading in the house of delegates of that state by a vote of 65 to 50. From the known opinions of the senate, the Richmond Whig anticipates that it will pass in the passage of the bill by that body. The notes thus issued—if issued—are to be redeemable in specie at the mother bank, or any of the branches.

The controversy with New York. We learn from Richmond, that the committee to whom this subject was referred is likely to make a report recommending strong measures on the part of Virginia, unless the legislature shall refuse to sustain Gov. Seward's construction of our rights under the constitution. The point in controversy seems to be, in brief terms, this—Three citizens of New York, (blacks, we believe,) aided the escape of several slaves from Virginia, or, as some say, stole them from their owners. The fugitives were demanded by the governor of Virginia, from the governor of New York, as persons under the law of Virginia. The latter refused to surrender them, on the ground that the commission of felony here would not be good cause for their surrender, unless the same act were pronounced felony by the laws of New York. Mr. Gilmer justified his conduct by strong constitutional argument, in which, it seems to us, he has the better of Governor Seward; but after a long correspondence, things stand as they were at the time of the demand.

[See Rochester Republican.

The New York Journal of Commerce says:
"Virginia, we take it, cares little for the surrender of the alleged fugitives in the present instance, compared with the maintenance of the principle for which she contends. The last is all that matters to her, and to the whole South. She cannot give up, and will not, nor would we, if we were Virginia, believing that it is a right secured to her by the national compact. If we adopt the doctrine of Gov. Seward, and act upon it, the only practicable alternative left to the slaveholding states, will be to adopt such measures in relation to vessels arriving in their harbors, as will effectually prevent the depredations complained of. Already we see it announced that the Virginia legislature has resolved that the sheriffs of the counties lying on the harbors, navigable rivers, &c. of this state, the duty of entering all vessels belonging to the state of New York, or about to depart therefrom, and make diligent search, in order to ascertain whether they carry slaves on board, and to take bonds, with adequate security, that the captain shall take no slave out of the bounds of the state without permission of his master, &c. &c. As to the right of Virginia to pass laws in relation to the constitution, we have no difference of opinion; but in our judgment she has as much as enough right to do it, as we have to steal her slaves, or to offer immunity to those of our citizens who may steal them. If we wish her to adhere to the constitution, we must adhere to it ourselves."

KENTUCKY.

A report, with a resolution sustaining the position of Virginia in her controversy with New York, has been introduced in the senate of Kentucky.

The resolution runs in these words: "Resolved, That the senate of the state of Kentucky, that they have carefully examined the letter of the executive of Virginia, and the preamble and resolutions passed by the legislature of that state, relative to the demand of the executive of Virginia on the executive of New York, for the surrender of three fugitives from justice, to wit: Peter Johnson, Edward Smith and Isaac Gansey—and the reasons assigned by the executive of New York for failing and refusing to comply with the demand, and in the opinion of the legislature of the state of Kentucky, the said reasons of the executive of New York for failing to surrender said fugitives—Peter Johnson, Edward Smith and Isaac Gansey—on the said demand, are wholly insufficient; and that, if the state of New York shall sustain the executive of that state in his conduct in refusing to deliver up said fugitives for trial in the state of Virginia, where the offence was committed, that he will place all the individuals named in imminent jeopardy, and demand from them not only their solemn protest, but render it necessary that they adopt measures for their own safety and preservation against the lawless acts of all slave stealing felons, as well as against the duty of obedience to their rights as constituted states."

Resolved. That the executive of this state cause copies of this report and resolution to be transmitted to the executive of Virginia, with a request that he lay the same before the legislature.

What, then, are the powers and duties of congress in reference to this fund? The first thing that strikes one is, that by the cession of Virginia a fund was created—expressly and officially a fund—to be used in the general charge and expenditure, for the use and benefit of all the states; and then by way of greater caution and more explicit declaration, adds, "and shall be faithfully and bona fide disposed of for the benefit of no other use or purpose whatsoever." It is manifest that Virginia had in view a money transaction—the creation of a fund to be in the hands of congress, to be disposed of for money purposes. While she ceded the jurisdiction of the lands, she enabled congress to discharge moneyed dues, and effect fiscal operations. I contend that this was a trust fund, to be used for the benefit of the United States, on certain conditions, and under restrictions, and that our control over it is limited by the nature of the trust. Here then, we have a fund created—a trust confided—and the objects of both specified, viz: to relieve the states from the burdens imposed by the confederation, and each state was to receive the benefit, according to its usual proportion in those burdens.

We must perform in full faith whatever duty was confided to us. Yet, considering the whole scope of the deed of cession, and not considering only the administration of this trust, we look to regard it exclusively in a money point of view, as mere pounds, shillings and pence. There are other and very high considerations which connect themselves with the subject. We must look to the other side; we act under trusts from Virginia and Connecticut and other ceding states, we also act under other trusts, of a very comprehensive nature, from all the states; and that each of these trusts must be administered in reference to the other. We look to them, and they are not to be inconsistent with it. If, because it is a fiscal trust from Virginia, we feel upon a calculation of mere pounds, shillings and pence, then we immediately run foul of the other trusts which we hold from the whole union. When we look to them, we are faithful to the one, we must be that we are unfaithful to the other; we must keep an eye to the whole, and carry on all our trusts together, as harmoniously with respect to each other as we can. We must destroy the one, or the other, or both, if possible. I am not for looking exclusively to the financial aspect of our powers, but for remembering that, in the discharge of them, there are also political relations which must of necessity be kept. No doubt, the cession of Virginia to the confederation was a political one—the states owning no land, seeing that the vast domain of other states might lead to an undue ascendancy in the confederacy, therefore proposed a cession for the erection of new states.

We a trust created then with a general fund which we are bound to administer in a spirit, at once, of liberality towards the new states, of just economy as regards our treasury, and of mere policy as regards the general good of our union. These new members of the confederacy have been made states much more quickly than ever was anticipated; they are treated as children, and have ever been treated, as favored children. They have grown and thriven with vast and unexpected rapidity; they are filling up with a teeming population, and are fast becoming of themselves a magnificent empire, which stands in the presence of the other states, not so as a child in the presence of its parents, but as one of full growth and proportions, on a far more extensive scale than the old thirteen, and destined at no distant day even to assert superiority over them. But, on the other hand, it should not be forgotten that while we have been so building the trust reposed in us as to promote and foster the well-being of the new states, we hold a trust for all the states of the confederacy, and hold it on the ground that this public domain on which these new states have sprung up is a fund—a common fund for the use of all the states. What was the feeling of Virginia when she made this cession in terms so guarded? She states the purposes for which she makes the cession, and then she adds that it shall be applied to these purposes, and to no other use or purpose whatever. And to show a spirit of caution in which she proceeded, she would not leave it to implication that her own rights were of course to be regarded with the rights of all her sister states, but added the words "Virginia included," thus making assurance doubly sure. There is not on the records of civilized nations a more illustrious instance of long-sighted, wise and devoted patriotism than this very act by the commonwealth of Virginia. She thus dismembered herself of an extent of territory larger than her own limits, and freely gave it to what she considered her benefactor—herself—that she might bestow this magnificent donation upon the union at large. And now, in her advanced age, when her lands were worn out, and

instead of being covered with waving harvests of wheat, are covered over with broom-sedge, when her finances are embarrassed, and we may almost say that in her old age she is actually impoverished, is it right, is it becoming, is it honorable, is it grateful to turn round and say to her, you are no longer entitled to any share in the benefit of this your own donation? Were there no other state in the union which might claim a share in the benefit of the proceeds of this public domain, surely it is our duty, it is your duty, it is my duty, to stand up for the rights of the Old Dominion, and to see that she shall retain some portion in that inheritance, which, from her munificence, she has freely bestowed upon us all.

In the administration of the public lands, we are not to oppress and pinch the west, so as to wring out the very last dollar the lands can be made to produce; we are not to be the part of a miserly landlord. We have not acted in this spirit. Never. On the contrary, I aver that we have acted towards these new states the part of a true-hearted and generous man. We have nurtured, and fed, and clothed them, till they are grown to the height and stature of adult strength long before they are of age. From being feeble and helpless and tottering, they have become strong and rich and able. But I require nothing more. No other land would I then in the same spirit still—a just liberal, affectionate and generous. I would foster their growth and improvement, and promptly defend them from Indian aggression; but, at the same time, as a trustee, I would look for some return of profit to the other states of the union.

Now, in the application of these general principles to the amendment which has been proposed by my colleague from South Carolina, in the first place I inquire whether this is a financial scheme at all, and if so, whether it is such an one as will be the relations in which we stand, it is just and proper for us to adopt? I cannot but regard it as it respects the relations in which we have received these lands. I require nothing more. No other land would I then in the same spirit still—a just liberal, affectionate and generous. I would foster their growth and improvement, and promptly defend them from Indian aggression; but, at the same time, as a trustee, I would look for some return of profit to the other states of the union.

What is the consideration reserved in this act of cession? It is an advantage to be secured in other words, it is a proposition to cede 33 per cent. of the proceeds of the public lands to certain selected states. What consideration for 33 per cent. of the proceeds of the public lands to certain selected states? We have been now for fifty years administering this trust. We have never yet sold a single acre of land. In fact, continually opening upon us. There seems something magical about it. It grows on us as we proceed. A portion of the trust estate has been destroyed, yet, just as fast as we have sold and consumed it, it has increased upon our hands. In proportion as we have succeeded in our legislation, a wider horizon has opened. At first, there was a wall of Indians and of foreign territory all around us, but with every rolling year its limits have been rolled back. It is not now bounded by the Miami, nor by the Wabash, nor by the Mississippi; nor, nor by the Rocky mountains. But my honorable friend here (Mr. Linn) invokes the senate to send its war eagle to the mouth of the Columbia river. We have not done with this trust, nor half done with it. We have built up an empire, and yet we are only on the threshold of our possessions. To show how little we have yet made by it in a financial

view, let me state that, from the returns as brought up to a very recent period, our expenses have exceeded our gains. We are not yet repaid for the expenses of the trust. We are more than five millions yet in debt. I speak of the whole domain, however derived. The cost and charges of managing this property have been \$102,000,000. The income from it has been not quite \$95,000,000. Nor is this difference of five millions to be balanced against us. Thus far the sales of the public lands have not reimbursed the expenses of their acquisition and preparation for sale. The following is the official statement of the accounts current of the United States with their

Statement of the cost in the acquisition and management of the public lands, and of the receipts arising from the sale thereof, to the 30th September, 1839.
The whole expenditure under the head of Indian department, from the commencement of the government to Sept. 30, 1839, so far as can be ascertained from the records of this office, amounts

By the convention of France of the 3d April, 1803, the United States paid for Louisiana, in such money as was received	\$15,000,000	
Interest on the stock, up to the time it became redeemable	8,329,353	
By the treaty with Spain of the 22d February, 1819, there was paid for the Floridas the sum of	5,000,000	
Interest on the stock constituted per act of 24th May, 1804, the proceeds for the purchase of the commissioners under the said treaty, up to the time it was paid off	1,489,769	6,489,769
The payments to the state of Georgia, on account of lands relinquished to the United States, including the value of arms furnished to the state, amounted to	1,250,000	
Amount of Mississippi cession issued under act of 3d March, 1815, and redeemed at the treasury, exclusive of the amount received in payment of lands	1,832,375	
There has been paid for salaries and contingent expenses of the general land office	1,126,609	
For salaries and incidental expenses of the several land offices, out of the proceeds of the sales of lands in the hands of the receivers	3,227,599	
For the salaries of registers and receivers under the act of the treasurer of the United States	92,902	
For the salaries of surveyors general and their clerks, and the commissioners for settling land claims, &c.	3,320,942	
And for the survey of public lands	1,062,531	

Cost, including foreign cessions and expenses of Indians	\$73,736,047
The cost in the acquisition and management of the public lands, exclusive of the sums paid for cessions from foreign governments, and expenses of Indian wars, for which specific appropriations were made	29,454,056
	102,290,103

Receipts into the treasury from the sale of public lands to September 30, 1839, exclusive of receipts from lands sold for the benefit of Indians

Treasury department, register's office, Feb. 1, 1839.	\$97,500,379
T. L. SMITH, register.	

NOTE. The records of this office exhibit no specific appropriations for suppressing Indian hostilities until 1836; prior to that year, the cost of wars with the Indians was paid out of appropriations for the army generally. The expense of Indian hostilities from 1st January, 1836, to 30th September, 1839, amounts to \$13,322,568 64.

The second does not include the heavy disbursements for Indian wars, which, swelled by the recent enormous expenses in Florida, may be safely set down at forty per cent. of the sum which he proposes to reserve. And that we shall have squandered not only well Virginia and the other states gave us, but also a large sum of money contributed by the old states in the form of taxes upon their citizens before the war. It is proposed to be benefited by the states. In the most obvious view of the case, we give out of the treasury, to a few favored states, thirty-five per cent. of many millions of dollars collected from the other states. By this

operation, Virginia will not only have given her lands, but her money also. She will have transferred her property and paid a sum to those who take it. The quantity of land proposed to be surrendered by this act of cession is, according to the report of the select committee, about fifty million of acres, lying in various portions of the nine selected states. Thirty-five per cent. upon this quantity is upwards of fifty millions of acres, certainly a munificent donation. The average income from these lands is about fifty cents per acre; last twenty years is about five millions of dollars.—Assuming this ratio, the annual grant in money to these nine states is more than a million and a half of dollars. It is equal to the civil list of those states. It is the same as the civil list of those states. It is the distribution of the whole net proceeds of the public lands amongst nine states.

It seems to me that the mode of calculation by which the mover of this amendment brings down the value of the lands is erroneous; and, whatever that value may be, we have no power to cast it away. One thing is certain, that the sales yield an income of five millions, and that, in all human probability, they will continue to do so for the next thirty years. The value of the lands, therefore, is correctly estimated by a very obvious process. The annual receipts should cover the annual interest, and provide a sinking fund for the capital. By this mode of calculation, then, allowing the income from the public lands to be equal at the end of thirty years, the present value in hand would be upwards of fifty millions; and the proportion thus reduced results in a donation, in present, of seventeen millions of dollars to the nine states. The greatest manifest by the report of the select committee is natural. There is a grandeur in this munificence which subdues the imagination, and casts into shade the vast donation of Virginia—differing from that, in that, while Virginia gave to all the states, hers being included, this proposition gives to one-third of the states, containing less than one-sixth of the population.

That the average of the last twenty years is a just, or at least a sufficient, basis of calculation, the proceeds of the public lands for the future, will be apparent from the consideration of the great increase of the population, which furnishes the demand for new lands. The United States now contain 18 millions of inhabitants, at the rate of increase of about 700,000 a year. The demand for new settlements will increase in a corresponding ratio with the population. It may be safely put down as increasing at the rate of four per cent. Experience, however, has shown that the rate of increase will not diminish, as the land has been picked and culled; but, on the contrary, those lands which have been longest in market are most freely sold, in proportion to the quantity in market. Thus, lands are rapidly taken up in Ohio, in Indiana, and in Kentucky for the obvious reason that a dense population makes inferior land more valuable in the midst of it, than more fertile districts in an uninhabited country.—There is but a million of acres of United States land now remaining unsold in Ohio, and even this is diminishing with an accelerated ratio. It therefore may be well assumed that from this source the U. States may enjoy a revenue of five millions, until very much the largest portion of the domain within the limits of the states is disposed of. In the period Florida, Iowa and Wisconsin will have brought their contributions to the general fund, and extended the period of this income to future generations. Reasoning upon this basis, it is to be seen, in thirty years from this time the demand for the public lands will be in proportion to a population increasing at the rate of two millions a year.

But there are other serious objections to this amendment, and I have the intention of stating from every quarter of the union to that which I am now about to state. The proposed mode of disposing of the public lands is altogether and to an enormous extent unequal in its operation. What I insist is, that there shall be at any time a perfect equality; that there shall not be discrimination and bounty in favor of one state and against another; but here there is a degree of inequality which, were there no other objections, would be sufficient to render my decision disqualifying me to decide on the public domain to each of the states respectively within whose territorial limits they lie. It is given to the states, not to individuals. It is given to them, not as being all the states, but as being part only of the states of the union. Should it be conceded to the states, it would be a violation of the original cession and of the constitution, as the advocates of this measure contend. It is to be ceded to the states, not in proportion to their contributions to the public burdens, or in proportion to the size or population, but simply as states. And what will be the result, as between one of the states and another?

Ohio exceeds Missouri in population four to one; and how does this amendment propose to distribute the public lands between these two states? The share of Missouri is to be the share of Ohio as more than twenty-eight to one, making the population of Ohio to be more than twenty-eight times as great as that of Missouri, and more than one hundred to one. Can Ohio stand by and see the public domain given away in this proportion? Nor is this all; for the one million of acres which Ohio gets is of lands which have been in the hands of the public for forty years, and has been picked and culled during all that time, while the thirty millions which are given to Missouri consist of fresh and fertile lands but recently surveyed.—Now let me ask, what will Virginia get? She contains the same number of acres as Ohio, and is in Missouri. Missouri is to get 25 per cent. of the thirty millions. How much does Virginia get? Nothing. This is not thirty millions to one; it is thirty millions to nothing. Besides, Ohio has now passed her chrysalis condition; she has now become one of the old states of the union. A million of acres is nothing to her. But this amendment gives her her dividend but of one million of old and refuse land, while it gives Missouri her dividend of thirty millions of new and of the very best quality of land.

Let us now look a little at the operation of this scheme in its details. I have here the report of the learned committee on public lands, made at the last session of Congress, and which contains the lands of the various states. Ohio, it appears, contains one million of acres of second, third and fourth rate lands, while Arkansas has forty-three millions of acres.

MR. SWAN, across—Yes, and it is rich! Yes, Arkansas is rich; and this is one of the schemes to make the rich richer, and the poor poorer. Arkansas has forty-three times as much of the public land as Ohio; at the same time Ohio has a million and half of inhabitants, while Arkansas has one hundred thousand. Thus, one hundred thousand people are to be benefited at the rate of forty-three millions of acres of land—rich land, as the senator tells us—while a million and a half of people in another state are benefited at the rate of one million of refuse land. Arkansas is to get two hundred and fifteen acres for each inhabitant, and Ohio one-third of one acre; being a difference of six hundred and forty-five in favor of Arkansas. Each acre in Arkansas is to be sold at the rate of one hundred and forty-five times as much as each inhabitant of Ohio. And so of the rest. Michigan has thirty-one millions of acres to Ohio's one million. Yet she has less than one hundred thousand inhabitants. The enormous disproportion of the land to the population that the avails of the public domain were to be shared among the states according to their several portions of the general charge and expenditure. Yet, here an inhabitant of Arkansas is to have one hundred and forty-five times as much of the public land as an inhabitant of Ohio; or, if you regard the two as states, one gets forty-three times as much as the other.

But it does not stop here. New states of the union are selected as beneficiaries: are they, then, to be confined to the avails of the land they receive? Not at all: after receiving that, they are then to come in and be common sharers with the rest of the states. We are to give them all their own lands, and a portion in our besides! Virginia is to get one-twenty-sixth part of one-half of these lands, and Arkansas, after having got her own thirty-one millions, is to share this one-twenty-sixth part with Virginia. I feel the difficulty of this land being given away, it will be at some rate more reasonable than this. The entire quantity of lands remaining unsold within the states enumerated in the senator's amendment is 184,000,000 acres; one-half of this will be 92,000,000 acres; one-third is 61,333,333. And the bill gives these 50,000,000 to nine states, the other states to get no portion of it.

I could run up this illustration yet farther; but I refrain. *Ex pede, Herculem.* These are sufficient. These are the striking views, but there are other considerations which weigh most heavily upon my mind, and which I should be most glad to see removed if this amendment is to be adopted, and is ever to become a law. In arguing this whole question, I feel the difficulty of my situation as argued against the wishes and expectations of those who are to receive the benefit. The nine states who are to get this magnificent domain have eighteen senators amongst those whom I am addressing, who have the right to direct the course of the legislation of the amendment than any of the rest of us. This, of itself, presents a powerful motive to secure their support to the measure; and this fact alone ought to make us pause before we hastily adopt the plan. The benefit to be granted is not common to us all, but peculiar to them—it is exclusive to us. They are to be benefited: we are to be injured.

In alluding to the strength of the motive here presented as likely to band together eighteen senators in support of this scheme, I mean to make no personal or offensive reference to those senators: it is a motive likely to act on all men placed in their circumstances, and seducing all equally, and very properly, to benefit their constituents; and, under the pressure of that desire, with such an opportunity for its gratification, the understanding even of the strongest is very likely to be warped in its conclusions, and to be drawn to the measure as the measure is perfectly just and proper. We must entreat gentlemen so situated, as I do now entreat them, to raise their views from the immediate interest of their constituents in such a cession as is now proposed to a just and enlarged view of the trust which has been confided to them for the benefit of the entire union. As it right—it is just—it is generous—to find their own peculiar interest in our loss and sacrifice; I throw myself upon them, that they will consider this subject on an enlarged point of view. Especially do I wish Ohio to do this, who is passing out of her state of minority and becoming of ripe age. Will Ohio consent thus to squander our common patrimony? I put it to Indiana, who is passing out of her state of minority. In this union; and I ask her whether to promote a transient interest to day she will be willing to sacrifice the permanent and abiding interest of to-morrow. Will she not will herself to the delusion that it is just to depend on the state of inheritance they have received from our ancestors?

The amendment will produce a state of things I earnestly deprecate. In the administration of this domain something is due to our past experience. We all remember the large sums of money which were once accumulated under the credit system of sale of the public lands; you remember that the debtors declared that they could not pay, and would not. The very same spirit which would induce them to take the land without a legal right prompts them to stand out for the money they ought to pay for it. Circumstances made it difficult, perhaps impossible, for them to pay; and I will recollect the terror with which the politicians of that day looked to the results of such a state of things. I remember with what anxiety, not to say terror, Mr. Monroe contemplated a debt of nineteen millions owed by one section of the union. Congress looked with dismay at the matter, and the debt was paid by Mr. Monroe, and in contemplation of the mischievous effects arising from the credit system, in relation to the public lands, you determined to alter your terms of sale; and it was wisely decided to sell to individuals, and not to the states. The debt, due from individuals, be an evil of so dangerous a character as to excite their terrors, how fearful will it become when this debt, instead of being dispersed among a number of individual settlers, is consolidated into one debt, and that one debt, which has already, from time to time, made claim to an indefeasible title in all this land! Can you collect it? You cannot drive your debtors from the land. Will you call out the force of the country—and send your army—sell the land under them, and the possession of it for the United States? It cannot be done. To individuals, in such a case, you can afford to yield, and make a compromise; but how will you stand when you have made states your debtors? The amendment will place the power of debtor and creditor between this government and entire states—with neighboring, with contiguous states—with a mass of states, all having on common territory in the question, one common character, and one common debt. It will place one debtor like this to collect your debt by any process. The thought is idle. I estimate the honor and fidelity of the states as much as any man; but what have we heard for the last few years, from the other side of the Atlantic, but with denunciations of state extravagance—state prodigery—and the dear, blessed people to be taxed to pay state debts! Suppose there comes a short crop, or an Indian war, or any other of the kind of contingencies, would it not be urged as an excuse for the state to suspend its payments? And would you venture, under such circumstances, to call upon them for your money? You dare not. Gentlemen have told you, in one breath, that you cannot produce your lands from the squatters either by your title, or by your sale; and in the next breath they tell you you can force whole states to comply with their contracts by the power of the judiciary! Your army cannot remove a hand from the land, and yet you are going to drive the states by your title, or by your sale, to turn off a poor squatter, who has no sort of title, or evidence or pretence of title; and yet you are, by the most obligatory provisions of this bill, to oust a citizen of his land, having a title from the state in his pocket, and the whole state who stands between him and you! If a state shall declare that

they will not pay you, do you expect that individuals of that state will? God forbid I should ever see the day when this comes to be tried, or that I should contribute to the possibility of superintending it. You place the power between two fires. The state is to hold him to hold his land; the general government orders him to give it up. He is to be hung by the state if he disobeys the state government; and if he obeys the state, then he is to be hung by the general government. You are to force your country into a predicament; the judiciary is utterly incapable of it. The remedy which the amendment provides for the case is utterly inefficient. It is, that, if the states refuse to pay, then the deeds made by the states to individuals shall be voidable. But why? I have said, with no deed at all, the settlers have stood out against you, and you have been forced to yield, over and over again; think you that, with a state deed to show, and the state authority to support them, they are going to march off their farms at the bidding of your marshal? He would be a bold man who would carry a process there. I say, then, that there is great danger in your establishing the pecuniary relation of debtor and creditor with the states. If they cannot pay, they will not pay. They will resist in masses. They have eighteen senators on this floor; and it is already their boast that in ten years from this time they will hold the balance of power, and then they will be able to govern their own territory. The remedy proposed by the amendment is altogether fallacious. It proposes to divert a vested right, and to drive a man from lands that he has bought and paid for.

Something of the same kind is to be done by congress, (and the measure, I admit, was supported by myself, among others,) by which the states became debtors to this government for a distribution of the surplus in the treasury. And what has become of your debt? Who takes for it? I have said more such a demand? Have we not, in the very face of this debt of twenty six millions due from the states, borrowed money to supply the wants of the government from day to day? The secretary of the treasury tells us that twenty six millions of the treasury notes with the states, and in the same breath asks for an issue of five millions of treasury notes; if they will not pay it, and we dare not ask them for it, I would not wonder if you were to grow into a debt. Some difficulty will occur concerning it, and you will forgive them all. Let us not, then, take the first step—let us not make debtors of states too powerful for your management. A contest will arise, and if they are too strong for you, they will be subjected to them; and if you are too strong for them, it will be yet worse, for they must be subjected to you.

On these grounds I am opposed to the scheme of the senator for a cession of the public lands. I trust I shall always be ready to promote the interest of the new states; but I am not willing to see such an inequality of division among them as that one man shall receive 625 acres of this domain, while another man gets but one acre. I cannot consent to establish the relation of debtor and creditor with the states, and so lose all.

There is one other objection to the measure, to which I shall barely allude. I am strongly impressed with the idea that, while the Old Dominion, pressed with the cession of her territory, wisely and cautiously provided that the benefit should be ratably divided among all the states, (and therefore among the western states,) she has not yet taken the same point of view, in which that cession is to be regarded as as a financial transaction. In regard to the proposition for a distribution of the proceeds, commonly known as the land bill of the distinguished gentleman to my right, (Mr. Crittenden,) I occupied a peculiar position. I was the undersecretary of the treasury, I have been against it; but, in connection with the surplus revenue, it was for it. I was for a distribution of the surplus revenue accumulated in the treasury, and of the proceeds of it. We distributed both the land revenue and that from the customs. We have now the subject of the tariff opened again, or soon to be opened. All questions before us in regard to the tariff are complicated with the financial system of the United States. If I had the control of matters, I would set down five millions as the income from the public domain, and I would then have a moving scale of duties in proportion to the wants of the government. But this is scarcely likely to be done. The tariff, I suppose, will be fixed, and not moveable, with a view to give permanence to our great interests. That they will, to a certain extent, be permanent, no man, I think, can doubt. How the proceeds of the tariff are to be applied is a different question. I think they should be adjusted contemporaneously with the tariff, or else suspended till the tariff is settled.

I cannot but regard the proceeds of the sales of the public lands as a portion, and a very important portion, of the public revenue at all times, but more especially now, when there is a public debt actually existing, and a proposition before congress to increase it. One of the peculiar purposes to which the old congress appropriated the income of the public lands was the payment of the national debt. We have, at this moment, an acknowledged debt of nearly five millions. The secretary of the treasury demands an increase of five millions to meet pressing emergencies; and no one doubts that, in deferred payments, in existing charges, in unsettled balances and unadjusted claims, there are five millions more. Thus, if the proceeds of the sales of the lands there will be a national debt of fifteen millions.—This is no time to give away any portion of our income, neither to all the states nor to a portion of them—neither to twenty-six states nor to nine. If these proceeds are to be abstracted from the general treasury, it were manifestly best that they should be disposed of to the states generally. That would be an approximation to justice and equity; but the highest justice and equity—the most honest and obvious justice—would be to apply these funds to the payment of the national debt.

The proposition of the senator from Missouri, to appropriate these proceeds to the navy and the public expenditure, is conceived in so high a spirit, and is so well calculated to enlist our sympathies and excite the imagination. I heartily concur with him in his estimate of the propriety of doing something for the navy. That important branch of the public expenditure has been too much neglected. It merits, at all times, the highest consideration. In this condition excites our most anxious attention. Its glory and its usefulness cannot be too highly estimated, and I fear it has fallen into great disrepute. It must be inviolably inviolable. Its glorious condition has been superseded, but it is due to our most precious recollections—to our highest interests—to all that pride and patriotism can enforce—that it continue no longer. That admission which has been built up the navy, requires its energies, and revive and stimulate its waning spirit, will deserve the eternal gratitude of the country. As far as the public purse can contribute to this, I would not circumscribe our appropriations. I would not limit it to any one thing amongst us which may be called national, it is the navy. I would not limit it to any sum, however ample. Its only limitation should be, the capacity of our commercial marine to man it, and up to that point we should be inviolable. We are engaged in commerce in the four quarters of the world, equipped and inspired to protect it and our honor against all opponents.

TWENTY-SIXTH CONGRESS—24 SESSION.

SENATE.
February 1. The vice president laid before the senate, a communication from the war department, containing an abstract of the general return of the militia of the United States.

Also several memorials from the legislature of the territory of Iowa asking grants of land for various purposes.

Mr. Mangum presented the resolutions of the legislature of North Carolina, in favor of the distribution of the public lands among the several states and territories.

Mr. Bayard, of Delaware, presented the resolutions of that state to the same effect.

Messrs. Bayard and Clayton successively addressed the senate expressive of their approbation of the doctrine of the resolutions.

The resolutions were read, ordered to lay on the table, and were then printed.

Mr. Sturgeon presented the resolutions of the legislature of Pennsylvania in favor of the distribution of the proceeds of the public lands.

Mr. S. took occasion to observe that, so far as the general tenor of the resolutions were they were sustained by his vote. Although he was not disposed to yield implicit obedience to the doctrine of instruction in all cases, yet these resolutions having passed the legislature of his state, he regarded them as the expression of the sense of the measure, and should cast his vote accordingly.

The resolutions were read, laid upon the table, and ordered to be printed.

Mr. Norvell presented resolutions from the legislature of Michigan asking that a bill might be passed for the completion of all the lakas harbors commenced by government.

Mr. Austin presented resolutions from the legislature of Iowa, in favor of the enactment of a law for the completion of the canal from the mouth of the Mississippi to the Gulf of Mexico, which were referred for the completion of all the lakas harbors commenced by government.

Mr. Wright presented similar memorials from citizens of the state of New York.

Mr. King reported a bill to authorize a survey to ascertain the practicability of re-opening the communication between Albemarle sound and the Atlantic ocean with an amendment.

He also asked that the committee on commerce be discharged from the further consideration of the memorial in relation to the erection of a new custom house at Philadelphia; the committee being of opinion that in the present condition of commerce it was inexpedient to increase the expenditures of government.

The senate then proceeded to the discussion of the memorial of the citizens relating to the permanent and prospective pre-emption system, when Mr. Young rose and delivered his views in support of his amendment, which was to adopt the principle of cession.

Mr. Fulton followed, and spoke at length, chiefly against the distribution, and in favor of pre-emption.

On motion of Mr. Hubbard, the senate adjourned. February 2. The vice president laid before the senate resolutions from a meeting of citizens of Calhoun county, Florida, asking for admission into the union.

Mr. Hubbard from the committee of claims asked to be discharged from the further consideration of the memorial from the legislature of Georgia, asking re-muneration for depredations committed by the Creek Indians.

Mr. Fulton reported a bill to authorize the selection of school lands in lieu of those granted to the half breeds of the Sac and Fox Indians.

The permanent prospective pre-emption bill being under discussion, Messrs. Hubbard, Calhoun, Webster, Benton, Clay, of Alabama, Pierce, Henderson, and others successively addressed the senate.

Mr. Rives having concluded, Messrs. Roane, Porter and Crittenden, made a few remarks, each when the question was taken on the motion of Mr. Young to strike out all of Mr. Crittenden's amendments, and insert in their stead the principle of Mr. Calhoun's bill to cede the public lands, with the addition that the 63 per cent. allotted should be assigned for the increase of the army and the national defence, and was decided as follows:

YEAS—Messrs. Bayard, Bates, Buchanan, Clay, of Kentucky, Clayton, Crittenden, Dixon, Gresham, Henderson, Kerr, Knibb, Mangum, Merrick, Phelps, Preston, Rives, Rogers, Smith, of Connecticut, Smith, of Indiana, Southard, Sturgeon, Tallmadge, Wall, Webster, White, Whittier, Young—39.

The question was then taken on the motion of Mr. Crittenden, to recommit the bill with such instructions as would embody the two principles of pre-emption and distribution, and was decided as follows:

YEAS—Messrs. Bayard, Bates, Buchanan, Clay, of Kentucky, Clayton, Crittenden, Dixon, Gresham, Henderson, Kerr, Knibb, Mangum, Merrick, Phelps, Preston, Rives, Rogers, Smith, of Connecticut, Smith, of Indiana, Southard, Sturgeon, Tallmadge, Wall, Webster, White—22.

NAYS—Messrs. Allen, Anderson, Benton, Calhoun, Clay, of Virginia, Clayton, Crittenden, Hubbard, Leno, Lumpkin, Morton, Nicholas, Nicholson, Norvell, Pierce, Porter, Preston, Rives, Roane, Robinson, Sevier, Smith, of Connecticut, Tappan, Walker, Wall, Whittier, Young—31.

The question then recurring on the passage of the bill, it was decided as follows:

YEAS—Messrs. Allen, Anderson, Benton, Buchanan, Clayton, Crittenden, Dixon, Henderson, Hubbard, Knibb, Leno, Lumpkin, Mangum, Nicholas, Nicholson, Norvell, Pierce, Porter, Robinson, Sevier, Smith, of Connecticut, Southard, Sturgeon, Tallmadge, Tappan, Wall, Webster, White, Whittier, Young—31.

NAYS—Messrs. Bayard, Calhoun, Clay, of Kentucky, Clayton, Crittenden, Dixon, Gresham, Henderson, Kerr, Knibb, Mangum, Merrick, Phelps, Preston, Rives, Roane, Rogers, Southard—19.

So the bill was passed.

Mr. Sevier moved to strike out from the title of the bill the words "and raise a log cabin there." Mr. White was glad the senator had moved in this matter, he had voted for the bill in good faith, and thought no title should go forth which implied a sarcasm on the part of the senator.

The question of Mr. Sevier's motion was taken, and carried by an overwhelming vote.

Mr. Crittenden moved to take up the bankrupt bill, with a view to have it made the special order for to-morrow.

Mr. Sevier was anxious to take it up and all out the discussion.

Mr. Calhoun moved that the senate adjourn.

At the request of Mr. Buchanan, Mr. Calhoun withdrew his motion for adjournment, when the latter assigned his reasons for desiring to postpone the further consideration of the bill till the next session.

Mr. Buchanan having concluded, on motion of Mr. Calhoun the senate adjourned.

February 3. The vice president laid before the senate a message from the president of the United States relative to the ratification of the boundary line between the state of Michigan and the territory of Wisconsin.

Mr. Buchanan presented eleven memorials from the saddlers and harness makers of Philadelphia, asking an increase of duties on certain articles of saddlery and harness.

Mr. Smith, of Indiana, reported a bill to change one term of the circuit and district courts of Ohio, from Columbus to Cincinnati, which was laid over until to-morrow.

Mr. Wall reported a bill to amend the judicial system of the United States.

Twenty-five hundred copies of Plitt's reports upon the management of the post office department in foreign countries were ordered to be printed, without the accompanying documents.

Mr. Merrick moved to take up the joint resolution for the transfer of the stock of the U. States in the Chesapeake and Ohio canal to the state of Maryland; but the motion failed.

On motion of Mr. Crittenden the senate agreed to take up the bankrupt bill; but as it was late, it was, on motion of Mr. King informally passed over, to enable the senate to go into executive business.

After being engaged some time therein, the senate adjourned.

February 4. The vice president presented a communication from the secretary of the treasury in reply to a resolution of the senate requiring a plan of home valuation on goods imported, instead of valuation in foreign countries, which was ordered to be printed.

Mr. Allen, of Ohio, and Mr. Clay, of Kentucky, presented memorials in favor of a general bankrupt law.

Mr. Williams, from the committee on naval affairs, reported a joint resolution on the subject of American rotted hemp—which was read and ordered to a second reading.

Mr. Merrick reported the bill to amend and continue in force the act to incorporate the inhabitants of the city of Washington with an amendment, which was ordered to be printed.

The bill establishing a general bankrupt system was taken up, when amendments were proposed which led to debate, which continued to a late hour, and without coming to any decision, the senate adjourned.

February 5. The vice president submitted a report from the secretary of war, containing the accounts and disbursements among the Indians for the year ending September, 1840.

Also, a report from the same officer relative to the Potomac aqueduct.

Mr. Walker submitted a resolution which was adopted, inquiring into the expediency of building a steam grigate.

Mr. Walker, also submitted a resolution, which was agreed to, requesting the president to communicate any correspondence he may have had with any foreign government relative to the negroes taken on board the L'Amiral.

Mr. Wall submitted a resolution, which was agreed to, requiring the secretary of the navy to furnish a copy of the reports made by the navy officers repealing fire arms, in October and December, by a board of navy officers appointed to examine the same. As also the report made by a board of army officers on the repealing fire arms of Ninig.

The greater part of the day was occupied in discussing the resolution for surrendering to the state of Maryland the interest of the United States in the Chesapeake and Ohio canal stock; which was very zealously and earnestly supported by Mr. Merrick, and amended on the motion and upon the argument of Mr. Huntington, by inserting a proviso requiring the assent of the cities of the District in reference to their residuary interest in the stock. Thus amended, the resolution, in the following form, was ordered to be engrossed for a third reading by a large majority:

Resolved by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury be and he is hereby directed, and directed, if he shall receive satisfactory proof within five years that the Chesapeake and Ohio canal is completed to the town of Cincinnati and that the state of Maryland has provided by law or otherwise that the United States shall at all times hereafter have the right to transport upon the said canal, through its

whole length, all such troops, munitions of war, and military stores as the public interest and convenience may require to be transported on the same free of all charge, and that the rate of tolls shall forever hereafter be equal throughout the whole length of the said canal, and that the stock of Maryland in due form of all the stock in the said Chesapeake and Ohio canal subscribed by and standing in the name of the United States; and also to assign and transfer all the interest, right title and claim of the United States in and to the stock in the said canal, standing in the names and originally subscribed by the respective cities of Washington, Georgetown and Columbia, and have been conditionally transferred by them to the United States, subject to all the rights of said cities, and each of them, contained in, and recited in the act entitled "an act for the relief of the several corporate cities of the District of Columbia," approved May 20, 1836.

Provided, however, That the assent of each of said cities to this transfer shall first be given, in due and legal form, under the corporate seal of the said cities respectively, to a certificate thereof, to be delivered to the secretary of the treasury, the consent of the cities aforesaid being only required for the transfer of the stock respectively; and the want of the consent of any one of said cities shall not defeat or delay the operation of this resolution for all other purposes.

And provided also, That the said state of Maryland shall provide for the payment out of the corporate funds and treasury of the said state, of all the outstanding debts and legal liabilities of said Chesapeake and Ohio canal company.

The resolution has yet to pass its third reading.

February 5. The vice president laid before the senate a report from the treasury department, showing a statement of the contracts entered into by the department for the year 1840.

By Mr. Norrell, from citizens of Michigan, in favor of a bankrupt law.

By Mr. Preston, from persons engaged on the public buildings, asking compensation for the time they were engaged on the same.

By Mr. White, from citizens of Laporte, Indiana, asking the passage of a bankrupt law.

By Mr. Wall, from women of Pennsylvania, asking an alteration of the law of the United States in relation to slaves. [Motion to receive ordered to lie on the table.]

Also, from Samuel Raab, asking the government to purchase the right of his "double self-acting safety valve," and that a law be passed requiring its use.

By Mr. Young, from the general assembly of Illinois, asking an appropriation for the construction of a marine hospital at the city of Cairo, in that state.

By Mr. Ruggles, from a number of fishermen and others engaged in the cod fishery, remonstrating against the repeal of the fishing bounties and allowances.

By Mr. Sturgeon, from citizens of Philadelphia, asking that a light house may be erected on Brandywine shoals.

By Mr. Wright from the chamber of commerce of New York, proposing certain provisions to be incorporated in the bankrupt bill.

By Mr. Webster, from citizens of Oneida county, New York, praying that the Seneca Indians who have not given their assent to the treaty between that tribe and the United States may not be compelled to emigrate from the lands they now occupy.

By Mr. Hubbard, from the legislative council of Wisconsin, asking a law to define the western boundary line of Wisconsin, so that the centre of the Mississippi may constitute that boundary.

On motion of Mr. Clay, of Alabama, Resolved, That the committee on public lands be instructed to inquire into the expediency of attaching the Cherokee territory lying in Alabama to the Coast land office, and the removal of the land office to some point within the territory so attached.

Mr. Liss submitted the following resolution: Resolved, That the committee on military affairs be instructed to inquire into the expediency of procuring a sufficient number of the most approved repealing fire arms to supply the troops operating against the Indians in Florida.

On the report of Mr. Smith, of Indiana, the bill to alter the terms of the circuit and district courts of the United States was considered in committee of the whole.

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and second time and referred to the committee on finance.

Mr. Merrick made an unsuccessful motion to have the bills for rechartering the District banks taken up. The following is the vote:

YEAS—Messrs. Bayard, Clay, of Ky. Clayton, Dixon, Graham, Mangum, Merrick, Phillips, Prentiss, Preston, Rives, Ruggles, Sevier, Smith, of Ind. Southard, Webster, White—18.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Crittenden, Fulton, Henderson, Hubbard, King, Linn, Lumpkin, Mason, Nicholas, Norrell, Pierce, Porter, Roane, Robinson, Smith, of Conn., Sturgeon, Tappan, Walker, Wall, Williams, Wright, Young—27.

The senate then proceeded to the discussion of the special order, being the bankrupt bill. The question being, "Shall the motion to reconsider the bill to the committee on the judiciary, with instructions to incorporate in it the following provision, viz:

First. Proper and suitable provisions to embrace all banks and all other trading incorporations in its prospective operation.

Second. Proper and suitable provisions to give the creditors of every bankrupt an opportunity to choose the assignee of the estate, and only authorizing the judge to appoint when the creditors omit to do so.

Third. Proper and suitable provisions to secure to every bankrupt, when the commission of bankruptcy issues upon the application of creditors, a right to appoint an assignee, who shall be chosen by a majority in number and interest of his creditors, to supersede the commission, and to give authority to the judge to grant the application.

Fourth. Proper and suitable provisions to authorize the judge, or court, in bankruptcy, in case any bankrupt shall, pending the proceedings, offer a composition to his creditors which shall be accepted by three-fourths in amount of them, to compel the acceptance of the composition by the remaining fourth in amount of the creditors, or rather to accept it for them, and discharge him.

Fifth. To strike out from the bill all provisions which secure preferences to any class of creditors in any state, which are not equally preferred by the laws of all the states and all voluntary preferences by the bankrupt in all cases.

Sixth. Proper and suitable provisions to punish, as felony, any intentional concealment, or withholding of any part of the assets from his assignees by any bankrupt, or the converting at any fictitious claims against his estate.

After a few remarks from Messrs. Hubbard, Crittenden and Wright, the question was then taken on the motion to reconsider; which motion was lost as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Hubbard, King, Linn, Lumpkin, Pierce, Roane, Robinson, Smith, of Connecticut, Sturgeon, Tappan, Wall, Wright, Young—27.

NAYS—Messrs. Allen, Bayard, Clay, of Ky. Clayton, Crittenden, Dixon, Fulton, Graham, Henderson, Knight, Mangum, Merrick, Mason, Nicholas, Norrell, Norrell, Pierce, Porter, Prentiss, Preston, Rives, Ruggles, Sevier, Smith, of Indiana, Southard, Talmadge, Walker in W. bates, White, Williams, Young—30.

Mr. Hubbard then moved to amend the bill by inserting the provisions above referred to, and desired to record his name singly on each of the provisions.

The question a long and animated debate ensued, which lasted till 4 o'clock—Messrs. Clay, of Ala. Sevier, Wright, Calhoun, Hubbard and others participating.

On motion of Mr. Tappan, the senate adjourned.

February 6. The vice president laid before the senate a communication from the president of the United States, containing a report of the commissioners for exploring the northeastern boundary, in addition to what had been before communicated.

Also, from the treasury department, in compliance with a resolution of the senate, showing the quantity of public lands ceded to each of the states for certain specified purposes.

Mr. Norrell, on leave, introduced a bill authorizing "an act to establish the judicial courts of the United States," which was read on the 24th of September 1789, was considered in committee of the whole and ordered to be engrossed.

The senate then proceeded to the discussion of the special order, being the bankrupt bill, when Henderson rose and delivered his views at length.

Mr. Walker followed, and the debate was further continued between Messrs. Calhoun, Walker and Clay, of Alabama, when Mr. Sevier said that the discussion of this bill had already taken up a great

deal of time, and, so far as he could see, without any prospect of bringing it to an end; he would therefore move to lay it on the table.

Mr. Benson then moved that the senate adjourn; which motion was carried.

HOUSE OF REPRESENTATIVES.

Monday, Feb. 1. Mr. Hines Holt, of Georgia, elected in the place of Judge Colquit resigned, appeared, was qualified and took his seat.

The speaker presided at the close of Mr. Sherrod Williams, for short mileage charged by him during former sessions, and observed, that, as during a part of the time charged, the chair was occupied by another, he did not feel himself authorized to issue his warrant.

Mr. Wise moved that it be referred to the speaker. It was, however, after debate laid on the table.

On motion of Mr. Jones, the house went into committee of the whole on the treasury note bill. Mr. Vanderpool addressed the committee until past 4 o'clock, when Mr. Triplett obtained the floor, and the committee rose.

Mr. Fillmore moved a resolution to take the treasury note bill out of committee, which was received.

After attending to various private bills, the house adjourned.

Tuesday, Feb. 2. Mr. Sergeant, of Penn. asked leave to present a resolution of the legislature of that state, instructing their senators, and requesting their representatives in congress to vote against all attempts to deprive the people of their just portion of the public lands, and further to advocate the passage of a law to distribute the proceeds of the sale of lands among the several states and territories, which were laid on the table and ordered to be printed.

Mr. Lincoln moved a resolution, which was adopted, directing the further printing of the report of the commissioner of the land office, together with the accompanying maps, as also the further coloring of the latter.

Mr. Fillmore then modified his resolution, extending the time of the consideration of the treasury note bill in committee, till the 3d day of February inst. at 3 o'clock P. M. which resolution, thus modified was assented to.

On motion of Mr. Jones, the house went into committee of the whole, and took up the treasury note bill, on which Mr. Triplett was entitled to the floor.

Mr. T. gave way for a moment; and Mr. Curtis, of N. Y. gave notice of an amendment which he should move, when in order, which was read, and is as follows:

And be it enacted, That whenever proof shall be exhibited to the satisfaction of the secretary of the treasury of the loss or destruction of any treasury note issued under the authority of any act of congress, it shall be lawful for the secretary, upon receiving bond, with sufficient security to indemnify the United States against any other claim on account of the treasury note alleged to be so lost or destroyed, to pay the amount due on such note to the person who had lost it, or in whose possession it had been destroyed."

Mr. Triplett spoke at length on the financial condition of the country, and in reply to previous arguments. The gentleman from New York, (Mr. Vanderpool), had taken the cry of a national debt, had raised by the white party, to justify a called session of congress. Mr. T. denied that there was any whig member of this or the other house, who desired an extra session, unless driven to it. A called session was not a secret, and there might be others still greater. It is now absolutely necessary for this government to restore our national honor—to protect our national faith—by paying our national debt. He asked gentlemen of the opposition to lend him the aid of their votes. The honorable gentleman, the head of the committee of ways and means, was sincere in the expression of hope, that the whigs would not be pushed into the necessity of a called session of congress. He asked attention, and he would not be deceived by which this necessity might be obviated; he would shew, conclusively, that, unless the gentleman and his party interpose to this house, the necessity of a called session would be rendered inevitable. What is the state of our treasury? This is the first matter that naturally attracts the attention of a president, when he takes on him the administration of government.

The secretary of the treasury had said, that on the 1st January, 1841, there would be a surplus of \$1,580,000, in the treasury—it was a mere estimate. Let us ascertain whether it would turn out so. The 1st January had now past, and for what are we now in committee? Is it not to devise a means and mode of paying the debt of our treasury? He then went into an examination of the present state

of the treasury, and estimated that there would be a debt of eighteen or twenty millions dollars, which the next administration will have to pay.

He was a tariff man to some extent, but justice required, that it should be levied for revenue, on these articles where it would be least felt. When he concluded,

Mr. Coles, of Va. took the floor—Mr. C. very reluctantly entered into this debate. He had heretofore voted with a silent vote. His views were now on the eve of a great change in the policy of the country—questions which have not been decided by the people, and of vital consequence to their interests, and those of his constituents.

He then entered into an examination of the trade of the United States and France, in cotton, tobacco, &c. opposing the tax on wines and silks, and supporting the bill.

He was followed by Mr. Black, of Georgia—Mr. B. dwelt at length on the various topics connected with the bill, he opposed the taxing of wines and silks, and could not but look on it as a direct attack on France. He supported the bill. When he concluded,

Mr. M. Waller gained the floor, but gave way to a motion that the committee rise, the vote on which being taken, there appeared no quorum, when the committee rose and reported that fact to the house. Mr. Afford moved that the house again resolve itself into committee of the whole on the state of the union.

Pending which, a motion was made by Mr. Adams, that the house adjourn. The vote on which was taken by yeas and nays at the call of Mr. Lee, and the house adjourned. Yeas 57, nays 26. And then the house adjourned.

Wednesday, Feb. 3. On motion of Mr. Cushing, the house proceeded to the consideration of the resolution from the senate relative to counting the votes of *president* and *vice president*, which being adopted, Messrs. Cushing and Jones were appointed the committee on the part of the house.

Mr. Stearns moved to reconsider the vote taken yesterday on the resolution offered by Mr. Fillmore, relating the committee of the whole from the further consideration of the treasury note bill, after today.

Mr. Wise hoped the vote would be reconsidered with a view of allowing him an opportunity of offering the following amendment:

That the treasury notes outstanding and unredeemed issued under former laws of congress added to the amount of such notes issued under this act, and actually expended or issued to meet payments on the 1st day of March next, before the 1st day of March next, shall, on the 4th day of March next, exceed the sum of five millions of dollars, then the president of the United States shall, and he is hereby authorized to issue, by virtue of the provisions of this act, such further amount of the said notes as will make the whole amount issued under this act, and applicable to payments falling due on the 1st day of March next, the full sum of five millions of dollars.

Mr. Peck hoped that the vote would not be reconsidered on the ground that the coming administration will not have authority to issue paper money. The day for them had gone by. He inquired if a majority could reconsider this vote.

The speaker said they could.

After some further conversation by Messrs. Lewis Weston and Charles Johnston, the previous question was called by Mr. Waterson and sustained.

The main question was then taken by yeas and nays at the call of Mr. Wise, and the motion carried—yeas 96, nays 53. So the house reconsidered.

Mr. Wise then moved to amend the resolution of the gentleman from New York (Mr. Fillmore), providing that after 3 o'clock, P. M. to-day, (3d Feb.) the debate on this bill shall cease, and the committee be authorized to vote on the various amendments submitted, and to be submitted, and report this bill, with the amendments agreed to by the committee, to the house.

After some remarks by Messrs. Cushing, Wise, Brainerd, and Davis, the previous question was called by Mr. Turney.

Mr. Everett moved to lay the resolution on the table, and on that motion called the yeas and nays.

The speaker inquired whether it was in order for him to withdraw his resolution.

The speaker said it was.

Mr. Fillmore then withdrew the resolution. He was satisfied it would cause much debate.

Mr. Wise said he would renew his amendment, and the yeas and nays were taken.

The speaker said it would be necessary for its reception to suspend the rules.

Mr. Morgan moved that the house now resolve itself into committee of the whole. Which motion was carried by yeas and nays at the call of Mr. Stearns, and carried, yeas 92, nays 61.

Mr. Wise rose to a point of order. He asked whether it was in order to withdraw this resolution, which had yesterday been adopted, by a most decisive vote—of two-thirds, and asked if that was the speaker's decision.

The speaker said it was, and it was now too late to raise the point of order—as the resolution had been withdrawn. Mr. Wise then said, he felt compelled to appeal from the speaker's decision.

The speaker said it was now too late to appeal, as a motion had already been made to go into committee.

Mr. Wise then gave notice of his appeal, when it should be in order.

The house then resolved itself into a committee and resumed the consideration of the treasury note bill.

Messrs. Waller, Brackenridge, Monroe and Afford respectively addressed the chair. When the latter had concluded,

Mr. Shepard obtained the floor, and moved that the committee rise, which was carried.

The house then, on motion of Mr. Briggs, adjourned.

Thursday, Feb. 4. Mr. Frelson, of S. Carolina, on the point of order, asked Mr. Cushing, of Mass. and Mr. Jones, of Va. on the part of the house of representatives, have been appointed tellers to count and make lists of the votes of the electors of president and vice president of the United States, which are, under the act of the union, and are to be opened and counted, in the house of representatives, on Wednesday next, the 10th of February, inst.

The house, in further execution of the special order of the day, resolved itself into committee of the whole on the state of the union, and proceeded to the consideration of the bill to authorize the issue of five millions of dollars in treasury notes. Mr. Cusey, of Illinois, was again called to preside over the deliberations of the committee.

The debate was commenced at length by Mr. C. Shepard, of N. C. and Mr. Garland, of Va.

While the latter gentlemen was alluding to the incidental questions as to the tariff, which had been agitated during the debate, he yielded the floor, for purposes of explanation, to Mr. Barnard, who said, that he should desire to have an opportunity of saying a few words more before this discussion closed, chiefly by way of reaffirming the propositions he had introduced, and of going into some further explanations.

I will now only say (continued Mr. B.) that if I am referred to as having introduced any proposition for a protective tariff, it is an entire mistake. I say it is an entire mistake.

In the first place, no proposition in relation to a tariff is regularly before the committee. My proposition was to strike out the enacting clause; and then I did give notice that, if that motion prevailed, I should, when we came into the house, move the house to send the subject of supplying the wants of the treasury back to the committee of ways and means, with instructions to report two bills; that the object of one of the bills should be to borrow ten millions of dollars, upon bond or scrip; and that the object of the other should be to supply to the revenue a deficit which was certain to take place in the year 1842. And the proposition was that it should be supplied by levying duties on articles now coming into the country free or nearly free. I proposed that the committee of ways and means, to that extent, should be instructed; and I expressly said in the same instructions, that they are to keep in mind the fact, that the tariff is now a compromise act. There is no proposition here for protective tariff—nothing of the sort. It is true that, when I came at last to wind up my remarks, and to refer to what I, as an humble individual, hoped would be the result of the coming administration, I expressed the hope that a tariff for revenue (within the compromise act) might be so arranged by compromise, as that it might continue to afford protection against the aggression of foreign legislation. I said that was not a single remark made by me in my speech the other day, which could, by possibility, lead to the supposition, that I was in favor of a protective tariff; and if any one so supposes, (indeed I have been charged often, in the course of the debate, with advocating a protective tariff, for a tariff, but a high protective tariff), I say such are not my sentiments, nor have I made such a proposition. What I wish especially now to say is, that there is no proposition before the committee emanating from me, as to be made by me, for any other tariff than simply a tariff for revenue, and without any regard whatever to a tariff for protection.

Mr. Garland having concluded, Mr. Adams obtained the floor, and addressed the committee at great length on various topics.

Mr. Wise rose in explanation several times, and at the close of Mr. A's remarks, made a brief rejoinder to certain portions of them which reflected personally upon himself.

The chairman then gave the floor to Mr. W. C. C. Johnson, who yielded for a motion that the committee rise. Which prevailing, the committee rose, reported progress, and obtained leave to sit again.

On the house adjourned.

Friday, Feb. 5. Mr. Lincoln rose and said that he was extremely anxious to bring this long and protracted debate to a close, and that he would make one more effort to do so. He had prepared a resolution embodying that which he proposed to say by a gentleman from New York, (Mr. Fillmore) with that subsequently offered by a gentleman from Virginia, (Mr. Wise), and he now asked leave to offer it. He went it to the clerk's table, where it was read as follows:

Whereas in this house, No. 599, to authorize the issuing of treasury notes, was taken up in committee of the whole house on the state of the union on the 15th day of January last, and has been under discussion to this time, And whereas much of the indispensable public business is to be acted on: Therefore

Resolved, That at five o'clock to-day the debate on the said bill cease, and the committee shall proceed to vote on the various amendments submitted and to be submitted, and then report the bill, with the amendments agreed to by the committee, to the house.

Mr. Rayner objected, and said that when an attempt was made at the last session to adopt a similar proceeding on a bill of the same character, the whole unanimously opposed it as a violation of their rights. He could not understand why they were now in favor of a different way of thinking.

Mr. Briggs wished that the time could be extended to 7 o'clock.

The speaker said that it would be necessary to suspend the rules and that, if the resolution was adopted under a suspension, it would then be open to modification or amendment.

Mr. Lincoln moved to suspend the rules and called for the yeas and nays on the motion; they were taken, and there appeared for suspending 115, against 85.

Two-thirds voting in the affirmative, the rules were suspended, and the resolution was received.

Mr. Lincoln then, at the request of several members, modified it by substituting seven o'clock for five o'clock, and moved the previous question, which was ordered.

And the question was put to agree to the resolution, and passed in the affirmative.

Mr. Jones, of Virginia, moved that the house go into committee of the whole on the treasury note bill when a desultory debate took place, in which Messrs. W. C. Johnson, Hunt, Alford, Cushing and Barnard participated. Most of whom advancing the opinion that it was not their intention to advocate a high tariff.

Mr. Rayner then obtained the floor and addressed the committee at great length.

He was followed by Messrs. Reynolds, Stevenson, Mullary, Underwood and Alford Smith, who continued the discussion until 7 o'clock, P. M. when the bill was brought out of committee under the order of this morning, with the amendment heretofore proposed by Mr. Wise, to authorize the incoming administration to issue five millions of dollars between the 1st of March and the close of the year, notwithstanding the amount that may have been previously issued by the present administration.

This amendment was concurred in by the house, yeas 111, nays 79.

The bill was then ordered to a third reading, yeas 126, nays 69.

And being engrossed was read a third time and passed without a division.

At 3 o'clock, P. M. the house adjourned.

Saturday, Feb. 6. Mr. Rayner, by leave, presented the resolutions of the legislature of North Carolina in favor of the distribution of the proceeds of the sales of the public lands among the states; also for the re-opening of Roanoke inlet, which resolutions were ordered lay on the table and were printed.

On motion of Mr. Russell, leave was granted to introduce the following resolution, which was assented to by the following vote; yeas 123 yeas 52.

Resolved, That the execution of the order of this house, made on the 31st day of January last, ordering the bill to provide for the purchase of Raub's self-acting safety valves the bill to authorize the appointment of persons to construct apparatus for testing steam ships, and to test its utility; and the bill to amend an act to provide for the security of the lives of passengers on board steamships and vessels, approved July 7, 1839, to be held in special order for the 25th day of January (next) instant, and then to take precedence of all other business until they are disposed of, be postponed to Monday next,

and that after the morning hour the house will, this day, proceed to the consideration of private bills, to the exclusion of which objection shall be made.

Mr. Andrews made an ineffectual effort to introduce a resolution to pay such members of the house as were unable to reach the seat of government on the week of the session, on account of the great storm which raged at that time.

Mr. Clark, of New York, asked for a suspension of the rules to enable him to present a number of petitions which had been a long time delayed.—The house refused to grant the leave.

On the 16th January, the committee on public lands reported a bill to amend an act to authorize the state of Tennessee to issue grants and perfect titles and settle claims to vacant and unappropriated lands within that state, passed the 19th of 1840 which was then twice read, and a motion was made that it be committed to the committee of the whole on the state of the union; and this motion was pending at the expiration of the hour allotted for reports on that day.

Mr. Crockett declined to make the speech which he contemplated to have done, as he was sure every member understood the subject, and time was precious. He then moved the previous question; which was ordered and put the bill on the main question be now put and passed in the affirmative.

The speaker then decided that the main question was, shall the bill be engrossed and read the third time.

Mr. Montgomery appealed from this decision on the ground that the main question was that the bill be committed to the committee of the whole on the state of the union.

The third reading of the bill was called for, and it was read accordingly.

The question on the appeal was put, and the speaker was sustained without a division.

Mr. Lincoln, of Massachusetts, a member of the committee on public lands, spoke some length on the bill; and before he had concluded, the hour allotted for morning business expired, and the speaker proceeded to clear his table.

Various bills were received from the senate. The first business in order to lay on the table a preamble and resolution from the legislature of Kentucky in favor of the establishment of a United States bank, and for the distribution of the proceeds of the sales of the public lands among the several states, which were laid on the table and ordered to be printed.

Mr. John Campbell presented the report of a committee, with resolutions of the general assembly of the state of South Carolina, against a national bank; and a revision of the revenue and protective laws, approving the principles and policy of Mr. Van Buren's administration; approving the conduct of Mr. Calhoun, one of the senators of that state in congress; and that the state is resolved to repel every aggression upon her rights as a sovereign people, the instant that aggression is attempted. Laid on the table, and ordered to be printed.

Numerous private bills having been acted upon, and disposed of, the house adjourned.

Monday, Feb. 8. By the rules of the house the first business in order to day was the presentation of petitions. This was announced by the speaker, when

Mr. Jones, of Virginia, moved that the rules be suspended, in order to bring on the consideration of the bill making appropriation for the payment of pensions. Mr. Jones stated briefly the necessity which existed for the speedy passage of the bill.

Mr. Thompson, of South Carolina, said he had received a letter from the secretary of war, addressed to him as chairman of the committee on military affairs, in relation to a petition about to be made or already made with the Senate in relation to the asking of a remission of the debt to enable him to comply with his promises to the hostile Indians in Florida, in the event of their surrendering themselves for emigration. In the present temper of the Indians, and from the fact that a number have already come to the various posts

and surrendered their arms, there is reason to hope that general Armstrong's promises will induce them to come in and give themselves up for removal to the west. The subject adopted by the general has heretofore, met the approbation of the department, both as a measure of economy and humanity, and the inducement held out by him is calculated to end this protracted contest at much less expense of blood and treasure than to continue the war another month.

"The department has, however, no means under its control applicable to the object, and respectfully recommends an appropriation of the amount named by general Armstrong (\$100,000) to be made by congress for the purpose. Very respectfully, J. R. FOSNETT.

"Hon. Waddy Thompson, chairman com. on military affairs, house rep.

"Head quarters army of Florida, Tampa, Jan. 16, 1841.

"Sir: I have the honor to report that I have just arrived from Pease creek and Punta Rusa. I visited those points for the purpose of meeting a party of the Seminole, and inducing them to come in.

"I did not succeed in obtaining an interview with their chiefs, but several of their people came to see me, and, in consequence of the delegation from Arkansas. They united in saying that they would return in eight days with a party, if not the whole of their people, and embark on board the steamer which I shall dispatch to meet them.

"I have promised two cash prizes of five thousand dollars, and agreed to pay every warrior who comes in thirty dollars, and give him a rifle, blanket and clothing. To fulfill this and other promises, which I have made to the Indians, I trust there will be no delay forwarding to me or Captain Page the necessary sum of money, or in ordering Captain Armstrong to report to me with the funds committed to him for the purpose of facilitating the emigration.

"Thirty or forty Indians are expected here in a few days from the head of the Withlacoochee. They desired an escort to protect them from the Miccosauquees; which was accordingly furnished.

"A considerable number of the Tallahassee are now in a various practice. I respectfully enclose herewith a report from lieutenant Colonel Loomis, commanding at Fort Clinch, where Echo-emathia, chief of the Tallahassee, has doubtless arrived ere this. I am, &c. W. L. M. JONES.

"Braggad general commanding in Florida.

"Hon. J. R. Fossnett, secretary of war.

"P. S. One hundred thousand dollars will probably be required for the objects mentioned in this letter."

After these letters had been read—

Mr. Thompson, of South Carolina, asked leave to introduce a bill making the appropriation called

for.

Mr. Jones said the appropriation could be moved as an amendment to the bill making appropriations for pensions, which he had proposed to take up.

The house then went into committee of the whole, and proceeded to the consideration of the bill making appropriation for the revolutionary and other pensioners of the United States, Mr. Clifford in the chair.

The bill being read, Mr. Thompson, of S. C. chairman of the committee on military affairs, moved the following amendment:

Sec. 2. And be it further enacted, That \$100,000 be, and the same is hereby, appropriated, to be expended under the direction of the secretary of war, for the benefit of such of the Seminole chiefs and warriors as may surrender for emigration.

Mr. Pettit inquired if the amendment was in order under the rule which provides that no proposition or subject different from that under consideration shall be admitted under color of amendment.

The chairman, (Mr. Clifford) decided that the amendment was in order under the 7th rule, which specially relates to amendments to appropriation bills.

Mr. W. Thompson, said that it could not be necessary for him to say much in favor of the expediency of adopting the amendment, because the facts contained in the communications which had been transmitted by the secretary of war would be sufficient on that point. That we would ultimately have to resort to negotiation, he, (Mr. T.) did not entertain a doubt. He believed that the adoption of the proposition was not only in the interest of Florida, but that it was required by the interests of the entire union.

Mr. T. alluded generally to the course of England, and alluded to the dangers which he said,

threatened us abroad, with reference to that nation; as to which nation, he thought the difficulty of an amicable adjustment of pending controversies almost insuperable. Vain, indeed, he might say silly, would it be to suppose that England, after having avowed the act of McCleod as having been committed under her authority, could quietly stand by and see him condemned and executed under our laws, if a conviction could take place. He alluded to the rallying point which the West Indies presented to the power of England—to her black regiments there—the protection which they afforded a greater part of the year by the salubrity of the climate, &c.

He expressed, in conclusion, an anxious desire that the Florida was should be brought to a close during the present session, and he should, in leaving Congress, feel most happy if he should have been in any way instrumental in accomplishing that desirable end.

Mr. Adams said he was not yet satisfied that the amendment of the gentleman from South Carolina, (Mr. Thompson), was in order.

And some further conversation ensued on that point, which however resulted in no action; after which—Mr. Proffers said that he had introduced a proposition of the gentleman from South Carolina, (Mr. Thompson), it contemplated the appropriation of one hundred thousand dollars to perfect arrangements with the Seminole Indians, and it came directly from the secretary, was it not?—asked for him, (Mr. P.) to know that the administration now in charge of the affairs of the government believed the appropriation to be necessary, and he would vote for it; and if a million dollars, instead of \$100,000, were necessary, he would vote for that also.

A wrong construction had been put on certain remarks made by him at the last session of Congress. He had never objected to the appropriation of fifty millions of dollars, if it was necessary, but to the manner of the expenditure that his objection had been made.

One remark he would make in regard to the loss of the debates to this house during the present session of Congress. Scarcely ever was an appropriation asked for the Florida war, (or other matters connected with our policy towards Indians or foreign nations), but the government of Great Britain must be juggled in. Now, he would ask, was it not the policy of the Government to stand on this floor, seizing every opportunity to speak of the overbearing power of Great Britain—of her rapacity—of her determination to extend her conquests? The only difference was between Great Britain and the United States, that the Great Britain acted whilst we talked. But Great Britain was not the only government that had manifested rapacious tendencies. Mr. P. here alluded to the incursions made by France upon certain parts of South America, and upon the continent of Africa. Yet, Mr. P. said, gentlemen had not a word to say about France; yet Great Britain, because she asserted and vindicated the rights of her citizens wherever they were injured or oppressed, was the constant object of observation here. If gentlemen were for war, why did they not propose it? Why did they talk so much about it? Why should all the governments of the earth be led to believe, by the debates here, that there was a hostile feeling pervading this hall, when there was not?

After a prolonged debate, without coming to any conclusion, on motion of Mr. Nisbet, the committee rose.

Mr. Eastman, some days ago, gave notice of a motion for leave to introduce a bill to extend for five years the act approved July 16, 1838, granting half pay and pensions to certain soldiers. As soon as the house came out of committee of the whole, he asked leave to introduce the bill, which was granted.

The bill was then introduced, and received its first and second reading, and was referred to the committee of the whole on the state of the union.

Mr. Jones, of Virginia, from the committee of ways and means, by leave, reported a bill making appropriations for fortifications for the year 1841; which was twice read and committed to the committee of the whole on the state of the union.

Mr. Jos. Williams, of Tennessee, moved the following resolution, which was read and adopted:

Resolved, That the committee on the judiciary inquire into the expediency of so changing and adjusting the circuit of the U. S. courts as to distribute and equalize, so far as practicable, the judicial business.

Mr. Underwood asked leave to report a bill for the removal of the raft in R-d river, referred to the committee on roads and canals some weeks since. Leave was refused.

Mr. Griswold asked leave to present a petition against the passage of the bills before the house re-

lating to the explosions of steamboats. It was objected.

And the house adjourned until to-morrow.

Tuesday, Feb. 9. This day being not apart as a special order for the bills reported by Mr. Underwood, from a select committee in relation to steamboats.

Mr. Jones moved that the special order be postponed until Thursday next, and that the house proceed with the consideration of the bill before the house yesterday, making appropriations for the payment of pensions for the year 1841.

Upon inquiry made of the chair, it was answered that a majority could postpone the order, but that it would then lose its speciality. The speaker suggested the postponement might be made by the committee consent in which case it would receive a special order. The chair then inquired if there was any objection.

Mr. Cushing objected; and then Mr. Jones moved that the special order be postponed until Thursday next, and the motion was carried by a majority, so that it remains a special order for that day.

Mr. Care Johnson moved that hereafter the daily hour for the meeting of the house be eleven o'clock in the morning, on other days than Monday.

There was objection to the introduction of this motion, on which the rules were suspended, and the motion was received and adopted.

The house then, on motion of Mr. Jones, of Virginia, resolved itself into committee of the whole on the state of the union, and resumed the consideration of the bill making appropriations for the payment of pensions for the year 1841.

The question recurred on the amendment, moved by Mr. Thompson, of South Carolina, chairman of the committee on military affairs.

Mr. A. A. Cooper resumed his remarks from yesterday, in reply to portions of the argument of Mr. Giddings having reference to the causes of the Florida war. Some further explanations took place between Messrs. Cooper and Evans in relation to the pending controversy between the states of Georgia and Maine.

Mr. Cooper, in the course of his remarks, was called to order by Mr. Andrews of Kentucky, for irrelevancy; and at a subsequent period, when replying to the remarks of Mr. Giddings as to negro-stealing, and whilst meeting those remarks with allusions to certain case of negro-stealing in Ohio, was pronounced to be out of order by the chair.

Mr. Black, insisting that his colleague (Mr. Cooper) was merely replying to arguments which the gentleman from Ohio (Mr. Giddings) had been suffered to make, appealed from the decision of the chair.

Some conversation ensued on the point of order, in which Messrs. Black, Alford, Adams and Wise participated; after which the question was put "shall we discuss the bill on the chair stand as the judgment of the committee?" and was decided in the negative, yeas 56, nays 83. So the decision of the chair was reversed.

Mr. Thompson, of South Carolina, would appeal to the honorable member from Georgia to say whether it was prudent or proper in this discussion of a topic (however improperly dragged into this debate) upon which every southern man should only feel as a southern man, to be provoking this family quarrel between southern and southern democrats; and whether it is just to regard the very obscure of the obscure members of the whig party as an exponent of the feelings and opinions of that party on this subject. Would it not be better, more to the point, to wait until some one should present the distinguished head of that party speak for himself? Mr. T. would pledge himself that Gen. Harrison will so speak and act upon the subject of abolition as to satisfy even the member from Georgia, and to call forever his lips except in praise.

Mr. Cooper proceeded in his remarks, interrupted by explanations from Messrs. Nisbet and Giddings, and concluded at ten minutes past 2 o'clock.

Mr. Black then obtained the floor, and expressed himself as decidedly opposed to the amendment of the gentleman from South Carolina, (Mr. Thompson), as being irrelevant to the bill before the committee, and as being improper at this time. And, he said, he would have contested himself with slaviery giving his vote against the amendment had it not been that for three long hours yesterday the gentleman, from Ohio, (Mr. Giddings), had been permitted to abuse, vilify and misrepresent him and his constituents.

Mr. B. then alluded to the efforts which had been made by himself and his colleagues yesterday to arrest the gentleman from Ohio in his course of remarks, which, however, had been unsuccessful. The committee of asking the gentleman to go on could not but be foreseen by every member of the house. He would say that it was not his intention

to argue the abstract question of slavery on this floor; he had been instructed by his constituents to hold no argument with abolitionists here. Mr. B. then intimated that if the gentleman from Ohio would come amongst his (Mr. B.'s) constituents and promulgate his doctrines there, he would find that Lynch law would be indicated, and that the gentleman would reach an elevation which he little dreamed of. Let the gentleman put that down in his book; let him carry it back home, and tell it to his indignation meetings.

Mr. Giddings rose to a point of order, which he was about to reduce to writing; when Mr. Wise said: Let us get through this discussion as soon as possible—let us go on without interruption.

Mr. Black then proceeded in his remarks. Once only he was interrupted by the chair, for the reading of a certain paper sent to the clerk's table, that the chairman did not consider the course of remark in order; but that, under the decision of the committee, made this morning, the chair did not sit at liberty to order the gentleman to order. Mr. B. then proceeded, and was discussing questions connected with the policy of the non-slaveholding states on the subject of slavery, &c. when Mr. Wise made an appeal, as a southern man, to Mr. Black not to discuss the matter further.

Mr. Byrum hoped the gentleman from Georgia would proceed, and that the subject would be discussed at length, if possible. The south was suffering from this war more than for any thing else; and if the gentleman from Georgia did not proceed, (Mr. Byrum) should claim the right to do so. It was time we should come to a settlement of accounts in these matters.

Mr. Giddings again proceeded. Several points of order were raised, which elicited some desultory discussion, and in which Messrs. Warren, Rayner, Byrum, Morgan and Curtis participated; but no action was taken upon them.

And Mr. Black again proceeded, interrupted for purposes of explanation by Messrs. Wise, Albert Smith and Rice.

After which, Mr. Wise rose and called the gentleman to order, on the ground that his remarks were out of order, inasmuch as the decision made by the committee this morning.

The chair decided that the gentleman was in order.

Mr. Wise appealed. And the question being put, the decision of the chair was reversed and Mr. Black was declared to be out of order.

Subsequently, on motion of Mr. A. Smith, (objection having been made to Mr. Black's proceedings), he was granted that by (Mr. B.) should proceed in order.

And Mr. B. proceeded.

Some further interruption took place; after which Mr. Black read, for the especial benefit of Mr. Giddings, the third, fourth, and fifth verses of the gospel of the holy St. Matthew. Mr. B. then proceeded to read from the Emancipator newspaper.

Mr. Wise rose to a point of order.

The chairman decided that Mr. Black was out of order.

Mr. Andrews objected to the gentleman's proceeding.

Mr. A. Smith moved that the gentleman have leave to proceed.

Which motion prevailing, Mr. Black proceeded a few moments, when he closed his remarks.

The chairman then gave the floor to Mr. Downing, of Florida, who, after depreciating the extraordinary efforts of the gentleman from Ohio, had taken place upon a measure the object of which was to give peace to Florida, proceeded to reply to that portion of the argument of Mr. Giddings which contained certain charges against the Floridians in relation to the slave trade, and to vindicate his (Mr. D.'s) constituents therefrom. This he did at great length—entering minutely into details—and contending that the documents which had been read by the gentleman from Ohio came some of them from the hands, some of them from slaves, and all of them from partial and prejudiced sources. And he denied that the sentiments of the gentleman from Ohio on a certain subject were the sentiments of the great whig party—or of that party in the state of Ohio. He re-asserted that the gentleman could not have permitted this subject to pass at this time, believing, as he did, that if the genius of Homer could sleep sometimes, the genius of fanaticism should sometimes also be permitted to slumber.

Mr. D. then moved for leave to withdraw a petition to terminate the war—he believed it might be terminated, if the money was voted promptly now; but let the chance pass, it would never return. Mr. D. having concluded about 8 o'clock P. M. the committee rose, and on motion the house adjourned.

TABLE I.
HOURLY METEOROLOGICAL REGISTER*Of Observations made on the 21st and 22d September 1840, the autumnal Equinox; at the Rooms of the Academy, Baltimore.*

DATE.	BAROMETER.			HYGROMETER.					WINDS.		CLOUDS.	
	Barometer.	Therm. aneroid.	Barom. corrected.	Dry bulb.	Wet bulb.	Dew point.	Philos. society.	$\frac{F}{C}$	Quarter.	Character.	Character.	From.
xxi.												
A. M. 7.	29.920	66°.	29.941	52°.	49°.	45°.	45°.	46.	N. W.	strong breezes.	none.	
8.	.945	65.	.966	50.5	48.5	44.5	43.25	46.6	do.	do.	none.	
9.	.949	62.	.970	58.	48.5	39.	37.8	40.5	do.	do.	Cirri: cirrocumuli.	N. W.
10.	.966	62.5	.977	58.5	49.	41.	38.7	41.	do.	do.	Cirrocumuli: cumuli.	N. W.
11.	.958	62.5	.978	60.5	47.	36.	37.6	40.5	do.	do.	do.	N. N. W. & N.
M. 12.	.968	63.25	.989	60.5	48.5	39.5	38.	39.9	do. & W.	inc'g do.	Cirrus: Cirrocum.	N. N. W. & N.
P. M. 1.	.970	63.	.991	62.	49.5	36.	36.	39.5	N. W.	do. do. in gusts	do.	do.
2.	.978	67.	.999	63.5	51.	36.5	35.25	40.9	W. N. W.	sem'g do.	do.	do. almost cloudless.
3.	.980	68.5	30.011	62.	49.5	37.	34.	39.5	do.	do.	do.	do.
4.	30.011	68.	.031	61.5	49.5	35.	36.5	39.8	do.	do.	do.	do.
5.	.430	64.	.050	61.	49.5	34.	34.4	38.6	do.	do.	cloudless.	do.
6.	.451	67.	.070	58.5	47.5	36.	34.7	38.6	almost calm.	—	do.	do.
7.	.087	63.	.106	56.75	47.	36.	35.3	39.	—	—	do.	do.
8.	.104	63.5	.123	52.75	45.5	35.5	36.08	34.5	—	—	do.	do.
9.	.131	68.	.153	53.	46.5	39.5	35.6	40.8	—	—	do.	do.
10.	.132	61.25	.170	49.5	46.	38.	41.7	42.7	breazing up.	—	do.	do.
11.	.173	59.	.191	47.	43.	38.	37.4	39.	N. W.	light.	do.	do.
M. 12.	.178	57.25	.196	45.5	42.	38.	36.9	38.75	do.	do.	do.	do.
xxii.												
A. M. 1.	.190	55.75	.208	44.	41.	37.	36.5	38.	do.	do.	do.	do.
2.	.206	54.25	.221	44.	40.	37.	33.7	37.25	do.	do.	do.	do.
3.	.212	53.	.230	43.	39.5	34.	33.9	36.3	do.	do.	do.	do.
4.	.245	52.	.263	41.5	39.	33.	31.9	36.6	do.	do.	do.	do.
5.	.256	50.	.273	40.	38.	37.	33.75	35.6	do.	do.	do.	do.
6.	.275	50.5	.292	40.5	37.5	36.	32.5	34.75	do.	do.	Cumulostrat. on the horizon.	} almost } cloudless.
7.	.307	50.	.324	44.25	39.5	35.5	31.8	35.2	do.	do.	Stratus	
8.	.323	50.5	.340	48.	41.75	34.5	31.	35.5	N. N. W.	fresh.	do.	do.
9.	.345	53.5	.362	50.	42.	33.5	30.4	35.3	do.	do.	do.	do.
10.	.350	56.25	.368	52.	43.5	36.	32.	36.4	N. N. W. & W.	do.	do.	do.
11.	.316	56.5	.363	57.	45.	36.	32.4	37.	N. W.	light.	do.	do.
M. 12.	.342	58.	.359	55.5	40.	35.	31.5	36.5	do.	do.	light flocculent cirri.	do.
P. M. 1.	.332	60.5	.349	58.	46.	35.	31.	36.5	N. W. & W.	do.	do.	do.
2.	.323	63.	.340	59.75	47.5	31.	33.25	37.75	N. W.	do.	do.	do.
3.	.307	64.	.324	60.	47.	33.5	31.5	36.8	do.	do.	do.	do.
4.	.310	65.	.327	60.5	47.	33.	32.	37.	do.	do.	do.	do.
5.	.310	65.5	.327	59.25	47.25	33.	33.25	37.7	do.	do.	do.	do.
6.	.303	65.5	.320	57.5	47.25	36.5	33.25	38.5	do.	do.	nearly cloudless do. stratus.	do.
Mean.	—	60.43	29.7917	53.50	45.37	36.79	34.93	38.41				
Max.	xxi. 3 p. m.	68.5	30.263	57.5	47.5	38.						
Minum.	xxi. 7 a. m.	50.	29.911	41.5	37.	36.						

TABLE II.
Containing some practical deductions from the Observations of 21st and 22d September.

DATE.	Weight of a cubic foot of dry air in grains.	DEW-POINT.				Tension of Vapor.	Weight of a cubic foot of vapor in grains.	Proportionate moisture.	Affection of weight by vapor.
		Daniell.	Formula of Phil. society.	Formula of Anderson.	Formula of Committee.				
xxi.						Inc.			
A. M. 7.	528.57		45° 9	44° 25	46°.	45°.	0.340		
8.	530.04		45.25		46.6	44.5	.334	3.84	531.60
9.	532.98		37.8		40.5	39.	.272		
10.	532.85		38.7		41.	41.	.293		
11.	532.59		37.6		40.5	39.	.264	2.92	534.23
12.	532.28		35.	29°.	35.9	39.5	.276		
P. M. 1.	530.48	39°.	36.		39.5	36.	.248		
2.	525.58		35.25		40.9	36.5	.252		
3.	527.27		38.		39.5	37.	.256	2.83	529.80
4.	528.12		36.5		39.8	35.5	.240		
5.	528.15		34.4		38.5	34.	.232		
6.	528.83		34.7	32°.	38.6	36.	.248		
7.	531.62		33.3		39.	36.	.248	2.77	0.49
8.	531.52		35.		39.5	35.5	.244		
9.	533.47		38.6		40.8	39.5	.276		
10.	537.60		41.7		42.7	38.	.264		
11.	540.36		37.4		39.	38.	.264	3.	542.52
12.	542.31		36.9		38.75	38.	.264	0.72	
xxii.									
A. M. 1.	544.15		36.5		38.	37.	.256		
2.	546.06		33.7		37.25	37.	.256		
3.	547.54		33.9		36.3	38.	.264	3.02	0.83
4.	549.23		34.9		36.6	38.	.264		
5.	551.62		33.75		35.6	37.	.256		
6.	552.10		32.5		34.75	36.	.248		
7.	552.55		31.8		35.2	35.5	.244	2.80	0.73
8.	552.98		31.1		35.5	34.5	.236		
9.	549.38		30.4		35.3	33.5	.228		
10.	546.45		32.		36.4	36.	.248		
11.	546.13		32.4		37.	36.	.248	2.77	0.49
12.	544.44		31.6		36.5	35.	.240		
P. M. 1.	541.58		31.		36.5	35.	.240		
2.	538.77		33.25		37.75	34.	.232		
3.	537.44		31.6		36.8	35.5	.228	2.53	0.41
4.	536.47		32.4		37.	35.	.224		
5.	535.02		33.25		37.7	33.	.224		
6.	535.79		35.25		39.8	36.5	.252	2.81	0.49
Mean.			34.93		39.41	36.79			537.17

CHRONICLE.

RAILED. It is stated in a Pittsburgh paper of last Saturday, that Dr. John A. State principal person concerned in the extensive mail robberies, has been discharged on bail by Judge Irvine. The bail given was to the amount of \$125,000, Braddie himself becoming bound in \$40,000, and twenty-five of his accomplices from Uniontown in a like sum.

BANKS. The premature attempt to enforce specie payments, in obedience to the law, has resulted in prostrating the banks of Pennsylvania. In the 4th inst. the Bank of the United States of Pennsylvania, for reasons which are assigned in their publication of that date, (see suspension of specie payments under national affairs, page 72) were under the necessity of again suspending specie payments.

The officers of the other banks of that city held a meeting on the same day, and resolved to continue payments—but the run upon them all during the succeeding day was so pressing, that they found it necessary to restrict their specie payments to their five, and in some cases ten dollar bills, as to decline cashing checks. Bank notes are at 5 per cent. discount.

On ascertaining this state of affairs, the banks in New Jersey and Delaware, immediately suspended payments. On Monday the 8th, the banks in Maryland having only resumed payments the Monday previous, again suspended.

The banks in Philadelphia receive the notes of each other, *excepting those of the United States bank*—and that bank declines to receive the notes of any bank that refuses her notes.

A deputation from the banks of Philadelphia has gone to Harrisburg to appeal the authorities there, of the state of affairs.

THE FRANKLIN BANK AT BALTIMORE. According to previous notice, the stockholders of this institution, in general meeting, on the 10th inst., elected a new state of its affairs. Dr. McCulloch was elected to the chair, and William Rose, esq. appointed secretary. The meeting being thus organized, James Howard, esq. president of the bank, addressed the meeting, in the course of which he commented with some severity upon the conduct of the late cashier, James L. Hawkins. He concluded by reading a report to the president and directors of the bank. This committee consisted of Thomas Sewell, James L. Ridgely, and James Howard, who went on to state that they had examined the affairs of the bank, and reported the assets to be \$745,549; the liabilities, \$419,753—showing a surplus of \$325,796. He then proceeded to state that the committee could prove the value of the stock to be \$12; per share. They further say: that the real value of unclaimed dividends, interest and unclaimed deposits now in the hands of the bank, is \$1,000,000 of circulation amount, to \$75,942; of which they presume \$35,000, at least, will enter into the further specie assets of the bank; the balance of \$70,942, to divide amongst the stockholders at \$261.57; showing a loss on the stock of \$241,675.82—in other words, making the stock worth \$15 per share. [See.]

TRADE OF BALTIMORE. Lyford's Commercial Journal of Saturday, contains an interesting statement of the trade and business of Baltimore. In the table showing the tobacco trade of Maryland, we find that 377,727 hds. of tobacco of the growth of this state, have been imported into Baltimore from the year 1825 to 1840, inclusive; these tobaccos have been sold by the planters at various prices, according to the quality of the article, ranging from fifty to one hundred dollars per hhd.; forming a vast commerce, within the period of fifteen years, of from 15 to 37,000,000 dollars; or averaging from between one and two, to over two millions of dollars per year.

It is remarked, in reference to the exports of tobacco from the United States to Europe, that the number of hds. in 1840, exceeded the number exported in 1839, by nearly 40,000; and the value of the tobacco exported, at the close, yet the average in Europe was less, by upwards of 15,000 hds. than for the preceding years. The principal exports for the same time, were 90,375 hds. valued at \$461,312. The export of wheat in 1840, was valued at \$41,121. The value of the export of provisions, including pork, lard, bacon, butter, cheese, fish, corn meal, &c. &c. \$1,977,760.

BRAZIL TEA. A number of planters of Brazil, have commenced the culture of tea, and it is expected, so far as forwarded to London, is said to be equal to the best China tea—the latter being cheaper than the former, as at present manufactured.

COMPLIMENT. The members of the N. Y. Navy Club, of New York, have elected, F. S. R. Esq. Captain of the steamer President, an honorary member, a distinction that has never before been conferred on a foreigner, and but rarely on gentlemen of the highest standing in the United States.

THE CONVENT CASE. The committee of the Massachusetts legislature, appointed to consider on the report of J. T. Whittier and others, in relation to the burning of the Unitarian church, reported on the 10th inst. and urged to legislate thereon. They also presented the report of the minority of the committee, terminating with resolves in favor of remunerating the proprietors of the convent for its destruction in August, 1838.

COTTON, at the last data from Europe, fully maintained the previous prices. In consequence of the late adverse prices in Alexandria, New Orleans, &c. had advanced 1 cent per pound; fair is quoted at 10, and 9½ at Constantinople.

DEATHS—during the last week in Baltimore 50, of which 19 were under the age of 15, were force coiced.

EMIGRANTS. Since the 15th of March, upwards of 56,000 foreign passengers have arrived at the port of New York—among whom were no less than 123 cases of small pox, and 144 of ship fever.

EXCHANGE. NEW YORK, February 8th, bills on London 8½; on France 51; on Boston paid on Feb. 10th; Baltimore 2½; Richmond 1½; Raleigh 2½; Charleston 31; Augusta 7; Columbia 6½; Savannah 4½; Mobile 7½; New Orleans 4½; St. Louis 6½; Louisville 6, Cincinnati 5½; Nashville 6.

THE LOCKPORT CASE. On Tuesday in the court of sessions, Mr. O'Connor counsel for James B. Glenwood, came into court with copies of the seven indictments against his client, and gave notice of a motion to demur to the indictments; for the reason, as he stated, that there was nothing in them indictable by the laws of this state. No definite day was fixed by the court for the argument of the demurrer, but the district attorney, Mr. Lockport, was given to understand that he must move on the 10th inst.

IMPORTANT INVENTION. Mr. H. Gulland, who has already done much to improve lithography, has invented a new mode of producing pictorial effects on lithographic stones, which was exhibited with very striking impressions so perfectly resembling the original sketch that the difference is not discernible.

IRON WAR STEAMERS. Two iron steamers were built early in the present year, by Mr. John Laird, of North Britain, Glasgow. They were named the *Monitor* and the *Phlegon*. They were complete war vessels, and for the purpose of war, each carried thirty 32 pounders on swivel. Every person who saw the vessels and their equipment supposed they were destined for the Indian sea, no body suspected, however, except the parties in the secret, that they were built for the government, to be expressly for the purpose of forcing port of the Chinese expedition, their light draught of water admirably adapting them for ascending rivers. The fact of both belonging to the government was made generally known, and the vessels must have been sent to the Indian sea, and the *Phlegon* was expected to arrive there in a few weeks. Long before now they would have joined the Chinese expedition, to which they would be a great acquisition of strength.

[English paper.]

THE LOCKPORT DISTURBANCE. The Rochester N. Y. Democrat of Saturday, contains the annexed letter, which we are sorry to say, confirms the report of a letter to Lockport, from the Rochester Democrat, in which Mr. McLeod's being admitted to bail. The letter itself speaks strongly of the spirit of riot and mob violence.

From the Rochester Democrat to Lockport.—A gentleman from this city has just received the following letter from his friend, a respectable gentleman of Lockport, who is very anxious to see the result of the case. What the results may be, can only be conjectured.

Lockport, Thursday, 12 o'clock noon.
I have just returned from the court house and jail, where there are, or were a short time since, assembled 250 or 300 citizens, who say McLeod shall not be liberated, although Judge Bowen admitted him to bail this afternoon, and exp. Wm. Bond has become bail.

The judge gave the order to his (McLeod's) attorney about 7 this evening, and in 40 minutes 300 men were in and about the court house and jail.

The guard was organized in the court house, while 40 or 50 guarded the door below, some with muskets, while the drums and bugles out side made much noise, and the crowd was not allowed to see the sheriff or any one else.

A committee was appointed to see judge Bowen and ask him to surrender him, or rather withdraw his name from the indictment. The committee had returned when I left. I fear it will be much against him if he does not do so.

There has gone to Buffalo, that the owner of the Caroline may be here to prosecute her private damages, &c. &c. should the authorities insist on his liberation. The excitement is very great. Brotherton has been here with Bond.

Most of our best citizens are indignant at judge Bowen for admitting him to bail, and also the bail, who let him go, I mistake the time I left at the court house.

Half past 12—1 am going to the jail again.
Two o'clock—morning— found judge Bowen admitted him to bail, and attempted to get him out of the jail. He did not arrive, but I understand he has surrendered him in the morning, to which time the judge adjourned, although many will remain at the jail all morning.

The cannon was brought in from the front of the court house about 12 o'clock, and commenced firing, and the crowd was kept in the street, and the announcement of the *patrols*, I will assure you. What may have been McLeod's feelings, not knowing what was going on during the seven hours the court house was full, I must say he was much to be pined if innocent.

MISSISSIPPI. Most gloomy indeed, do the official records of this state present in pecuniary condition. For several years the Mississippi Union bank, &c. &c. has exceeded its receipts. For the last twelve months the receipts were \$161,000, and the expenses \$491,000, or nearly three times as much. During the year, the treasurer was compelled to fail in the payment of a large amount of auditor's orders.

In the statement of the condition of the banks, it seems that the great part has been taken by the Mississippi Union bank, founded on the bonds of the state, a most melancholy account is given. The capital, we believe, fifteen millions of dollars. Of the assets it is estimated that there are no valuable resources, and of course, lost. This comes almost entirely from the miserable plan of advancing on cotton, a part of which, the bank lost thirty dollars per bale.

RAIL ROADS. Since the opening of the Liverpool and Manchester rail road in England in 1825, upwards of 1,100 miles of rail road has been put into operation and nearly the same length is now in progress. The total capital invested therein amounts to three hundred millions of dollars.

RAILWAY TRAVELLING. The facilities afforded by railways is well illustrated by the fact, that the distance between London and York is traversed in two hours less time than between London and Lincoln, although York is seventy miles farther from London than Lincoln.

It would require twelve stage coaches, carrying fifteen passengers each, and one thousand two hundred horses, to take one hundred and eighty passengers two hundred miles in the same time, or to carry the same number of ten miles an hour. One locomotive steam engine will take that number, and go double the distance in the same time, and, consequently, will do the work of two thousand stage coaches.

In reference to this subject the Philadelphia Gazette has the following remarks:

Philadelphia and Camden rail road. This rail road, for whose construction a bill is now pending in both houses of the legislature of Pennsylvania, is intended to connect Baltimore with the Pennsylvania improvements, at or near the borough of Harrisburg.

By it, the rail road communication will be twenty-five miles less to Baltimore from Harrisburg, than it is from Harrisburg to Philadelphia. The distance between the first two named places being thirty-three miles, while that from Philadelphia to Harrisburg is one hundred and seven miles. Much mischief has already been done to the commerce of the country, by the Water canal to Havre de Grace, which in its first season has diverted an amount of produce from transportation to the Camden rail road, which would have yielded to the commerce of the country, at least \$100,000. Nearly the whole of this produce has been lost to this use. So much for the loss of the summer season.

Make this rail road communication to Baltimore, and the whole winter business will go to glut the Baltimore markets, draining the Cumberland valley and the adjoining regions of their rich productions, which at this season, now find their way to Philadelphia.

STRICT. A large amount of specie has been transferred from New York to Philadelphia, to buy up the depreciated United States bank notes with the Philadelphia Ledger of the 9th inst. states that "there is now supposed to be in the hands of the people of the city and county of Philadelphia more than \$1,000,000 of United States bank notes, and that more than there was this time last week, and this amount will be daily augmented while there is a note of the United States bank at a depreciation undecreed."

STOCKS. There has been a perfect panic in the stock market, of course, in consequence of the banks again suspending payments of specie. United States stocks are in a panic, and in the hands of the stock within a few days before the suspension, from 2½ to 4½, on ascertaining the suspension it sunk to 2½, and on the 8th instant, went down to 25¢. A severe depression in the market for political parties, and the State 5's sold at 80—Delaware and Hudson 1½ 2½ per cent; Canton 4; N. American Trust 3, &c. &c. &c. sold at 100.

SIMULTANEOUS TEMPERANCE MEETINGS. The fourth Tuesday of February, is the day appointed for simultaneous temperance meetings throughout the civilized world, when the friends of temperance, without regard to religious or political parties, or to the opinions of life, assemble together in their different towns, cities, and villages, and celebrate the triumphs, and seek to extend the blessings of the temperance reform. [Boston Journal.]

TEMPERANCE. The legislature of Connecticut has by her relation to the subject of retaining spirituous liquors to the discretion of townships—the trial or to be determined in town meetings.

Upwards of 300 persons took the total abstinence pledge at a meeting held at New Britain, on the 10th inst.

THE GOV. PAGE'S MESSAGE. The N. H. legislature announces the discovery of tin ore, in Connecticut at the foot of the White Hills, no pure as to yield 30 or 40 per cent. of pure washed ore—one of the good results of the tin ore is that it is not so much impure, as the same kind of ore has not been found in any part of the country, of sufficient value to pay the working.

WEEKLY REGISTER.

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THE FAST—THE PRESENT—FOR THE FUTURE.

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NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate. J. J. Edmonson, to be register of the land office at Pontotoc, Miss., and Robert Trottin, whose commission will expire March 2, 1841.

John S. Horner, reappointed register of the land office at Green Bay, Wisconsin territory, from March 1, 1841, when his present commission will expire.

William Adams, reappointed register of the land office at Columbus, Miss. from March 2, 1841, when his present commission will expire.

PRESIDENT AND VICE PRESIDENT ELECT. The proceedings of congress in counting the votes and declaring the result of the late election for the two chief executive officers of the union, will be found in this number, in the congressional proceedings, page 335.

THE NEW CABINET. The National Intelligencer of the 13th inst. contains the following announcement, which may be considered official, of the names of the members of the cabinet under the approaching administration.

"It is of necessity that the president elect should, some days before he enters upon the duties of his high office, make selections of persons to fill the chief executive departments of government. From information which we presume may be relied on, we have the pleasure of being able to inform our readers that, in all probability, the cabinet of the new president, so far as depends upon him, will be thus composed:

Secretary of state—Daniel Webster, of the state of Massachusetts.

Secretary of the treasury—Thomas Ewing, of the state of Ohio.

Secretary of war—John Bell, of the state of Tennessee.

Secretary of the navy—George E. Badger, of the state of North Carolina.

Postmaster general—Francis Granger, of the state of New York.

Attorney general—J. J. Crittenden, of the state of Kentucky.

We anticipate the warm approbation of a great majority of the people of the United States of these selections, and of the aggregate result. In some cases, doubtless, choice has been difficult, where many were thought worthy; but out of the abundant materials before him, it cannot be denied that

the president will have formed a cabinet remarkably strong in talent, character and the possession of the public confidence.

It is an old observation that the head of a government usually shows how much vision and discretion he possesses by the choice of his ministers and agents. Tried by this received standard, the new elected president has, in this first act of his official duties, well justified that great measure of favor which he has received from the people."

THE NEW SENATE. In conformity to usage, the senate of the United States has been summoned by the president executive, to meet at the capitol on the 4th of March next, for the transaction of such business connected with the commencement of a new administration, as may be brought before them.

The new senate will have a decided majority in favor of the new administration. But it will be important that all should be present. We annex a list of the members elect whose terms commence on the 4th of March, or who hold over from previous years, with a statement of the time when their various terms expire. Those names in *italics* are friends of general Harrison:

<i>Maine.</i>	<i>South Carolina.</i>
Reel Williams.	1849 Wm. C. Pickens.
George Evans.	1847 John C. Calhoun.
<i>New Hampshire.</i>	<i>Georgia.</i>
Franklin Pierce.	1843 Alfred Cuthbert.
Levi Woodbury.	1847 John M. Berrien.
<i>Vermon.</i>	<i>Alabama.</i>
Samuel Prentiss.	1843 Clement C. Clay.
Samuel Phelps.	1845 William R. King.
<i>Massachusetts.</i>	<i>Mississippi.</i>
Daniel Webster.	1845 John Henderson.
Isaac C. Hayes.	1847 Robert J. Walker.
<i>Rhode Island.</i>	<i>Louisiana.</i>
Nathan F. Dixon.	1845 Alexander Mouton.
James F. Simmons.	1847 Alexander Burrow.
<i>Connecticut.</i>	<i>Tennessee.</i>
Perry S. Yelverton.	1842 A. O. P. Nicholson.
J. W. Huntington.	1845 Vacancy.
<i>New York.</i>	<i>Kentucky.</i>
Silas Wright.	1843 Henry Clay.
N. P. Tuldridge.	1846 John J. Crittenden.
<i>Ohio.</i>	<i>Indiana.</i>
Samuel L. Southard.	1845 William Allen.
Vacancy.	1847 Boojamin Tappan.
<i>Pennsylvania.</i>	<i>Illinois.</i>
James Buchanan.	1843 Oliver H. Smith.
Daniel W. Sturgeon.	1845 Albert S. White.
<i>Delaware.</i>	<i>Missouri.</i>
R. H. Bayard.	1845 Richard M. Young.
Thomas Clayton.	1847 Samuel McKim.
<i>Maryland.</i>	<i>Minnesota.</i>
John L. Kerr.	1843 Lewis F. Linn.
Wm. D. Merrick.	1845 Thomas H. Benton.
<i>Virginia.</i>	<i>Arkansas.</i>
William C. Rives.	1843 Ambrose H. Sevier.
Vacancy.	1847 William S. Fulton.
<i>North Carolina.</i>	<i>Nichigan.</i>
William J. Graham.	1843 Augustus S. Porter.
Wm. F. Mangum.	1847 Wm. Woodbridge.

Of the 49 senators elected, 27 are the friends of the new administration, and 22 are supposed to be opposed to it. The 3 vacancies will mostly, perhaps all, be filled by friends of the coming administration.

FOREIGN RELATIONS. The report made to the house of representatives on the 13th inst. by Mr. Pickens, chairman of the committee on foreign relations, in respect to the case of McLeod, and the correspondence between Mr. Fox, the British minister, and Mr. Forsyth, secretary of state, will be found in the congressional proceedings, page 339.

In relation to this report the *National Intelligencer* observes:

"We have no need to direct the reader's attention to the proceedings in the house of representatives on Saturday, and especially to the report from the committee on foreign relations, the subject of which will ensure to it and to the debate which arose upon it an eager perusal.

"Rarely within our experience has a more extraordinary report emanated from a committee of congress; and never certainly has a document found

its way into either branch of the national legislature under more singular circumstances.

"Of the report itself we shall, for the present, leave our readers to judge for themselves, both as to its force of argument, its felicity of illustration, and the fitness of its tone to the gravity of the theme. It will be for them, especially, to reconcile, if they can, its studied arraignment of British policy, in matters which do not concern the United States, with the principle of non-interference in regards the concerns of other nations, heretofore avowed and practised upon as a cardinal point in the foreign policy of the United States.

"Will regard to the weight due to this report, as an indication of the feelings of the nation, or of the legislative body in which it originates, it ought to be remarked, that it has the sanction of a bare majority of the committee on foreign relations, and for that reason alone ought never to have been made; that it has received no sanction from the house of representatives; and that, contrary to usage in ordinary cases, a large number of the members of that house testified their utter repugnance to its general character by voting against the printing of it."

The *Philadelphia* alludes to various movements on the part of Great Britain lately, and says: "But there are other movements and indications that deserve notice in connection with this subject. We allude to the recent treaty between Great Britain and Texas, made, too, in the face of the anti-slavery spirit of Great Britain—but, as is avowed in some of the London journals, with a deeper motive, and the policy having in view at no distant period, serious collision with the great American republic. We are told, moreover, that some kind of treaty was not long since negotiated between Great Britain and Hayti.

"These circumstances are surely of most importance, and in addition to the facts already enumerated with regard to the improvement of the armaments of war, and the extraordinary facilities and power of war steamers—the latter rendering the distance between the old world and the new within the limits of a fortnight, are calculated to arrest the attention of every observant observer, and should, in our view, excite a vigilant and most active spirit of defence on the part of our government. We repeat, that while we have serious cause of difficulty with Great Britain—cause which in the view of our best informed statesmen, may lead to collision—that power is armed to the teeth, and ready to strike a dreadful blow at a few hours warning, while our own country is as yet in any other condition rather than one of proper preparation. Again, therefore, we abjure those in authority, that while pursuing every honorable mode to avoid war, also to take the necessary means to defend the country, and strike home against her opponent, in the event of such a terrible calamity."

ATTENT TO RAIL McLEOD. The correspondent of the *Albany Argus*, under date of Lockport, Jan. 28, says—Gentlemen: McLeod was yesterday admitted to bail by one of our judges, before whom his last examination was held, and by whom he was committed. Some excitement among our citizens was the consequence. A meeting was held at the court house last morning, was adjourned over until this evening. Two of our citizens had become McLeod's securities, after having been indemnified to the extent of the bail, \$5,000. A very large majority of those who commenced the meeting to-day, disapproved of the proceeding of admitting him to bail, and a disposition was manifested to strongly censure those who had suffered their names to be used for that purpose.

One of the gentlemen came before the meeting upon invitation conveyed to him by a committee of the meeting, and made a frank and satisfactory statement of the motives which had actuated him, at the same time expressing his willingness to withdraw from the position he had assumed, after the demonstration he had witnessed of popular feeling upon the subject. It is due to this gentleman to add, that in this step he was evidently not intimidated by any apprehensions of personal consequences, but that rather secured on his part a conviction of what he considered due to public sentiment.—McLeod was yet in custody, the legal process not having yet been served upon the sheriff. The pro-

clubs, who, the moment he perceived lieutenant U. threw down his burden, and attempted flight, but was detained, and made to follow them towards the beach. When he arrived on the beach, the party of whom I have spoken approached, and appeared much disconcerted at finding their comrade without arms, and in his power.

After some conversation with lieutenant U. on the subject, we mutually agreed that, in our endeavors to procure provisions, of which we were in much need it would be necessary to adopt every precaution.

Next morning, the 24th, we discovered the schooner at anchor about eight miles to the eastward, and at 9 o'clock, lieutenant Emmons joined us with the Peacock's first cutter. Several natives came off with a few yams and two small pigs, and, in reply to our inquiries, informed us that their town was too distant to bring off provisions in great quantities, and that we must go thence if we desired more. I then gave John Sac, our interpreter, permission to visit the town, to ascertain if provisions could be obtained. He soon returned, and informed me that he thought we could get what we wanted. Lieutenant Underwood immediately requested permission to go and make the necessary purchases, which I granted, informing him that I would follow as soon as the tide permitted, when he shoved off for twenty leagues. About the same time lieutenant Emmons departed for the purpose of making observations on the smaller islands. I soon perceived that the Leopard grounded in the passage, and that a number of the natives, perhaps fifteen or twenty, were on board her, and, joining their song with that of the boat's crew, were assisting to drag her through. As the number of natives appeared increasing, and impelled by apprehensions of some danger, I immediately attempted to follow him; but, being much heavier, I was unable to do so until after a detention of the tide of perhaps twenty minutes. After getting into the bay, I found the Leopard at anchor, about 2,000 feet from the shore, in just sufficient water to permit me to get alongside. I was informed by the crew that lieutenant U. had gone ashore, leaving a hostage, whom I immediately took into my boat. With the aid of my guides, lieutenant U. with the remainder of his crew, apparently in conversation with a party of twelve or fifteen natives.

Nothing occurred for the space of half an hour, when Robert Furman was sent off by lieutenant Underwood to inform the natives that the natives could trade unless for muskets or powder. I directed Furman to return to the shore, and say to Mr. U. that I could not consent to such an exchange while the schooner was within reach; that we could be easily destroyed by her, and to hurry off. The boat had been quite long enough absent to purchase what we required, if the natives were disposed to trade. About this time midshipman Henry obtained my permission, and left for the shore. A few minutes after, a small canoe, with three natives, came alongside, and, after an exchange of some words with the "hostage," he displayed a little anxiety to return with them to the shore. As they pushed off, he attempted to leave the boat, when I took him by the arm and directed him to sit down, giving him to understand, as well as possible, that he must keep quiet till the return of our party. Shortly after, lieutenant Emmons rejoined me, and made his boat fast to mine.

In about half an hour Jerome Davis came off to say that, with another hatchet, Mr. U. could pur- chase all required. I directed Davis to take it to him, and say to Mr. U. that I desired to see him without delay, to come off with what he could get as soon as possible. In the meantime, the boat having risen, I ordered the Leopard to drop in as near the landing as possible. She had been gone about ten minutes, when the hostage jumped overboard, and made his escape. The boat, which was the first intimation I received of any thing going wrong on the shore. I immediately seized my rifle and directed it at him, when he staggered back. I then ordered two men to follow and secure him; he then resumed his course, when I determined to shoot him, but stayed my hand, lest his death should bring destruction to our absent people. As I turned to direct my boat to be got under way, I noticed midshipman Clark in the act of firing, and ordering him to save his breath—at the same time directed lieutenant Emmons to pull after and take him, if possible, dead or alive.

The report of fire-arms then reached us from the beach, to which ensued a general melee, the natives appearing suddenly interested to observe us. By this time my boat was flying before a fresh breeze to the stage of conflict, and I called to lieutenant Emmons to follow me. In a few moments we passed the Leopard shoving out, when I was informed of the death

of lieutenant Underwood. The boats had not grounded, but we immediately jumped overboard, and with all speed hastened to the beach, opening a fire upon the natives as soon as within range, when they immediately dispersed, carrying off their dead and wounded. Before we got upon the beach, we found J. S. Clark (seaman) badly wounded and delirious. I directed some one to take him to the boat, and continue my course. When I reached the beach, I found three boats only. Throwing aside from the melancholy spectacle, my eye fell on midshipman Henry, who lay very much in the same situation in which I had found lieutenant Underwood. This was the earliest intimation I had of his being one of the sufferers. I raised him in my arms, and hope was again flattered—I thought I perceived him breathe. A native lay a few paces from him badly wounded. I ordered him to be despatched, and with heavy hearts we bore our murdered comrades to the beach, and made sail for the schooner, which we reached to about one hour—at 5 o'clock, P. M. Very respectfully, I am, sir, your obedient servant.

JAMES ALDEN, *lieut. U. S. navy.*
To Charles Sumner, esq., commanding United States surveying and exploring expedition.

STATES OF THE UNION.

MAINE.

The legislature assembled at Augusta on the 6th inst. In the senate, R. H. Vose was chosen president. The vote stood for Mr. Vose, W. 15, Williams, V. B. 6, scattering 2. Daniel Sanborn was elected clerk. To the house, Geo. C. Gelchell, was chosen clerk, by 98 votes, to 93 for Edwidge Gerry, V. B. Three ballots were had for speaker without effecting a choice. On the first ballot John Otis, W. had 87 votes, John P. Paine, V. B. 6, and J. S. Little, W. 8. The house adjourned. The reason assigned for refusing to call in votes in favor of Mr. Otis, was the appointment of the president of the senate from the same vicinity. The next day Mr. Otis having declined nomination, Mr. Little was chosen by a full vote of 105 to 9. The votes for governor having been decided by the committee of the legislature, and the result being no choice by the people, the legislature accepted the report on the 13th inst, and the house proceeded to vote for their officers. The senate adjourned. The vote stood, for John Fairfield 169, Edward Kent 161, H. Hamlin 9, F. O. J. Smith 8. Consequently Messrs. Fairfield and Kent were the candidates for the senate; and that body made choice of Edward Kent by a vote of 15 to 10. On the next day (11th) in convention of the two houses, Mr. Kent came in, took the oath of office, and was formally proclaimed governor of the state.

U. S. senator. According to previous assignment, the legislature on the 28th ult. proceeded to the choice of a senator, to represent this state in the United States senate, for the term of six years from and after the fourth day of March next. The election was by a concurrent vote of the two houses. In the house on the first ballot the whole number of votes being 178—necessary to a choice, 90. The vote stood: George Evans, 94; John Fairfield, 81; John S. Tenney, 1; Hannibal Hamlin, 1; and 3 for J. C. Foss. The house adjourned, and was therefore declared duly elected on the part of the house.

In the senate on the first ballot, George Evans received 14 votes, John Fairfield, 8. George Evans was therefore declared elected by a majority of the senate, and having received a majority of votes in each house, he is legally and constitutionally elected a senator, for the state of Maine, in the congress of the United States, for the term of six years from and after the third day of March next. **FINANCES.** An account of the finances of the state to the 1st inst. is exhibited in the annual report of the treasurer. The whole debt of the state amounts to \$1,678,367, of which all but \$37,340 is payable in periods of 2, 5, 15 and 20 years. The estimated charge for interest the ensuing year is \$98,500. For meeting this debt, and the current expenses of the state, the treasury has the following resources: cash on hand Jan. 1, 1841, \$83,743; bonds for 1841, \$40,000; duty on imports, \$2,500; balance a state tax of \$840, due January 1, 1841, \$97,718; notes and bonds in hands of land agent, and other notes and bills receivable, estimated to be available for \$208,000; claim on the United States, \$250,000; and bank stock, \$18,000; making a total of \$735,954. The estimate of probable receipts in 1841 is \$458,934, including cash on hand, \$230,000 claimed of the

United States for boundary expenses, the state tax, bank tax, and \$30,000 from the land agent. The bank tax appears to be appropriated to the school fund. The estimate of expenditure for the current year is \$206,627.

Northeastern boundary. A correspondent of the Boston Daily Mail says, that a resolve has been introduced in the Maine house of representatives to repel British aggression on the territory called disputed by the resources of the state but they are hereby placed at the disposal of the governor, and the specific sum of 400,000 dollars be appropriated, to remove the troops of her majesty, queen Victoria, now quartered on the territory called disputed by the British government; but by the treaty of 1783, and by the resolutions of both houses of congress passed in 1833, and by resolves of the legislature of Maine, clearly, and unequivocally a part of the right of soil of this state.

Revised code. The revision of the whole body of laws in this state, was completed by the last legislature, at an extra session held in September and October. These laws are now in the hands of the printers, and will make a volume of about 1,000 pages. They are mainly the work of the late lamented chief justice of the state, Prentiss Melien, who died at Portland a few days since, full of years, and honors. Owing to the haste with which they were compiled, and to other adverse circumstances, it is apprehended they will not compare with the revised statutes of N. York or Massachusetts. They will, however, be a great improvement on our former laws, which had been so often changed, repeated, and repealed, and make a volume of about 1,000 pages. Sometimes puzzled the best members of the legal profession, and would have staggered even "a Philadelphia lawyer," to tell what was law, and what was not not law, in Maine.

VERMONT.

The Vermont university, at Burlington, has 160 pupils. A donation of \$30,000 has recently been made to it by Mr. Williams, a citizen of the state. Its library contains 10,000 volumes.

MASSACHUSETTS.

Legislature. A bill to repeal the law prohibiting the intermarriage of whites, Indians and mulattoes was rejected in the house of representatives of Massachusetts, after a warm and animated debate. "Year 140, says 204."

Boston trade. There arrived at Boston during the month of January 250 vessels of all kinds, 181 of which were coastwise and 69 foreign. There cleared during the same period 197 vessels, 130 of which were coastwise and 67 foreign.

Sugar. There was imported in Boston during the year 1840—29,600 pounds of brown sugar.

RHODE ISLAND.

The general assembly of Rhode Island have passed resolutions in favor of the immediate distribution of the public lands among all the states; for a national bank, and for the immediate repeal of the sub-treasury law.

NEW YORK.

Prison contracts—Army damages. Mr. J. Chichester of this city has lately obtained a verdict for \$18,357.19 damages against the agent of the Sing Sing prison, for a breach of contract for the services of prisoners in the cooper's shop of the prison.

It appeared that Mr. Chichester, the plaintiff, entered into a contract with Robert Witte, the agent of the prison, on the 26th December, 1833, for the services of a stipulated number of convicts, for seven years, and for up to the 1st day of December, 1839, with the privilege of renewing said contract for a term of years longer. The damages for the violation of the contract, were laid at 25,000 dollars; and the violations were, a refusal on the part of the agent to allow the plaintiff a sufficiency of men to allow him for dressed stuff, as agreed, and for bad work.

The referees reported on the 6th inst. at a verdict for the plaintiff of \$18,357.19. [Troy Whig.

PENNSYLVANIA.

The finances. From the auditor general's report, made to the legislature at the opening of the session, we glean the annexed important items in relation to the financial condition of the state.

Summary statement of the receipts at the state treasury, commencing on the 1st day of November, 1839, and ending on the thirty-first day of October, 1840.

Land and land office fees,	\$37,141 43
Auction commissions,	\$7,728 50
Amount of bonds,	\$1,725 00
Amount of duties,	\$26,322 00
Dividends on bank stock,	4,712 00
Dividends on turnpike stock,	
Dividends on bridge and navigation stock,	\$2,982 32
Dividends on bank dividends,	\$8,465 03
Tavern license,	\$2,719 09
Relatives' licenses,	\$7,071 95

COUNTY.	CEREAL GRAIN.									
	Wheat, bushels.	Barley, bushels.	Oats, bushels.	Rye, bushels.	Buckwheat, bushels.	Indian corn, bushels.	Tobacco, pounds.	Hay, tons.	Hemp, tons.	Potatoes, bushels.
Allegheny	81,386	2,001	213,501	48,281	38,104	114,937	31,500	7,350	23	87,202
Anne Arundel	28,000	1,000	100,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Baltimore	135,001	545	300,116	79,022	5,116	632,881	9,697,695	17,225	24	183,456
Calvert	13,801	445	30,000	19,521	1,200	10,000	10,000	10,000	10,000	10,000
Cecil	14,414	445	42,720	19,521	1,200	10,000	10,000	10,000	10,000	10,000
Frederick	180,438	462	206,420	72,100	6,490	226,840	228,460	14,710	26	112,271
Harford	107,238	289	149,921	1,802	4,900	266,600	9,309,425	14,111	26	60,926
Howard	91,231	289	40,982	4,333	297,137	2,353,331	3,332	6,386	17	3,332
Prince George's	67,231	666	61,591	1,706	270,751	1,706	3,332	6,386	17	3,332
St. Mary's	28,000	1,000	100,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Talbot	113,121	6	117,760	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Washington	69,756	265	42,943	113,200	1,564	632,041	228	204	3	74,740
Worcester	20,979	160	168,330	60	436,312	436,312	139	30	38	11,715
Baltimore city	1,410	1,400	6,370	20,314	20,314	20,314	6,370	6,370	6,370	6,370

COUNTY.	GARDEN, &c. WOOL, HOPS AND WAX.									
	Value of produce of market gardens.	Produce of nurseries and florists.	Capital.	Wool, pounds.	Hops, pounds.	Wax, pounds.	Cotton, pounds.	Silk cocoons, pounds.	Wood sold, cords.	Produce of dairies.
Allegheny	58,446	247,354	28,638	2,037	1,202	400	9,102	2,739	223	91,230
Anne Arundel	58,446	247,354	28,638	2,037	1,202	400	9,102	2,739	223	91,230
Baltimore	4,344	6,242	6,280	13,301	143	118	9,889	97,097	12,303	2,419
Calvert	13,801	445	30,000	19,521	1,200	10,000	10,000	10,000	10,000	10,000
Cecil	14,414	445	42,720	19,521	1,200	10,000	10,000	10,000	10,000	10,000
Frederick	180,438	462	206,420	72,100	6,490	226,840	228,460	14,710	26	112,271
Harford	107,238	289	149,921	1,802	4,900	266,600	9,309,425	14,111	26	60,926
Howard	91,231	289	40,982	4,333	297,137	2,353,331	3,332	6,386	17	3,332
Prince George's	67,231	666	61,591	1,706	270,751	1,706	3,332	6,386	17	3,332
St. Mary's	28,000	1,000	100,000	10,000	10,000	10,000	10,000	10,000	10,000	10,000
Talbot	113,121	6	117,760	1,200	1,200	1,200	1,200	1,200	1,200	1,200
Washington	69,756	265	42,943	113,200	1,564	632,041	228	204	3	74,740
Worcester	20,979	160	168,330	60	436,312	436,312	139	30	38	11,715
Baltimore city	1,410	1,400	6,370	20,314	20,314	20,314	6,370	6,370	6,370	6,370

*This return comprises only the 10th and 12th wards of the city of Baltimore.—The deputy marshals made no return of the live stock in the other wards.

Counties.	Numbers.	Value of manufactures.	Men.	Capital.
Carroll	6	1,990	5	945
Calvert	1	1,000	8	600
Frederick	7	1,550	7	750
Harford	1	1,500	3	600
Washington	3	2,200	2	600
Baltimore city	8	52,500	65	22,300
	22	\$61,240	90	\$25,620

	22	\$61,240	90	\$25,620
	FISHERIES.			
	Value of fish.	Bone and other products of fisheries.	Men employed.	Capital invested.
Counties.				
Anne Arundel	131		17	120
Calvert	1,091		87	1,250
Caroline	520		29	900
Cecil	20,351	10,077	641	13,275
Charles	2,400			
Dorchester	425			
Frederick	950		85	3,000
Harford	40,582		877	56,000
Kent	1,638		16	350
Prince George's	650		155	11,800
St. Mary's	14		8	150
Somerset	500	2,000	4	1,000
Baltimore city	2,000	90		6,000

TOTAL.
71,982 12,167 1,819 \$39,947
Gunpowder. There are 3 powder mills in Baltimore city and county, which manufactured 669,000 lbs. and employed 47 men. The capital invested is \$16,000.

Glass. There is one glass house in the Baltimore city, employing 37 men. The capital invested is \$30,000, and the value of manufactures \$10,000.

Sugar refineries, &c. There are six sugar refineries in Baltimore city, the produce of which is valued at \$178,000. The value of chocolate made in the city is \$11,400, and of confectionary \$68,400. The capital invested in these is \$102,900, and the number of men employed 89.

	FATER.			
Counties.	Mills.	Value of produce.	Men.	Capital.
Baltimore	1	1,000	5	14,000
Carroll	4	51,500	12	30,500
Cecil	5	65,000	67	22,500
Frederick	3	13,600	20	4,050
Harford	1	4,000	7	1,000
Baltimore city	2	59,000	60	23,350
	16	195,100	171	\$93,400

CORDAGE.				
Counties.	Pope mills.	Value produced.	Men.	Capital.
Carroll	1	3,000	1	500
Frederick	3	4,350	8	2,500
Washington	1	3,500	5	1,000
Baltimore city	8	133,000	184	66,500
	13	142,850	198	\$70,500

Musical instruments. The value of musical instruments manufactured in Baltimore city, is 16,400 dollars; the number of men employed 15; and the capital invested \$4,000.

Mines. The value of metals, other than gold and silver, in Baltimore county, is \$18,350, and in Frederick county \$10,500; the number of men employed is 56 in the former and 14 in the latter.

Counties.	Value produced.	Men.	Capital.
Baltimore	4,200	1	200
Cecil	8,050	28	4,000
Frederick	1,000	13	10,000
Baltimore city	8,000	16	2,500
	21,250	58	16,700

Coal. In Allegany county, the number of barrels of bituminous coal mined was 222,000; the number of men employed 23, and the capital invested \$4,470.

Sugar. In Allegany county there were made 36,266 pounds of sugar.

Internal transportation. The number of men employed is 3 in Carroll county, 20 in Worcester, and 53 in Baltimore city—total 106.

Butchers, porkers, &c. The number of persons employed is 4 in Anne Arundel county, 2 in Frederick county, 6 in Kent county, 3 in Washington county and 198 in Baltimore city—total 209. The capital invested is \$28,580.

Fire arms. In Washington county, 80 small arms were manufactured, employing 3 men.

Metals. The value of precious metals manufactured is \$300 in Washington county, and \$13,300 in Baltimore city. There are two men employed

in the former and 19 in the latter. The value of other metals manufactured is \$300 in Baltimore county; \$2,700 in Frederick county, and \$310,000 in Baltimore city. The number of men employed is 216.

Dying and printing. There are two establishments for dying and printing clothes in Anne Arundel county, and one in Baltimore city.

Silk. The capital invested in the manufacture of silk is \$5,000 in Cecil county, and \$2,000 in Frederick county. There are 18 females and children employed.

Counties.	Value of articles.	Persons employed.	Capital.
Carroll	500	2	200
Frederick	1,300	6	6,000
Baltimore city	230,200	270	118,900
	\$232,000	278	125,100

University. Three professors are wanted in the university of Virginia, one of mathematics, one of modern languages, and of moral philosophy. Salaries from \$2,000 to \$3,900 each, and a dwelling house. The professor of modern languages is required to teach French, Spanish, Italian, German and Anglo-Saxon. The endowments offered are far greater than those enjoyed at any other university in the country. Applications will be received until the first of July next.

Special congressional election. Hines Holl, esq. the whig candidate, elected to fill the vacancy in congress occasioned by the resignation of judge Colquitt, received, according to the official returns, 26,050 votes and Watson (V. B.) 21,002—majority 5,057.

Schools in Cincinnati. The editor is indebted to the kindness of his friend E. P. Langon, esq. president of the board of trustees, for a copy of "the" eleventh annual report of the condition of the common schools in Cincinnati, and the progress made, with the proceedings of the common council thereon, and published by their direction. It is really a gratifying specimen of the progress of system and science, in the department of popular education, and well worthy the attention of all those who are engaged in introducing public schools into our own communities. A comprehensive table exhibits at one view, the names, stations and salaries of the teachers and their assistants—the expense of each school for tuition and for contingencies—the number of scholars enrolled, withdrawn and remaining—distinguishing males from the females—the number of each in daily attendance—the number year distinct—the names of the trustees, board of examiners and other officers—the time of their meetings, &c. &c.

We lay down this instructive little publication with sincere regret that our limits will not enable us to make further extracts at present from its pages than to furnish the general results of its statistics. Its suggestions in relation to the qualifications of teachers—the course of studies and grading of schools—the books used—the economy of such a system of education; and the suggestions to parents, scholars, teachers, public authorities and to the community at large, are admirable, and worthy of a wide distribution.

Number of scholars entered at the several schools during the past year	6,057
Number retired from removals and various other causes	1,789
Number in daily attendance	2,604
Number of teachers employed of which 22 are males, and 42 females	64
Average daily attendance of each	411
Increase of enrollments of scholars over 1839	557
Increase of withdrawals over 1839	410
Increase in daily attendance over 1839	123
Salaries—Senior male principal, per month	\$45 00
Stated male principals "	42 00
Stated female principals "	25 00
Associate principal "	35 00
Senior assistant, male 30; female 20	20 00
Junior assistant, male 25; female 18 00	18 00
Third or primary assistant, female 15 00	15 00
Total annual salary for tuition	19,604 75
Interest on the building fund, equivalent to rents of school houses	8,307 91
Contingent and other expenses	1,192 86
Average cost of each pupil	7 50

Artificial lake. The Miami (Ohio) Times states, "The Miami canal reservoir, in Mercer county, covers 13 square miles of land. The water is from 1 to 37 feet deep, and is the largest artificial lake in the world."

ALABAMA.
The Legislature closed their session on the 6th ult. The banks. Just before the close of the session, it being ascertained that the banks of the state were by no means in a condition to resume specie payments, a bill passed authorizing them to continue suspended until the 15th inst. The banks of that state as well as the legislature, are controlled by the Van Buren party.

INDIANA.
The Indiana senate on the 15th inst. laid on the table a projected bill to suspend the further prosecution of the public works.
The house of representatives, on the same day, passed a bill to abolish capital punishment.

ILLINOIS.
Allen votes recognized. The supreme court of Illinois, in session at Springfield, have decided that aliens, under the laws of the state, have a right to vote, and that they cannot be prevented. And yet the voters of these very states may elect the president of the United States.

Land titles. It is stated that the supreme court of Illinois have, by a unanimous opinion, decided that the titles of lands obtained under sales for taxes are good.

Illinois and Michigan canal. The fifth annual report of the canal commissioners, states that the expense already incurred on this work is

	\$4,673,048 09
The estimated cost of the canal	<u>4,457,478 68</u>
Amount remaining to be done	\$216,569 41
Which is supposed can be completed in 3 years if there is no impediment from the want of funds.	

Michigan.
River St. Joseph. The cost of building snag boats, cabin screws and other machinery, for clearing out this river in Michigan, was prosecuted last season with energy, under the superintendence of gen. Van Fossen. The expense of boats, &c. was over \$1,150 of clearing seven miles, covering eight miles from the mouth, \$462 of rigging, claim, furniture, &c. \$528, total amount expended \$2,247. The work is to be prosecuted as far up as Three Rivers next year.

The tariff. Resolutions have been introduced into the legislature of Michigan, in favor of a protective tariff. The Detroit Advertiser, in remarking upon the subject, says, "a free trade—open ports to all nations—easy duty—no tariff—no talk about, but it would be ruinous to practice. It is clearly the policy of this country, to foster its own manufactures—to become, emphatically, and to the fullest extent, independent of the old world. As a people we have never realized the magnitude of power, wealth and glory, until this is the case. If is her protective system that has made England the first manufacturing as well as commercial nation in the world. There has been a period in her history, when, without a tariff, she could not, in every respect, compete, in her own market, with the manufactures of France and Germany. But that system—which she early adopted—gave her manufactures strength—transformed the weakness of infancy into the full vigor of manhood—enabled her to reap the reward, by her ability to defy all competition. A similar policy here, will secure like results—make America the queen, equally of commerce and manufactures. How necessary, therefore, to oppose a system which cannot fail to secure such glorious results."

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL.

In senate, Thursday, February 14.
MR. SEVIER, of Arkansas, said he knew of no political question, except it were a question involving national or state honor, or a question of war with foreign power, in which his constituents felt an interest so deep and universal, as they do in a just, speedy and final disposition of the public lands.

In the adjustment of this great question, they desire what is just and liberal, and nothing more; and they would never be satisfied, as they did not to be, with any settlement of it which falls short of ample justice and great liberality. Senators from the old states have had the power, and yet have the power, to vote down every reasonable proposition upon this subject, as they have frequently done, and to no time for the last half century. But, thank God, selfishness, and avarice, and injustice, like all things else on earth, have a termination! Human extortion and avarice, either individually or by states, in the way of pre-emption of a merciful Providence, cannot last forever! What influence a sense of justice, in conflict with pecuniary interest, or a knowledge of what the future will inevitably bring to pass, may now have upon the minds of senators representing the old states, will be shown by their votes upon the proposition now before the se-

nate. Ten years hence, after the next census, should a settlement of this question be so long deferred, and should we at that time have no traitors in our garri- son to betray us, it will be a matter of slight concern whether we have, what would be, at all times desirable, the friendship, the will and co- operation of our brethren, whether the senators from the old states are willing to settle the land question or not. We shall then have the power, and we shall then estimate it, for disposing of the great ques- tion to suit ourselves. And when that settlement takes place, we shall bear no more of this govern- ment peddling in town sites and town lots; no more of the relationship of federal landlord and tenant, in England, and in Spain, and in India; no more of menal statutes prohibiting emigration and settlement upon the public lands; no more of suits of trespass or ejectment; nor of our illustrious army crusading under your orders, not against the enemies of the country, but against our own flesh and blood; and acquiring distinction, not on the battle field, but by burning down the dwellings, cutting down the crops, and driving into the woods to starve, or perish by exposure, nakedness, infectious and harmless epi- demics, the United States and Indian families. We shall then hear no more of these enormities, nor of the thousand other vexations which the frontier settler has had to bear, without remedy or redress—without farther to complain, lest he should be considered as unnecessarily, impudent, impetuous, a bandit or robber!

We shall then have the power, and shall find, when that blessed day shall arrive, in politics as in war, that a bombshell or cannon ball, dug into the ca- verns of the world, and fired, will produce a rapid effect of hastening negotiations, and of settling rap- idly, and to every body's most perfect satisfaction, knotty points of dispute between us of long stand- ing. You, sir, may read the history of the last days of Napoleon. He had been in the first in- verces, with the empire, and with France, an heir of his, in all probability, this day would be seated on the throne of the French. He wanted more, he wanted provinces, and Russia, and Ireland, and, in striving to retain them, lost all. Profit, and, by the lessons of history: for men and things are the same in every age and circle of the globe. Will you, sir, profit by these reflections? Will senators from the East, who profit by the revenue of the country, make any adjustment of this great interest, in the spirit of brotherly love and generous magnanimity, of which we bear so much and see so little? If so, I for one, will promise them a pardon for the past, and love and reverence for the future. I will feel no such emotions. I feel that the world's con- ditions of money—money which they collect from others than their own constituents—will be found too powerful with them for any patriotic sacrifices and they would gain the power, and they would give every member of the assembly. They now have the power to prevent our emancipation, and they now calculate that their strength will in- crease in an equal ratio with ours. They calcu- late, as the west, the southwest, and the south give new states to the union, that the new states will become old in interest, and join them as allies in plundering the balance. Already they consider Ohio and Indiana as belonging to them. And hence they speak with the exception of my friends from the Carolina, (Mr. CALHOUN), of my friends from New Hampshire, and a few other generous, lofty spirited democrats from the old states, who have stood by us heretofore, and who stand by us now, the old, the aged, and uncompromising opponents of every land measure desired by the new states. And what are these measures, and why are they opposed?—There are three of them now before us. The first, the pre-emption bill; the second, the distribution bill, and the third, the session bill.

The pre-emption bill proposes to authorize any citizen of the United States to give one dollar and twenty-five cents an acre for one hundred and sixty acres of land, provided he will improve and cul- tivate it. The friends of the bill support it with a view of protecting the labor of the poor man against wealthy land speculators. They allege, and prove it by official documents, that land sold at auction, without a pre-emption right, pays the govern- ment but two or three cents an acre more than the pre-emptor pays; and as the loss to the gov- ernment is so trifling, and as protection to the set- tler is so important to him, as well as to the state in which he resides, they urge the passage of the bill. During the last forty years, we are told, and truly, that several pre-emption laws have passed, but all of them retrospective, and applicable only to settlers on the public land, at the time, or prior to the pas- sage of these acts. And such bills, it is said, have been opposed on the ground, among other reasons, of their unconstitutionality; because it was said to be a law lacking uniformity; because it granted

privileges only to certain citizens of particular states, and not to all the citizens of all the states. To obviate this objection, and at the same time to save the trouble of constant applications for the passage of such laws, to save the time and expense of con- sidering, passing, and repealing laws, and to obviate the constitutional objections of very conscientious gentlemen, the friends of the measure have proposed this bill, which is of a prospective character, ex- tending the citizens of all the states the same right, and privileges that former pre-emption laws conferred on certain citizens of particular states.—With the single exception of its prospective feature, it is precisely the same bill which has been passed frequently, at different times, for the last thirty or forty years.

This is the pre-emption bill, sir. I have given you, in a few words, its length, and depth, and breadth, and a few of the reasons which influence its friends to support it. Its passage is opposed by gentlemen for sundry reasons, some of which are avowed, and some of them concealed; and by all its opponents it is opposed for the same reason, whether avowed or concealed.

The reasons, though not avowed, for opposing the pre-emption bill, is, to prevent the emigration to, and the settlement and improvement of, the new states. The wealthy of the old states desire to retain their poor citizens among them for their own convenience, (that is, for their own pur- suits, for the class I allude to), for the pur- pose of working on their farms and in their shops and factories; and, by so doing, to keep down the price of labor by increasing the demand for employ- ment. It is supposed, it is because the value of such a bill is calculated to keep down the price of land in the new states, and in that reduction they imagine emigration will be successfully encourag- ing; that the poor will then become elevated in condition, that they will become capitalists, and that the price of labor will increase, and that by such a process the value of their real estate will be affected and diminished. This wealthy class have now, as they ever had, their representatives to this effect.

The politicians of the old states, (always excepting my democratic friends I have before alluded to), oppose this bill because they are jealous of the rapid growth of the new states, and fear a loss of political power. Consequently, and therefore, they oppose this bill, at they do, as a temptation to emigration, and as leading to a loss of political power, they oppose it. To keep these people on the census-roll, that they may be counted in the number, they oppose it. They oppose the pre-emption bill, and they oppose it in their country, than rich, happy and prosperous in ours. Their reasons for opposing this bill are well understood in the new states, and thank God, properly appreciated. This is all. The bill is well understood in the new to bring the highest pos- sible price, that they may have annually more money packed over the mountains, to be spent among them on their wharves, light houses, boys and breakwaters, and the Lord knows what. Not satis- fied in this plan, on our shoulders a protective tariff on the necessities of life for their benefit, we must also be saddled with a high land tariff, a sort of Eng- lish corn law, that they may thrive and fatten at our expense, in robust, drunken song, when they find kind enough to modify the tariff in 1832 to save our union, a reduction at that time, of the land revenue never entered into their imaginations, no, never. These, Mr. President, are some of the concealed reasons for opposing the pre-emption bill. I now consider a few of those which have been avow- ed.

The senator from North Carolina, (Mr. MAN- GUM), objects to the passage of this bill because, he says, by opposing the pre-emption bill, we are warring with God! His idea of the settlers upon the public lands in the new states is, that they are a sort of N. Carolina blue beads, who are ragged, dirty, brawl- ing, browbeating mounties, six feet high, who have want the land in the new to bring the highest pos- sible price, that they may have annually more money packed over the mountains, to be spent among them on their wharves, light houses, boys and breakwaters, and the Lord knows what. Not satis- fied in this plan, on our shoulders a protective tariff on the necessities of life for their benefit, we must also be saddled with a high land tariff, a sort of Eng- lish corn law, that they may thrive and fatten at our expense, in robust, drunken song, when they find kind enough to modify the tariff in 1832 to save our union, a reduction at that time, of the land revenue never entered into their imaginations, no, never. These, Mr. President, are some of the concealed reasons for opposing the pre-emption bill. I now consider a few of those which have been avow- ed.

[Mr. MANGUM has rose to explain, and said he referred to laws.]

Mr. SEVIER said he had not so understood the senator, but would say to all God's creatures, and a portion of them are his constituents. This is the idea he has of them. But now, sir, no descrip- tion on earth is further from the truth than the one he has given of them. On the contrary, sir, the set- tlers upon the public land constitute the best part of the population of all the new states, and that is saying a good deal for them. It is saying that they constitute the best portion of the population of the United States, and that is saying a good deal for them. Sir, I never was in Europe, and never intend to be, and therefore am unable to contrast the set- tlers upon the public lands with the better part of a

population of the old world. But, sir, I have been in North Carolina. I was born and lived in sight of Buncombe; from the door of the house of my nativ- ity, though in a different state, I could look out and see the high blue mountains of that celebrated county. I know the soil, and the people, and the in- fluence of its inhabitants. I have since been in Wilming- ton, the seaport city of that state, and have travelled through the turpentine region, which I understand to be the best part of the state. I have met with be- lievable at home and abroad, and will be able to bear testimony to their worth and virtues. And yet, sir, I assure the senator that I should not blush or dread a comparison of my constituents upon the public land with the best of the state officers by any standard of virtue, intelligence or worth, which or others could suggest. I have heard a great deal said about the settlers upon the public lands. This is not all. I have seen written descriptions of the emigrants to the new states, and only the other day I met with a description of them which will, I dare say, whether he considers it poetry or prose, afford him some amusement, if not instruction. The extract is taken from Hall's Magazine. He says:

"First in order of time, first in speed, and first in speculation is concerned, comes the hardy, enterprising New Englander. Of all the emigrants to the west, Brother Jonathan alone knows where he is going to, the cheapest mode of travel, and what he is going to do when he gets there. He is a man of business, and he knows what sum he must take with him, or notion in the way of trade, to secure a home in the wilderness. Already, before he gets there, he converses fluently about ranges, townships and sections of land, and he knows the value of each subdivision, the amount reserved for schools, and is ready on his arrival to avail himself of his new position."

"Behind the rest, some distance in the rear, come the lonesome-looking couple from old North Carolina. They had evidently, from their appearance, ventured there all, such as it was, upon the enter- prise. An old one-horse tumbler, with two high seats, and a single wheel, and a store box for a body, drawn by a lean pony of the preceding generation, constituted their mode of conveyance. A bed, a spinning wheel, a pair of cards, a bag of dyestuff, and a few banks of copper-colored cotton, with a sickly-looking negro, and a dog, were all that they had. As they moved slowly along, the man walking before and the wife behind the tumbler, their lean pony occasionally stopping to crop the tall grass which stood by the way, it was evident to all eyes that they were a poor people. The man, at that term of life which the magistrate alluded to, who married them, when he said 'better for worse.'"

Well, now, sir, if the senator is ashamed of his old neighbors and friends, who probably have stood by him in many a contest, and who have helped to assure the senator that I am not. They are a good sort of people, and I wish we had more of them among us. I had expected the senator would back these friends of his, and do something for them, give them at least a pre-emption, or not a donation of land, to support the wife and the poor little sickly creatures, as well as the lean but faithful pony. But it seems that I have mistaken the man, and I am sorry for it.

The senator objects to this bill for another reason. He says that this bill allows more than one pre-emption. Well, suppose it did. Suppose it allowed the settler to pay for every place he found vacant and unimproved, on which he should build a habitation and cultivate a field, and then pay for a second lot (that) if a poor man settles upon, improves and pays for one tract of land, and be should afterwards sell it, what harm is there in letting him settle and im- prove, and pay for another quarter section of land? I can well imagine it might be to his advantage to pursue such a course; I can well imagine there might be cases where it might require, as in the case of the emigrant from North Carolina I have al- ready referred to, some two or three sections before he would find himself in a position to stick suc- cessfully. Such an indulgence is calculated to en- courage industry and enterprise, and to improve both the state and condition of the settler; and, at the same time, to get rid, for a valuable purpose, of that most odious of all monopolies, a monopoly of the public land by the great non-jax-paying power, the general government. I think such indul- gence right and proper. But the senate think other- wise, and have said so, and they are right. He is violently opposed to any such indul- gence. He says one of our western hunters can travel without difficulty the whole of our frontier, from the St. Peter's to the Kiamichi or Red river, and be able to travel, and to spend his money, in the very best tract of land on the whole route—What unparalleled monstrousness! He would not per- mit such a fellow, with his flap and leggins on, to

have a tract of land, even if he could sell bear meat and peltries enough to pay for it. No; not he. He would not even permit him to camp upon the public lands for a single night, lest such abomination would pollute even the soil itself on which he slept. He would remove him forthwith from the public lands. Not, however, with the militia, sir, no, sir. It is some trouble about the militia bill, of which, perhaps, the honorable senator has heard something, and the senator is rather too smart to be caught tinkering with men in uniform. He would send a constable to remove him with his warrant and staff of office. Well, sir, I am not sure that the senator is not likely—quite likely, sir. Friendly persuasion often effects what force would fail to accomplish; and it has been said that a poor man, in any extremities, when forsaken by the world, can safely count upon two friends, two inseparable companions, that will never desert him—his dog is one, and the constable is the

The senator from Connecticut (Mr. HUNTINGTON) also objects to the passage of this bill. His cannot bear the idea of a poor man having the privilege of entering by pre-emption a hundred and sixty acres of land, and then, in the next year, being enabled to select a spot of land where there may be water privileges! Water privileges! Why, sir, he loses the equanimity of his temper at the thought that a poor devil may stake his thirst by drinking from the same spring as he, and then, in the next year, to grind meal for his family. Water privileges! I have heard of this objection before, but never heard of it without feeling as though I had swallowed a dose of tataric acid or (perhaps) a dose of arsenic. I have heard that the people represent it as a revival of the credit system. Yes, sir, credit system! and upon that hypothesis they have favored us with some learned discourses upon the evils of the credit system. I have heard that the people represent it as coming from a certain quarter of this chamber, I felt something like the senator from Kentucky (Mr. CLAY) did, on his return from Richmond a year or so ago; when he wished to express his surprise at the fact that he heard of it from that quarter. "where am I, Mr. President! Am I in the senate chamber, or not? Do I see you, Mr. President, or not? Is that the chandelier I see there, or not? Is that the picture of the father of our country which I see there, or not? Is that not he, Mr. President?" We have been more surprised on that occasion than I have been at the philippics and tirades of certain honorable senators against the credit system—some of the advocates of which have been members of the government, of the paper of broken, suspended and non-specie-paying banks—and all of them the advocates of depositing the revenues of the general government with the states! The credit system, sir, is not all that you make it out to be. We propose to sell no land by this bill, or any other, upon credit. We do not propose to part from our land without the cash. It is true, we propose to delay the sales of the lands, to which there are pre-emptive claims, until the first of September. It may be thought advisable to sell the land at an earlier day; and of that matter the president of the United States is the sole judge; and whenever it is sold, the claim must come. It is a matter of course between the first of May and the first of September. The pre-emption bill may hasten, but in no event, can it retard the sales; and whenever it is sold, to-day, to-morrow, six or twelve months hence, the money must be paid down, and the land must be sold, and subject to be sold to any one who will buy it.

Another objection to the passage of the bill is, that settlers upon the unsurveyed lands are placed upon an equal footing with those residing upon the surveyed lands. These settlers have always been upon an equality, and they ought to be upon an equality. If the lands are not surveyed, it is our fault, and not theirs. If the lands are surveyed, it is to cripple our states in this manner, you have only to refuse, as you have the power to do, to pass the appropriations to carry on the public surveys, and you accomplish your purpose. You survey when and where you please, and are not more in the habit of consulting the wishes of the settlers upon them than you are in any other business. If you say, sir, they are never consulted by you upon any subject,

Sir, I do not desire to be tedious, and must now pass on to the other bills under consideration, which are offered as substitutes for the original bill. The next bill in order is the distribution bill. Well, sir, I am not going to discuss this bill at this time, if I ever do. I made a speech against such a proposition twelve months ago, and am not disposed to repeat now what I said on that occasion; and especially as I have been anticipated by the senator from Missouri, (Mr. BEXTON). He, sir, for this session at least, has given this bill its death blow; it has

fallen dead under his herculean blows; he has demolished it, killed it, murdered it; and I have no disposition to take up the time of the senate in mangling the carcass of the deceased.

I was glad, however, to find, from the course of his remarks, that the senator from South Carolina (Mr. PAXSON) intended to vote against the distribution bill, because he considered it inexpedient and unconstitutional. There is some consolation in this, sir; for at a future day we may need his services in resisting the passage of this identical bill.

The next which is proposed as a substitute is the *cession bill*. This bill proposes to cede the public lands to the states in which they lie, on certain conditions, to be taken up gradually by the states. Under this bill, if the conditions, it amounts to little more, if anything than a transfer of the management from the nation to the state governments. The lands are now managed by the general government, and at its sole cost. Under this bill, the management of the lands will be managed by the states respectively in which the lands lie, and at their exclusive expense. And, as an indemnity to those states for their trouble and expense, the bill proposes to give to the states, in consideration for the surrender of the five per cent. on the sales of lands in their limits, hereafter accruing, to which they are entitled by the terms of their previous cession, the sum of one per cent. of the proceeds of the sales of the lands, to be given to the states thirty-five per cent. of the gross proceeds of the sales of the land. This is the bill which has been most falsely characterized as a bill to give away the public lands. It is my favorite bill, because it is the only one which is not based on a gift, but on a fair exchange, and because it is the only one by which we get the heavy crushing federal loss from off our necks, and because it puts it beyond the power of a future congress to raise the price of the lands. It is the only one which does not encourage the growing avarice of the old states should continue to increase, and they should have the power to accom-

pish it.
 I have no favorite bill for other reasons. It embraces
 the pre-emption and graduation clauses. Of the
 former of these propositions I have already
 spoken; and of the latter I have but a word or so to
 say, as the subject of graduation is familiar to every
 senator; and what I propose saying is elicited by a
 question put to me yesterday by the senator from N.
 Carolina, (Mr. MASON,) who inquired of me, in
 relation principle, because, in the course of time, the
 refuse lands may bring a dollar and a quarter an
 acre, and, therefore, he is unwilling for the govern-
 ment to make such a sacrifice. He states, as a
 precedent, that in 1836 the senator from N. Carolina
 recd. that in 1836 the public lands had brought a
 great deal more than what they had been estimated
 at in 1828. No doubt it; and what was it that did
 not bring a great deal more in 1836 than it did in
 1828? Will the senator select that year as the prop-
 er one for the purpose of sale, or any thing else, that
 in either old or new states? Does he know that
 the inflated prices of land, and every thing else, in
 1836, broke the banks, merchants and traders, and
 the United States, if not the world? Most certainly.
 I should select any other than 1836 as the proper
 one for the purpose of sale. I would select the year
 in which the old state that has refuse lands to dispose
 of holds them up to any thing like the prices to
 which you hold up the refuse lands in the new
 states? Nowhere, sir. No legislature of any state
 in this union would dare pursue such a policy; nor
 would any individual. If the new states, in their
 independence, dare to pursue such a policy, were they
 but, within the reach of the citizens of the new
 states. They pursue towards the new states, who
 are not their immediate constituents, a course of
 policy they are not disposed in regard to their own
 constituents to pursue. What would be a good old
 rule of "doing as you would be done by"?

My friend from South Carolina (Mr. CALHOUN) has shown conclusively, I think, that the intrinsic value of land, or anything else, is six per cent. upon the sum it yields annually. He has thrown over this subject such a blaze of light as to leave conviction, I think, to every unprejudiced heart. He has shown that the Government has no right to exact a price for the government to receive *speedily* a moderate price for their property than to hold on to it for a great series of years, with the view of getting an enhanced price for it; and yet, with these convictions, without even the flimsy apology of subserving the financial interest of the United States, we find ourselves ready to carry out a step upon the basis of the inferior lands out of market, by bidding up the price beyond their value. Why, then, that such a course is pursued? The answer is obvious. It is to prevent the retrenchment and improvement of the new states, and to prevent them from raising a revenue by taxation upon their lands. Sir, if there were no great and powerful landholders in the honest land holder of the state, were to pay his land taxes upon their lands, we should have far less

grounds of complaint. The government pays no taxes, nor will she suffer the lands to be sold at a fair price, that somebody may be induced to purchase them, by which the states in which they lie may, by taxing them, receive a small revenue to support the state governments.

The friends of this bill anticipate many beneficial results from its passage. The reasons which influenced the committee in reporting this bill, and the reasons which influenced the author of it to offer it to our consideration, have been presented to the senate. I shall not repeat or dwell upon them. The views of the committee, and of the author of the bill, are met and opposed by the adversaries of the measure.

They oppose the bill, in the first place, with an exaggeration of the quantity of land subject to its provisions. The true quantity (if there be any truth in our official documents) in all of the new states, which is subject to the provisions of the cession bill, is one hundred and fifty-four millions of acres.—The quantity in the bill represents the true quantity, I think, to be ten hundred millions of acres! Now, sir, I care but little what the quantity may be; our arguments apply to the principle, and not to the number of acres. I should not, therefore, notice this bombast at all, but that I wish to dissipate the public mind as to the extent of our possessions.

Where do we find these immense possessions, amounting, in acres, to numbers which I have not mathematical skills to compute! I have no objections to go on a trip of pleasure with the senator-elect (Mr. PAXTON) to the peaks of the Rocky mountains, to see the country he has perched himself, to be able to begin to form some idea of our countless acres. Where are they? Are they there? Do we not all know that all the country west of Arkansas and Missouri, and south of the blue mountains, and north of the Rocky mountains, is held in fee by a patent from the president to the Indian tribes, and by treaty with Mexico or Texas? Do we not all know that the angle of country formed by the Missouri river, Iowa and the Canada line, and held in like manner by Indian tribes, or else is totally unoccupied? Do we not all know that all the country west of the Rocky mountains is held by Indians, and is claimed, though unjustly, by a foreign power, and that we have not to this day got nerve enough to wrest it from him? We all know, and you would not have to say so, and the world believe we are as many acres of land as there are grains of sand under the sea shore.

The advocates of this bill also exaggerate the benefits it proposes to confer on the states. The senator from South Carolina (Mr. PLESTON) states that the bill would require the government to select her for his (illustration) will, by the provisions of the cession bill, receive forty millions of acres of land. Has the senator ever read the bill? I doubt it; but he, the had, I am satisfied he would never have made such a statement. The bill would not require her already shown that, in consideration of the surrender of her five per cent. to which she is now entitled, and for the trouble and expense of managing her property, she is to receive thirty-five per cent. and no more, and not the whole of it, as the senator argues. The senator also mistakes the quantity of public land in that State. It is little over *thirty* instead of *forty* millions of acres. That the bill would require her to receive gradually throughout the period of eighty years, and from sales of land in her own limits of her own citizens; but when she defrays the expenses of her property, she is to receive the balance, by paying surveyors and land officers all that, and when she has deducted her five per cent. which she now receives, and which she is entitled to receive, in virtue of her compact of admission to the Union, she is to receive the balance, retaining out of her thirty-five per cent. upon the gross proceeds of the sales which the bill proposes to give her, a trifling sum, not worth a week's deduction from her property. I am not, Sir, I think, if this bill be liable to objection, so far as money considerations are involved, the bill gives her too little instead of too much. But I am willing, as one of her representatives to receive it, in order

The senator also opposes this bill because it violates the compact between the State of Virginia and the State of Connecticut. He tells us that the State of Virginia ceded its lands to the United States to "disposition of" for the common benefit. I have read the Virginia compact the senator refers to, but not lately. My objection seems to be founded on the words "disposition of" as being incompatible with the word "cede" as used in the bill. I hope the author of the bill will accommodate the gentleman, as I think he can do with propriety, by substituting in the bill the words "disposed of" for the word "cede." Either

term I fancy will be acceptable to the friends of the Union.

The senator alludes to the leading and only object of those two states, in making the census, was money. Well, sir, Connecticut at least has long since received, for what was at best a doubtful claim, an ample consideration for all she owed. The objects of these grants being money, as we are now informed, he argues that these lands cannot properly be disposed of for the common benefit, for any thing else. This construction I consider rather too restricted. Congress, I apprehend, can dispose of these lands for other things than money, and may be for the common benefit. Congress certainly have often exercised such a disposition of them, and probably will do again. There is no stipulation in the compact, that I am aware of, requiring those lands to be sold at a certain price, or any stipulation prohibiting congress from selling those lands at a price less than one dollar and a quarter an acre. They have full power over the subject, and can sell on what terms they choose, either to individuals or to states, and without any objection. But whatever force there may be in the senator's objections, they do not apply to this bill, because it goes on the ground that the lands shall be sold for cash, and upon the further ground, that the money accruing under its provisions shall be paid into the public treasury for the common benefit.

The senator objects, further, to this bill because it establishes, as he alleges, the relationship of debtor and creditor between the national and state governments. I am against such a relationship, and if there be any such obscurity in the bill on this point, I hope the author of it will modify it by making it the duty of every purchaser of land to dispositive the same to the treasury of the United States, the money coming to the U. States, with the proper price to the credit of the United States. I do not desire, notwithstanding my confidence in the integrity of the states, for a dollar of federal money to be placed, even temporarily, in the treasury of the states. Let the bill be so modified, if it requires such modification, and then, sir, all the evils the senator has so eloquently painted, resulting from such a connection, will be avoided, and here is an end to that objection.

The next objection to this bill is, that it is changing our most admirable land-system—and that is monstrous! Will you change a system, they ask, which has operated so happily for forty years? Behold Ohio and Indiana. See to what a happy and fertile manly has grown up under our most admirable land system! Yes, sir, Ohio and Indiana have grown up with surprising rapidity, and so has Russia under the edicts of her absolute emperors, and that, too, without the magical benefit of our system, or any other system! Has our land system produced the growth of either Ohio or Indiana? No, sir; far from it. They would be better off if they had neither land nor land systems in the limits of either. And have we not changed our land system, and have we not changed it, in reducing the quantity of land authorized to be sold. We have changed it from a credit to a cash system. We have changed it, by reducing the price from two dollars a dollar and a quarter an acre.

The distribution bill, which these gentlemen advocate, is a proposition to change the land system. And have any of these changes checked the growth of Ohio or Indiana? No, sir. They have gone steadily onward—and would have gone on, if they never heard of any of their land systems. Other states, old states, all things considered, have grown up as rapidly as Ohio and Indiana, where your land system never had a location or an existence. We should act with modesty, and not arrogate to ourselves any alterations in our system, which experience, or the wants of the community, or the condition of things, might point out or suggest. And pray, sir, how long since is it that those gentlemen manifested such a horror at change? Change, change, they would bring forward, and carry it too, some great and striking measure, as they have promised, or they will be laughed into scorn, ridicule and contempt. If they fail in all this, their days are numbered. If such logic as this could have been turned out of old and iron-nerved ancestors (and it was preached by a

celebrated party of that day) from changing the whole government, should now, sir, be the humble subjects of her majesty, and not the independent representatives of twenty six states and eighteen millions of freemen. I hope some of us, at least, have inherited a portion of the inquisitive virtues of our fathers, and have courage enough to look things in the face as they are, and not be frightened to death by sounds and empty shadows. I admit that every change is not an improvement, and fear that the late change of our president is of this character.

The senator from Kentucky, (Mr. Crittenden,) tells us that all these land projects are traps to catch votes; and he appeals to the result of the late election as an evidence to show that they had failed in their object. In the north, generally, I doubt if any candidate of their class, and informed of the result of the vote, when he replied that he received this manifestation of the confidence of his countrymen with profound gratitude, and that he would earnestly devote himself to the discharge of the duties imposed on him, by endeavoring to promote the welfare and welfare of the country, according to his best abilities.

By Mr. Wright, from the committee on finance, the bill to authorize the issue of treasury notes, without endorsement.

Mr. W. gave notice that to-morrow, at 1 o'clock, he would ask for the consideration of the same.

Also, from the same committee, a bill for the relief of certain holders of grants therein named.

By Mr. Wall, from the committee on the judiciary, a bill for ascertaining and settling the southern boundary line of the territory of Iowa.

By Mr. King, from the committee on commerce, an adverse report on the claim of the owners of the British brig *Dajach*.

Mr. K. said a bill had been introduced on leave for their relief, but the committee, on full investigation, came to the conclusion that the claim was not founded in justice, and gave notice that when that bill came up on the calendar he would move its indefinite postponement.

Mr. Crittenden gave notice of his intention to bring in a bill to prevent the interference of federal officers holding office in state elections.

Mr. Prentiss submitted the following, which lies over one day:

Resolved, That the act entitled an act granting half pay to certain officers who served in the army from 1828, ought not to be continued to deprive any soldier of its benefits in consequence of her having married after the death of the husband for whose services she may claim the same.

Mr. Smith, of Conn., presented a memorial and act, provided she was a widow as the same was passed; and that the committee on pensions be instructed to report on the memorial.

The following resolutions were adopted on the 8th instant by Mr. Linn, was taken up and adopted:

Resolved, That the committee on military affairs be instructed to inquire into the expediency of procuring a sufficient number of the most approved repeating arms to supply the troops operating against the Indians in Florida.

The following bills were then severally considered in committee of the whole, and ordered to be engrossed:

A bill to authorize the granting letters testamentary and of administration to aliens in the District of Columbia.

A bill confirming to Joshua Kennedy, assignee of Cornelius McCurtain, his title to an island in the Tensaw river, in the state of Alabama.

The senate then proceeded to the discussion of the bank-note bill—the motion pending being that of Mr. Seward to lay the bill on the table.

Mr. Smith, of Conn., expressed a wish to address the senate on the bill, when Mr. Seward withdrew his motion. Mr. S. then took the floor, and spoke until 3 o'clock P. M.

On motion of Mr. Tappan, the further discussion was passed over informally, and the senate proceeded to the consideration of executive business; and, after some time spent therein, adjourned.

February 12. The vice president laid before the senate a communication from the state department, covering the correspondence in relation to the capture of the schooner *L'Amistad*.

Also, a report from the secretary of the treasury, made in compliance with a resolution offered by Mr. Tappan, calling for a statement of the loss sustained by the government and people of the U. States by their connection with banks.

On motion of Mr. Allen, 20,000 extra copies were ordered to be printed.

Also, from the same department, covering a statement of the director of the mint, showing the result of the assay of gold and silver coins.

Mr. Clay, of Alabama, presented the credentials of the hon. Wm. R. King, senator elect from Alabama, for six years from and after the 4th of March next.

TWENTY-SIXTH CONGRESS—2d SESSION.

SENATE.

February 10. Mr. Hubbard moved to dispense with the reading of the journal; which was agreed to.

A message was received from the house of representatives informing the senate that the house was ready on its part to receive the senate, and proceed to open the certificates and count the votes of the electors for president and vice president of the United States.

On motion of Mr. Knight, the senate proceeded to the house of representatives.

After the votes had been duly counted, the senators proceeded to the senate chamber, where the following resolutions were adopted:

Resolved, That a committee of one member of the senate be appointed by this body to join a committee of the house of representatives, to be appointed by the house, to wait on William Herndon, of Ohio, and to notify him that he has been duly elected president of the United States for four years, commencing with the 4th day of March, 1841.

Mr. Preston was appointed on the part of the senate.

Resolved, That the president of the senate do cause John Tyler, of Virginia, to be notified that he has been duly elected vice president of the United States for four years, commencing with the 4th day of March, 1841.

The vice president laid before the senate a communication from the war department furnishing in-

formation from the colonel of ordnance in relation to the national arsenals.

Mr. Linn, on leave, introduced a bill to appoint trustees for the investment of the Smithsonian fund. And the senate then adjourned.

February 11. Mr. Tappan presented a memorial from numerous citizens of Ohio, praying that the seat of government be removed to Cincinnati. Laid on the table.

The following reports from committees were made:

By Mr. Preston, from the joint committee appointed on the part of the senate to wait on Wm. Henry Harrison, of Ohio, and inform him of his election to the presidency of the United States: A report of the committee had waited on the president-elect, and informed him of the result of the vote, when he replied that he received this manifestation of the confidence of his countrymen with profound gratitude, and that he would earnestly devote himself to the discharge of the duties imposed on him, by endeavoring to promote the welfare and welfare of the country, according to his best abilities.

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Mr. Clay, of Alabama, presented the credentials of the hon. Wm. R. King, senator elect from Alabama, for six years from and after the 4th of March next.

Mr. *Wile* presented the memorial of numerous citizens of Indiana, asking for the adoption of a uniform system of bankruptcy.

Mr. *Porter* presented a similar petition from citizens of Michigan.

Mr. *Henderson* presented a similar petition from citizens of Mississippi.

Mr. *Norvell*, of the committee on public lands, reported a bill to authorize the states to tax say lands sold within their limits, without amendment.

The resolution introduced yesterday by Mr. *Prentiss*, relating to the construction of the pension law of 1838, was taken up, when Mr. *Prentiss* explained at length the object of the resolution.

Mr. *King* moved such an amendment as would refer it to the committee on the judiciary.

This motion was defeated by Messrs. *Southard*, *White*, *Prentiss*, *Sevier*, *Knights*, *Clark*, and others. The motion to refer to the committee on the judiciary having been lost, the resolution was adopted.

The bill from the house of representatives, making appropriations for the payment of pensions during the year 1841, was twice read and referred to the committee on finance.

Mr. *Wright*, agreeably to notice given yesterday, moved to postpone all the orders for the return of taking up the bill to authorize the issue of treasury notes.

This motion having been agreed to—Mr. *Benlon* rose to ask for the yeas and nays, as he wished to record his vote against the measure.

The yeas and nays having been ordered, the question was taken on ordering the bill to a third reading, and decided as follows:

YEAS—Messrs. *Anderson*, *Bayard*, *Buchanan*, *Calhoun*, *Clay*, *of Alabama*, *Johnson*, *Fulton*, *Graham*, *Hubbard*, *Kerr*, *King*, *Knights*, *Linn*, *Lumpkin*, *Mouton*, *Nicholson*, *Norvell*, *Porter*, *Reese*, *Routen*, *Robinson*, *Sevier*, *Smith*, *of Indiana*, *Southard*, *Talmadge*, *Wall*, *Webster*, *Williams*, *Wright*, *Young*.

NAYS—Messrs. *Allen*, *Beaton*, *Clay*, *of Kentucky*, *Clayton*, *Crittenden*, *Henderson*, *Mangum*, *Smith*, *of Connecticut*, *White*.

Mr. *Clay*, of Kentucky, spoke against the measure at some length, deprecating it as most objectionable in its features.

Mr. *Wright* replied.

Mr. *Clay* rejoined, and the debate was further continued by Messrs. *Benlon*, *Calhoun*, *Prentiss*, *Dixon*, *Hubbard*, *Knights*, *Henderson*, *White*, *Smith*, *of Indiana*, and others, when the question was taken on the passage of the bill, and decided in the affirmative, as follows:

YEAS—Messrs. *Anderson*, *Buchanan*, *Calhoun*, *Clay*, *of Alabama*, *Dixon*, *Fulton*, *Graham*, *Hubbard*, *Kerr*, *King*, *Knights*, *Linn*, *Lumpkin*, *Nicholson*, *Norvell*, *Porter*, *Reese*, *Routen*, *Robinson*, *Sevier*, *Smith*, *of Indiana*, *Southard*, *Wall*, *Webster*, *Williams*, *Wright*, *Young*—28.

NAYS—Messrs. *Allen*, *Beaton*, *Clay*, *of Kentucky*, *Clayton*, *Henderson*, *Mangum*, *Smith*, *of Connecticut*, *White*.

The senate then adjourned until Monday.

February 15. The vice president laid before the senate a communication from the treasury department, covering a bill prepared by the first comptroller of the office of emoluments and expenses of the officers of the customs for the year 1840.

Also, from the legislature of Michigan, a resolution in relation to the boundary line of that state, and the appointment of a commission on the part of the state to join one on the part of the federal government to mark the same.

Mr. *Buchanan* said he had received a memorial from Parkersburg, in the state of Pennsylvania, which he would now take leave to present. It was signed by a number of respectable citizens of Pennsylvania, and stated in strong terms the defenceless condition of our maritime cities on the seaboard, and the impending danger of a foreign war; and urged on congress to make appropriations for the armament of our fortifications, the outfitting of the iron batteries for the defence of our harbors, and the equipment of twenty of the first class of steam frigates, and as many more smaller steam vessels. The memorial was ordered to be printed, and referred to the committee on naval affairs.

Mr. *Buchanan* also presented a petition from engineers, captains and pilots of the city of Pittsburgh, Pennsylvania, protesting against any law of congress making imperative the use of steam boats in all traffic safety valve, stating it to be not superior to others, and expressing a hope that no law would be passed unless its superiority was fully tested.

Mr. *Linn* presented the legal testimony taken before the honorable A. A. King, judge of the fifth judicial circuit at Missouri, in the case of Joseph Smith, Sidney Rigdon, and sundry other individuals of the sect called Mormons, or Latter-day Saints, on charges preferred against them of treason against the state of Missouri, burglary, arson, robbery and larceny.

Mr. *Linn*, in presenting this document, made some remarks in relation to the memorial presented at the session by the Mormons, in which it was asserted that the state of Missouri had not acted towards those people with that justice and humanity that had ever characterized her. He stated at that time that the memorial was an *ex parte* matter, and the legislature had since felt the necessity of placing a full record of all the facts before the country. He was aware that the sympathies of the people were always on the weaker side, and that in this contest with the state the latter had been improperly reflected on. He had the pleasure to present a statement of all the matters in dispute, which he asked might be printed. The motion was agreed to.

Mr. *L.* also presented petitions from Eleazer McVay, asking a pension, and from citizens of Missouri, asking a repeal of the naturalization laws, and that some mode be adopted to prevent the introduction of foreign paupers into the United States.

Petitions were further presented—By Mr. *Wright*, from citizens of Onondaga, re-monstrating against the passage of any bankrupt law that would be retroactive in its character.

By Mr. *Huntington*, from the Buffalo presbytery of New York, asking that the treaty with the Seneca Indians may be carried into effect until thoroughly revised by the senate.

By Mr. *Nichols*, from the legislature of Louisiana, asking that boats may be placed at the mouth of the Mississippi river.

By Mr. *Mercer*, from the corporate authorities of Baltimore, asking an appropriation for the erection of a fortress at Sollers' point flats.

Mr. *Linn* spoke of the importance of this position to the citizens of Florida, and expressed a hope that it would receive the attention of the military committee, and such appropriation be made as would enable them to commence the work.

Mr. *Linn* said it was a mere isolated point, and that the citizens would be of little service. He looked to the defenceless state of the whole maritime frontier from Maine to the Sabine, and talk of a partial appropriation for a single point. It would take fifty millions of dollars to place this country in such a state of defence as would enable it successfully to resist foreign aggression.

Mr. *Prentiss* spoke at length upon the subject; of the necessity there was for some proper and efficient measures being taken to place this country on an equal footing with European nations in respect to arms and defence. He took a view of the preparations making by France and England, and the scientific researches made by these powers in relation to steam vessels, floating batteries, &c. &c. which bid fair to change entirely the system of naval warfare that had been so long in vogue. He pointed to the steam vessels of England trading between the two countries, and commanded by naval officers, which at any moment might be transformed into vessels of war; also to the French steamers, which had battered down one of the strongest forts on the American continent; and the next day as it were in New Orleans, and anon at Baltimore, without a single gun having been fired to give notice of her approach—Mr. *P.* thought this subject one of vast importance in a national point of view, and ought to go to a select committee with science and intelligence, that would investigate the matter fully, and give a detailed report on the subject. He thought that in the present session would prevent any salutary action. Mr. *P.* expressed his regret that, from negligence or what other cause, this nation should have slumbered until others had attained so much more skill and strength. Law now, however, for the country to make up for what had been unfortunately lost.

The memorial was referred to the committee on military affairs.

Mr. *Smith*, of Indiana, from the committee on roads and canals, to whom the subject had been referred, reported a bill to confirm to that state the lands selected by her in lieu of the lands covered by reservations in the treaties of 1837 and 1839, with the Miami Indians; the bill was ordered to a second reading, and the report and accompanying documents, on this motion, were ordered to be printed.

On motion of Mr. *Anderson*, the bill from the house to amend an act entitled an act to authorize the president to set for the payment of horses and other property lost in the military service of the United States, was referred to the committee on claims.

Mr. *Wright* moved to take up the bill from the house of representatives making appropriations for the payment of pensions for the year 1841; which was agreed to.

Mr. *Sevier* said he understood the bill contained an item of \$100,000 to buy a peace with Tiger Tail and Sun Jee.

Mr. *Wright* explained the object, which was to give no more to the chiefs, and \$30 to each warrior, a blanket and gun, which was not to be delivered until they reached their new home; that gen. Armstrong had expressed his entire confidence in the Indians, and that the war would be at an end.

Mr. *Sevier* said he saw it was just what he had anticipated—neither more nor less than a bribe for peace. He said he must be permitted to express the deep mortification which he felt, that, after a war of five years, and when the power of the government was not sufficient to defeat a few hundred savages, but had at last to buy a peace. Such policy, he insisted, would have a bad effect on the Indians. What would he said when they went to the west? Why that, after expending between thirty and forty millions of dollars, you were compelled to last to buy a peace. Mr. *S.* moved to strike out the appropriation.

The subject was debated at some considerable length, and with much animation, by Messrs. *Wright*, *Sevier*, *King*, *Linn*, *Prentiss*, *Porter*, *Benton*, *Fulton*, and others.

The question on the amendment was taken by yeas and nays, and decided in the negative by a vote of 38 yeas and 6 nays. After another trivial amendment having been adopted, the bill was passed. The senate adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, Feb. 10. Mr. *Tillinghast*, on leave, presented the resolutions of the legislature of the state of Rhode Island instructing the senators to request the representatives of that state in congress to vote for the passage of a law designating the same day throughout the United States for the election of electors of president and vice president of the United States in accordance with the 4th section of the 2d article of the constitution of the United States; which resolutions were laid on the table and ordered to be printed.

Mr. *Andrews* by permission, introduced his resolution to take the bill for the payment of revolutionary pensions to the committee on the whole at 12 o'clock to-morrow, and then to proceed to vote upon said bill and such amendments as may be offered; which resolution was adopted. Mr. *Levi* moved that the rules be suspended to enable him to move the resolution. The motion for the morning hour this morning he devolved to the presentation of petitions; which motion the house refused to sustain.

Mr. *Crary*, reported, with amendments, the senate bill to authorize the legislatures of Arkansas, Louisiana and Tennessee to sell the lands heretofore appropriated for the use of schools in those states.

The bill and amendments were read, and the question arose on agreeing to the amendments.

Some debate took place; when Mr. *Peck* moved that the bill be committed to the committee of the whole.

While this motion was pending, some explanations, &c. took place.

And then the house at 12 o'clock having arrived, Mr. *Briggs* moved the order which will be found in its proper place below.

Mr. *W. Cost Johnson* asked leave to move a resolution to admit issues within the hall during the ceremony of counting the votes of the electors for president and vice president, and the persons.

There was a general response of "no! no!" throughout the house, and the motion was not pressed.

This is the day appointed by law for opening and counting the votes of the electors of president and vice president of the U. States.

By the 1st section of the 2d article of the constitution of the United States it is prescribed "that the president of the senate shall, in the presence of the senate and house of representatives of the U. States, open all the certificates, and the votes of the electors of president and vice president shall then be counted."

By the act of March 1, 1792, it is enacted "that congress shall be in session, on the second Wednesday in February, 1793, and on the second Wednesday in February succeeding every meeting of the electors, and the certificates of the electors, as so many of them as may have been received, shall then be opened, the votes counted, and the persons who shall fill the offices of president and vice president ascertained, and declared, agreeably to the constitution."

On the 10th of January ultimo, the two houses appointed a joint committee to ascertain and re-

port a mode of examining the votes for president and vice president of the United States, and of notifying the persons elected of their election.

On the report of that committee the two houses came to the following resolutions:

Resolved, That the two houses will assemble in the chamber of the house of representatives on Wednesday, the 10th of February, at 12 o'clock, and that the president of the senate shall be providing officer; that one person be appointed a teller on the part of the senate, and two on the part of the house of representatives, to make a list of the votes which shall be declared; that the result shall be declared to the president of the senate, who shall announce the state of the vote, and the persons elected, to the two houses assembled, which shall be deemed a declaration of the persons elected president and vice president of the U. States, and together with a list of votes be entered on the journals of the two houses.

The honorable *William C. Preston*, senator from South Carolina, was appointed teller on the part of the senate; and the honorable *Caleb Cushing*, representative from Massachusetts, and the honorable *John W. Jones*, representative from Virginia, were appointed tellers on the part of the house of representatives.

At 12 o'clock to-day, the following order was moved by *Mr. Briggs*, of Massachusetts, and adopted by the house of representatives:

Ordered, That a message be sent to the senate to inform that body that this house is now ready to receive the senate and to proceed in opening the certificates and counting the votes of the electors of the United States in the choice of a president and vice president of the United States, in pursuance of the resolution of the two houses.

The senate came into the hall of the house in the following order: the sergeant-at-arms (in front), followed by the vice president of the United States and president of the senate, with the secretary of the senate on his left; then the principal clerk of the senate, bearing the votes of the electors; then the senators; two and two.

The senate was met at the south door of the rotunda by the sergeant-at-arms of the house, who conducted the procession down the broad side. The vice president was received by the speaker on the steps of his stand, and conducted to his seat as the providing officer of the joint meeting—the speaker taking a seat at his left. The secretary of the senate was seated at the right end of the table of the clerk of the house, and the clerk at the opposite end. The tellers took seats at the clerk's table in front of the presiding officer; *Mr. Preston*, the teller on the part of the senate, in the centre, and *Mr. Cushing* and *Mr. Jones*, the tellers on the part of the house, on his right and left.

The sergeant-at-arms of the senate occupied a seat at the right of and below the vice president; the sergeant-at-arms of the house a corresponding position on the left of the speaker.

The senators took the seats set apart for them in the body of the hall, on the left as it entered, so as to be on the right of the providing officer. The members of the house were seated within the bar—the requisite number of seats having been provided and placed in the open space.

When the senate entered the hall, the speaker and members rose, and remained standing until the senate were seated.

The ladies' gallery was filled, almost exclusively, with ladies; and, as it would not contain all, nearly the whole line of front seats was filled with them. The entire galleries were crowded with spectators.

The joint meeting being opened by the presiding officer (the vice president of the U. States and president of the senate) rose and announced the purpose for which the two houses of congress had assembled in joint meeting.

He then proceeded to break the seals of the envelopes in which the votes of the electors were enclosed, commencing with the state of Maine, and, having merely broken the seal, he rose and handed the paper to the tellers, saying, "I deliver to you gentlemen, tellers, the votes of the electors of the state of Maine for president and vice president of the United States, that the same may be counted."

The same ceremony was observed by the vice president in opening and delivering to the tellers the votes of all the states.

The superscription on the envelope and the certificate of the votes of the electors, together with every paper contained within the same, were read throughout by one or other of the tellers, taking it in turn, the teller on the part of the senate having commenced with the state of Maine.

The tellers having read, counted, and made duplicate lists of the votes, which lists they compared with each other, and being found to agree, they were delivered to the vice president, by whom they were read to the joint meeting, and are as follows:

List of votes for president and vice president of the U. States for four years, commencing March 4, 1841.

Number of votes of each state.	STATES.	For President.		For Vice President.	
		Wm. H. Harrison, of Ohio.	Marion Van Buren, of New York.	John Tyler, of Virginia.	Richard M. Johnson, of Kentucky.
10	Maine	10	0	10	0
7	N. Hampshire	0	7	0	7
14	Massachusetts	14	0	14	0
4	Rhode Island	4	0	4	0
8	Connecticut	8	0	8	0
7	Vermont	7	0	7	0
42	New York	42	0	42	0
8	New Jersey	8	0	8	0
30	Pennsylvania	30	0	30	0
3	Delaware	3	0	3	0
10	Maryland	10	0	10	0
23	Virginia	0	23	0	23
15	N. Carolina	15	0	15	0
11	Georgia	0	11	0	11
11	Kentucky	15	0	15	0
12	Tennessee	15	0	15	0
21	Ohio	21	0	21	0
5	Louisiana	5	0	5	0
4	Mississippi	4	0	4	0
10	Alabama	10	0	10	0
5	Illinois	5	0	5	0
7	Alabama	0	7	0	7
3	Missouri	4	0	4	0
3	Arkansas	3	0	3	0
3	Michigan	3	0	3	0
		334	60	334	45

RECAPITULATION.
Total number of votes given.
Necessary to a choice.

Of which, for president,
William Henry Harrison, of Ohio, received 234
Marion Van Buren, of New York, received 60

For vice president,
John Tyler, of Virginia, received 234
Richard M. Johnson, of Kentucky, received 45
Littell W. Tazewell, of Virginia, received 11
James K. Polk, of Tennessee, received 1

The vice president then announced the result to the joint meeting, and, in compliance with the law of March 1, 1792, and the resolution of the two houses of the 2d instant, made the following declaration:

"I do declare that WILLIAM HENRY HARRISON, of Ohio, having a majority of the whole number of votes of the electors of president and vice president of the United States for president, is duly elected president of the United States for four years, commencing with the 4th day of March, in the year 1841.

"And I do further declare that JOHN TYLER, of Virginia, having a majority of the whole number of votes of the electors of president and vice president of the United States for vice president, is duly elected vice president of the United States for four years, commencing with the 4th day of March, in the year 1841."

The vice president then announced that, as the business for which the two houses of congress had assembled in joint meeting had been gone through with, he declared the meeting dissolved; and, thereupon, the senate withdrew in the order in which it entered the hall; the principal clerk bearing the votes of the electors, and one of the tellers to the senate chamber, to be deposited with the archives of that body.

Whilst the senate was retiring from the hall, the speaker and members of the house remained standing.

The senate being withdrawn, the speaker took his chair, and the house resumed its session; and *Mr. Cushing*, from the joint committee appointed on the 2d inst., submitted the following resolution as an additional report from that committee:

Resolved, That a committee of one member of the senate to join a committee of two members of the house of representatives be appointed by the house to wait on William HENRY HARRISON, of Ohio, and to inform him that he has been duly elected president of the United States for four years, commencing with the 4th day of March, 1841.

The resolution was read and adopted; and the house, at 4 o'clock P. M. adjourned until to-morrow, 11 o'clock.

Thursday, Feb. 11. The speaker stated that he had received a communication from *Mr. Stanley*,

asking to be exempted from further service on the committee of expenditures on the public buildings. *Mr. Stanley* was excused accordingly, and an order was passed for the appointment of a member in his stead.

It appeared by the reading of the journal this morning that *Mr. Cushing* and *Mr. Wise* were appointed on the part of this house of the joint committee to wait on general William Henry Harrison and notify him of his election as president of the United States. *Mr. Preston* is of the committee on the part of the senate.

Mr. Everett introduced resolutions of the general assembly of Vermont, that the exclusion of the members duly commissioned by the governor of N. Jersey from participating in the organization of the house, and the subsequent proceedings thereof, and the substitution in their places of five other persons who were not so commissioned, without a trial of the election, was a violation of established usages—was an indignity to the authorities of New Jersey—was unjust, unconstitutional and subversive of the liberty of the people of the republic.

The resolutions were read, and ordered to lie on the table and be printed.

Mr. Briggs moved that the special order on *Mr. Underwood's* resolution to the senators occasioned by the explosion of steam-boilers be postponed until Tuesday next.

Mr. Underwood assented, and the question was put, when there appeared: ayes 97, noes 17. No quorum voted.

The question was again put: ayes 111, noes 12; and so it was carried by two-thirds; so that these bills retain their character as a special order.

The house, in committee of the whole resumed the consideration of the bill making appropriations for the payment of pensions during the year 1841.

Mr. Clifford, of Maine, was called to the chair.

Mr. Smith, of Indiana, who was entitled to the floor, addressed the committee until a few minutes before 12 o'clock, oppositely to the amendment of *Mr. Waddy Thompson*, as it now stood, and generally upon the Florida war, &c., and concluded (for it was understood to have concluded) his remarks by offering the following as an amendment to the amendment.

"Provided, That money hereby appropriated shall be charged and considered as advanced payment on the part of the United States to the Seminoles under the provisions of the act passed at Payne's Landing on the 9th day of May 1832."

Mr. Briggs was understood to say that the gentleman from Indiana (*Mr. Smith*) had charged upon the gentleman from South Carolina (*Mr. Thompson*) this effort to put an end to the Florida war, when he knew that the gentleman had not communicated to this house an offer communicated to him by the secretary of war. The proposition came from the secretary of war. The gentleman from Indiana, in his military career, attempted to rally his party here to vote against this proposition. He (*Mr. B.*) was pleased that it had been made; it was the only proposition which had been offered for the last five years that had been satisfactory to him. He had voted millions upon millions to carry on this war—he had always voted for the appropriations which had been asked for it; and now, when the secretary of war told us that the commanding general had pursued a course which met his approbation, and which would terminate the war, he (*Mr. B.*) was small expense, what did we care to be terminated at a appeal to party to vote against it. The secretary had told us that motives of humanity and justice alike called for this appropriation, and he (*Mr. B.*) was prepared to vote upon those motives, to put an end to the war and to the suffering of our country. The commanding officer had made certain promises to induce the Indians to come in. And would not congress carry out those promises?

The hour of twelve having arrived, *Mr. B.* concluded by sending to the clerk's table the following letter, which was read for information:

"Head quarters army of the south,
Fort Snelling, Jan. 26, 1841.

"Sir: I have the honor to inform you that I have now within the chain of Seneca at this post 150 Indians. Ten of that number are of the Mickassaukees, and the balance of the Tallahassee tribe. This is a view in a favorable light, as their principal chief, Echo-Enabla is with them, and they are all of their object in coming in is for the purpose of enigrating. Runners of the Mickassaukees have been sent out from Fort Clinch and No. 4, who have reported that they could bring in fifty of sixty of their band. They are daily expected here.

"Should this result prove favorable, it will be a leading feature in terminating this war, particularly

as it is combined with the arrival yesterday of a party of Seminole, from Peace Creek, under charge of my aid de-camp, Lieut. L. A. Armistead, 6th infantry.

"It is much to be feared that it will take some time before any others in that portion of the country will be induced to cross in, notwithstanding every exertion on my part has been made to induce them to do so; but I shall still continue to negotiate with hopes of success.

"So far as it relates to the Tallahassee, appearances are favorable, provided no disappointment occurs from the promises and stipulations which I have made them, and which I trust will be complied with on the part of the government. These stipulations were detailed in my communication to the department on the 16th inst. and I am convinced that, had money been furnished me at an early period, this war would have been terminated, as those people have but little faith in promises.

"I have just concluded a talk with Echo-Eunah-la, the chief of the Tallahassee, who says that the remainder of his people will be in two or three weeks—many of them are in Middle Florida. He has sent runners out to them with a talk, which will no doubt induce them to meet him at this post in twenty days.

"I have despatched, in a steamboat, my assistant adjutant general to Key Biscayne, to conduct in this post the thirty-two Indians captured by Lieutenant Colonel Harvey in the Everglades. On their arrival I shall ship them and those now here, making in the whole 180, for their new homes in Arkansas, on the 15th proximo.

"Enclosed I transmit reports from Lieut. Col. Clark and Lieut. Col. Loomis. I am, sir, &c.

"W. K. ARMISTEAD,

"Brigadier general commanding army in Florida.

"Hon. J. R. Poinsett, secretary of war.
"Endorsed.—Respectfully transmitted to the hon. W. D. Thompson, Jr. for his information, and that of the committee on military affairs, by his obedient servant,
J. R. POINSETT.

"War department, Feb. 19, 1841.

"At Fort Brooke, Tampa Bay, there are now in 30 Indians. At Fort Clinch, on the Withlacoochee, Echo-Eunah-la has come in with 41 Tallahassee Indians, and at Fort Annatulee Tiger Tail with 33. Colonel Clarke's party, which left Tampa a short time since for the Withlacoochee to escort in a party of Indians, is expected to return to Tampa on the 20th of January. Col. Clarke has with him 32 Indians, mostly Tallahassee and several Mickasagons in to Fort Clinch.

"The steamer T. Salomon left Tampa on the 19th instant for Key Biscayne for 30 Indians, (Spanish Indians), the women and children of the party captured by Col. Hamsy a short time since.

"At Fort Armistead, eleven Indians are in. At Peace's creek several families are expected to meet a conveyance sent there to convey them to Tampa. Forty Indians have come in at Fort King, and 4 at No. 4 near Cedar Key, and 19 more have since gone in to Fort Clinch.

"In all there are now in at the different posts 240 Indians to be brought together at Tampa Bay as soon as practicable, under sufficient escorts for emigration to Arkansas in the early part of February. Of the sixty Indians at Fort Clinch, 40 are warriors, and of the whole 240, probably 80 or 90 are warriors.

"By letters from Cedar Key, it appears seventy-two Indians have gone in recently to Fort King. Rumor says Col. Kelly came on with a party of forty or fifty who have passed, and they went into Fort King with him. By good information I have heard Col. Harney has a second time captured twelve Indians.

"By a letter received from Mr. Hernandez, a member of the legislative council of Florida, it appears that Colonel Harvey has fallen in with the Indians a third time, and has captured one hundred and fifteen.

"If these rumors are true, and they are at least extremely probable, there are nearly five hundred Indians who have surrendered, and are ready for emigration. More Indians have been killed by the operations in Florida during the past eight months than for two years before.

"CHARLES McCORMICK,

"Assistant surgeon U. S. army.

M. Profit made an ineffectual effort to obtain the floor for the purpose, he said, of personal explanation.

Mr. Graham sent to the table and had read the following, which he would have presented, after the question on Mr. Smith's amendment had been taken, viz:

"For the removal, substance and benefit of such of the Seminole Indian chiefs and warriors as may surrender for emigration.

"And lest further enacted, That no rifle or arms of any kind shall be delivered to such Indians, until they reach the western bank of the Mississippi river."

Mr. Thompson accepted this proposition as a modification of his amendment, and modified his amendment accordingly.

The question recurred on Mr. Smith's amendment and being put, it was negatived.

The question then recurred on Mr. Thompson's amendment, as modified at the suggestion of Mr. Graham, and being put, it passed in the affirmative.

Mr. Crabb, of Alabama, moved the following amendment.

"And lest further enacted, That the act entitled 'an act directing the transfer of money remaining unclaimed by certain prisoners, and authorizing the payment of the same to the treasury of the United States,' approved April 6, 1833, be, and the same is hereby, repealed.

Mr. Jones suggested that this amendment was not in order. The chair ruled it out of order.

Mr. Care Johnson moved the following as an amendment:

"It is enacted, &c. That the secretary of war be, and he is hereby, authorized to allow to agents employed in the payment of prisoners a sum, not exceeding one per cent. on the amount of money paid by them respectively.

Mr. Jones suggested that this amendment was not in order. The chair ruled it out of order.

The committee then rose, and reported the bill with the amendments adopted.

The question recurred on concurring in the amendments; when Mr. Warren, of Georgia, rose and addressed the house at some length in relation to the amendments connected with the Florida war. Mr. Smith said he would not have said any thing on this subject had it not been for the extraordinary character of some of the remarks which had been made in the course of the discussion on the amendment of the gentleman from South Carolina, (Mr. Thompson). The cause of justice and humanity required the amendment should be adopted, and that the bill should pass. The causes of this war had been the subject of much discussion. It was not necessary for him to enter on that wide field. The subject of slavery or negro stealing was alleged as one of the causes of the war.

The speaker here interrupted Mr. W. saying that it was not in order to enter on that course of remark.

Mr. Warren said that he had no disposition to transgress the rules of the house; and that as he was not permitted now to go into a reply to remark which had been made, he would reserve that right to himself until some future period when the house might be so constituted, and where a more latitudinarian discussion might be allowed.

Mr. W. then proceeded to make a few general remarks on the amendment and the questions involved in it—urging earnestly the adoption of it, and, in conclusion, said that as he had made no remarks which could call for a rejoinder, he would move the previous question. But, at the request of several gentlemen, Mr. W. withdrew the call. Mr. Johnson renewed it.

And the question being put, there was a second time a division. And the question recurred on the amendment of Mr. Thompson, as modified at the suggestion of Mr. Graham. It was taken by yeas and nays, and resulted as follows: yeas 136, nays 14.

The bill was then ordered to a third reading, and being engrossed, it was forthwith read the third time.

And the previous question was ordered, on motion of Mr. Johnson.

And the question on its passage was then put, and passed in the affirmative.

So the bill was passed, and sent to the senate for concurrence.

Mr. Jones then moved to suspend the rules so as to go into committee of the whole on the state of the union, and take up the general appropriation bill for the service of the year 1841.

Mr. Care Johnson suggested that the business on the speaker's table had better be first disposed of. The question was then put on Mr. Jones's motion, and carried.

The house then in committee of the whole proceeded to the consideration of the bill for the appropriations for the civil and diplomatic expenses of government for the year 1841. Mr. Bell, of Tennessee, was called in the chair of the committee.

Some explanations took place between Messrs. Crabb and Jones, of Virginia, in relation to the item appropriated for \$25,000 "for stationery, fuel, printing, and all other contingent expenses of the senate;" after which, Mr. Lincoln called upon the chairman of the committee of ways and means (Mr. Jones) to produce any estimates, if he had any, in relation to the following item:

"For stationery, fuel, printing and all other contingent expenses of the house of representatives, \$25,000."

Mr. Jones replied that he had no estimate beyond those which had been furnished by the clerk of the house.

Mr. Stanley was understood to inquire whether the stationery for which money was now to be appropriated had been purchased.

Mr. Anderson called for the estimates referred to. Mr. Jones, in reply, placed on the clerk's table a statement from the clerk, containing the estimates referred to, amongst which was the item of \$10,000 for the purchase of stationery for the next Congress.

Mr. Jones then moved to reduce the above sum of \$25,000 to \$15,000—i. e., striking out the \$10,000 for stationery for the next Congress.

Mr. Lincoln, after stating that the house would bear him witness that he had not yielded to that senescery cry of economy which deemed such just appropriations as might be required to carry on the various branches of the public business, proceeded to comment upon the abuses which had crept into this system of contingent expenditures. He believed that all the abuses which had crept into the administration of the public trusts of the country, had their source in abuses under the head of contingencies.

After specifying two or three instances, Mr. L. expressed the belief that it was time to inquire whether it was necessary to expend \$150,000 a year for contingent expenses over and above pay and mileage. The house had no control over these expenditures of its contingent funds. The committee of sections had the expenditures of the public money paid and received before they were laid before the committee, and when it was too late to do any thing in regard to them. Hence it followed that whenever the clerk of the house, without control or accountability, was left to apply the funds, the house had nothing to do but to ratify and sanction his acts. There ought, in Mr. L.'s opinion, to be some committee appointed which should have charge of these matters, before the expenditures were made.

Mr. Johnson, of New York, addressed the committee at much length on the subject of the abuses which had crept into this branch of the public expenditures, and of the gross impositions that had been perpetrated on the public treasury, in the purchase of paper or paper of contract made with subscribers of lithography, &c. declaring his own freedom from responsibility in these matters, as a member of the committee of accounts, by reason of the peculiar constitution of that committee.

Mr. Profit stated that, on a calculation made by him he found that the stationery bill for this session alone was about \$25,000, which was at the rate of \$100 for every member of the house. He was satisfied that it would pay for a stationery bill of every gentleman this year, and he hoped that some member, better skilled in these things, would make an estimate and submit it to the action of the committee.

Mr. Underwood said that some years ago he was on a committee appointed to investigate into this very subject; and, after a minute examination, the committee had come to the conclusion that there was but one remedy, and that was, to have the committee suggested by the gentleman from Indiana, (Mr. Profit). He (Mr. U.) had intended to suggest to the committee a proposition that "in lieu of stationery and newspapers, each member of Congress should be allowed \$25,000 for printing, and the committee could fill up the blank with any sum that might be computed to be proper. This was the only remedy. The same complaints had been made year after year, and would continue to be made until the end of time unless some such plan as this was adopted.

Mr. Jones, of Virginia, gave to the committee such information as had been in possession of the committee of ways and means in regard to these estimates, and stated that the estimates of the clerk had been reduced, in the committee, \$25,000 below the amount contained in those which had been read at the clerk's table. The committee had supposed that the amount now asked for was about the proper sum, in that they had looked with a proper eye to economy—an object which he was as desirous to promote, when it could be properly done, as any other gentleman. Mr. J. then referred in certain portions of the arguments of Mr. Johnson, contending that blame, if blame there was, should rest in the proper quarter, and that it did not belong where the gentleman had said it.

Mr. Jones then said, also, in reply to parts of the observations of Mr. Johnson, of New York, in relation to the prices of paper, and the action of the committee of accounts, &c.: vinding the door for occasional explanations to Messrs. Johnson, of New York, Lincoln and Grinnell.

Mr. Graham moved to amend the amendment by striking out the whole item of \$25,000 as the only way of putting an end to the abuses which were undoubtedly practised was to withhold the appropriation. The sum of \$100,000 had already been appropriated for contingent expenses, &c. (by a former bill), and that was enough.

Mr. Everett said there were two modes at present by which the extravagance in the finances of the house could be arrested. The first was to adopt the proposition of the gentleman from North Carolina, (Mr. Graham). He (Mr. E.) had put a question to the gentleman from New York, (Mr. Johnston), in regard to the amount of stationery now on hand. He (Mr. E.) believed there was enough to carry them through this session, and for the commencement of the next.

Another mode within the power of the house was to bring in a resolution to proceed in the election of clerk. It was a course which every department took, where it was found that persons in charge of funds had misapplied them. It would be so, were it not for the late period of the session.

But to be dissipated of making general laws in an appropriation bill.

Mr. Morgan, believing that there was stationery enough on hand to meet present and immediate purposes, was understood to say he was in favor of the amendment of the gentleman from North Carolina. He went into some statements, which he concluded by saying that he was opposed to giving further power to the present clerk, because he had no confidence that that officer would do justice to the house, or make its purchases with economy.—And he gave notice that he would, at the proper time, offer the following amendment:

Resolved, in the future, the delivery of every description to members of the house, the postmaster shall keep an account of the articles delivered to each member, the price thereof, and the clerk of the house shall insert in his annual report the contingent expenses, the aggregate amount of the value of stationery received by the members respectively.

Resolved, a member of the committee of accounts, went into some statements in relation to the action of that committee, and insisted that the contracts made by the present clerk had been safer, honest, and more economical than those of any other. As to the motion to strike out the amendment, he (Mr. F.) had no objection to it, and supposed that the clerk had not.

The debate was carried on at great length, embracing the contracts of last session with Mr. Langreth, the prices which that paper had been paid for, &c. and the reports of the majority and minority of the committee of accounts of the last session on the subject.

Mr. L. Williams supported at some length the motion of Mr. Graham. Mr. Tillman also expressed his desire to vote for the amendment of Mr. Graham, though he did not wish to vote against the proposition of the gentleman from Massachusetts, (Mr. Lincoln).

Mr. Lincoln here said that his only object in submitting his motion was to bring the matter to the consideration of the house, and, that being done, he would now accept the amendment of Mr. Graham, as a modification of his own.

And the question being on the amendment as modified—Mr. Tillman then gave notice of his intention, if the amendment failed, to offer the following:

Resolved, nothing herein contained shall be construed to authorize or sanction any contract for stationery or other articles of merchandise, for the use of the ensuing congress, by any officer of the present congress to an amount exceeding the whole to be appropriated.

Mr. Adams sent to the clerk's table a letter from an individual of the name of "Stone," in relation to the prices of lithography.

The letter (Mr. A. said) was rather collateral to the question; he had had it in his possession for three months, but had had no opportunity of presenting it; and (he was understood to add) he despaired of doing any good by presenting it.

The letter was then read.

Mr. Byrnes declared himself ready to vote for the amendment as modified; and then entered upon some remarks in vindication of the clerk, and of the injustice of impugning his character or course, without a proper investigation by committee or otherwise, into the true state of the facts.

Mr. Evans contended that this fund (the estimates for which had already been reduced \$25,000 by the committee of ways and means) was not more than sufficient to pay the charges that would be made upon it; and he repudiated, with much animation, the charges which the house made against itself in the shape of corruption and plunder.

He did not say there might not have been individual instances of abuse. If any man has been guilty of

that, it was his own matter. But he did not believe that on just appropriations of stationery amounted, in a long session, to more than three thousand dollars. His experience was that there was no such waste, and plundering, and extravagance as they were charging themselves with. He was opposed to striking out the appropriation; it was no more than was necessary. The estimate, as he had stated, had already been reduced \$25,000 in the committee of ways and means, and that, he thought, was what the secretary of the treasury would call a "vigorous reduction." If gentlemen were willing to dispense with stationery altogether, so he was—he was most willing then he was to receive \$20 for his share, or to put a law upon the statute book denouncing themselves.

Mr. Evans thanked the gentleman from Maine (Mr. Evans) for his speech; it contained precisely his own sentiments, though much better expressed. The gentleman deserved the thanks of this house for the manner in which he had vindicated its character.

Mr. Underwood replied to Mr. Evans, explaining and vindicating his own course, and contending that that gentleman's argument amounted only to this—let us not put this thing on the statute book; if we do, it will be the eyes of all eyes. He contended that the people were not ignorant of these matters; that they were turning their attention to them. It was his mission to suppose that they were turning their eyes to them. Nothing could be so doing involved an abuse of the people's money. He denied that he had said or done any thing calculated to reflect upon any man. He had denounced no one as a plunderer. He had merely been willing to the gentleman from Indiana (Mr. Proffit) a way by which the abuse could be remedied.

The question was discussed further by Messrs. Tillman, Everett, and Lincoln.

After a short discussion, on subsequent examination, he found that his original motion was the proper one; and he again modified his proposition so as to reduce the item from \$25,000 to \$15,000 (i. e. striking out all that was applicable to the next session).

And the question being taken, the amendment, thus modified was agreed to.

So the item was reduced from \$25,000 to 15,000 dollars.

Curtis then moved that the committee rise. The motion having prevailed, the committee rose, reported progress and obtained leave to sit again.

Mr. Burks laid on the table a resolution proposing to revive the select committee of the last session for the purpose of making a report of certain matters by the clerk for stationery, engraving, lithography, &c. so as to enable the committee to make report of the proceedings, which they did not do at the last session.

The resolution was read.

Mr. Stanley said he had something to say in relation to the doings of the committee proposed to be revived, and which he should take an opportunity of saying when the resolution came up for consideration.

O'clock, A. M.

Friday, Feb. 12. The bill from the senate supplementary to the bill to encourage the introduction and promote the culture of tropical plants was read the third time and passed.

Numerous bills and reports were reported to the house and referred.

A bill was reported a bill providing for the sale of the real estate of infants in certain cases—committed for to-morrow.

Also a bill to provide for the arrest and detention of, and demand of fugitives from justice; which bill was referred to the committee on the judiciary.

Mr. Beine reported, without amendment, the bill from the senate to extend the charter of the bank of Alexandria; which bill was read and committed to the committee of the whole.

Mr. Haysan, reported the bill from the senate to authorize the secretary of the treasury to make an arrangement or compromise with any of the securities on bonds given to the U. States by Samuel Swartwout, and said he was instructed by the committee to move that it be read a third time and passed.

Mr. Hoffman explained the propriety of this bill, and showed the necessity for an early action on it. The bill was read. Mr. Underwood advocated the bill. Mr. James moved the previous question. The bill was then read a third time, and passed, under the rule, go to the committee of the whole.

The speaker did not think the bill must of necessity go through a committee of the whole house before it could be reported. He was in favor of considering the matter; question would be on the third reading of the bill.

Mr. Williams, of N. C. appealed, and was proceeding to debate the report, when the speaker said that the call for the previous question prevented debate on the appeal.

Mr. Williams then moved that the bill lie on the table. The question on this motion was decided by yeas and nays, yeas 66, nays 36.

Mr. Stanley, in pursuance of notice heretofore given by him, asked leave to introduce a bill to provide for paying to the states the fourth instalment under the deposit act.

The question whether the leave asked was taken by yeas and nays, and decided as follows:

YEAS—Messrs. Adams, J. W. Allen, Baker, Boardman, Brockway, Casey, Clinn, Clendenen, Clark, J. Cooper, Crampton, E. D. Davis, Deane, J. Davis, Edwards, Everett, Fillmore, Gales, Giddings, Gould, Graves, Grinnell, Hall, Henry, Hoffman, James, C. Johnson, W. C. Johnson, Kempshall, Lane, Lincoln, McCarty, F. Mallory, Mason, McNairy, Moore, Morgan, C. Morris, Morrow, Osborn, Peck, Randall, Hadden, Reed, Ridgway, Russell, Simonson, Stuart, Truman, Van Buren, Van Dusen, Talcott, John B. Thompson, Tillinghast, Tolland, Trippett, Underwood, E. D. White, Lewis, Williams, C. H. Williams, Winthrop—63.

NAYS—Messrs. Anderson, Atherton, Banks, Batsy, Black, Boyd, A. B. Brown, Wm. O. Butler, Byrum, J. Campbell, Carroll, Chapman, Clifford, Connor, N. C. Cooper, William K. Cooper, Crab, Griffin, Gross, John Davis, Doan, Drummond, Duncan, Earl, Eastman, Ely, Fisher, Floyd, Gerry, Goggin, Griffin, Hammond, Hood, John Hastings, Hawley, Hawkins, Hilditch, Hodge, H. H. Johnson, Johnson, Jones, J. W. Jones, Keim, Kemble, Kille, Leadbetter, Lee, Leonard, Lowell, Lucas, McCallen, McCulloch, McKay, Mallory, Montoya, S. W. Morris, Parrott, Farmer, Payson, Pease, Perkins, Reynolds, Shaw, Edw. Rogers, James Rogers, Samuel, Rivers, Albert Smith, Thomas Smith, Starkweather, Stearns, Stoddard, Stoughton, Sullivan, Talcott, Thompson, Turney, Vanderpool, Vroom, D. D. Watkins, Werren, Waterson, Welker, Wick, J. W. Williams, Henry Williams—33.

Mr. Oakley moved that the house go into committee of the whole on the state of the union, for the purpose of taking into consideration the bill to make compensation for French spoliation. Several members objected, and he withdrew the motion.

Mr. Jameson moved that the committee on private claims, reported the bill from the senate to continue in force the act for the final adjustment of private land claims in Missouri, approved 9th July, 1832, and the act supplementary thereto, approved 2d March, 1837, and the committee on the subject of the committee of the whole on the state of the union.

Mr. Adams from the committee on manufactures, moved that the bill for the more faithful execution of the laws relating to the collection of duties on imports be made a special order of the day for the 22d day of February next.

The motion was decided by yeas and nays. The result was as follows—yeas 66, nays 59.

Mr. Kemble, from the committee on military affairs, reported a bill to authorize the enlistment of boys in the army; which was twice read and committed to the committee of the whole house to-morrow. Mr. K. from the same committee reported a joint resolution to direct the printing of a map of the northern territory, which was twice read, and committed to the committee of the whole on the state of the union.

Mr. K. from the same committee, reported a bill to reimburse the state of Vermont for services of its militia in the war of 1812, and to be committed to the whole house on the state of the union. Mr. K. from the same committee, reported a bill to authorize the enlistment of militia in Florida for one year; which was committed to the committee of the whole house.

Mr. Cushing, from the committee on foreign affairs, reported the bill from the senate regulating commercial intercourse with the port of Cayenne, in the colony of French Guiana, and to certain duties; which was twice read and committed to the whole of the state of the union. Mr. C. from the same committee, reported the following resolutions:

Resolved, That the president of the U. States be requested, if it should be deemed expedient, to cause public service, to communicate to the house the documents and other information in possession of the executive regarding claims of citizens of the United States for the purchase of land.

The resolution was read and agreed to.

Mr. Clifford reported a bill to make further provision for the expense of the exploration and survey of the northeastern boundary; which was twice read and committed to the committee of the whole on the state of the union.

Mr. Morgan, reported adversely on the petition of citizens of Jacksonville, in Florida; also, on the petition of citizens of Georgia, in relation to the fact that certain persons may be tried in the courts of St. John's. These reports were laid on the table.

acted under the orders of his government, and that the vessel was "piratical," and the citizens murdered were outlaws—then there is not an Englishman whose heart would not beat high to avenge the wrong, and vindicate the rights of his country. The law here is the law here, and the law here is the law of nations, that sanctions the pursuit of independent nations, that sanctions the pursuit of independent nations to murder and arson over the soil and jurisdiction of one of the states of this confederacy. No greater wrong can be done to a country than the invasion of soil. If it can be done with impunity at one point, and one occasion, it can be done at another, and the nation that submits to it, finally sinks down into drivelling imbecility. If a representation of the state of things at Schiowar, and the conduct of the citizens who had control of the Caroline, had first been made to the proper authorities of New York, or of the United States, then there would have been some show at least of respect for our sovereignty and independence, and a disposition to treat us as an equal. But in this case, as if to treat our authorities, with contempt, there was no preliminary demand or representation made.

It was hoped that the outrage was perpetrated by a party in sudden heat and excitement, upon their own responsibility. But the British minister now avows that "the act was the public act of persons obeying the constituted authorities of her majesty's province," and again affirms that "it was a public act of persons in her majesty's service, obeying the orders of their superior authorities." If it had been the first and only point of collision with Great Britain it might not have excited such interest, but there is no assumption in most of our intercourse with that great power, revolving to the pride and spirit of independence in free republics, that it is her desire to preserve peace, but true policy would be to do justice, and show that courtesy to equals which she has always demanded from others. The committee do not desire to press views on this part of the subject, particularly the demand has been made by our government, upon the government of Great Britain for explanation as to the outrage committed, the answer to which it is hoped will prove satisfactory.

As to the other points presented in the demand made by the British minister for the "liberation" of Alexander McLeod, the committee believe the facts of the case to be, that the steamboat was seized and burnt as stated before, and that a citizen or citizen of New York were murdered in the affray. And the British minister charged, that the vessel was *particeps criminis*. He was at first arrested, and upon various testimony being taken, was then discharged. He was afterwards arrested a second time. Upon the evidence then presented, he was imprisoned to await his trial. There was an invasion of British territory to seize or take him. But upon his being voluntarily within our territory, he was arrested as any citizen of the United States, charged with a similar offence, might have been. We know of no law of nations that would exempt a man from arrest and imprisonment for offences charged to be committed against the "peace and dignity" of a state, because he is a subject of Great Britain, or because he committed the crime at the instigation or under the authority of British provincial officers; much less do we know of any law that would justify the president to deliver him up without trial, at the demand and upon the assertion as to facts, of any agent of the British government. If we had been at open war with Great Britain, and McLeod had committed the offence charged, he might have fallen under the rules and regulations of war, and been treated as a prisoner of the United States government, and would have been subject to the laws of nations in war.

But as the alleged criminal acts, in which McLeod is charged to be implicated, were committed in profound peace, it is a crime, as far as he may be concerned, solely against the "peace and dignity" of the state of New York, and her criminal jurisdiction is completely and exclusively committed by her to be such as to make a man *hostis humani generis*—an outlaw—a pirate, in the legal acceptance of the term, then under the law of nations, the United States courts and tribunals would have jurisdiction. But the case charged, is not a crime committed as it was in time of peace, as far as this individual was concerned was one purely against the *lex loci*, and coming exclusively within the criminal jurisdiction of the tribunals of New York.

The minister, in his letter of the 13th Dec. 1840, says "it is quite notorious that Mr. McLeod was not one of the party engaged in the destruction of the steamboat Caroline; and that the pretended charge upon which he has been imprisoned rests only upon the partial testimony of certain Canadian witnesses, whose statements and motives may be peruse at will as so; and that it would be asking a

great deal to require an American court to yield jurisdiction, and surrender up a prisoner charged with offences against the law, upon the mere *ipse dixit* of any man, no matter how high its authority. Whether McLeod be guilty or not guilty, is the very point upon which an American jury alone have a right to decide. Jurisdiction in such tribunals over criminal cases, and trial by jury of the *verum*, are essential points in American jurisprudence. And it is a total misapprehension as to the nature of our system to suppose that there is any right to exercise so exclusive to arrest the verdict of the one or thwart the jurisdiction of the other. If such a power existed, and were exercised, it would effectually overthrow, and upon a vital point, the separate sovereignty and independence of these states. The federal executive might be clothed with power to deliver up fugitives from justice for offences committed against a foreign state, but even then it might not be obligatory to do so, unless it were made matter of treaty stipulation. This duty and right in an executive has generally been considered as dormant, until made binding by treaty arrangement. But when the matter is reversed, and demand is made, out of fugitives from justice for offences committed against a foreign power, but for the satisfaction of a man charged with crimes against the peace and dignity of one of our own states, then it is, that the demand becomes preposterous in the extreme. The fact that the offences were committed under the sanction of provincial authorities does not justify the federal executive in assuming to exercise such cases as the present, the power to deliver up could not be conferred upon the federal executive by treaty stipulation.

It could not be conferred in those cases over which jurisdiction is clearly delegated to the federal constitution. Such, for instance, as treason, which is an offence against the conjoined sovereignty of the states, as defined in the constitution. Over all cases except those defined in the constitution, and those coming clearly within the laws of nature, the states have exclusive jurisdiction, and the trial and punishment for offences against them, are incident to their separate sovereignty. It is not pretended in this case that there is any treaty stipulation under which the demand is made; and the federal executive, under our system, has no power but what is conferred by the constitution, or by special law of congress. In the former it is declared that "the executive power is vested in a president of the U. States," and that power is then pointed out and defined. In the latter, the power is then passed from such duties as are thought proper and expedient by congress.

Your committee deem it dangerous for the executive to exercise any power over a subject-matter not conferred by treaty or by law, and to exercise it in any case in conflict with state jurisdiction, would be worse than dangerous; it would be usurpation.

But your committee forbear to press these points further at present, and they would not have said as much on such clear questions of international law, but that to this case, the demand for liberation has been made by the accredited agent of a great power, and under circumstances of peculiar aggravation and excitement.

We have other points of difference with Great Britain, which add interest to every question that arises between us at present. Neither our northern or northwestern boundaries are yet settled with her, and the subject is not entirely free from difficulty. She has recently seized our vessels and exercised her power in extending to and exercising in any case in conflict with state jurisdiction, would be worse than dangerous; it would be usurpation. But your committee forbear to press these points further at present, and they would not have said as much on such clear questions of international law, but that to this case, the demand for liberation has been made by the accredited agent of a great power, and under circumstances of peculiar aggravation and excitement.

All these subjects make every question between us, at this peculiar juncture, of the deepest interest. Besides this, we are both permanently destined to exercise the most extensive and exclusive commercial navigation. Our flags float side by side, over every sea, and bay, and inlet of the known globe.

She moves stealthily upon her objects with an ambition that knows no bounds. And wherever she has a conflict of interest she has rarely yielded to the power of the United States.

At this moment she presents to the civilized world the spectacle of the greatest military and commercial power in combination ever known.

Her power positions in the western quarter of the globe, and her peculiar commercial system, she has made the reservoir of the wealth of nations.

Her internal resources, capital, labor and machinery, with her capital, are beyond calculation. Her natural position, being about midway the coast of Europe, gives her great control over the outlets and currents of commerce.

Her military occupation of Gibraltar, Malta, the Ionian island, and recently of St. Jean d'Acre, gives her ascendancy on the Mediterranean and the Levant, while St. Helena and the Cape of Good Hope give her possession over the current of trade along these extensive seas. Then Bombay, Calcutta, and her immense possession in the East Indies, together with her recent movements in the China seas and islands, enable her to extend her power over those vast regions that have slumbered for ages in solitary and enervated magnificence. She possesses the Falkland islands, but to control the commerce that passes around Cape Horn—while Trinidad gives her all she desires in the Caribbean sea. Halifax, at one point, and Bermuda at another, stand out in great force over our own coast from one extremity of the other.

Her positions all over the world are at this moment in a military point of view, equal to a million of men under arms. Her continual conflicts in the mighty regions of the east, only improve her officers to become better acquainted with the art of war, while her great armies, and extensive fleets draw their support from the immense countries seized and occupied. In the present juncture of affairs, no statesman can overlook these things.—Steam power is but a few years old, and we so near together, that in the event of any future war, the war with its effects will be precipitated upon us with much more rapidly than formerly.

Avarice and ambition are the ruling passions of our age, and it is vain to shut our eyes to the state of things around us. It remains to be seen what effect steam power is to have upon changing and modifying the whole art of defence and war. It may be a great engine for again leveling mankind, and reducing every nation to a contest of mere physical force. In that event it might be difficult to conjecture what system of national defence will stand the test of time and experience.

We have a deep stake in peace, and fondly hope the repose of the world will not be disturbed. We have certainly no wish to see any rupture. Firmness, and a wise preparation, will long preserve us from such a catastrophe. But while no temptation should ever prompt us to do injustice on the one hand, so no consideration on the other hand, should ever induce us to permit to ourselves anything from any power on earth, no matter what the consequences may be.

Your committee would conclude by expressing a firm belief that all our points of difficulty may be honorably and amicably adjusted, and that harmony may long be preserved by both governments pursuing a liberal and generous policy, congenial to the interests and feelings of both people, and compatible with the spirit and genius of an enlightened age.

Mr. Pickens moved that the report be laid on the table, and printed.

Mr. Everett suggested the propriety of collecting and printing together, in one pamphlet, all the documents upon the subject.

Mr. Hanes objected to the reception of the report, unless it was in order to make it so. The speaker said the report could not be received, unless by consent of all parties. Mr. Hanes then objected.

Several members suggested that it was now too late to make the objection, as the report was actually before the committee, and no objections had been made and entertained respecting it.

The speaker had decided that the objection should have been made when Mr. Pickens proposed to submit the report; that, not hearing any objection, he had received the report, and propositions were entertained respecting it; and that it was now too late to raise the objection.

The report having been read, Mr. Everett moved that all the documents, a list of which he furnished, should be printed together, and the report.

Mr. Granger moved to divide the question, which being granted, and the question for printing being debatable, he entered into a discussion in opposition to the report. He was followed by Mr. Pickens, in a warm and eloquent defence of the report.

After he had concluded, Messrs. Adams, Bennett, Grinnell and Willmore participated in the debate.—[The debate is one of profound interest, and we regret that we have not room for it this week; but we shall give it in our next issue.]—After the latter had concluded, the question occurred on printing the documents; which was lost. The house refusing to print them with the report.

The question then occurred on printing the report, which was carried in yeas 63, and nays 68. And, at twenty minutes after four o'clock, the house adjourned.

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—THE FUTURE.

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FOREIGN ARTICLES.

The steamship *St. Andrew*, arrived at Boston on Monday morning, at half past seven o'clock, from Liverpool, which place she left on the evening of the 4th of February. After experiencing boisterous weather and head winds during the greater part of the passage, she vessel touched at Halifax on Saturday evening the 20th instant, and arrived below at Boston on Sunday night. The *Britannia* brought eighty-five passengers.

Considering the space of time over which the dates extend, the matter is of very little interest. There is nothing later from China.

The eastern question is settled. The intelligence was received in London on the 1st instant in despatches from Admiral Stoddard, in which it is stated, that Commodore Aspin had arranged affairs with great success at Alexandria, that the power of the Turkish fleet was given up to Admiral Walker on the 11th January, and that Mehemet Ali had completely submitted to the sultan. And on the 12th of January one of the officers of the sultan's fleet, Constantine, the commander of the fleet, by which his highness officially acceded to Mehemet Ali's hereditary possession of Egypt.

It further appears that Ibrahim's army was immediately to evacuate Syria and to return to Egypt, and arrangements had been made to send transports to Caïra, to bring away the women and children, and sick of the army.

The arrival of the Cambridge, of 8th January, and the accounts she carried of the bad condition of the United States bank of Pennsylvania, and the ill in its stock—excited much uneasiness in London. What will it be when the whole truth is known?

The British parliament assembled on the 20th inst. and was opened by the queen in person. Her speech on this occasion is more remarkable for what it does not say than for what it does. The absence of allusion to the state of the relations between England and France is the omission to which we have already alluded. The French paper the original draught of the speech a friendly paragraph towards France, but that a few hours before the opening of parliament an account of the two projects of law presented to the chamber of deputies, the one calling for a levy of \$2,000,000, and the other providing for the organization of an army of reserve, had been received and was the cause of the studied silence observed in the speech.

The French papers comment on the omission of any allusion to France.

The French funds declined in consequence of the unfavorable impression produced by the speech. The reports of the debates on it had not then reached Paris.

The publication in the Paris papers subsequently of the debates on the address seem to have satisfied the Paris guardians.

The debate on the fortifications of Paris in the chamber of deputies of France, had been very animated but had not yet terminated. The opposition to the Guizot administration continues fierce and unrelenting.

GRATY HATH.

Speech of the British queen. The British parliament met on the 26th of January. Her majesty attended in person, and read from the throne the fol-

lowing gracious speech, with good emphasis and good effect.

My lords and gentlemen: I have the satisfaction to receive from foreign powers assurances of their friendly disposition, and of their earnest desire to maintain peace.

The posture of affairs in the Levant had long been a cause of uneasiness and a source of danger to the general tranquillity. With a view to avert the evils which a continuance of that state of things was calculated to occasion, I concluded with the emperor of Austria, the king of Prussia, the emperor of Russia, and the sultan, a convention intended to effect a pacification of the Levant, and maintain the integrity and independence of the Ottoman empire, and thereby afford additional security to the peace of Europe.

I have given directions that this convention shall be laid before you.

I rejoice to be able to inform you, that the measures which have been adopted in execution of these engagements have been attended with signal success. I trust that the objects which the contracting parties had in view are on the eve of being completely accomplished.

In the course of these transactions, my naval forces have co-operated with those of the emperor of Austria, and with the land and sea forces of the sultan, and have displayed upon all occasions their accustomed gallantry and skill.

Having deemed it necessary to send to the coast of China, a naval and military force to demand reparation and redress for injuries inflicted upon some of my subjects by the officers of the emperor of China, and for indignities offered to an agent of my crown, I at the same time appointed plenipotentiaries to treat upon these matters with the Chinese government.

These plenipotentiaries were by the last account in negotiation with the government of China, and it will be a source of much gratification to me, if that government shall be induced by its own sense of justice to bring these matters to a speedy settlement in an amicable arrangement.

Serious differences have arisen between Spain and Portugal about the execution of a treaty concluded by those powers in 1835, for regulating the navigation of the Douro. But both parties have accepted my mediation, and I hope to be able to effect a reconciliation between them upon terms honorable to both.

I have concluded with the Argentine confederation, and with the republic of Hlyly, treaties for the promotion and assistance of my parliament. I have directed to be laid before you.

Gentlemen of the house of commons: I have directed the estimates of the year to be laid before you. However scrupulous of the importance of adhering to the principles of economy, I feel it to be my duty to recommend that adequate provision be made for the exigencies of the public service.

My lords and gentlemen: Measures will be submitted to you without delay which have for their object to secure the regular and regular administration of justice. The vital importance of this subject is sufficient to insure for it your early and most serious consideration.

The powers of the commissioners appointed under the act for the amendment of the law relating to the poor, have expired at the termination of the present year. I feel assured that you will earnestly direct your attention to enactments which so deeply concern the interests of the community.

It is always with entire confidence that I recur to your wisdom and assistance in my parliament. I place my reliance upon your wisdom, loyalty and patriotism, and I humbly implore of Divine Providence that all your counsels may be so directed as to advance the great interest of morality and religion, to promote the welfare and happiness of all classes of my subjects.

At the conclusion of the speech, the queen retired from the house. Upon the reassembling of the lords, Lord Russell proposed the usual address. He commented upon the queen's continued maintenance of peace, and gave credit to the measures of the government for securing it. In the Levant, in China, in India, the efforts of the government had been attended with success, while the nation prospered and extended at home. The restoration of credit in

the United States, he said, was another subject of congratulation, and while the cessation of the blockade in the South American ports would render communications with that country, the recognition of Texas would open a new and most extensive field for enterprise.

Lord Hrougham replied that he felt compelled to notice a passage in the speech of the mover of the address, in which he congratulated them upon "the unabated assurance received from all foreign powers of their disposition to maintain the most friendly relations with this country." There was no passage to that effect in the speech from the throne, although there had been last year, and the omission suggested to his mind the most gloomy apprehensions. He feared that a material change had taken place in the relations with France, that an interruption had occurred to the good understanding which had existed for ten years, and that an alliance so well calculated to promote peace throughout the world was in danger. The alliance between England and France gave the only competent security for Turkey against the designs of Russia, and the cessation of that alliance would be an evil, which no success in arms, however brilliant could compensate. He feared that the alienation which had long existed between France and Russia might, in case of any estrangement with the latter, give way to a new course of policy, and that these two powers might combine for the furtherance of their joint interests. He trusted that neither in France nor in England would it be thought that the war for an instant felt indifferent to the evils of peace.

The duke of Wellington expressed his approval of the course of foreign policy which had been adopted. He had long viewed with anxiety the dangers that were likely to result from the state of affairs in the Levant, and he rejected to think that those dangers would be now averted, and that France would join with the other powers in carrying out measures for continuance.

In the house of commons, on moving the address to the queen, an animated debate arose on the posture of British foreign affairs, both the speakers upon both sides seemed to insist on the necessity of providing friendly relations with France. Sir Robert Peel complained that the queen had made no reference in her speech to the affairs of Canada, to the United States, boundary question, and the repeal agitation in Ireland. The addresses to the queen were carried in both houses without amendment.

Money market. The public securities were much depressed, on the 1st, by the intelligence received in London, respecting the United States bank. The sales of the Saturday previous, to the extent of £100,000, had some influence on the prices of stocks.

The late news from America, relative to the affairs of the bank of the United States, has produced some anxiety among those interested in American affairs; but although there seems to be no doubt that the accounts are correct in so far as they state that the American money market was depressed, and that the shares of the bank had fallen, there is great reason to believe that the assertion, "of all confidence in the institution being gone," is unfounded, and we have no difficulty in stating that the statement of the immediate assets and liabilities is fallacious.

The house of Garry and Cutts, a leading firm in the Riga trade, has stopped payment. Their engagements are stated at £60,000.

Cotton markets. Liverpool, 4th February, 1841. Referring back to our circular of the 13th ult. we have to advise that the cotton market continued firm and steady up to about the 19th ult. when prices fell, and continued so until the 27th, with a decline in prices of 4s.

The sales for the week ending 13th ult. were 31,470 bales, and for the week ending 20th ult. they were 36,050, and for the week ending 27th ult. 34,620 bales. Of the latter 3,800 were Upland at 67; 14,170; Orleans at 57½; with some choice lots of fancy marks, at 67½; 1,450 Alabama and Mobile at 67½; and 790 S. S. Island at 156½. For the past four days the last average has been estimated at about 20,000 bales, about 4,800 of it to speculators, but yesterday's portion of the sales was only about 2,500 bales, and none of it to speculators. For Upland may now be quoted 62½; and for Orleans and Mobile, 61 per lb.

FRANCE.

The Paris papers of the 31st January are occupied chiefly by the discussions on the fortifications of the capital. An amendment to the project proposing to limit the works to detached forts, placed at 4,000 yards distance from the present wall, was rejected late on Saturday by 236 votes against 173. This was considered decisive of the law, which will no doubt pass, and M. Thiers and the king of the French will both have carried their point of enclosing Paris with a fort of about twenty fortresses, connected by an entrenched wall.

Death of an American consul in France. Died on Sunday evening, January 31, in Paris, in the 65th year of his age, of typhoid exhaustion, Peter W. Daniel Brent, esq. consul of the United States of America for Paris, and agent of American claims.

SPAIN AND PORTUGAL.

Letters and papers from Lisbon to the 18th January announce that, so far as Portugal is concerned, the Douro question may be considered as settled; for although the opposition members of the chamber of deputies had thrown obstacles in the way of its adjustment by absenting themselves from the chamber, the several articles of the convention had been fully discussed, and the measures finally approved, on the 16th.

The correspondent of the Morning Chronicle thinks, however, that Spain is bent upon a quarrel; and will find other pretexts, though the present be removed.

The Globe, of Cadiz, of the 18th ult. mentions that the garrison had retired, and compelled the city intendant to deliver up to the military authorities the funds placed at his disposal for public service. This journal endeavors to excuse the conduct of the troops, by observing that they were left without either clothes or shoes, and reduced to depend on public subscriptions for maintenance.

NATIONAL AFFAIRS.

GEN. HARRISON AT RICHMOND. The Richmond Compiler of yesterday states that General Harrison has mingled freely with the citizens, during his sojourn at the capital, and that the people of the old Virginia city—with all courtesy, respect and hospitality—without the pomp and parade which are the characteristics of public demonstrations in many other states. The general, it is added, bears up bravely under the excitement and consequent fatigue of the incessant collision with company, and the constant exercise of his colloquial powers.

A dinner was given to Gen. Harrison at the log cabin on Saturday, at which the president was present. Gov. Gilmer was among the guests. In response to a sentiment of the company, after removal of the cloth, Gen. Harrison made a speech which is characterized as forcible, and replete with wisdom and sound sense.

Gen. Harrison was to remain at Richmond yesterday, and would be present at the interesting reception of the presentation of the awards, to the nine gallant officers of the land and naval service, to whose heroism in the time of trial, these testimonials have been awarded. To-day, it was the purpose of the president elect, to set out for the old mansions of the Harrison family on James River, to spend a few days with his relatives, before assuming the responsible duties of the station to which he has been elevated.

The Whig says:—General Harrison arrived in Richmond on Wednesday evening in the northern car, and was received by mayor Lambart and Mr. Lyons, president of the city. He then proceeded to the place of that association, and conducted to the Powhatan house, escorted by a large multitude. After arriving there, Gen. Harrison appeared for a few minutes at the balcony, but did not address the crowd. Gen. Harrison appears in decidedly better health than in 1836.

He was at the Merchants' Coffee house yesterday at noon, and at the Powhatan house between 10 and 12 o'clock, to receive his letters.

The Richmond papers state that on Thursday last General Harrison visited the Merchants' Coffee house, where he met a large number of citizens who had assembled to pay their respects to him. The Compiler states that in the brief address made by General Harrison he took occasion "to refer to the charge of abolitionism preferred against Mr. Granger, a member of his cabinet, that to be, He said, that Mr. Granger had seen the charge emanating from Richmond, and denied positively that he was an abolitionist, and remarked that if he should ever do any thing showing him to be one, it would be the duty of Gen. Harrison to reject him from his cabinet."

During the same day he also visited the house of delegates, then in session, and was introduced to many of the members.

VICE PRESIDENT TYLER. Gov. Tyler arrived in Richmond on Saturday, on his way, we presume, to the seat of the federal government. The senate of the United States convene on the 5th March in its simple executive capacity.

Mr. Tyler, we are gratified to find the vice president looking to well, having heard that he had recently been indisposed.

MR. BADGER, of N. Carolina, has accepted the offer of the post of secretary of the navy under the new administration.

FOREIGN RELATIONS. Case of L'Amistad. In the senate on Friday, a message was received from the president of the United States transmitting copies of correspondence between the state department and the representative of foreign governments relative to the negroes taken on board L'Amistad, which has occurred since his message of the 21st March, 1840.

[Globe.]

Mr. For to Mr. Forsyth.

Washington, Jan. 20, 1841.

Sir: I am instructed to reply to the letter that the attention of her majesty's government has been necessarily directed to the case of certain African negroes, found on board the Spanish ship "Amistad," the same persons whose cause has been brought before the court of the United States, and who, in your opinion, a powerful and humane interest appears to be felt in this country as well as in England.

It is known to her majesty's government that these negroes were imported into Cuba direct from the coast of Africa, in the summer of 1839, and that, shortly after their arrival, they were purchased as slaves at the Havana by two Spaniards of the name of Jose Ruiz and Pedro Montez. Ruiz and Montez then placed the negroes on board the schooner Amistad, intending to convey them to another port in Cuba. It appears that during the voyage, the negroes with a view of recovering their liberty, seized possession of the vessel, put the master to flight, and ordered the remaining whites to navigate the vessel to the coast of Africa. The whites, however, directed their course towards North America, until they were fallen in with by the United States brig-of-war Washington, when the Amistad was first brought into the port of New London, Connecticut. The proceedings which have taken place subsequently to the arrival of the negroes in the U. States are sufficiently well known to you.

Now, her majesty's government laws to observe, that since the 1st of May, 1820, it has become unlawful, according to the law of Spain, to import negroes from Africa as slaves into the Spanish dominions, and that as the negroes here referred to had been newly imported from Africa into Cuba, and could not be lawfully imported as slaves, they must in the eye of the law be considered as free persons.

And Great Britain is also bound to remember that the law of Spain which finally prohibited the slave trade throughout the Spanish dominions, from the date of the 30th May, 1820 (the provisions of which law are contained in the king of Spain's royal cedula of the 10th December, 1817), was passed in compliance with a treaty obligation to that effect, by which the crown of Spain had bound itself to the crown of Great Britain, and for which a valuable compensation, in return, was given by Great Britain to Spain as may be seen by reference to the 2d, 3d and 4th articles of a public treaty concluded between Great Britain and Spain on the 23d of September, 1817.

Her majesty's government, therefore, are moved by special and secular reasons to take an interest in the fate of these unfortunate Africans, who are shown to have been illegally and feloniously reduced to slavery by subjects of Spain.

It is next to be observed that Great Britain and the United States have mutually engaged themselves to each other by the 10th article of the treaty of Ghent, to use the best endeavours to secure the abolition of the African slave trade. And there can be no doubt of the firm intention of both parties religiously to fulfil the terms of that engagement.

Now the unfortunate Africans whose case is the subject of the present representation, have been shown by accidental circumstances to be the wards of the authorities of the United States, and it may probably depend upon the action of the U. States government, whether these persons shall recover the freedom to which they are entitled, or whether they shall be reduced to slavery, in violation of known laws and contracts publicly passed, prohibiting the continuance of the African slave trade by Spanish subjects.

In these circumstances, that her majesty's government anxiously hope that the president of the United States will find himself empowered to

take such measures in behalf of the aforesaid Africans as shall secure to them the possession of their liberty, to which, without doubt, they are by law entitled.

I avail myself of this occasion to renew to you the assurances of my distinguished consideration.

H. S. FOX.

The hon. John Forsyth, &c. &c. &c.

Mr. Forsyth to Mr. Fox.

Department of State, Washington, Feb. 1, 1841. Sir: I have the honor to acknowledge the receipt of your letter of the 20th ultimo, in which you state that you are instructed to represent to me that the attention of her majesty's government has been necessarily directed to the case of the negroes of the Spanish ship "Amistad," and that you are desirous that the president of the United States will feel himself empowered to take such measures in their behalf as will secure to them the possession of their liberty.

Viewing this communication as an evidence of the benevolence of her majesty's government, under which aspect alone it could be entertained by the government of the United States, I proceeded by the direction of the president, to make, in reply, a few observations which I thought it appropriate to deliver. The narrative presented therein, of the circumstances which brought these negroes to our shores, is satisfactory evidence that her majesty's government is aware that their introduction did not proceed from the act of any individual, but from the agents of the United States. A formal demand having been made by the Spanish minister for the delivery of the vessel and property, including the negroes on board, the grounds upon which it is based have become the subject of discussion to the proper authorities of the country, which have not yet pronounced their final decision thereupon. You must be aware, sir, that the executive has neither the power nor the disposition to control the proceedings of the legal tribunals when acting within their appropriate jurisdiction. With regard to the other considerations presented by you in behalf of the negroes of the "Amistad," I have to remark that it is not understood that the facts upon which they are founded are admitted by the ministers of her Catholic majesty; and this government would, with great reluctance, erect itself into a tribunal to investigate such questions between two friendly sovereigns. If, however, these facts are established, they cannot be without the sanction of her majesty's government, and this government would, with great reluctance, erect itself into a tribunal to investigate such questions between two friendly sovereigns. If, however, these facts are established, they cannot be without the sanction of her majesty's government, and this government would, with great reluctance, erect itself into a tribunal to investigate such questions between two friendly sovereigns. If, however, these facts are established, they cannot be without the sanction of her majesty's government, and this government would, with great reluctance, erect itself into a tribunal to investigate such questions between two friendly sovereigns.

JOHN FORSYTH.

Henry Foxes Fox, esq. &c. &c. &c.

THE ARMY.

Movement of troops. One hundred and twenty recruits under the command of Lieut. Meek, U. S. A. arrived at Savannah on Saturday, 13th inst. in the ship Gaston, capt. Chadwick, and embarked on Sunday for Florida, in the steamer Iris, captain Paul.

Army surgeons—Official. An official notice appears in the Washington papers that a lord will convene at Philadelphia on the 25th of May, or as soon thereafter as practicable, for the purpose of examining and selecting a surgeon who may be ordered to appear before it, and such applications for appointment in the medical staff of the army as may be invited to attend. The board will consist of surgeon Mower, surgeon Finley, and surgeon McDougall.

THE ARMY.

Promotions. The names of forty-four passed midshipmen have been sent to the senate of the U. States for promotion to lieutenants. Also, thirty lieutenants for promotion to captains, and, if the old ratio is observed, ten commanders will be promoted to post captains. This will make a hole in the register, as they will no doubt be confirmed.

The Norfolk Beacon says:—We learn that Capt. McCauley will be the flag captain of the Dolphin, which ship is, as we have stated, destined for the Mediterranean station, and is to be commanded by commodore Morris, who is to take charge of the Mediterranean squadron.

It is rumored that Commodore Warrington is to succeed commodore Morris as president of the navy board.

STATES OF THE UNION.

MAINE.

War movement. The resolutions on the subject of repelling British invasion, offered in the house of representatives of Maine, have been taken up by the senate, and after being amended by inserting \$1,000,000 instead of \$400,000, for the defence of the state, was referred to the committee on the northeastern boundary. Mr. Davis then offered the following resolution, which was also referred to the committee on the northeastern boundary:

Be it resolved, That the president of the United States be requested and urged to cause the immediate removal of the foreign armed force, by which our state is invaded, stationed upon the upper territory of the St. John's, and that the government of the United States be earnestly invoked to relieve this state from the present heavy needless burthen of its own defence."

MASSACHUSETTS.

The hon. Rufus Choate has been nominated by a meeting of the whig members of the Massachusetts legislature as the successor of Mr. Webster in the U. S. senate.

The Massachusetts house of representatives have lately proposed the proposition to indemnify the proprietors of the nunnery burnt at Charlestown a few years since. The vote on the question of indefinite postponement was, yeas 207, ays 49.

NEW JERSEY.

U. S. senator. The hon. Jacob W. Miller, (W.) of Morris, N. J., has been elected to the United States senate for the term of six years from the 4th of March next, in the place of Mr. Wall, (V. B.) whose term of service then expires.

The Newark Advertiser says:—Mr. Miller is a distinguished member of the New Jersey bar, and has served with honor in both branches of the state legislature. His services in the legislative council during the exciting discussions of the last year, and his eloquent appeals to the people during the great political campaign which has terminated so happily for the country, furnish a sufficient guarantee that he will discharge the responsible duties of the high station to which he has now been called, with credit to himself and his native state. Hucceforth New Jersey will be fairly represented in the councils of the nation.

PENNSYLVANIA.

Banks. The resolutions suspending for 40 days the penalties imposed by recent acts in the case of bank suspensions, have passed the senate of Pennsylvania. The vote on final reading was—yeas 18, nays 14. They were then referred to the conference, on Saturday, and made the order of the day for the 1st of March. In the mean time, it is understood that the committee on banks will report a bill to the house, which bill, with the action thereon, may supersede the necessity of adopting these temporary resolutions.

In the house, Mr. Singer's resolution of inquiry, asking the governor to communicate all information in his possession, relative to the late suspension, was up on second reading, on Thursday, and was adopted.

The banks and the state. According to a table which has been carefully prepared by Mr. Lightner, of the state legislature, it appears that the state of Pennsylvania has within the last twenty years, received, either in bank dividends or bonuses, \$7,133,755. The dividends on bank stock paid out by the state have, during the time named, 20 years, averaged 6 27 100 per cent.

MARYLAND.

Census. Our foreman arranged the position of the tables of the census of this state, on page 340, according to printers' rules for printing, but the effect was, to place the column of *grand total*, out of position; and on a transient glance at the table, a reader might mistake the "total numbers," to be the totals of the colored population only, instead of the aggregate of the entire population.

The results of the valuable statistics of the state, as collected, arranged and published by the marshal, whose duty it was to take the census of 1840, was inserted in the last number of the REGISTER.

It will be observed that there is no column of the totals of the white population, nor of the aggregate of colored population. In order to obviate the omission, and to place the progress of the population of the state in relation to some of its most interesting aspects, more fully before the readers of the NATIONAL REGISTER, we have prepared, and add a few additional statements of our own. Our motive for this, and for devoting more than an average space to the consideration of the statistics of the population of this single state, must be obvious. The attitude of Maryland in relation to her population is very peculiar, and should be at least as interesting and exceedingly interesting, not only to the people within

her borders, but also to the people of the north, and still more so the people of the south.

Maryland may be considered as the very centre of the union—having for Capitol itself in what was the central territory. As between the northern and southern states, she is a kind of neutral ground, it being matter of dispute with which she ought to be classified. Some writers assume, that east of the Alleghenies, the Potomac as distinctly marks the central boundary between the north and south, as it is admitted that the Ohio does west of that range, and therefore classify Maryland as a northern state. Others recognise the artificial distinction which "MASON and DIXON'S LINE" affixes to the central boundary between the north and south, as it is admitted that the Ohio does west of that range, and therefore classify Maryland as a northern state. Others recognise the artificial distinction which "MASON and DIXON'S LINE" affixes to the central boundary between the north and south, as it is admitted that the Ohio does west of that range, and therefore classify Maryland as a northern state. Others recognise the artificial distinction which "MASON and DIXON'S LINE" affixes to the central boundary between the north and south, as it is admitted that the Ohio does west of that range, and therefore classify Maryland as a northern state.

But it is not only geographically that Maryland may be said to be the central state of this union. In several other particulars she is singularly so. Although in regard to *dimensions*, she is but the nineteenth state in the union, eighteen of the states having more, and seven states less territory than she has, yet to regard to *population* she is exactly in the medium, half the states having more, and the remainder less. In 1840 the population of Maryland in *density of population*, she is the fifth state of the union. The surface of the state, embraces about 13,950 square miles, of which nearly one-fifth is water.

In 1820, the total number of inhabitants in the union being 9,225,721, and there being then twenty-four states, the average was 411,072. The population of Maryland was then 407,350, which was the nearest approximation of any state in the union to the average. In 1830, the total population of the states of the union, divided by the number of states in the union, gives an average of 526,591. At that time Maryland having a population of 417,010, was nearer the average number than any state in the union, except the state of Georgia, which had a population of 508,419. In 1840 the population of the twenty-six states, divided by the latter number, gives an average of 628,806. The population of Maryland being 467,567, falls 167,239 below the average, and Alabama 479,111, Maine 401,798, S. Carolina 534,429, Georgia 618,106, the nearest to Maryland, Indiana 682,314, North Carolina 753,141, and Kentucky 777,359, seven states approximate nearer to the average than she does. But it will be recollected that under the constitution of the United States, the proportion of representation is regulated, not by the actual number of inhabitants, but by the total number of free persons, "added to three-fifths of all other persons." This is the difference between the actual population, and the "federal numbers" recognised in making apportionments, and by which the influence of Maryland in the general scale has been exalted of each census, about 40,000 below her actual numbers.

The total number of representatives in the first congress under our present constitution, was sixty-two, of which Virginia had ten; Massachusetts and Pennsylvania eight each; New York and Maryland six each; Connecticut, North Carolina and South Carolina five each; New Jersey four; Georgia three; Rhode Island and Delaware one each.

The number of representatives assigned to Maryland by the ratio of one for every 33,000, adopted under the census of 1790, was nine, and she maintained that number under the ratio of 33,000, adopted in 1800; of 35,000, adopted in 1810; and of 40,000, adopted in 1820; but under the ratio of 47,500 adopted in 1830 her representation was reduced to eight.

Twelve years since, in a publication then printed by the writer of this, in reference to the advantages of this state it was observed:—"Happily for Maryland, the political influence of a state is not entirely dependent upon its representation. Position is of great importance. Natural conveniences of navigation and an free sea. In both the respects as well as in the facilities offered for internal improvements and manufactures, Maryland has advantages unrivalled by any state in the union, except N. York, and might justly contend for the palm with that prosperous state, to which she is made inferior in extent only. Her political position as a central key-stone to the union, as partaking of the climate of both the sections, and able to resist to the pursuits of either or both, as having in her bosom, it not under the extent of the regular increasing capital of the nation with its vast advantages of a harbor, commanding an extent of coast, not indeed of sea coast, but of water course superior for domestic conveniences to any sea coast, and larger in extent than that of any other state, in having a key of communication with the north, the north-west and the west, not only equal, but fairly superior to that of N. York

itself, and which will certainly be improved as soon as the people of the state are awakened to its vast advantages, possessing a capital city, which has had a growth as remarkable as that of any city of the world, and whose commerce has been so extended, that for population, enjoying a commerce which ranks the state as the third, and tonnage that elevates her as the second state in the union, not in proportion but in actual amount. In proportion to extent and population, Maryland has had a greater tonnage and a greater commerce than any state in the union. What would they be, if the avenues were opened which would connect her with the Mohawk and the western counties of New York,—with the actual chains of commerce, and the navigation of the Ohio, the Ohio, the Mississippi, the Missouri, avenues that wait only to be improved, and Maryland will truly become the *centre of the union*, in the most intimate of all political connexions, that of commerce and profitable intercourse.

Since the above paragraph was penned, Maryland has, for her resources, made such gigantic strides towards opening those several avenues of intercommunication—and she is at this moment struggling spiritedly in that peculiar attitude of a course, where the interest upon the expenditures are at the heaviest amount, the works being almost completed, and yet the most of them, not sufficiently so, to yield the income which can only be expected upon their completion. One mainly and effective effort more—and a rich harvest of trade, commerce and prosperity will be insured.

There is, however, another striking peculiarity in the statistics of this state; she lies directly between the slaveholding and the non-slaveholding states; and though no state in the union, either by public opinion or by legal estimates, more distinctly recognizes the claims of the slaveholder to property of that description, yet in no state of the union has emancipation so rapidly progressed, and whilst several of the counties of the state have now a larger number of slaves than of white inhabitants, yet there are no states at present, not yet the largest proportion, but actually much the largest number of free colored people, of any state in the union; free according to common parlance, though in fact neither freemen nor slaves, nor are they ever likely to be really free even under her laws. The attitude of Maryland in this respect, as the pivot of her commerce to turn upon which we can do that, and leave others to deduce conclusions therefrom.

The first emigration to Maryland under lord Baltimore's charter, took place in 1634, and consisted of about 200 gentlemen. In 1660 the population amounted to 12,000; in 1665 to 16,000; in 1710 to 25,000. In 1724, one hundred years after its first settlement, there were 34,000 "taxable inhabitants" in the province. In 1749 there were 53,000 inhabitants.

In 1755 there were 53,319 free white males; 49,909 free white females; 1,474 free white males; 197 female convicts, 3,592 male convicts, and 42,761 negro slaves—making a total population of 133,261.

Aggregates of whites, free colored, and slaves under each census from 1790 to 1840.

In 1790, whites, 208,640; free colored, 8,043; slaves, 102,560—total 319,243.

In 1800, whites, 216,356; free colored, 19,387; slaves, 105,633—total 341,375. Increase in ten years, 21,830.

In 1810, whites, 255,117; free colored, 33,921; slaves, 111,352—total 350,516. Increase in ten years, 33,968.

In 1820, whites, 253,622; free colored, 41,780; slaves, 106,993—total 402,395. Increase in ten years, 26,904.

In 1830, whites, 291,108; free colored, 52,923; slaves, 122,560—total 473,010. Increase in ten years, 39,610.

In 1840, whites, 316,544; free colored, 64,837; slaves, 89,736—total 461,117. Increase in ten years, 21,077.

It will be observed that our aggregate of 1840 varies from the aggregate of the marshal's table. It is because we have not been able to make the items, which we derive from his table, correspond exactly with his aggregate—and we cannot determine where the error lies.

The proportion of whites to the colored population in the year 1753, was 2 3 white, to one colored; in 1790 it was 1 84; in 1800, 1 75 to one; in 1810, 1 62; in 1820, 1 77; in 1830, 1 88; and in 1840, it was 2 088 109 whites to one colored person.

The condition of the colored population, last, however, during this period, undergone a very marked

terial change. Sixty years ago, nearly all the descendants of Africa within the state were slaves. In 1790, not quite one out of every fourteen were free. In thirty years from that period, (1820), the number of free had increased to 44,730, and bore the proportion of considerably more than one fourth of the total number of their race to the state. During the same period, the entire increase of the slaves, was but 8,868, being less than four per cent. In 1830, more than one third of the colored people of the state were free, and in 1840, the proportion of free colored to the slaves was as 61 to 89—approximating one-half.

The number of free blacks had increased in the last ten years 8,869, and in the last thirty years 27,810—being an average of over nine hundred per year.

The number of slaves in the state had diminished within the last thirty years 21,796—within the last ten years, the diminution has been 12,158—or over twelve per cent.

The entire colored population of the state, has diminished according to our authentic, 3,359 within the last ten years, being over two per cent.

The white population has increased in the same time 28,436, or eight or three quarters per cent.

The aggregate increase of the population of the state within the last fifty years has been 148,329, on an average of very nearly 3,000 per year.

The city of Baltimore alone, has increased in population within the last fifty years from 13,563 to 162,500—or 89,000, leaving 59,937 increase for the residue of the state.

The population of the Eastern and Western Shores from 1790 to 1840, inclusive, are as follows:

	1790.	1800.	1810.	1820.	1830.	1840.
East Shore.	107,638	115,336	117,121	115,110	119,592	117,392
West Shore.	92,089	127,150	126,433	133,921	171,327	146,350

It will be perceived that the population of the Eastern Shore within the last fifty years has only increased 9,744, or nine per cent.—and that within the last ten years the population of that shore has diminished 2,200, or about two per cent.

The population of the West-Shore, has in the last fifty years, increased 148,634—and in the last ten years 28,281.

U. S. senator. The legislature of this state have at last agreed to elect a U. S. senator in the place of Mr. Roane, whose term of service expires on the 3d of March next; and the legislature have appointed that day for the election.

Legislature. The legislature was to adjourn on the 6th, but probably continued in session a few days longer. A law has been passed exempting loans execution the real estate of a debtor to the quantity of 160 acres, or \$1,500 worth of town lots. This is in addition to the personal estate, previously exempt.

A resolution has passed the house by a majority of one vote, and will probably pass the senate, in favor of a national bank. A resolution has been passed, recommending the creation of a land district, embracing the country on the Mississippi between the line dividing the Chickasaw and Choctaw tribes and the mouth of the Yazoo; the land office to be at Vicksburg. A law has been passed providing for the inspection of bale rope and bagging, and one prohibiting the use of cotton hogs.

The last, we are told, was actually recommended in the message of his excellency. The bagging inspection law will prove very vexatious and expensive.

LOUISIANA.

The house of representatives adopted a resolution, requesting our senators and representatives in congress to use their endeavors to procure the alteration of the present naturalization laws so as to require twenty-one years' consecutive residence in the United States, before a foreigner could become naturalized, by a vote of twenty-five to ten.

KENTUCKY.

U. S. senator. The Hon. J. T. Morehead, has been elected by the legislature, a senator in congress for six years from the 4th of March next, to succeed Mr. Crittenden.

Taxation. A committee of the Kentucky legislature recommended the passage of a bill to tax the taxes in that state, to 15 cents on each hundred dollars of property, as necessary to preserve the credit of the state, there being a deficiency in the resources of the sinking fund of more than \$114,000 to meet its known liabilities for the current year.

MICHIGAN.

In the house of representatives of this state, on the 4th inst. Mr. Speaker Price introduced a series of resolutions—founded on the subject of controversy between New York and Virginia—which

CENSUS FOR 1840.

COUNTIES.	Whites	Free blacks.	Slaves.	Total blacks.	Total population.
Allegheny	14,677	216	811	1,027	15,704
Washington	27,132	1,556	2,305	4,061	32,729
Franklin	27,573	2,987	4,120	7,107	34,989
Carroll	15,222	835	1,430	2,265	17,238
Baltimore	24,181	3,478	4,000	7,578	32,062
Harford	12,571	1,221	1,400	2,621	14,792
Montgomery	8,280	1,240	1,127	2,367	11,617
P. George's	7,782	1,060	1,040	2,100	10,882
Saint Mary's	6,053	1,413	1,171	2,584	8,637
Charles	6,361	1,292	1,400	2,692	9,357
Charles	6,988	817	9,240	10,057	16,995
Anne Arundel	14,557	1,518	9,816	14,954	29,533
Howard	13,205	1,240	1,127	2,367	14,572
Keok	5,618	2,486	2,741	5,227	10,845
Caroline	5,372	1,737	774	2,511	7,816
Tellico	6,055	1,236	2,628	3,863	10,008
Queen Anne's	6,109	2,540	2,975	5,515	12,628
Somerset	11,343	9,435	5,285	9,040	19,383
Dorchester	10,647	3,363	3,232	6,595	17,541
Worcester	11,642	3,052	2,513	5,565	18,249
Baltimore city	81,317	17,980	4,232	22,192	202,500

816,544 61,837 90,736 161,573 468,127

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The last, we are told, was actually recommended in the message of his excellency. The bagging inspection law will prove very vexatious and expensive.

LOUISIANA.

The house of representatives adopted a resolution, requesting our senators and representatives in congress to use their endeavors to procure the alteration of the present naturalization laws so as to require twenty-one years' consecutive residence in the United States, before a foreigner could become naturalized, by a vote of twenty-five to ten.

KENTUCKY.

U. S. senator. The Hon. J. T. Morehead, has been elected by the legislature, a senator in congress for six years from the 4th of March next, to succeed Mr. Crittenden.

Taxation. A committee of the Kentucky legislature recommended the passage of a bill to tax the taxes in that state, to 15 cents on each hundred dollars of property, as necessary to preserve the credit of the state, there being a deficiency in the resources of the sinking fund of more than \$114,000 to meet its known liabilities for the current year.

MICHIGAN.

In the house of representatives of this state, on the 4th inst. Mr. Speaker Price introduced a series of resolutions—founded on the subject of controversy between New York and Virginia—which

may be held to be of so small importance, as looking to their effects, and to ulterior results, consequent upon similar action, pro and con, in other states of the union. The resolution set forth the cause of difficulty between Virginia and New York, and pronounced the refusal of the governor of New York to deliver up the fugitives from justice who escaped from Virginia, charged with felony in stealing slaves in that state, as a violation of the constitution of the United States, and injurious to the rights of the slaveholding states; and they characterize the reason assigned by gov. Seaward, for this slight violation of the constitution, as "a violent and wholly unworthy act of a tyrant." The concluding resolution—the pith and marrow of the matter—is as follows:

6th. Resolved, That in granting licenses to sell goods, wares and merchandise in this state, it is expected, and it shall redress shall be afforded, to make a discrimination unfavorable to goods, wares and merchandise manufactured in the state of New York, or imported into that state and brought from that state to this state. Provided, said discrimination does not apply to goods, wares and merchandise in the original cases or packages, in which they were imported into the United States.

After some remarks from the speaker, explanatory of the reasons for proposing the resolutions, it was moved that 500 copies of them be printed—which number were ordered by the house.

How long would the union of the states endure—that union which is the only security to amity and concord amongst its members—if one member is generally bad, in cases of difficulty, as that looked to, or recomended, in the foregoing resolution!

THE BANKS.

A report obtained circulation last week, that the banks in New York had or were about to suspend payments. The papers of that city contradict it, and assert that their banks are perfectly easy, nay, really want good paper.

It is said that the city of New York never stood so strong as at this day. The amount of specie in their vaults yesterday was \$5,504,100; an amount deemed more than sufficient for any emergency that can arise.

It appears that upwards of eleven millions of dollars in specie or specie funds were drawn from the Philadelphia banks within twenty days of their last suspension, of which six went from the vaults of a single bank, leaving but a minute amount to be left at this time in all the banks of the city of New York.

The difficulties existing amongst the banks in Philadelphia is increased by the determination of all but the United States bank, to suspend all transactions from their general arrangements and refuse their notes as payment. The United States bank of course refused the notes of those that refused hers.

Several public meetings have been held, with a view of suggesting measures to the legislature. George M. Dallas presided at one held on the 6th and Josiah B. Chandler acted as secretary—Josiah Randall proposed a series of resolutions, which on account of Josiah B. Randall were referred to a committee of seven to report to the legislature.

On Tuesday the 9th. Mr. Ingersoll then reported resolutions "that the community is in need of legislative assistance and relief" that certain banks, naming them, and extending the term of the United States bank, be authorized to receive, and to render assistance to the people, the contemplated relief and assistance; that the banks had not attempted to carry out the act of 1840, requiring them to resume on the 15th January, and that the United States bank be withdrawn in the absolute attempt to give permanence to the same"—and they say, that the following measures of relief and assistance are called for by the present emergency:

1. A suspension of the penalties provided by any statute of this commonwealth, for the omission of any of the above named banks to pay their deposits and obligations in gold or silver coin.

2. A re-enactment of the provisions of the act of 3d April, 1840, relative to dividends.

3. An arrangement by which each bank shall be required to pay out its own notes, and not the notes of any other banks.

4. Such other measures of relief and assistance as the legislature in its wisdom may deem proper.

5. That a committee of seven persons be appointed to proceed to Harrisburg for the purpose of obtaining the necessary relief and assistance.

The proceedings of the legislature on this occasion are of course of great interest to every citizen.

Whether governor Butler and the party that he is attached to, will materially relax from the course they have hitherto maintained, remains quite doubtful.

	Whites	Free blacks.	Slaves.	Total blacks.	Total population.
Allegheny	14,677	216	811	1,027	15,704
Washington	27,132	1,556	2,305	4,061	32,729
Franklin	27,573	2,987	4,120	7,107	34,989
Carroll	15,222	835	1,430	2,265	17,238
Baltimore	24,181	3,478	4,000	7,578	32,062
Harford	12,571	1,221	1,400	2,621	14,792
Montgomery	8,280	1,240	1,127	2,367	11,617
P. George's	7,782	1,060	1,040	2,100	10,882
Saint Mary's	6,053	1,413	1,171	2,584	8,637
Charles	6,361	1,292	1,400	2,692	9,357
Charles	6,988	817	9,240	10,057	16,995
Anne Arundel	14,557	1,518	9,816	14,954	29,533
Howard	13,205	1,240	1,127	2,367	14,572
Keok	5,618	2,486	2,741	5,227	10,845
Caroline	5,372	1,737	774	2,511	7,816
Tellico	6,055	1,236	2,628	3,863	10,008
Queen Anne's	6,109	2,540	2,975	5,515	12,628
Somerset	11,343	9,435	5,285	9,040	19,383
Dorchester	10,647	3,363	3,232	6,595	17,541
Worcester	11,642	3,052	2,513	5,565	18,249
Baltimore city	81,317	17,980	4,232	22,192	202,500

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specie payments, to and the discharge of the accruing interest on the state debt. This loan was of course a direct charge upon her operations at the very moment that the payments in specie began; and it was moreover the fortune of the bank to provide for a still larger portion of that loan in the precious metals, as much of it was paid by others in the promissory notes of the bank.

The statement thus briefly submitted exhibits therefore a direct application of the capital of the bank to purposes of the state, an amount exceeding twelve millions of dollars, and of nearly a million more, to works of public concern, conducive to the profit of the state works and the interest of her citizens.

That these applications of the capital have proved a severe burden upon the bank, and both directly and indirectly, an obstacle to the success of the effort which has just failed, does not admit of reasonable doubt. The demands of the state for large loans, which have never been negotiable by the bank, except as securities to borrow money, and then only upon estimates much below the price paid, and at the expense of heavy charges of interest, premium and commissions, may be stated with all confidence as a heavy burden imposed upon the institution. More than \$7,500,000 of these loans have been within the last two years, a period of unexampled difficulty in the negotiation of money, and no part of them can be said to have been taken with the free will of the institution, or even with a regard to her own benefit, except as the directors conceived the interest of the state and of the institution to be closely connected.

Your memorialists humbly submit, that contributions like these do not constitute a ground of discrimination unfavorable to the bank, as would seem to be the sentiment of those who would deny her the common relief that is now solicited at the hands of the legislature for all other banks.

By subscriptions voluntarily made to promote public works of like nature, and to extend the use and profit of the state works, the bank has paid nine hundred and seventy-eight thousand seven hundred and fifty-nine dollars.

It is not lower upon the ground of service to the state by the institution that the directors present this memorial. They represent great interests, the sacrifice of which will be extensively prejudicial to both public and private interests. The interests of these interests, that they are for relief by the legislature. They do not ask to be relieved from the obligations imposed by the constitution, nor from the legal and moral liability of all debtors to pay their debts; but they confidently ask to be exempted from penalties which the law imposes upon those which the legislature can lawfully repeal or suspend, and they ask it because the infliction of these penalties will inevitably retard the payment of the debts, and will produce a wasteful sacrifice of capital, and increase of the prevailing embarrassment of the community. On each of these tendencies they ask leave to make one or two suggestions. The sufficiency of the assets of the bank to meet all her engagements to creditors, is, in the opinion of your memorialists, as much a matter of moral certainty as that the assets of any bank in this state or elsewhere are sufficient for a like purpose. If through mismanagement, folly or madness, all personal securities shall be annihilated, and real estate be made a mere speculation, who owns it, the liability of the bank will be confined in its effects to the Bank of the United States, and unless they are so annihilated, the sufficiency of the bank assets is, morally certain. The first question then for the assent of the legislature, and the legislature, it ought to receive the consideration of all persons before they express an opinion upon it, is whether the bills and liabilities of this bank, ought to be struck down at once as an available resource to the creditors by the destruction of the charter, the consequent delays and difficulties of winding up the concern in another form.

Is it not a measure of more wisdom and justice also, to these creditors, to let these liabilities take their true position, according to their estimated value, assisted as the liabilities of other banks are by the facilities which a charter gives to make provisions for them? Is it of advantage to any man or body of men, whose pursuits in business are profitable to the community, that this paper shall become a thing to waver upon at the exchange, blown up one day by hope, thrown down the next by fear, and at all times the subject of contrivances to bring about the gain of one by the loss of another? Will the legislature, by a distant legislation are the bona fide holders of it likely to obtain its true value in such a state of artificial agitation? Can either the public or individuals, pursuing a useful calling, be benefited by at once putting a stop to the active commercial value of more than

two millions of dollars of this paper, now believed to be principally in the hands of the inhabitants of this state? It is not at present a question whether the Bank of the United States is at once to become a bank of extensive circulation and deposits as before. Upon this point this bank must stand, like others, upon its own strength and the confidence of the community. But the question is, whether, be her resources what they may, her creditors are to be deprived of the assistance which the charter will give by the infliction of penalties which are withdrawn from all other banks?

It must be obvious to your honorable bodies that by destroying the charter, not only will the property of creditors be sacrificed, but that the same is more extensively true in regard to the capital of the stockholders.

What the stockholders have done to fall under the edge of public resentment, it is difficult to perceive. If there has been error, or mismanagement in the bank it has not been theirs. If money has been too liberally loaned to the state of Pennsylvania, to improvement companies and to individuals, the stockholders have not made the loans. The law prevents them from acting personally in such matters, and compels them to act by representatives.

To many of them the law denies the right of selecting their representatives. They are widows, orphan children, persons retired from business and advanced in age, and many of them, and of them have been, and are sufferers, against their will, without their personal agency, and beyond the possibility of redress by themselves. Why should persons in this situation become the objects of hatred and persecution, and because part of their property has been impaired, the rest of it be sacrificed by forced sales upon a prostrate market, at the mandate of the law, and through the inflexible agency of trustees or liquidators? Can the public gain by this? In some times these are their very imaginary advantages to the public or individuals in swelling the mass of stocks, debts and lands for peremptory sale in a market already burthened with more than can be absorbed.

Your memorialists humbly submit that but one answer can be given to these inquiries. It is the true interest of the public, as it is also the dictate of mercy and humanity, that the stockholders should be satisfied.

It is not for themselves as it is for their children, and that they should not be crippled by penal restrictions, nor hunted down by persecution; and if the penalties are enforced, these are the only characters which the enforcement of them will have. It is not for the public to be troubled with the care of the regard of the legislature. To the extent of more than eight millions the bank is the owner of the public debt of this state, which has been pledged for the repayment of money borrowed. When the bank incurs the debt, it incurs these loans of the state at the mercy of those to whom they are pledged, enables them to throw them into the market upon the default of the bank, to depress them in price, and to become the purchasers of them at an immense sacrifice. In the face of this contingency, what is to be the market price of the public debt of Pennsylvania, held to a great extent by her own citizens? What is to be the ability of the state to complete and to bring into profitable operation the great works which she has undertaken? What effects upon all property in the public debt or dependent upon it?

Your memorialists deem it necessary only to suggest these considerations to the wisdom of the legislature. They hold it to be clear, that the value of this while the value of this or any other charter for banking has become greatly impaired, so that the private interests of the stockholders in the general are of this power is now of inconsiderable magnitude, at the same time the value of the bank in giving security to the debts of the bank until paid its value in turning all the assets of the bank to the best account for all parties, and its value in sustaining the price of state debt, and in furthering the financial operations of the state, was never higher than at this moment.

They therefore respectfully pray the legislature to continue to the bank, the relief granted by the present resolutions. The legislature provides the legislative power to be fit to impose upon the Bank of the United States in common with other banks, to give security to their operations and to bring them at the earliest day practicable, to that state which is alone consistent with the public welfare, this bank will be the first to deference to the wishes of the representatives of the people, and faithfully endeavor to observe. By order and on behalf of the board,

T. DUNLAP, president.

Bank of the United States, Feb. 13th, 1841.

TWENTY-SIXTH CONGRESS—24 SESSION. SENATE.

February 16. The vice president presented memorials from Florida praying that the southern portion of that territory may not be ceded to the Seminole Indians, but that they be compelled to remove west of the Mississippi.

Mr. Williams reported a joint resolution authorizing the secretary of the navy to enter into contract, without advertising, for American water-rotted lumber for the construction of a new fort.

Mr. Nicholas reported a bill making appropriations for certain military roads leading to the frontier posts bordering on Texas and Indian settlements.

Mr. Waller reported the bill from the house of representatives to amend an act entitled "an act to authorize the state of Tennessee to issue grants and perfect titles to certain lands therein described," without amendment. Laid on the table until tomorrow.

Mr. Eaton reported a bill supplemental to an act entitled "an act for the appointment of commissioners under the 14th article of the treaty of 1830, with the Choctaw Indians."

Mr. Hubbard moved a resolution appointing Thursday the 27th inst. a day on which the senate would proceed to the appointment of a printer for that body for the 27th congress.

Mr. Waller submitted the following resolution, which was adopted.

Resolved, That the map of the country west of the Mississippi, made under the direction of the war department, by J. N. Nicollet, and the report in reference to the same, be printed for the use of congress, under the direction of the chief of topographical engineers, and that 200 copies thereof be delivered to the war department and to the bureau of topographical engineers, one hundred, and 300 additional copies for the use of the senate.

The following bills were also considered in committee of the whole, and ordered to be engrossed:

A bill authorizing the erection of certain light houses and light boats, and the establishment of certain buoys and beacons lights.

A bill to authorize the payment of equitable commissions to the agents or attorneys of persons in whose favor awards have been made under long term treaties between the United States and certain foreign powers; which awards have been retained in the treasury in payment of debts due the United States.

The senate then proceeded to the consideration of the special order, being the bill to establish a uniform system of bankruptcy; when Mr. Tappan rose and delivered his views in favor of the amendment of Mr. Hubbard to include banks and trading companies.

Mr. Nicholson followed against the bill and amendment, though he intimated that the vote he should give would not commit him on any future occasion.

Mr. Eaton spoke at length in favor of the amendment, but against the general policy of the bankruptcy bill.

Mr. Calhoun rose to enter his protest against the doctrine broached by Mr. Nicholson in his remarks, that where the general policy of the bill and the states came in collision, the states must yield.

Mr. Benton said as the mover of the amendment (Mr. Hubbard) was not then in his seat, and might desire to say something further on it, he would move the adjournment of the British subject, and asked the senate then adjourned.

February 17. Mr. Ruggles presented the credentials of Mr. GEORGE EVANS, elected a senator of the United States from the state of Maine, for six years commencing on the 4th of March next.

Mr. Preston reported a bill providing for the investment of the Smithsonian funds; and the establishment of the Smithsonian institution.

Mr. Norrell presented a memorial from certain citizens of New York, in relation to certain persons designated as "American patriots" who were taken captive in arms during the Canadian frontier difficulties and sentenced to punishment as felons by British authorities. The memorial contained a prayer for their release, and the British subject, and asked the adoption of resolutions by congress declaring them cruel and inhuman, and for the interposition of the government to procure the release of these persons from imprisonment.

The memorial having been read, Mr. Norrell moved that it be referred to the president of the U. States.

Mr. Preston opposed the motion. He had the strongest objections to any interference with the interests of New York, and of foreign nations. The advice given by Jefferson against any such interposition was worthy of all attention and consideration. He subscribed to it most heartily. Mr. P. said he had seen with regret the excited proceedings on the northeastern frontier. They were calculated

ed to excite emotions of uneasiness and apprehension for the preservation of peace and harmony; for no one could contemplate the possibility of a conflict between Great Britain and the United States, and all the train of calamitous consequences which would follow to the two countries, to civilization, and to the world, without the greatest pain. It was an evil, and, until it was removed, it was proper to interfere with the political affairs and proceedings of other states; but most especially, as regards the British North American affairs ought all such measures tending to excitement be scrupulously avoided.

Mr. *Predon* adverted to the recent correspondence between the British minister and Mr. Forsyth in relation to the negroes of L'Amistad. He characterized the course of the British government in this matter as unwarrantable interference; and he hoped that no department of the government would give it the slightest sanction or favor. He hoped, too, that no countenance would be given for such interference by a similar example on our part. In his opinion, the senate ought to mark with its most decisive rebuke even this proposition, to interfere in behalf of the persons referred to by the memorialists. With what face can we censure the intervention, on the part of Great Britain, in the affairs of the United States, if we entertain the memorial. He was against entertaining it so far even as to suggest the idea that the president might consider the propriety of interfering. He moved to lay the memorial on the table.

A few weeks since Mr. *Norvell*, the question was put, and carried in the affirmative. So the memorial was laid on the table.

The Tennessee land bill was taken up; and, after a brief discussion, was passed.

Some private bills were disposed of, and then the senate adjourned.

February 19. Mr. *Clay* gave notice that, to-morrow, as early as possible after the morning's business was disposed of, he should call up the resolution introduced by him some time since for the repeal of the sub-treasury.

Mr. *Williams* presented the joint resolutions of the legislature of Maine in relation to the currency, the repeal of the sub-treasury, the establishment of a national bank, and the tariff and other matters. Mr. *Williams* to carry into effect the will of his constituents or resign his trust.

The resolution for the admission of *Indiana* during the residue of the session to the privileged seat was taken up, and some one proposed its consideration.

Mr. *Norvell* said that citizens were in unusual numbers. All were aware of this fact. All were aware that, among those crowds, ladies from all quarters of the union, who had never visited the city before, were to be found. It was right and proper that as many of the citizens of the United States as could be accommodated with convenience to the senate should have an opportunity of witnessing the proceedings and debates of this body. By admitting the ladies below, many of whom would probably never have another opportunity to hear our debates, more room would be left in the galleries for the accommodation of gentlemen. He, therefore, hoped that the resolution under consideration, which he had thought it right to submit, would be adopted.

Mr. *Benton* moved to lay the resolution on the table. Upon this motion the yeas and nays were taken, and resulted as follows:

YEAS—Messrs. Anderson, Benton, Buchanan, Clay, of Ala., Calhoun, Culbert, Fulton, Hubbard, King, Linn, Lumpkin, Mason, Phelps, Patten, Prentiss, Rives, Smith, of Indiana, Tappan, Wall, Williams, Wright—21.

NAYS—Messrs. Allen, Bayard, Clay, of Ky., Dixon, Graham, Huntington, Kerr, Knight, Mangum, Merriek, Nicholas, Norvell, Pierce, Rogers, Sevier, Smith, of Connecticut, Sturgeon, Tallmadge, White, Young—30.

The senate then proceeded to consider the resolution proposing to elect a public printer for the 27th Congress.

Mr. *Hubbard*, who introduced the resolution on a former day, made some few remarks as to the joint resolution under which the senate had, from time to time acted.

Mr. *Huntington* remonstrated at considerable length against the proposition, going into a succinct examination of all the resolutions and laws which had been passed in relation to this subject from the year 1817 to the present time. He said that the joint resolution of 1819, (referred to by the introducer of the motion), was obligatory; that it had been treated by the other house as a perfect nullity, and could not be relied on by the senate. He denied the justice, the propriety, or the expediency of going into such an election at this late stage of the session. There was no necessity for it, because

the printer was already provided for until the 4th of March, and there was no justice in it, because it was setting on foot a public officer of the minority on the majority of the senate. He said, if it passed, he, for one, should not regard it as obligatory, and should move to rescind it as soon as the next congress met. He would therefore move to postpone its further consideration until the 4th of March next.

Mr. *Hubbard* said he would take occasion to answer the remarks of the senator in detail to-morrow, and meantime, he would desire that it be postponed until the 4th of March, which he was ready to do.

The senate then proceeded to consider the special order, being the bill to establish a uniform system of bankruptcy, when Mr. *Benton* rose and addressed the senate at great length.

Mr. *Clay*, of Ala. rose, but gave way for a motion to adjourn, and then the senate adjourned.

February 19. The resolution to proceed to the election of a public printer was taken up and discussed until after 4 P. M. The debate was somewhat animated, the motion proposing being to postpone the further consideration of the resolution until the 4th of March next.

This motion was sustained by Messrs. *Harrison, Henderson, Bayard, Mangum, Dixon, Prentiss, Clay, of Ky., Prentiss*, and others, and opposed by Messrs. *Hubbard, Sevier, Linn, Clay, of Alabama, Norvell, Benton, Buchanan, Clay, of Kentucky, Dixon, Graham, Henderson, Huntington, Kerr, Knight, Mangum, Merriek, Prentiss, Rogers, Ruggles, Southard, Tallmadge, Webster, White, Young*.

The question having been taken on the postponement, was decided in the negative as follows:

YEAS—Messrs. Bayard, Clay, of Kentucky, Dixon, Graham, Henderson, Huntington, Kerr, Knight, Mangum, Merriek, Prentiss, Rogers, Ruggles, Southard, Tallmadge, Webster, White, Young—19. NAYS—Messrs. Anderson, Benton, Buchanan, Clay, of Ala., Calhoun, Clay, of Alabama, Culbert, Fulton, Hubbard, King, Linn, Lumpkin, Mason, Nicholas, Norvell, Pierce, Rogers, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Wall, Williams, Wright, Young—36.

Mr. *Hubbard* did not desire to go into the election of Mr. *Merrick* until next Monday. The blank was filled with to-morrow.

Mr. *Clay* then moved to take up the resolution introduced by him some time since, for the repeal of the sub-treasury. On this question the yeas and nays were called. When there appeared as follows:

YEAS—Messrs. Allen, Bayard, Clay, of Ky., Dixon, Graham, Henderson, Hubbard, Huntington, Kerr, Knight, Mangum, Merriek, Prentiss, Rogers, Ruggles, Southard, Tallmadge, Webster, White, Young—23. NAYS—Messrs. Allen, Anderson, Calhoun, Clay, of Alabama, Culbert, Fulton, King, Linn, Lumpkin, Mason, Nicholas, Norvell, Norvell, Pierce, Robinson, Rogers, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Wall, Williams, Young—22.

Mr. *Clay* observed that what he had to say would take a very few minutes. There were some cries, in an undertone, of "adjourn." Mr. *Clay* then moved an adjournment.

Mr. *Allen* asked the yeas and nays, when there appeared for the adjournment 32, against it 12.

And the senate adjourned. February 20. On motion of Mr. *Anderson*, a resolution was adopted calling upon the secretary of war for certain information relative to claims under the Cherokee treaties of 1835 and '36, as also relative to the proposition introduced by Mr. *Mangum*.

The resolution introduced by Mr. *Hubbard* relative to payments made to delinquents was considered and adopted.

The senate proceeded to the election of a printer to the senate, and the vice president having notified the members to prepare their ballots Mr. *Mangum* rose and said that after what had transpired here yesterday in relation to this election, he felt it due to himself, as well as other members of the body seated and acted with him, and in some sort to the people whom they represented, to state the course he meant to pursue in regard to it. He did not complain of the determination of gentlemen on the other side yesterday: that was their affair; but inasmuch as it indicated what would be the course of the majority to pursue to-day, Mr. *Mangum* would for a few days longer remain in the minority, he would now say, that he should decline any participation in this election at all. He regarded it as unbecomingly to the purposes for which it was designed, in an undertone, his course would be no one; but for himself he must decline all participation in the matter.

The ballots were now cast, and on their examination the secretary's table it appeared that

Blair & Rives had received 36 votes. Francis P. Blair 1.

So the vice president announced that Blair & Rives had been duly elected printers to the senate for the next congress.

The resolution heretofore offered by Mr. *Clay*, of Kentucky, to repeal the sub-treasury law, and the

amendment offered as a substitute therefor by Mr. *Allen*, of Ohio, came up for consideration, when Mr. *Clay*, gave his usual notice of large upon the propriety of adopting his resolution; he was followed by Messrs. *Allen* and *Williams* in opposition. The latter stated that certain resolutions passed by the legislature of his state, Maine, in relation to the sub-treasury law, rendered it necessary for him to say something in explanation of the vote he should now give. Mr. *W.* then went on to explain, in substance, that he did not regard the resolution as an instruction to him to vote to repeal this bill; because, though the resolution declared that it was the will of his constituents that the sub-treasury should be repealed, the legislature refused to take the responsibility of explicitly instructing him to vote to repeal it. Had they done so, he would have obeyed. But, as they only instructed him that such was the opinion of his constituents, he must take leave to judge as to that fact; it might or it might not be their will; but, as the legislature had not taken the responsibility of a positive instruction so as to make his act theirs, he should vote against the repeal.

Mr. *Walker* went at great length into an explanation as to the evidences of public sentiment in Mississippi on the subject of the sub-treasury; and arrived, after stating a number of facts, at the conclusion that it was doubtful which way public opinion preponderated. But his course was decided by the consideration that, if the law should be repealed, the treasury would be left either upon the regulated or unregulated state bank system, which he was utterly and irreconcilably opposed, and so were the people of Mississippi.

Mr. *Sevier* renewed the motion to lay the whole subject on the table, when the question being taken by yeas and nays, (every senator voting), it was decided in the affirmative as follows:

YEAS—Messrs. Allen, Anderson, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, Hubbard, King, Linn, Lumpkin, Mason, Merriek, Norvell, Pierce, Rogers, Robinson, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Wall, Williams, Wright, Young—47.

NAYS—Messrs. Allen, Bayard, Clay, of Kentucky, Clayton, Crittenden, Dixon, Graham, Henderson, Huntington, Kerr, Knight, Mangum, Merriek, Nicholas, Prentiss, Rogers, Ruggles, Southard, Tallmadge, Webster, White, Young—25.

So the subject was laid on the table.

Mr. *Linn* solicited the senate to indulge him in taking up the bills relating to the territories.

Mr. *Merrick* desired to have the senate take up the bill for the district of Columbia, and yield the point to Mr. *Linn*, giving notice that he would call it up on Monday without fail.

The following bills, after being advocated and explained by Mr. *Linn*, were ordered to be engrossed in third reading:

The bill granting to the county of *Johnson*, in the territory of Iowa, the right of pre-emption to a tract of land for a seat of justice for said county, and repealing the second section of an act, approved the 3d day of March, 1839, which had enacted making a donation of land, to the territory of Iowa, for the purpose of erecting public buildings there; and the bill to provide for running and marking the northern boundary line of a tract of land reserved for the Indian tribes of said Fox tribes of Indians.

The following bills were also ordered to be engrossed:

The bill authorizing the erection of certain light houses and light boats, and the establishment of certain buoys and beacons.

The bill to provide for the allowance of (invalid pensions to certain Cherokee warriors.

The senate went into executive session, and afterwards adjourned.

February 22. Mr. *White* presented a report made to the general assembly of Indiana, on the subject of the sale of the public lands, accompanied by a joint resolution of the legislature of said state, asking that the permanent prescriptive pre-emption bill be so amended as to divide the proceeds of the sales in just and equitable proportions, to grant the right of pre-emption to 320 acres at the minimum price, and to limit the right to actual bona fide settlers.

Also, a resolution of the general assembly, that the government should be supported by the taxes to be raised by duties on foreign goods, and wholly opposed to any system of direct taxation.

Mr. *Clay* presented the memorial of a number of citizens of the eastern part of the state of Tennessee, engaged in the growth and manufacture of silk, asking that a duty may be imposed on the foreign article.

Mr. *Young* presented the memorial of citizens of Randolph county, Illinois, asking the opinion of

congress as to the true meaning and construction of the federal constitution in relation to the right of property in slaves, the right of the states to issue bills of credit, and the power of congress to establish a national bank.

Several bills ordered to be engrossed on Friday were read and passed.

Mr. Crittenden then lears to bring in a bill to prevent the interference of certain federal officers in elections. *Mr. C.* spoke at length, showing the object of the bill in question. When the debate was further continued between *Messrs. Norvell, Crittenden, Wright, Clay, Johnson, Buchanan, Culbert, Preston*, and others.

The debate became very animated, so much so that, when *Mr. Preston* closed, there was a strong burst of applause from the galleries, and some indications in the lobby. Immediately there were cries of "clear the galleries—clear the galleries."

Mr. Clay, of Ala. with much earnestness: Clear the galleries. *Mr. Anderson*, striking his band on the desk: I insist that the galleries be cleared. *Mr. Norvell*: Clear the galleries—clear the blackguards. *Mr. Calhoun* rose also, and called for the galleries to be cleared. *Mr. Clay*: Spare the ladies—they have not sinned. I hope they may be suffered to remain. The next gallery was cleared, though crowded to suffocation—the citizen sitting as speedily as the nature of the case would admit.

Mr. Calhoun closed the debate on *Mr. Crittenden's* bill, and, on the question of granting leave to introduce it being taken, it was decided in the negative; *yeas* 14, *nays* 56.

The next president laid before the senate the following letter from *Mr. Webster*.

Hon. R. M. Johnson, vice president U. S.

"Sir: It is the object of this letter to make known to the senate the resignation of my seat as one of the senators from Massachusetts, having already informed the executive of the state that from this day my place would be vacant.

"In retiring from a situation in which so considerable a part of my life has been passed, I hope I may be permitted to express my high respect for the body of which I have been a member, the interest I shall ever feel in the preservation of its character and dignity, and my cordial wishes for the health and happiness of all those with whom I have been associated.

"With much personal regard, I have the honor to be your obedient servant, D. WEBSTER."

As soon as the letter was read—

Mr. Culbert rose to express his regret that the senator from Massachusetts was not present to answer certain questions which he had to present.

On this announcement by *Mr. C.* a very spirited discussion arose, in which *Messrs. Clay, Preston, Culbert* and *Rives* participated. And then the senate adjourned.

HOUSE OF REPRESENTATIVES.

Saturday, Feb. 23.—In continuation. The report of *Mr. Pickens*, from the committee on foreign affairs, on the message of the president, transmitting a correspondence with the British minister in relation to the burning of the steamboat *Caroline*, and the demand made for the liberation of Alexander McLeod, being under consideration.

Mr. Everett renewed his proposition to include in the printing all the documents upon the subject, a list of which he furnished.

Mr. Granger moved and moved a division of the question—first, on the motion to lay on the table; and then, on the motion to print.

And the motion to print being debatable—

Mr. Granger said that he considered the report, if it were adopted by the house, as approaching very nearly, in its consequences, to a declaration of war, if the British government should desire so to consider it. He would take occasion to say, as a member of the committee on foreign affairs, that the report did not receive his sanction. And he felt constrained to detain the house for a few moments whilst he assigned, very briefly, his reasons for this conclusion.

What, (continued *Mr. G.*) was the position of the committee on foreign affairs when they entered upon the consideration of this question? My colleague (*Mr. Fildare*) had called upon the state department for the correspondence which had taken place in relation to the demand for the liberation of McLeod. That matter, and that alone, was referred to the committee on foreign affairs. It is not my purpose to censure the conduct of this administration, for, so far as my judgment can now determine, I approve fully of the course they have taken; but opinion may, upon further reflection, be changed; but, as at present advised, I consider the course of *Mr. Forsyth* to have been such as was due to his high official station and due to the character and dignity of this nation. But, so considering, and representing a section of country deeply interested in the people, and of any other section of this union, I still dissent from the report.

What does it embrace? A report upon matters referred to the committee on foreign affairs? No; nothing of the kind is stated, and that is what I maintain; but the correspondence in relation to the demand for the liberation of McLeod. Does that committee act upon a call of the executive of this nation, made upon this house, to place before the country the world the true condition of things between the United States and Great Britain? No.

The executive, mindful, as we are bound to believe, of the honor of the country as well as of the character of his own administration, has not thought it expedient to refer the house of congress for advice in regard to our relations with Great Britain. What, then, is the position of that committee? Travelling beyond the record, they come forward and present (by the votes of a bare majority I will say, but *Mr. G.* says, with, and to the disadvantage of, it is not pacific in its character, and which is based upon complaints against the British government, not one of which has been referred to that committee—When, or by whom, have the committee on foreign affairs been called upon to make a report as to the high seas, or this alleged right of search which, I agree with the committee, is one which this nation is not likely to tolerate in the manner in which it is now exercised. When, or by whom, were the reports calculated to inflame the passions of the masses referred to the committee on foreign affairs, that they might make report upon them? And, if so, what have they reported? Have they sent here a document setting forth the alleged grievances of this country, of this nation, of this people, against Great Britain, and calling for the action of this house upon those matters? Has the chairman of the committee of ways and means come forward to say that he is prepared to recommend appropriations to meet the country in a proper state of defence against the emergency which this report as to this may create? Is your committee on military affairs ready to recommend the defenses which should be provided if such a report is to go forth to the world, no such sanction of this house?

And the committee on claims sent in requisitions to put your ships in commission, that you may be prepared to meet on the high seas the power you have before met and crippled? No. There has been no such action on the part of the committee. And the committee on foreign affairs, without recommending any action, without even coming to any conclusion, as it seems to me, except that Great Britain is the greatest power on earth and we the humblest, bring here a report calculated to inflame the passions of the people to let it go forth to the world that we are making an issue with Great Britain, which we voluntarily tender to her, and which, in my opinion, she has a right to take up on the instant.

But, *Mr. Speaker*, there are considerations connected with the honor and dignity of the state of New York, and with the administration of justice within her borders, that demand our attention. On a former occasion I stated on this floor that the person whose life was in jeopardy would receive at the hands of a jury of New York the same fair and impartial trial which would be secured to any citizen of that state who might be arraigned for a violation of its laws; but I mourn now to say that, from prejudice there is an exception made in the case of the western border of New York, growing out of the arrest of this man and of his liberation for the moment, which is already sufficiently great to make those who regard the lives and the liberties of the people here, to be greatly alarmed by the report. By this time, I suppose, the grand jury of Niagara county has closed its investigation. The current rumor through the newspapers of the day is, that McLeod has been indicted. The people of that county would be exercised with a higher glory to itself than when showing to the world that, whilst it took the position which its honor demanded, still that the humblest individual of this or any other country whose life was upon our soil should be sheltered by the aid of the justice and the humanity of our laws. I do not think that, without any call from the executive, without anything having been laid before the committee on foreign af-

airs but the papers relating to the liberation of this man—I say, I do not think that the honor or dignity of this nation required this course, and that a declaration, not only of the powers of Great Britain and of our humility, but of our readiness to meet her at any moment, when no necessity existed for such a threat; and when the voice of this house, speaking potential power, might be considered as a watch-word by which every man on the northern frontier was to guide himself in hurrying on to execution this suspected foreigner. If he should be tried and found guilty, let the penalty of the law be executed upon the table of the state of New York and the people throughout the widest extremities of this land be prepared to meet the consequences. When those consequences shall present themselves, not only will the state of New York be ready to exert them, but I am sure that a patriotic feeling, which supersedes all local questions and merges all political differences, will rally this whole nation to the rescue. It will then be time enough to act; but in the name of justice, let us not anticipate that, but by infaming the public mind, and adding to the horrors of war the consciousness that we have interfered with the impartial operation of our laws or trifled with their supremacy.

Some conversation took place between *Messrs. Adams*, *Mr. Grinnell*, and others, which resulted in a motion by *Mr. Grinnell* to amend the motion of *Mr. Pickens*, (which was, that the report be laid on the table and printed, as above stated), so as to lay on the table the whole report, and to print the report and the motion to print the report, and on that motion *Mr. G.* asked the yeas and nays; which were ordered.

Mr. Pickens inquired of the speaker whether that motion closed the debate? The speaker replied in the affirmative.

Some conversation ensued between various members, when a division of the question was called for.

Mr. Briggs suggested to *Mr. Grinnell* that, as he (*Mr. B.*) supposed no motion would be made, he was on his legs to lay the report on the table, it would save time to withdraw the call for them, so far as that part of the motion was affected.

Mr. Grinnell having assented, the question was taken, and the motion to lay the report on the table prevailed. The yeas were ordered.

The question then resumed, and was taken, on the second part of the motion of *Mr. Grinnell*—to lay the motion to print the report on the table—and it was decided in the negative on the amendment of *Mr. Everett*—*Mr. Pickens* said he had a few remarks to make in reply to the gentleman from New York (*Mr. Granger*).

That gentleman (continued *Mr. P.*) has delivered a regular lecture, prepared for the occasion, with tones as regular as if they had issued from a bagpipe. He was the very last gentleman here, judging from the sentiments he expressed a few weeks ago, who, I suppose, would suggest, would have found his patriotism and his valor oozing out so soon from the palms of his hands. His speech, in my opinion, is worthy of attention. He speaks as one clothed with authority, and I regret very much the course he has thought proper to pursue. I will declare to you and to this house that, so far from this report being the war report, as the gentleman from New York has characterized it, it is essentially the reverse. To speak our sentiments plainly, that we know our rights and dare maintain them—most, in my judgment, have a tendency directly the reverse of that which this gentleman seems to anticipate.

He has spoken of this report in two points of view. It is one which he asserts that the committee on foreign affairs have travelled out of the record. The subject matter in relation to the "Caroline" and to the demand for the liberation of McLeod, I consider as having been actually and directly introduced into the consideration of the house. They could not separate the two cases so as to present them in an intelligible point of view to the country. And does he say that that part of the report is beyond the record? Other matters have been introduced and inserted, by way of illustrating the interest thrown around this question, and with no intention to arouse any hostile feeling in this or in any other country. I deny the imputation, thrown out by the gentleman from New York, that the report has arrayed man from New York, of Great Britain and proclaimed our own weakness, or, as he terms it, our own humility before the world. It does no such thing. It challenges the gentleman to lay his finger, if he can, upon a single sentence which avows such an intention. It was proper to present the precise condition of things to the country; and I will here take occasion to say that the report was written by myself, with-

out consultation with any human being, are the committee to whom it was presented. In drawing it up, I looked over the whole subject matter; I looked at the great interests involved; I looked at the position in which you Mr. Speaker, and this house had placed the committee on foreign affairs before the nation and the world, and I felt it to be a duty which I owed to this house and to my country to utter freely and without reverse the sentiments we entertained.

This gentleman tells us that the executive has called for no action; that it is due to the executive branch of the government that this house should wait until it hears from that quarter. Sir, I take exception to that position. I say that the executive is constituted under the federal constitution, as a co-ordinate and independent branch of this government; that this house is, in the contemplation of that constitution, the peculiar guardian of the interests and the rights of this confederacy; and that when any subject-matter is legitimately brought before it, it is not only our right, but it is our duty to the constitution and to the country to proclaim our sentiments upon it. I repeat the idea that we are to look to the executive branch of this government for dictation or counsel upon any question that may be supposed to involve the interests and the liberties of the people.

And, Mr. Speaker, my principal object in reply to the remarks of the gentleman from New York is to declare, as I have already done, that this, so far from being a war report, is of a precisely contrary character. I had hoped that the vote might have been taken upon it, and that the report might have been laid on the table and printed; that there should have been no panic; that no discussion should have sprung up; that no excitement calculated to arouse the people of this country by false appeals to their patriotism and their fears should have been manifested here. But the committee on foreign affairs have thought that it was proper to present to the people the exact questions at issue between us and a great and powerful nation. We thought, or, at all events, they have conceived, I thought, that the people in every part of the United States, and of every party, had for the last two years, been too much absorbed in the political conflicts of the day. I thought it was right that they should understand, in the most explicit manner, the points at issue between us and Great Britain, and, under these circumstances, I presented this report, acting, as I do on all other occasions, under a conscientious sense of my duty to the people, and to my country, and to the consequences of God. These are the principles upon which I have been taught to act. And when I hear from certain quarters appeals to the honor, the patriotism and the valor of the people of this land, and I hear the same announcements made from the accredited heads of this government have heretofore neglected their duty and slept on the rights of the country—I have a right to expect that those gentlemen who make such appeals and such announcements will themselves come forward on occasions of importance, and vindicate the sentiments which they have previously uttered.

As to the allegation that this report will have the effect of exciting the people on the border, I say I should rather think its tendency would be the reverse. The people there have been greatly excited; meetings of an angry, unnecessary and an unequalled character have taken place, and recommendations have been made, I was told, to the effect of sending in this very case in relation to McLeod. These things have been done, and why? Because the people have felt themselves wounded—they have been led to believe that this government was neglecting their interests. They desired to know whether right or wrong, that we have too long trifled and dabbled with their rights and feelings; and if we prove to them that this is not true—that this government is disposed to attend to their interests—to avenge their wrongs, and to vindicate their rights, they will once more look here for that protection which the constitution has pledged to them. Such a course will produce quiet, will allay excitement, and will produce repose and contentment on the extensive border. For it will satisfy the people that their rights will not suffer in the hands of those who hold the reins of government here. I will not go into any of those delicate matters referred to in the report with a view to excite any feeling; but I have declared my sole object was to call public attention to those questions—to prepare the people for the issues which might ultimately present themselves; to hold up to them the necessity of going into an enlightened system of domestic defence suited to the exigencies of the times—suited to the improvements of the age, not only with reference to Great Britain particularly, but with reference to our rights and position as a

free and independent people among the family of nations. I think that these things have been too long neglected, and it was with a view to call attention to them, and to the great questions in which the people of this confederacy are so deeply interested that this report was made. It was with no view to the excitement of a war feeling. Far be it from me. The section of country from which I am called in to interfere in this matter is a peaceful one, and we should be the last people to be engaged in an unnecessary or an unjustifiable war. I do not believe there is any danger of war, if we do our duty here, as the guardians of the public border and public liberty—we now have no other duty prepared to assist our rights. But reply upon it, if you take the advice which indirectly has been given by the gentleman from New York—if you proclaim sentimentally from your seats here that these matters are not to be presented in their true light to the people, then there will be danger of a conflict for it is not in the nature of man—it is not in the nature of a nation like this when it sees a rival power contending for the ascendancy of the world, to speak the language of submission or the language of avoidance, to say the least of it. A gentleman like this cannot, under such circumstances, forbear; and they would be pressed upon every point, until at last an appeal to arms and to the God of battles would become inevitable.

It is to avoid these consequences—it is for the purpose of letting the people know the true condition of things and the real state of the issue—that this report has been presented. I ask no action upon it, and I say nothing to stir the passions, or to stir into an intimation or threat that war is to follow. I believe the contrary; and conscientiously viewing the matter in all its bearings, I presented this report upon my sole and entire responsibility. I repeat the idea that we are to look to the consultation of a majority of the committee of foreign affairs; yes a bare majority, as the gentleman from New York has told you. And I with regret again state that the gentleman from South Carolina has contended that it is only a bare majority report. I had hoped that that the question of our foreign relations there were no parties in this country, and that we should have met the issue, whatever it may be, as a united and free people ought to meet it.

And, Mr. Adams, I said, but yielded it to the Mr. Granger, who said: if the house will listen to my bag-pipe a few moments longer, I shall feel exceedingly obliged; and if its music is not so loud as the music of my friends from South Carolina, [Mr. Pickens], it will be because I cannot fill it with as much wind as he can blow into his. Sir, I speak by no authority other than that of a representative of the people of the state of New York. My country has desired to have this report to pass by in silence, leaving to the gentleman from South Carolina all the honor of its authorship; for I have no doubt, and never have had a doubt from the moment when he first read it, that every sentence, every word in it was his own. I have done to this time supposed that it was as much my right on this floor, and the right of any other member, to speak my own opinions without fear of dictation, as it was the right of the gentleman from South Carolina to utter his. I only declare that the opinions I have expressed are solely and exclusively my own, without consultation with any one. I should not have called for the reading of the report. I had supposed until the gentleman from South Carolina brought me the report, that the executive department of this nation conducted the negotiations upon all delicate matters between us and foreign governments. I had supposed that at any rate for the last twelve years the executive of this nation had claimed the right to conduct negotiations in all matters connected with our foreign relations; and I should have supposed that a party which had permitted our army to fall into disgrace—which had suffered our navy to run down to the state of even ancient dereliction—and which had permitted the whole border country to be left defenceless, would be the last upon earth to present such a document as this. I trust that the administration which is about to come into power, though it may not manifest equal bold a courage as breathing through this report, will show upon the high seas, upon the border, and, if need be, in the tented field, more power to resist the aggressions of a foreign foe than the gentleman and his friends have exhibited. If it does not, it will disappoint the hopes of the people of this country, and I for one, want none of it. Let preparation be made. Let the unfortunate man now in confinement be tried according to the laws of the state of New York, unbarred by the action of this house, and let the nation calmly await the issue.

The gentleman says that my courage has suddenly "oozed out from the palms of my hands." I

acknowledge that life has for me many charms; probably no man clings to it with greater tenacity than I do, or is more closely bound by all the enjoyments of the present life and responsibilities of the future. I never speak of my courage, nor profess to have been "born insensible to fear." All I have to say is that when the laws of my own state and of the nation shall have been executed, and consequences as great as death, or different opinions between the gentlemen from South Carolina and myself upon this and all other questions will be buried in our love of country, and we will be found, shoulder to shoulder, battling in the common cause.

Mr. Pickens addressed an inquiry to Mr. Granger which the reporter could not hear.

[And, throughout the whole debate, there was much exclusion in the hall; and the difficulty of hearing was greatly increased, owing to the shouting, chiefly, to the members standing up in the aisle and talking loudly at the same time, in contravention of that excellent, but long forgotten rule, which is numbered "31." See edition of rules, December 7, 1840.]

Mr. Adams addressed the house at considerable length, in remarks of which it is in the power of the reporter to give only a brief outline.

Mr. A. expressed himself desirous, for the sake of the community, that the gentleman from South Carolina, who had declared himself to be the sole author of this report, that the gentleman should have an opportunity of examining it coolly and impartially, with reference to the opinions not of one party alone, but of the whole community.

Mr. Pickens was here understood to disavow all party considerations in the matter.

Mr. Adams disclaimed any intention to cast censure on the gentleman. All he wished, that the report which he had committed, in order that the gentleman might see whether both parties in the committee of foreign affairs could not come here with a report receiving their unanimous sanction, or, at all events, with the report of a majority, as a close early vote, as this had been. If it was not done, would, in the eye of the country, of the world, and of posterity, appear to be the policy of a defeated enemy in war abandoning a tenuous and setting fire to it after the victory was won.

After repeating the criticisms of Mr. Pickens on the party views here in reference to the controversy with Great Britain, and to the general unanimity of opinion which he [Mr. A.] contended had prevailed here on that subject, (with one or two exceptions, which were admitted,) he said, "I am to the ground takes that this was a conciliatory report. The people, Mr. A. thought, would form a very different estimate of it. What was the dissertation on the addition and the granting of the arms to the Indians? Were such charges generally received by nations as being of a trifling character? Suppose the charges to be true, was it conciliatory or courteous to array them here? It was something of the contrary; and conciliation which captain Puello (in one of the plays of the great dramatist) showed to Ancient Pistol, when he said to him, "Gut piss you, Ancient Pistol, you scurvy, lousy knave, Gut piss you."

He wished, therefore, that the report should be recomended, and that all those parts which related to the general policy of Great Britain, and to her ambitious character and power, might be left out. And, as to the question of right or wrong which, after all, was to be the basis of our conduct, and which, in the opinion of the gentleman, he wished a report on the subject itself, based on the correspondence here, that we might are whether, under the laws of nations, we could maintain the position we had assumed in regard to the Caroline. And, in relation to the arms to the Indians, he urged, urging upon the house not to put itself or the country in the wrong by any undue act of its own. If we were to go to war with Great Britain, it should be as a united people. He believed that a war would be a war of the people. A war of the people could defeat the country; and he confessed that it was with small degree of anxiety that he entertained fears that it would come to that inevitable result. He looked to it with apprehension and pain, but not without confidence that if we went into a war, we should come out with glory and honor, as we had already come out of two wars.

Mr. Everett followed at great length, and the general points of his argument were as follows:

He felt embarrassed, he said, in speaking on this subject, owing to the fact that it was being debated with open doors; and he had said many things in committee which he could not say here, but which he would say if the doors were closed. What was the position of the country? Our preparation was about to go out of power, and another to come in—and the one going out, (in 20 days), was taken unawares to compromise the one coming

in—and to prescribe the course it should follow, or at least to embarrass it. If he knew himself, he had never viewed this as a party question; it was one which involved all parties. His own opinion was that no action on the part of this house was necessary, this correspondence being a private communication in answer to a call made by one of its members. It was the peculiar duty of the executive to conduct these matters, and it was not for this house to interfere unless there was some emergency on the part of the executive.

He was desirous that the report should be re-committed, and that the committee should make a specific report on the subject-matter which had been referred to it.

Mr. E. then asked what was the state of the question as it now stood, and what were the grounds taken by the British government, &c. and proceeded to read the following statement of facts as gathered from the following official documents: "The facts material to the subject submitted to the committee are, that, on the night of the 29th December, 1837, a detachment of the British forces stationed at Cripps, in the province of Upper Canada, crossed the Niagara River, in the vicinity of New York, and there made a hostile attack on the steamer *Caroline*, the property of an American citizen, killed and wounded a number of American citizens, captured the boat, towed her into the current, set her on fire, and sent her to destruction over the falls.

On the 3rd January, 1838, the secretary of state communicated to Mr. Fox, the British minister, a copy of the evidence furnished to the department of this 'exceedingly important and delicate subject.' *British majesty's practice of Upper Canada* on the persons and property of citizens of the United States, within the jurisdiction of the state of New York; and stating that 'it would necessarily form the subject of a demand for redress upon her majesty's government.'

On the 6th February, Mr. Fox communicated to the secretary of state a despatch from Sir Francis Head, then governor of Upper Canada, containing the distinct avowal, that the *Caroline* was destroyed by order of Col. McNab, commanding the militia in her majesty's service, and that he, (Sir Francis), approved the act.

On the 23d May Mr. Stevenson presented the subject to the consideration of her majesty's government. After referring to those avowals, he said that, "under such circumstances, it was not to have been expected that the whole proceeding could be regarded by the government of the United States as any other right, or as a matter of course. Still, a daring aggression upon rights and sovereignty, utterly inconsistent with all the principles of national law, and wholly irreconcilable with the friendly and peaceful relations of the two countries, is a case, in which no *upper unqualified and unwarlike* humanity." He concludes by expressing the confident expectation of the president of the United States that the whole proceeding would not only be disavowed and disapproved, but such redress as the nature of the case obviously requires will be promptly made." To this our government would the final answer of the British government.

On the 13th November last, Alexander McLeod, a British subject, was arrested and imprisoned by the authorities of the state of New York, on a charge of arson and murder, as having been engaged in the case of the destruction of the *Caroline*.

On the 12th of December, 1840, Sir F. Head made a demand on the president for the release of McLeod, on the ground that the destruction of the *Caroline* was a public act of persons in her majesty's service, obeying the order of their superior authorities; and that the act, accordingly to the usage of nations, can only be the subject of discussion between the two national governments.

To this demand the secretary of state has replied that the president has no power under the constitution and laws of the United States to interfere between McLeod and the constituted authorities of the state of New York—and that "the president is not aware of any principle of international law, or indeed of reason or justice, which entitles such officers to immunity before the legal tribunals, who commit voluntarily within their independent and undoubted jurisdiction, because they acted in obedience to their superior authorities, or because their acts have become the subject of diplomatic discussion between the two governments." And that "if the destruction of the *Caroline* was a public act of persons in her majesty's service, obeying the orders of their superior authorities, this fact has not been before communicated to the government of the United States, or presented to the public administration; and it will be for the court which has cognizance of the offence with which Mr. McLeod is charged, to

decide on its validity when legally established before it."

The British minister, expressing his regret at the decision, had returned the subject to his government.

From these premises, Mr. E. after expressly disclaiming any intention to say who was right or who was wrong, and arguing as to what might be the course of the British government, drew the conclusion that the diplomatic discussion on the subject was not closed, inasmuch as Mr. Fox had referred himself to his government for instructions; that as yet, therefore, no definite issue had been made up, and that it would be time enough to act when the British minister had received the reply of his government.

Mr. E. deprecated the excitement which had been manifested on the border, declaring that it ought to receive no countenance from any one. He regarded any action on the part of this house as improper, so long as negotiations were pending; and hoped that the report would be re-committed to the committee with instructions to report something of the following character:

"On the appearance of the reciprocal complaints referred to the correspondence submitted on the subjects of diplomatic discussion between the governments of the two countries, the committee having entire confidence that the rights and honor of the United States would be maintained, and maintaining the hope that the controversy will be brought to a satisfactory termination, are of the opinion that no action of this house is, at this time, necessary. They therefore ask to be discharged from the further consideration of the subject."

Mr. Fillmore rose and said that, in the course of the debate, he had been anticipated by other gentlemen in much that he had intended to say.

The question was of an important and important nature to this section of country than to any other; and he desired to express his opinion in relation to the vote he had just given in favor of the motion to lay on the table, coupled with a motion to print.

He may, he observed, be considered as having the purpose of this report; I have only heard it read once at the clerk's table, and I have had no opportunity to examine its contents. The gentleman from S. Carolina says it is conciliatory; that it will add to the harmony of the feelings between the two on the frontier. I believe that he thinks his report will have that effect; but I much fear, from what other gentlemen of the committee say; that he is mistaken. I voted in favor of laying the motion on the table, because I thought that the report would not be such as the gentlemen anticipated, and I wanted the report laid on the table that I might have time to look into it, and see if my original impression should be confirmed. If, upon examination, I had found that it was not calculated to produce the results I apprehended, no man would vote for its printing more freely than I would. The house, however, has refused to lay the motion to print on the table, and has thought proper to decide that the report shall be published.

Having, as I have stated, only heard the report once read, and judging from what others say of it, I concur in the opinion of the gentleman from Massachusetts, (Mr. Adams), that the subject should be re-committed to the committee on foreign affairs. I had hoped from the committee a calm, deliberate and dignified report in the case of the burning of the *Caroline* and the arrest of McLeod; that it would be coolly considered, and that it would be a record of embracing, as it apparently does, all our subjects of controversy with Great Britain, and that it would have set the country right with reference to the facts in that case. I may be mistaken as regards some of these facts, and upon a careful examination of the testimony, subsequent to the time when I last submitted a few remarks on this case, I observed I was mistaken in some of the facts connected with that transaction. As I was not present on the occasion, all the knowledge I have derived from the newspapers and from public documents, as they may, and probably do. But upon this question, which, as I have said, is one of vital importance to that part of the country where I reside, I cannot refuse to speak in the first place, and there is a judicial question depending. And I was in hopes that in this report, exciting and inflammatory in its character as I now think it is, nothing would have been said, and that, so far as this house was concerned, nothing would have been done, calculated to increase the excitement which already exists. I confess I have heard with regret and shame the reports from that part of the country in regard to the treatment of an individual, now on his way to be put on his trial for murder. I cannot for any consideration countenance for a moment the idea that the laws of this country are to be barely trampled

on by any authority whatsoever. I cannot countenance the idea that the judiciary of the country shall for a moment be overruled, directed or controlled, by any other authority than that of the laws themselves. And, whilst I say this, I am also unwilling to see any thing that may tend to say anything here, which may tend to such results. I hope that we may have been misinformed as to the nature of the proceedings there; I am unwilling to believe that, in a community of citizens such as that, and with such a sense of right and wrong, and who are highly respectable and intelligent, such things have occurred. I say, I hope we have been misinformed. I trust we have. I have seen different statements of those transactions, and some of them are very different from what I have heard. But one thing, at all events, should be borne in mind by all whose duty requires them to act on this subject here. There is a great state of excitement on that frontier, which might by possibility lead to an outbreak; my objection to the printing of the report was, that it was calculated to inflame the public mind; and I was governed in that vote by three reasons. In the first place, I did not wish that any thing should be done here which might have a tendency to injure the individual who is now on his way to be tried by the laws of the state of New York. I desire that the law should have its free action; that no excitement should be raised against Mr. Leach which might prevent any impartial trial. In the second place, I do not desire that any part of the part of this house should compromise or control the executive of this nation in the negotiations now pending between the government of the U. States and that of Great Britain. I have no doubt but our confidence in the incoming administration, and this controversy can be amicably and honorably settled between the two governments. I desire that it should. But there is a third and very strong reason in my mind, and any thing that has done to exasperate the public mind on the subject of war with Great Britain. It is this: for three or four years I have used all the exertions in my power to induce this administration, which is responsible to the people, to remove the cause of our quarrel with the northern frontier. But all my efforts were in vain. And yet the gentleman from South Carolina, (Mr. Pickens), now tells us that the course to be pursued to avoid a war with Great Britain is, to stand up here, to injure the people, and to excite them to war; that, he says, will avert a war. I may have been mistaken in the meaning. I know that those were not his words. But I would submit to him that the best way to avoid a war with Great Britain is to show that we are not prepared to meet her if there is to be war; because reasonable preparations for defence are better than gauding.

Mr. Fillmore then alluded to the defenceless condition of the northern frontier. He desired, and he hoped, that the power of this country would yield nothing to the demands of Great Britain, to which she was not fairly entitled. But, at the same time, he regarded it as rather the act of a madman in precipitate haste to come into war before she was prepared for it, than the act of a statesman. In his section of country, the people would yield nothing to Great Britain, to which she was not justly entitled; or they would yield it only with the last drop of blood. But he did not wish to prepare to be drawn into war; he did not wish to induce Great Britain to invade our defenceless coast. The true plan was to prepare for war if we had yet to come to it, but to do nothing in the way of bragging, or in the way of showing that we were not his Mr. F.'s people-shrinking from their just share of responsibility. All they had—thirty population, their lives, every thing—they were willing to devote, if need be, to the service and honor of their country. But, as it was the power of wisdom and prudence, before we made a declaration of war, to prepare to fight. This was all he desired; and if this report was calculated to stir up a war feeling, without corresponding preparation being made to meet the consequences, he felt that it was not proper. He did not wish the country to be disgraced by defeat. When she must go to war, he desired to see her prepared for it; he desired to see her placed in a situation which would enable her to bid defiance to the power of Great Britain.

Mr. F. then alluded to the fortification bill reported from the committee of ways and means the other day by its chairman (Mr. Jones). That bill contained appropriations to the amount of nearly half a million of dollars, (though he believed, he was only about half of the amount usually appropriated for such purposes); and yet there was not a solitary fortification on the northern frontier to which any part of that money was to be applied. Was this the way in which to show our power? Did the gentleman from South Carolina, (Mr. Pickens), who presented the report, desire to de-

out any mode by which the salary could be restored to the original amount.

Mr. Jones said the gentleman could accomplish his object by bringing in a bill fixing the salary of the commissioner of pensions at \$3,000.

Mr. Adams suggested that there was another way in which the object might be effected. Let him propose a resolution as an amendment to this bill, declaring that the bill fixing the salary of the commissioner of pensions at \$2,500 be, and the same is hereby, repealed, and that the salary be fixed at \$3,000. And then the gentleman (Mr. Jones) might move to amend the title of the bill by adding, "and for other purposes," as might be done to a bill passed the other day. [Laughter.]

Mr. Jones proposed some fractional amendments, which were agreed to; and certain amendments in phraseology were also adopted.

On the item appropriating \$2,250 for compensation of the superintendent and watchmen of the northwest executive building, some explanations took place between Messrs. Adams and Jones (which the reporter did not distinctly hear) in regard to laborers on the public buildings; but which led to a statement by Mr. Kim, that the committee on public buildings were prepared, at the proper time, to offer amendments in relation thereto; which closed the conversation.

Mr. Dodge moved to amend the bill by increasing the compensation of the surveyor general of Wisconsin and Iowa from \$1,500 to \$2,000.

The chairman decided the amendment to be out of order, (for the same reason as was applicable to the case of the commissioner of pensions.)

The items in reference to the compensation of the commissioner of public buildings gave rise to some explanations between Messrs. Sturdy, Jones and Adams; and Mr. Sturdy, in a view, he said, to expose the manner in which the present administration had increased the salaries of its officers, moved to strike out the items; and he then made a few remarks, and stated that, when the salaries of these public buildings came to be investigated, there would be found in them as much rascality, fraud and corruption, in every sense of those terms, as existed in any other branch of the public service.

Mr. Lincoln made some explanations in relation to this office, and the salary allotted to its incumbent, and the manner in which it had been fixed.

Mr. Adams followed in some remarks, in which he alluded to the manner in which the committee on the public buildings of this city had been treated by the government—which treatment he designated as cruel and unjust; and he hoped that the committee on the public buildings, when they came to offer an amendment they had in mind, would propose large and liberal appropriations.

Mr. Petricin replied, contending that injustice had not been done to the workmen, inasmuch as they had been duly notified of the course to be pursued by the government.

The discussion was further continued by Messrs. Petricin and Jones, (the latter of whom replied to that portion of the remarks of Mr. Sturdy which related to corruption, &c. and demanded to know why it was that, in every opportunity for investigation, that gentleman, and the party with which he acted, had slumbered for eight months of the last session and two months of this, content to sit still in their places without any one bringing to light any of those abuses of which they talked so much in general terms, but none of which they would assent to.) Mr. J. also replied to the remarks of Mr. Adams in relation to the workmen on the public buildings, and concluding the subject of the government in those proceedings, and that every thing had been done for the workmen that could be done.)

Mr. Sturdy replied at length to Mr. Jones, whose remarks in relation to investigation he characterized as singularly disingenuous and unfair, coming as they did from a gentleman of his general conduct. After which, Mr. S. withdrew his motion to strike out.

Mr. Leonard moved to amend the item appropriating \$1,907 "for compensation of three assistants to the commissioner of public buildings, as superintendent of the Potomac bridge," by striking out "and inserting \$1,300," and by striking out "\$1,907" and inserting "\$1,300." Which amendments were agreed to.

Mr. McCarty proposed as an amendment a bill (or the substance thereof) providing that the sum of \$30,000 be appropriated for the repair of the Potomac bridge, (that being the amount estimated to be necessary by the engineers.)

Mr. Jones raised a question of order, and some conversation ensued on that point. [Mr. W. which the reporter understood that the amendment was before the committee in order.]

Mr. Jones raised the objection that the appropriation was not embraced in the estimates of the present year; and that if objects embracing appropriations of large sums of money which were not included in the estimates were to be made, it would become requisite to provide additional funds for the purpose.

Mr. Wm. Cost Johnson was understood to say that the estimates had been in it at a former session. The amendment was argued briefly, but urgently by Messrs. Reed, Monroe and Graham, of N. C. on the score of public necessity and convenience.

Mr. Barnard offered the following amendment to the main proposition:

"So much of this sum as may be applied for repairs shall be applied under the direction of the secretary of war; and in restoring the bridge after the general plan shall be agreed to."

Mr. B. advocated the amendment of Mr. McCarty at some length, showing the necessity of this appropriation with reference to the transportation of the mail and the keeping open the communication between the north and the south. And he wished that the question should be determined now, whether this passage across the Potomac river should be abandoned to a mere ferry, as it was at this moment, or whether they were willing that the bridge which formerly existed there should be replaced.

Mr. Mason hoped this appropriation would be made. The administration about to come in would have breaches enough to repair without this; and he hoped it would be the chairman of the committee of ways and means would be in favor of repairing this one, at least.

Mr. Pope was in favor of any reasonable appropriation for this object, insisting that we owed it to ourselves, to our pride, and our character as a nation, to restore this bridge.

Mr. W. C. Johnson asked Mr. Barnard so to modify his proposition as to bring the whole matter under the direction of the secretary of war. He then went briefly into the history and condition of the bridge, and showed that it would be an act of wisdom and economy to make this appropriation quickly.

Mr. Floyd gave notice that, if the appropriation was not made, he would move to strike out the item providing for compensation for the assistants of the commissioner of public buildings as superintendent of the Potomac bridge.

Mr. McCarty's amendment was then taken; and the vote stood as follows: yeas 40, no quorum voting. Mr. Lincoln called for tellers, who were appointed, (Messrs. Marrow and Hopkins.) And, the question being again taken, the vote stood: yeas 75, nays 42—still no quorum voting.

Mr. Vanderpool and Mr. Lewis Williams insisted that the fact be reported to the house. And the fact was accordingly reported in form.

Mr. Pope moved a call of the house. Mr. Vanderpool rose and answered in the affirmative.

The speaker was requested to count the house, which having been done, 123 members, (being a quorum and two over, including the speaker,) appeared to be present. The house then went back again into committee. And the question being again taken, (by tellers,) on the amendment appropriating \$30,000 for the repairs of the Potomac bridge, the vote stood: yeas 79, nays 44. So the amendment was agreed to.

The question then recurring on the amendment of Mr. Barnard, he modified it to meet the suggestion of Mr. W. C. Johnson; and, as modified, it was agreed to.

Mr. Floyd then moved to strike out the entire clause; which motion was rejected.

Mr. Green, of Kentucky, moved to strike out all the items of appropriation having reference to the branch mints of North Carolina, Georgia and New Orleans, and the expenditures connected therewith. Mr. Green contended that these establishments had been created to give offices to favorites, and made some remarks directed to the necessity of carrying out the promises of retrenchment and reform which they had made before the people, and which the cowardly administration was bound to carry out.

Mr. Mason, of Ohio, contended that it would be time enough to vindicate the principles of general Harrison's administration after it had come into power; and that the friends of that eminent citizen should wait as long as they could in a helpless minority in this house, to attempt a work which could never be judiciously and properly executed without reference to a regular and general system of reduction and economy. He alluded to the just reprobation of which his might be taken to these establishments, but thought that there was no official information before the house which could authorize its action upon this at this moment. Why should the whole party undertake reforms now, when

they were in a minority, and when they could neither carry a proposition of their own, nor prevent the success of any proposition which their adversaries might bring forward? Let them be patient till they came into power, and they would then find in him a judicious and considerate friend to all reforms. Mr. M. illustrated his views on this subject at considerable length.

Mr. Graham, of N. C. opposed the amendment. He could not assent to the proposition, or the proposition, that it would advance the purpose he had in view—economy. He (Mr. G.) wished the good administration of those establishments, not their destruction.

The amendment was opposed by Mr. Conner. Mr. Graves felt disposed to vote for the amendment of his colleague, and was anxious to embrace this as the most auspicious moment to test the question, and he should approve that the purposes of economy would be answered by abolishing these establishments, he, for one, was ready now to carry the principles of reform and retrenchment which he had professed. Mr. G. also expressed his views at length.

Mr. Byrnes then obtained the floor, but yielded to a motion that the committee rise, which motion having prevailed, the committee rose.

After the committee rose, Mr. Banks asked leave to move to amend the bill to establish a post road in his district. Mr. Peck objected. And, at half past 4 o'clock, the house adjourned.

Wednesday, Feb. 17. Mr. Lane made an unsuccessful attempt to suspend the rules for the purpose of going into committee of the whole on the status of the national bank, and to inquire into the state of Indiana the land selected by her for the continuation of that part of the Wabash and Erie canal, which lies between the mouth of the Tippecanoe river and Terre Haute.

On leave, Mr. Lincoln reported a bill to confirm land patents, which was read twice and laid on the table.

The house, then, on motion of Mr. Jones, of Va. resolved itself into a committee, and resumed the consideration of the civil and diplomatic appropriation bill.

Mr. Bell, of Tennessee, was called to be chair. The motion pending was that offered by Mr. Green, yesterday, to strike out, first, the following item:

"For compensation to the officers and clerks of the branch mint at Charlottesville, N. C. \$6,000."

Mr. Byrnes, of N. C. being entitled to the floor, addressed the house in opposition to this motion. He perceived in this motion an insidious attempt to strike down the only prospects which this country has for a permanent currency, and an attempt to circulate for the transaction of the business of a great portion of the people of this country. He entered into an investigation, and replied to various remarks in support of this motion. He dwelt at great length, on the general subject of currency, the tariff, &c. and to opposition to a national bank. It was against the policy of abolishing these mints, and the independent treasury, which was a foundation to abolishing the constitution, and for building on their ruins a national bank, that he had felt it his duty to raise his warning voice.

Mr. Tilgham succeeded. He opposed this item of appropriation, and the principle, which would result in an appropriation for all the branch mints, which was proposed in this bill, to an amount of \$73,850, and could not agree that the general question of the currency, which he has been discussing, had any immediate connexion with the proposition before him. It is said that this proposition is in effect a proposition to strike down the only chance of this country for a permanent and suitable currency for the country. He desired the repeal of the law abolishing these mints, and thought it would be much more easily carried after the house had expressed an opinion against it, by refusing these appropriations. The mints were totally useless, and therefore he opposed appropriations for them.

Mr. L. Williams should oppose this motion—as he was not satisfied of the inexpediency of these mints; after the experiment had been fairly made, and the country convinced that the country required their abolishment, he would go against him. He disclaimed opposition to this motion from any local feelings, but for the interest of the common country.

Mr. Hebranson noticed the remarks of the gentleman from Rhode Island, (Mr. Tilgham.) He opposed so decided action as the abolition of these mints, until further investigation had been made, and advocated their continuance, on account of the convenience of the people, and because it was constitutional for government to establish them. He disclaimed opposition to this motion from any local feelings, but for the interest of the common country. He should oppose the abolition of these

minis, till the experiment had been fairly tried of their operation.

Mr. Everett opposed the striking out of these mints, because he considered it as a vicious legislation. The house was bound by the appropriations, as such as appropriations for the salary of officers. The house was bound by the constitution, to make appropriations for the salary of officers, and by law, to appropriate for these mints. As long as they were supported by the law of the land, they were bound to appropriate for them.

Mr. Cooper, of Geo. opposed this motion, and contended that these mints should not be repealed, because the points sought to be established by them had been sustained by experience. He referred to the fact, while they had been considered as minor mints, that nearly two-thirds of all the U. States gold that has been coined, has been by these two mints at Charlotte and Dahlonega.

Mr. Tilgham followed in explanation of his former remarks, and in reply to other arguments.

Mr. Stansly would not now support this motion, and leave the machinery there to run to waste and decay. He thought this was not the time to abolish these appropriations.

He said he would offer a resolution, at the proper place in the bill, directing the secretary of the treasury to inquire into the operation of the branch mints at Charlotte, Dahlonega and New York, and to report on the propriety of continuing them; how the machinery might be sold, &c.

Mr. Graves said he had stated yesterday that he thought perhaps another occasion would have been more suitable for going into this subject, and, as he was, he was as ready as any man now here to make this motion. As the motion had been made, however, he should support it. He was satisfied that these mints were not necessary, and not more than our necessary in the United States, and should vote to strike out these mints.

Mr. Dawson said the question was, "Is it for the benefit for the country to prevent these appropriations?" The only consideration that could be urged against these mints, is that they produce no profit. But he said that they were not intended for this, but for convenience. They were for the glory and honor of the country—for the purpose of creating a coinage under the constitution. And what billion could we count. Mostly that of our own country. And where is it raised? Some of it is raised in the states of Georgia, Alabama and North Carolina, and there he contended it should be coined.

Mr. Wm. Cost Johnson, asked if the resolution of the committee from North Carolina, (Mr. Stansly's) was in order? The chairman said it was.

Mr. Stansly proposed to the chairman of the committee of ways and means to adopt it and insert within the bill, so that it might be acted on next session. Mr. Jones made a reply.

Mr. W. C. Johnson said his object in speaking, was to indicate his preference for the proposition of the gentleman from North Carolina. (Mr. Stansly's), to the vote he should give. He should vote for striking out the appropriation. As informed he was asked the hint was a source of great expense to the government. To a government like ours, we ought not to scatter the power of coining money all over the union, simply because congress has power to do it. He was for having our government supreme within its sphere of action—and having the states supreme within their sphere of action—one coinage of money, and one solitary mint for the purpose of coining money all over the United States. He was constrained to vote for striking out the appropriation, but should not vote, if he could, for the proposition of the gentleman from North Carolina.

Mr. Graham briefly gave his views in opposition to this motion.

The motion was then taken and negatived—affirmative 53, negative 73. On which the committee rose, and (at 5½ o'clock), the house adjourned.

Thursday, Feb. 15. The journal of yesterday was read; when on motion of Mr. Edward Darley, of Pennsylvania.

Resolved, That henceforth, for the remainder of the present session, the house will daily take a recess from half past 2 to 4 o'clock, P. M.

Mr. Ames, of Virginia, moved to suspend the rules, and that the house resolve itself into committee of the whole on the state of the union, with a view to proceed with the consideration of the bill making appropriations for the civil and diplomatic bills, directing the secretary of the treasury to report to congress the next session information in relation to the branch mints, the better to enable congress to act upon the subject of their discontinuance.

Mr. Jones said the proposition of the honorable member had been decided by the chair to be out of order when offered by him as an amendment to the bill; and that it must have been offered at the time that, in addition to the fact that it was out of order, gentlemen were preparing to debate it. And that at this late period of the session, with most of the appropriation bills to act on, he could not consider any business should take precedence of those bills.

Mr. Stansly remarked that the chairman of the committee of ways and means and his friends had the majority in this house, and could prevent debate on the subject, and he refused to assent to that resolution at the time, when no rule of order interfered, and when a public good was to be achieved, on the heads of the administration party let the responsibility rest. Mr. S. had discharged his duty.

The house then again resolved itself into committee of the whole on the state of the union, and resumed the consideration of the bill for the civil and diplomatic expenses of government for the year 1841. Mr. Bell was again called to the chair of the committee.

Mr. Green moved to amend the bill by striking out the item, "for compensation to the officers and clerk of the branch mint at Dahlonega, Georgia, six thousand dollars."

Mr. Green supported his motion at some length, when the debate was continued by Mr. Nebel, who alluded to Mr. Afford's speech on the treasury note bill relative to his view of the tariff question.

Mr. Afford explained. The difference between the tariff and the treasury note bill, was that the object of the tariff was to raise money for the treasury. The object of the treasury note bill was to raise money for the treasury. The object of the tariff was to raise money for the treasury. The object of the treasury note bill was to raise money for the treasury.

When I proper time arrive, and we come to the tariff in good faith, there will be no difficulty. If gentlemen will do as they say, abide the compromise. Let the proper committee take the whole subject before them—wines, silks, sugars, salt, and all the rest of the tariff. In the spirit of the compromise act, legislate on the subject as becomes the American congress, and all will be right. But I do object to this partial revision, at this time; and I am satisfied it had the object I alluded to in my speech.

Mr. Chairman, all agree it could not be done this session for want of time. What then is the motive, unless it is to imbue upon the in-coming administration the principles of the tariff party? If any impartial man will look upon the tariff, and see the duties taxed, and those which are free of duty, he can but see that an ad valorem duty of fifteen or twenty per cent. on all will raise a revenue not only ample but superabundant. And, I am of opinion, if all are taken together, a lower rate will do; and, if there is to be discrimination at all, it will best be to diminish the duty on necessities. We can let better at the proper time. By that time the actual deficit will be known and provided for. I know my friend would not misrepresent me willingly. If between us there is the best of feeling, and certainly no great difference in principle, I desire not to be misunderstood. I have no letter writers, no hangers, and neither myself nor the reporters of either party, are able to write the speech correctly; they, from the rapidity of my manner of speaking, and I, because I speak without notes, and generally when I am excited by the course of debate indulged in this house.

The debate was continued at great length by Messrs. M. J. Cooper, (Clifford and Black in explanation), Stearns, (Graves, in explanation), and Warren.

Mr. Warren availed himself of this opportunity to repeat what he said with much effect. He stated as gentlemen advanced some state in a speech made by Mr. M. J. Cooper, in committee of the whole on the state of the union on the treasury note bill, and vindicated the whig party of the state of Georgia in reference to their action upon certain exciting topics discussed in that speech. Mr. W. before entering on his subject, condemned the practice of making one speech on the floor of the house and writing out another for the newspapers, stating that he would be glad if the reporters would write out his remarks and publish them as they were spoken, without submitting them to his revision—courteously adding, that the usages of their profession should be complied with on this part, whether he might be called upon to do so or not. He yielded the floor several times, for explanation, to Mr. M. J. Cooper, and some questions of order were made. Mr. W. concluded at half past 2 o'clock.

Mr. W. Thompson obtained the floor, but the hour designated in the resolution of this morning having arrived. The house took a recess until 4 o'clock.

Evening session. At 4 o'clock, Mr. Bell, the chairman of the committee of the whole on the state of the union, resumed his seat, and called the committee to order.

The question being on striking out the clause for the salaries of the officers of the branch mint at Dahlonega, Georgia, which was negatived without a division.

Mr. Wm. Cost Johnson proposed an amendment appropriating \$3,000 for the support of pauper lunatics in the district of Columbia in the lunatic hospital of Baltimore. The amendment was adopted without division.

Mr. Hand moved to strike out the proviso fixing the compensation of district attorneys, marshals and clerks.

Mr. Jones, chairman of the committee of ways and means declined the proviso.

Mr. A. G. Brown opposed the proviso.

Mr. Evans thought it was a violation of the rules of parliamentary law to place the proviso in the bill.

Mr. Briggs thought it strange that Mr. Jones should have delayed the use of his pruning knife until now, though he thought the eloquence of the officers in question should be curtailed. Mr. Jones explained.

And after much debate, in which several members participated, the committee rose, and the house adjourned.

Friday Feb. 19. Immediately after the journal was read, Mr. Holmes of South Carolina, rose and asked leave to say a few words.

The speaker said it could only be done by general consent.

Mr. Holmes then commenced by saying he was not in the house last night, and consequently did not hear the speech of the gentleman from South Carolina, (looking towards Mr. Stansly, who had spoken on the night before).

Mr. Stansly rose and objected to Mr. Holmes proceeding, unless it was understood that he should have the liberty of replying. Mr. H. could reply in committee of the whole, where each side could be heard; and in committee of the whole, a fair field, Mr. S. said he should be happy to meet him.

Mr. H. was objecting for this reason, Mr. Holmes could not proceed.

Mr. Campbell, of South Carolina, rose and said he impud his colleague [Mr. Holmes] would treat the attack upon South Carolina, made by the gentleman from North Carolina, with great contempt and derision. His arms, Mr. C. said were not long enough to reach the state of South Carolina.

Mr. Stansly said the gentleman's colleague then would only treat this [Mr. S's] remarks with the same contempt which he had treated the attack upon South Carolina, made by the gentleman from North Carolina, with great contempt and derision. His arms, Mr. C. said were not long enough to reach the state of South Carolina.

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At the adjournment of the house yesterday, a motion by Mr. Eastman was pending to suspend the rules to consider the bill to extend for five years the provision of certain voters.

Mr. Eastman declining to withdraw or waive his motion, the question to suspend was taken by yeas and nays; and there appeared yeas 106, nays 42.

Two-thirds voting in the affirmative, the rules were suspended, and the bill was read by the clerk, and committed to the committee of the whole on the state of the union on the bill. Mr. Evans, of Maine, was called to the chair of the committee. The bill was read.

Mr. Eastman explained briefly the provisions of the bill.

Mr. Hand also made some explanations in relation to the previous laws on the subject, and the construction which had been given thereto, and sent to the clerk to table a report made by the committee on resolutions proposed by Mr. Hand, relating to the case marriage should not exclude a widow from the claim, &c. The report was read by the clerk.

Mr. Prentiss said that there was no better mode of killing time than of talking it to death. He moved that the committee rise and report it to the house; and, for his own part, he should vote for it. He supposed they were all going to vote for it.

Mr. Stansly said the gentleman from Indiana (Mr. Prentiss) was wrong in supposing that there would be an opposition to the bill. He (Mr. S.) assented to it, and for the reason, he was understood to say, that they were not going to take up the tariff. Let us wait until the next session of congress.

The treasury was bankrupt, and we get into a bad before we contract more. If we make these appropriations before the new administration came in, the whigs would be made to take the responsibility.

cola, of Massachusetts, was called to the chair of the committee.

Mr. Abbott took the floor, and in the course of his remarks *Mr. Mason* rose to order, on the ground that his remarks were irrelevant to the bill before the house.

Mr. Stensy asked *Mr. Mason* to withdraw his call. He was not heard to do so, but the chair made a decision which we could not hear. The result was, that *Mr. Abbott* continued his remarks till 7 o'clock. When he concluded, *Mr. Underwood* obtained the floor; when the committee rose.

The speaker, by permission, laid before the house sundry communications from the departments. And then the house adjourned.

Saturday, Feb. 20. The journal of yesterday being read—*Mr. Smith*, of Indiana, moved to amend it by inserting in substance the following:

Mr. Smith, of Indiana, asked the general consent of the house to allow him to lay before the house and have printed a number of joint resolutions which had been accumulating on his hands from his legislature.

It being objected by *Mr. Russell*, *Mr. Smith* then moved to suspend the rules for the purpose of leave, which was ruled out of order by the chair. *Mr. Jones*, of Virginia, then obtained the floor, and moved that the house resolve itself into committee of the whole on the state of the union.

Mr. Smith said he wished to have his motion noticed on the journals, that he had attempted, as he had frequently, to obtain the chair for that purpose, but he thought it due to his state, and especially to himself, as the resolutions he was satisfied were intended for himself and other of his colleagues who acted with him politically.

Mr. Cady thought the journal ought not to be amended, as it would give an undue advantage to the member from Indiana on the public records.—Members from almost every state had resolutions or memorials from their legislatures to present, and wished to present them at the earliest opportunity. They could do so in order, but did not like to be making motions to suspend the rules so as to get that motion on the journal to show their zeal. It was not customary to enter them now, &c.

Mr. Lincoln said motions to suspend the rules, when they were ineffective, were not entered on the proceedings, unless they led to results which it became necessary to journalize.

Mr. Smith replied, though it was unusual, if he was dispensed, he would make it appear on the journal, by calling the yeas and nays; but, as the time of the house was precious and far spent, he would not consume the time by doing so, and would willingly forego the proposition, but would not allow every opportunity to introduce these resolutions, and he hoped the house would afford the opportunity.

Mr. Jones, chairman of the committee of ways and means, moved the special order on the general appropriation bill.

Mr. Russell moved that the rule in favor of the special order be suspended, and that the house proceed to the consideration of private bills.

This question was decided by yeas and nays, as follows: for the suspension 79, against 46. There not being two-thirds in the affirmative, the rule was not suspended.

The motion of *Mr. Jones* was then agreed to.

The house again resolved itself into committee of the whole on the state of the union, and resumed the consideration of the general appropriation bill for the service of the year 1841; (*Mr. Lincoln* was again called to the chair of the committee.)

The question recurred on the motion of *Mr. Stensy*, in the instant, to strike out the enacting clause of the bill.

Mr. Underwood addressed the committee for two hours and a half, first, as to the abuses of the government and the means by which they were to be corrected; and then in reference to several of the leading questions of public policy—the currency, distribution of the proceeds of the sale of the public lands, &c. *Mr. U.* was followed by *Mr. Sergeant*, who spoke for about half an hour, partly in reply to some of the positions assumed by *Mr. Underwood*; when he gave way to a motion by *Mr. Grinnell* that the committee rise; which motion having prevailed, the committee rose, and reported progress.

Mr. Russell moved that the house do adjourn.

It was carried by yeas and nays as follows: for the adjournment 76, against 1160.

So the house adjourned until Monday, 11 o'clock A. M.

Monday, Feb. 22. *Mr. Thompson*, by leave reported a bill making appropriations for certain fortifications of the United States generally for the year 1841, and for armament of fortifications, also for raising a company of sappers, miners and pontooners, and appropriating \$300,000 for steam ships

of war. The amount proposed by the bill to be appropriated for fortifications is \$1,678,075.—which bill was twice read and committed to the committee of the whole on the state of the union.

The rules were suspended for one hour for the purpose of taking into consideration the bill from the senate to confirm to Indiana the land cessions for the Wabash and Erie canal, and the bill of this house making further appropriations for the exploration and survey of the northeastern boundary.

The house then resolved itself into committee of the whole on the state of the union.

The Indiana canal land bill was read by the clerk, and no objection being made, it was laid aside, to be reported to the house.

The house then considered further appropriations for the exploration and survey of the northeastern boundary was taken up and read by the clerk.

When this bill was under consideration on the 13th inst, a motion was made by *Mr. Underwood* that the bill by striking out \$75,000, the amount proposed to be appropriated, and inserting \$37,500. *Mr. Pettkin*, on the same day, moved to reduce the appropriation to \$12,000.

These propositions now came before the house. *Mr. Proctor*, who held the floor at the time the bill was last up, said he would not now occupy the time of the committee a minute. He had paid some attention to the bill when it was last under consideration; and he was convinced that the sum now proposed by it was necessary for the purpose. He, therefore, should withdraw all opposition in every shape, and he would vote for the bill. He had ascertained that there were three lines to be run instead of one.

Mr. Cady then proposed the amendment at some length, and made some general observations on the northeastern boundary question. He hoped that no member would vote to reduce the amount, as, if the whole sum was not necessary, it would not be expended.

Mr. Pettkin insisted that the appropriation was extravagant—and, in proof of this, referred to appropriations made in other surveys and explorations.

The question was then taken on the amendment to the amendment, and it was rejected.

And the question was then taken on the amendment, and it was rejected.

The committee, on motion of *Mr. Johnson*, then rose and reported both bills to the house.

The bill in relation to the Indiana canal lands was then forthwith ordered to a third reading, was read the third time accordingly, passed, and returned to the committee by which it was reported.

The bill appropriating \$75,000 for continuing the exploration and survey of the northeastern boundary was then taken up in the house. *Mr. Campbell*, of Tennessee, renewed the motion to strike the bill by striking out \$75,000, and inserting \$37,500.

Mr. Pettkin renewed his motion to amend by inserting \$20,000.

Mr. Lewis withdrew moved \$30,000.

The question was then taken on the question, which was ordered; and *Mr. Pettkin* moved to reconsider.

It was not in order, as the previous question had been moved.

The questions were severally put on striking out \$75,000 and inserting \$30,000, \$37,500, and \$20,000, and they were severally rejected.

The bill was then ordered to be read a third time forthwith.

It was read the third time accordingly; when the previous question was moved, seconded, put, and carried in the affirmative; and the main question was put, that is, that the bill do pass? and was decided in the affirmative. It was then sent to the senate for concurrence.

The house then resolved itself into a committee of the whole on the state of the union, and took up the general appropriation bill. The question occurred on the motion of *Mr. Hunt* to strike out the proviso of the bill relative to the compensation of the several district attorneys, marshals and clerks.

Mr. Sergeant resumed and concluded his remarks at one o'clock, when *Mr. Stensy* withdrew his remarks to strike out the enacting clause. After some explanations between Messrs. *Stensy*, *Abbott* and *Kives*, *Mr. Cushing* renewed the motion to strike out the enacting clause, and addressed the committee for about twenty minutes. At the conclusion of his remarks, he withdrew the motion to strike out the enacting clause.

The question then occurred on *Mr. Hunt's* motion, when *Mr. Hunt* addressed the committee. *Mr. Reed* entered into a history of this matter, and of the various parts that had been made to provide a remedy for what he considered an evil which ought

to be corrected. The fees were exorbitant and should be reduced.

Mr. C. Davis submitted an amendment, and explained the effect of his proposition. He had not concluded when the hour of half past two o'clock arrived, and the house then took a recess until 4 o'clock.

Evening session. At 4 o'clock the committee re-assembled—the general appropriation bill being under consideration, and the amendment of *Mr. Davis*, of Ky. relative to the fees and emoluments of district attorneys, marshals and clerks being pending. *Mr. Davis*, of Ky. who was interrupted in his remarks by the arrival of the hour foretold, resumed the floor and advocated his amendment.

He was followed by *Mr. Sallomatt*, who advocated the reduction of the fees and emoluments of the officers named.

Mr. Thompson, of S. C. followed, repudiated the idea that the treasury was to be replenished by the reduction of the fees and emoluments of its officers; entered into a vindication of the south from the charge of its having been the father of the tariff system, and denied that the tariff of 1816 was protective in its character.

Messrs. *Mason*, of Ohio, *Thompson* and *Erown*, of Mississippi, *Friederick*, *Grinnell*, *Copier*, of Georgia, *Mr. Davis*, of Ky. and *Mr. Dickson* participated in the debate. The latter suggested an amendment to the effect that after an attorney, marshal or clerk's compensation amounted to the maximum fixed in the proviso, they should be entitled to a per centum on all order that maximum of 10, 20 or 30 per cent.

Mr. Thompson, of Mississippi then moved to strike out the proviso in the bill and in lieu thereof insert a substitute giving the United States district attorneys, marshals and clerks respectively the same fees as are received, or are now or may hereafter be allowed by the laws of said states respectively, where said courts are held, to the clerks, attorneys and counsel and sheriffs in the higher courts of said states in which like services are rendered, except that the marshals shall receive for summoning every jury, thirty dollars, and for every day attendance upon any court five dollars, &c.

Mr. Reed submitted a question of order in relation to this amendment, the amount of which question was, whether it is competent to introduce in this bill any proposition going to increase or diminish the compensation of any officer which is not provided by law.

The chair decided, in substance, that, although he did not conceive it was strictly in order for the committee of ways and means to have reported the proviso in the bill, yet, as it was in the bill, and not in the power of the committee to rule it out of order, it was competent to amend it.

Mr. Hunt advocated *Mr. Thompson's* amendment.

Mr. Fillmore opposed it on the ground that its details were defective, and stated that all the difficulties arose from placing the subject in the appropriation bill.

Mr. Jones, of Virginia, was against *Mr. Thompson's* amendment, and in favor of the proviso as it was reported in the bill.

The question was then put on the amendment, and there appeared yeas 66, nays 66.

The committee being equally divided, the chair voted in the affirmative, and so *Mr. Thompson's* amendment was agreed to.

At a quarter of nine o'clock, *Mr. Underwood* moved that the committee rise. The motion was rejected.

Mr. Core Johnson moved a long additional proviso which the chair ruled to be out of order, on the ground that it was subject different from that under consideration.

Mr. Core Johnson appeared.

The chair then stated at large the grounds of his decision, and referred to numerous precedents in support of it.

Mr. Carey asked *Mr. Johnson* to withdraw his appeal. *Mr. Johnson* declined.

Mr. Underwood was opposed to the decision of the chair, and referred to precedents in support of his position.

Mr. Wise explained as to one of the precedents referred to by *Mr. Underwood*, and showed that it ought not to be cited, as it was made under extraordinary circumstances.

Mr. Underwood resumed on the appeal, but before he had concluded, he gave way to *Mr. Core* Johnson to move that the committee rise.

It was five minutes past nine o'clock.

The motion prevailed, though less than a quorum voted.

The speaker resumed the chair.

Mr. Fillmore moved the printing of the amendment adopted on the motion of *Mr. Thompson*, of Mississippi. And then the house adjourned.

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TOGETHER WITH

NOTICES OF THE ARTS AND MANUFACTURES,

AND A

RECORD OF THE EVENTS OF THE TIMES. .

JEREMIAH HUGHES, EDITOR.

THE PAST—THE PRESENT—FOR THE FUTURE.

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and perhaps invidious, to enumerate the evils of which, in the opinion of many of our fellow citizens, this error of the sages who framed the constitution may have been the source, and the bitter fruits which we are still to gather from it, if it continues to direct our system. It may be said, however, as a general remark, that republics can count no greater error than to adopt or continue any feature in their systems of government which may be calculated to create or increase the power of a few, to the bosoms of whom the exercise of the offices tends to commit the management of their affairs. And, surely, nothing is more likely to produce such a state of mind than the long continuance of an office of high rank. Nothing can be more encouraging to all those who desire all those noble feelings which belong to the character of a devoted republican patriot. When this corrupting passion once takes possession of the human mind, like the love of gold, it becomes insatiable. It is the never-dying worm in his bosom, grows with his growth, and strengthens with the declining years of his victim. If this is true, it is the part of wisdom for a republic to flout the service of that officer, at least, to whom she has entrusted the sacred trust of her liberties, and to the execution of her laws, and the command of her armies and navies, to a period so short as to prevent his forgetting that he is the accountable agent not the principal, the servant, not the master. Until an amendment of the constitution be effected, which, in his opinion may secure the desired object, I give my aid to it, by renewing the pledge heretofore given, that, under no circumstances, will I consent to serve a second term.

But if there is danger to public liberty from the acknowledged defects of the constitution, in the want of limit to the continuance of the executive power in the same hands, there is, I apprehend, not much less from a misdirection of that instrument, as it regards the powers of the executive. I cannot conceive that, by a fair construction, any or either of its provisions would be found to constitute the president a part of the legislative power. It cannot be claimed from the power to recommend, since, although it might upon him, it is a privilege which he holds in common with every other citizen. And although there may be something more of confidence in the propriety of the measures recommended in the one case than in the other, in the ordinary legislative decision, there can be no difference. In the language of the constitution, "all the legislative powers" which it grants "are vested in the congress of the United States." It would be a solecism in language to say that any portion of these is not included in the whole.

It may be said, indeed, that the constitution has given to the executive the power to annul the acts of the legislative body, by refusing to execute them. So a similar power may necessarily result from that instrument to the judiciary, and yet the judiciary forms an part of the legislature. There is, it is true, this difference between these grants of power; the executive can put his negative upon the acts of the legislature for other cause than that of want of conformity to the constitution, whilst the judiciary can only declare void those which violate that instrument. But the decision of the judiciary is final in such a case, whereas in every instance where the veto of the executive is applied it may be overcome by a vote of two-thirds of both houses of congress. The negative upon the acts of the legislative, by the executive authority, and that in the hands of the judiciary, are, therefore, to be an inconviction in our system. Like some others of a similar character, however, it appears to be highly expedient, and if used only with the forbearance, and in the spirit which was intended by its authors, it may be productive of great good, and be found one of the best safeguards to the union.

At the period of the formation of the constitution, the principle does not appear to have enjoyed much favor in the state governments. It existed but in two, and in one of these there was a plural executive. If we would search for the motives which operated upon the purely patriotic and enlightened assembly which framed the constitution, for the adoption of a provision so apparently repugnant to the leading democratic principle, that the majority should govern, we must reject the idea that they anticipated from it any benefit to the ordinary course of legislation. They knew too well the high degree of intelligence which existed among the people, and the enlightened character of the state legislatures, not to have the fullest confidence that the two bodies elected by them would be worthy representatives of such constituents, and of course, that they would be so careful in exercising and maturing the measures which the circumstances of the country might require. And it is preposterous to suppose that a thought could for a moment have

been entertained, that the president, placed at the capital, in the centre of the country, could better understand the wants and wishes of the people than their own immediate representatives, who spend a part of every year among them, live with them, often labour with them, and bow to them by the triple tie of interest, duty and affection. To assist or control congress then in its ordinary legislation, could not, I conceive, have been the motive of the sages who framed the constitution. This argument acquires additional force from the fact of its never having been thus used by the first six presidents, and two of them were members of the convention, one providing over its deliberations, and the other presiding at its close, and expounding the labors of that august body than any other person. But if bills were never returned to congress by either of the president's above referred to, upon the ground of their being inexpedient, or not well adapted as they might be to the wants of the people, the veto was applied upon that of want of conformity to the constitution, or because errors had been committed from a too hasty enactment.

There is another ground for the adoption of the veto, which is, that it gives to the president, in recommending it to the congress, than any other, I refer to the security which it gives to the just and equitable action of the legislature upon all parts of the union. It could not but have occurred to the framers of the constitution, that the vast and embracing so great a variety of soil and climate and consequently of products, and which, from the same cause, must ever exhibit a great difference in the amount of the population of its various sections, would require a great variety of measures of the people, that the legislation of the majority might not always justly regard the rights and interests of the minority. And that acts of this character might be passed, under an express grant to the president, of the power to withhold assent, without the competency of the judiciary to declare void. That however enlightened and patriotic they might suppose, from past experience, the members of congress might be, and however largely partaking in the general sentiment of the people, it was impossible to expect that bodies so constituted should not sometimes be controlled by local interests and sectional feelings. It was proper, therefore, to provide some umpire, from whose impartiality and mode of appointment, and the silence and freedom from such influences might be expected. Such a one was afforded by the executive department, constituted by the constitution. A president, in every section, state and territory, and the union, must consider himself bound by the most solemn sanctions, to guard, protect and defend the rights of all, and of every portion, great or small, against the injustice and oppression of the rest. To consider the veto power, therefore, granted by the constitution to the executive of the United States, solely as a conservative power. To be used only, first, to protect the constitution from violation; and, secondly, the people from the effects of hasty legislation which thus will have been probably disregarded or not well understood; and, thirdly, to prevent the effects of combinations vindictive of the rights of minorities. In reference to the second of these objects, I may observe that I consider it the right and privilege of the people to decide disputed points of the constitution, arising from the general grant of power to congress to carry into effect the powers expressly given. And I believe with Mr. Madison, that the great principle of separation of powers, and the interests of the legislative, executive and judicial branches of the government, accompanied by indications, in different modes, of the coexistence of the general will of the nation, as according to the president's sufficient authority for his considering such disputed points as settled.

Upwards of half a century has elapsed since the adoption of the present form of government. It would be an object more highly desirable than the gratification of the curiosity of the public, to know, if its present situation could be ascertained, a fair exhibit made of the operations of each of its departments, of the powers which they respectively claim and exercise, of the collisions which have occurred between them, or between the whole government and those of the states, or either of them. We could then compare our actual condition, after fifty years trial of our system, with what it was in the commencement of its operations, and ascertain whether the predictions of the just statesmen who proposed, or the confident hopes of its advocates have been best realized. The great dread of the former seems to have been, that the reserved powers of the states would be absorbed by those of the federal government, and a central government established, leaving to the states the shadow, only, of that independent action for which they had so zealously

contended, and on the preservation of which they relied as the last hope of liberty. Without denying that the result to which they looked with so much apprehension, is in the way of being realized, it is obvious that the result did not nearly so far exceed its accomplishment, as the federal government has seized upon some of the reserved rights of the states. As far as any open warfare may have gone, the state authorities have amply maintained their rights. To the extent, however, of the system of the pursuit of discord between the different members which compose it. Even the addition of many new ones has produced no jarring. They move in their respective orbits in perfect harmony with the central head, and with each other. The executive still pursues the current of work, by which, if not seasonably checked, the worst apprehensions of our anti-federal patriots will be realized; and not only will the state authorities be overwhelmed, by the great increase of power in the executive department of the general government, but the character of that government, if not its designation, be essentially and radically changed. This state of things has been in part effected by causes inherent in the constitution, and, with the exception of the necessity of political power to increase itself. By making the president the sole distributor of all the patronage of the government, the framers of the constitution do not appear to have anticipated at how short a period it would be so completely in the hands of the president, the free operations of the state governments. Of trifling importance at first, it had, early in Mr. Jefferson's administration, become so powerful as to create great alarm in the mind of that patriot, from the danger it would be to the state governments, and the freedom of the elective franchise. If such could have been the effects of its influence, how much greater must be the danger at this time, quadrupled in amount, as it certainly is, and more concentrated in its character, than when it was first given their construction of their powers allowed, or the forbidding character of all the early presidents permitted them to make. But it is not by the extent of its patronage alone that the executive department has become dangerous, but that the power of appointing may be made of the appointing power to bring under its control the whole revenues of the country. The constitution has declared it to be the duty of the president to see that the laws are executed, and made him the commander in chief of the armies and navy of the United States. If the opinion of the most approved writers upon that species of mixed government, which in modern Europe, is termed monarchy in constraint, in respect to the power of the executive, be correct, in addition to the powers of our chief magistrate to stamp a monarchical character on our government, but the control of the public finances. And to mention a few more, indeed, the any one should doubt, that the entire power of the public monies, or the officers who have the custody of the public money, by the power of removal, with or without cause, does for all mischievous purposes at least, virtually subject the treasury, as it is to his disposal. The first Roman emperor, in his attempt to seize the sacred treasure, and used the opposition of the officer to whose charge it had been committed, by a significant allusion to his sword. By a selection of political instruments for the ease of the public treasury, a reference to their commissions, by a president, would be quite as effectual an argument as that of Cæsar to the Roman knight. I am not insensible of the great difficulty that exists in drawing a proper plan for the safe-keeping and disbursement of the public money, and the importance which has been attached by men of great abilities and patriotism to the disburse, as it is called, of the treasury from the banking institutions. It is not the duty of the president to complain of, but the united wisdom of the treasury, and the executive department, which has created such extensive alarm. To this danger to our republican institutions, and that created by the influence given to the executive, the great instrumentality of the federal officers, proposed to be removed, may be a great error in the framers of the constitution, not to have made the officer at the head of the treasury department entirely independent of the executive. He should at least have been removable only upon the demand of the popular branch of the legislature. I have determined never to remove a secretary of the treasury, without communicating all the circumstances attending such removal to both houses of congress.

The influence of the executive in controlling the freedom of the elective franchise through the medium of the public officers can be effectually checked by recent legislation, and was successfully done by Mr. Jefferson, forbidding their interference in elections, further than giving their own votes; and their own

Independence secured by an assurance of perfect immunity, in exercising this sacred privilege of freemen, under the dictates of their own unbiased judgments. Never, with my consent, shall an officer of the people, compensated for his services only by his post, become the pliant instrument of executive will.

There is no part of the means placed in the hands of the executive which might be used with greater effect, for unallowable purposes, than the control of the public press. The machinery of the press derived from the mother country, that "the freedom of the press is the great bulwark of civil and religious liberty," is one of the most precious legacies which they have left us. We have learned too, from our own, as well as the experience of other countries, that golden shackles, by whomsoever or by whatever pretence imposed, are as fatal to it as the iron bonds of despotism. The presses in the necessary employment of the government should never be used to clear the way for its policies. A decent and manly examination of the acts of the government should be not only tolerated, but encouraged.

On another occasion I have given my opinion, at some length, on the impermissibility of executive interference in the legislation of congress. That the article in the constitution making it the duty of the president to communicate information, and suggesting him to recommend measures, was not intended to make him the source of legislation, and in particular, that he should never be looked to for schemes of finance. It would be very strange, indeed, that the constitution should have strictly forbidden our branch of the legislature from interfering with the legislation of the executive. It is, therefore, to be considered proper that an altogether different department of the government should be permitted to do so. Some of our best political maxims and opinions have been drawn from our parent Isles. There are others, however, which cannot be introduced in our system without singular incongruity, and the production of much mischief. And thus I conclude to be true. No matter in which of the houses of parliament a bill may originate, nor by whom introduced, a minister or a member of the opposition, by the fiction of law, or rather of constitutional principle, the sovereign is supposed to have prepared it agreeably to his will, and then submitted it to parliament for their advice and consent. Now the reverse is the case here. The executive is supposed to be the principle, but the forms prescribed by the constitution. The principle certainly assigns to the only body constituted by the constitution (the legislative body) the power to make laws, and the executive is directed that he execute the laws so prescribed to them. The senate in relation to revenue bills, have the right to propose amendments; and so has the executive, by the power given him to return bills to the house of representatives with his objections. It is in this manner that amendments in the existing revenue laws, suggested by his observations upon their defective or injurious operation. But the delicate duty of devising schemes of revenue should be left where the constitution has placed it—with the immediate representatives of the people. For similar reason, the mode of keeping the public treasure should be prescribed by them, and the farther removed it may be from the control of the executive, the more wholesome the arrangement, and the more in accordance with republican principles.

Connected with this subject is the character of the currency. The idea of making it exclusively metallic, however well intentioned, appears to me to be at variance with the principles of our government, or other scheme, having no relation to the personal rights of the citizens, that has ever been devised. If any single scheme could produce the effect of arresting, at once, that inflation of currency by which our currency is so much swollen, and our citizens, by their industry and enterprise, are raised to the possession of wealth, that is the one. If there is one measure better calculated than another to produce that state of things so much deprecated by true republicans, by which the nation is continually adding to their hoards, and the poor sinking deeper into poverty, it is an exclusive metallic currency. Or if there is a process by which the character of the country for generosity and nobleness of feeling, may be destroyed by the great luxury and necessary toleration of usury, it is an exclusive metallic currency.

Amongst the other duties of a delicate character which the president is called upon to perform, is the supervision of the execution of the laws of the United States. Those of them which are destined to become members of our great political family, are compensated by their rapid progress from infancy to manhood, for the partial and temporary deprivation of their political rights. It is in

this District, only, where American citizens are to be found, who, under a settled policy, are deprived of many important political privileges, without any inspiring hope as to the future. Their only consolation under circumstances of such deprivation, is the fact of the devoted exterior guards of a camp—that their sufferings secure tranquility and safety within. Are there any of their countrymen who would submit then to greater sacrifices, to any other humiliations than those essentially necessary to the security of the object for which they were thus awarded from their fellow citizens? Are their rights alone to be guaranteed by the application of those great principles upon which all our constitutions are founded? We are told by the greatest of British statesmen, that, at the close of the war of the revolution, the most stupid men in England spoke of "their American subjects." Are there indeed citizens of any of our states who have dreamed of their subjects in the District of Columbia? Such dreams can never be realized by any agency of mine. The people of the District of Columbia are not the subjects of the people of the states, but free American citizens. Being in the latter condition when the constitution was formed, the institutions of that instrument were never intended to deprive them of that character. If there is any thing in the great principle of unalienable rights, so emphatically insisted upon in our Declaration of Independence, they could neither be the subjects of the United States nor of their liberties, and become the subjects, in other words, the slaves, of their former fellow citizens. If this be true, (and it will scarcely be denied by any one who has a correct idea of his own rights as a citizen,) it is a contradiction, and a self-evident, exclusive jurisdiction in the District of Columbia can be interpreted, so far as respects the aggregate people of the United States, as meaning nothing more than to allow to congress the controlling power necessary to afford peace and safe exercise of the functions assigned to the general government by the constitution. In all other respects, the legislation of congress should be adapted to their peculiar pollutions and wants, and be conformable with their deliberate opinion of their own interests.

I have spoken of the necessity of keeping the respective departments of the government, as well as all the other authorities of our country, within their appropriate orbits. This is a matter of difficult management, and the rights of the citizen are often claimed are often not defined by any distinct lines. Mischievous, however, in their tendencies, as collisions of this kind may be, those which arise between the respective communities which, for certain purposes, assume one and the same character; so far as such action can long exist without the careful culture of those feelings of confidence and affection which are the effective bonds of union between free and confederated states. It is wrong as to the rights of the citizen, and as to the interests of the whole. Men, blinded by their passions, have been known to adopt measures for their country in direct opposition to all the suggestions of policy. The alternative, then, is, to destroy or keep down a bad passion by creating and fostering a good one, and this seems to be the corner stone upon which our American political architects have reared the fabric of our government. The criminal which was to bind it, and perpetuate its existence, was the administrative element between the executive and the people. To insure the continuance of this feeling, produced at first by a community of dangers, of suffering and of interests, the advantages of each were made accessible to all. No participation in any good, no exemption from any evil, was reserved to any one, except in domestic government, was withheld from the citizen of any other member. By a process attended with no difficulty, no delay, no expense but that of removal, the citizen of one might be made the citizen of any other, and the citizen of the whole. The lines, too, separating powers to be exercised by the citizens of one state from those of another, seemed to be so distinctly drawn as to leave no room for misunderstanding. The citizens of one state were to be distinguished from those of another, which character confers, and all that they may claim as citizens of the United States; but in no case can the same person, at the same time, act as the citizen of two separate states, and he is therefore positively precluded from any interference with the reserved powers of any state but that of which he is, for the time being, a citizen. He may indeed refer to the citizens of other states his advice as to their management, and the form in which it is tendered, but he is not to be considered as their representative.

It may be observed, however, that organized associations of citizens, requiring compliance with their wishes, too much resemble the recommendations of Athens to her allies—supported by the arms and power of fleet. It was, indeed, to the

ambition of the leading states of Greece to control the domestic concerns of the others, that the destruction of that celebrated confederacy, and subsequently of all its members, is mainly to be attributed. And it is owing to the absence of that spirit that this Hellenic confederacy has not, as many years been preserved. Never has there been seen in the institutions of the separate members of any confederacy, more elements of discord. In the principles and forms of government and religion, as well as in the very objects of their confederacy, so marked a discrepancy was observable, as to promise any thing but harmony in their intercourse, or permanency in their alliances; and yet, for ages, neither has been interrupted. Content with the positive benefits which their union has produced, the independence and safety from foreign aggression which it secured, these sagacious people respected the institutions of each other, however repugnant to their own principles and prejudices.

Our confederacy, if able citizens can only be preserved by the same forbearance. Our citizens must be content with the exercise of the powers with which the constitution clothes them. The attempt of those of one state to control the domestic institutions of another, is a source of the feelings of distrust and jealousy, the certain harbingers of disunion, violence, civil war, and the ultimate destruction of our free institutions. Our confederacy is perfectly consistent with the principle which underlies a common co-partnership. There is a fund of power to be exercised under the direction of the joint councils of the allied members, but that which has been reserved by the individual members to their respective local governments, or the individual members composed of. To attempt it finds no support in the principles of our constitution.

It should be our constant and earnest endeavor mutually to cultivate a spirit of concord and harmony among the various parts of our confederacy. Experience has abundantly taught us, that the agitation, by citizens of one part of the union, of a subject not confided to the general government, but exclusively under the guardianship of the local authorities, is productive of no other consequences than bitterness, alienation, discord and injury to the very cause which is intended to be advanced. Of all the great interests which appertain to our country, that which respects the management of the union—is by far the most important, since it is the only true and sure guaranty of all others.

In consequence of the embarrassed state of business and the currency, some of the states may meet with difficulties, from which they are unable to free themselves. How deeply we may regret any thing imprudent or excessive, in the engagements into which states have entered for purposes of their own, it does not become us to disparage the state governments, nor to discourage them from making such engagements for their own relief. On the contrary, it is our duty to encourage them, to the extent of our constitutional authority, to apply their best means, and cheerfully to make all necessary sacrifices, and submit to all necessary burdens, to fulfill their engagements and maintain their credit; for the character and credit of the several states form a part of the character and credit of the whole country. The resources of the country are abundant; the enterprise and activity of our people proverbial; and we may well hope that wise legislation and prudent administration, by the respective governments, each acting within its own sphere, will restore former prosperity.

Unpleasant and even dangerous as collisions may sometimes be between the respective authorities of the citizens of our country, in relation to the lines which separate their respective jurisdictions, the results can be of no vital injury to our institutions, if that ardent patriotism, that devoted attachment to liberty, that noble and generous feeling, which our countrymen were once distinguished, continue to be cherished. If this continues to be the ruling passion of our souls, the weaker feeling of the mistaken enthusiast will be corrected, the upstart of the demagogue will be rebuffed, the diplomat and the complicated intrigues of the demagogue rendered harmless. The spirit of liberty is the sovereign balm for every injury which our institutions may receive. On the contrary, no cure can be used in the construction of our confederacy, no division of powers, no distribution of checks in its several departments, will prove effectual to keep us a free people, if this spirit is suffered to decay; and decay it will without constant nature. To the neglect of this best of all political remedies, attributing the ruin of all the republics with whose existence and fall their writings have made us acquainted. The same cause can never produce the same effect; and as long as the power is a dominant passion of the human bosom, and as long as the understandings of men can be warped,

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The foregoing remarks relate almost exclusively to matters connected with our domestic concerns. It may be proper, however, that I should give some indications to my fellow citizens, of my proposed course in relation to the foreign world, and to the various nations. I assure them, therefore, that it is my intention to use every means in my power to preserve the friendly intercourse which now so happily exists with every foreign nation. And that although, of course, I shall not shrink from any measure involving negotiations with any of them, I see, in the personal characters of the sovereigns, as well as in the annual interests of our own, and of the governments with which our relations are most intimate, a pleasing guaranty of their liberality so important to the welfare of their subjects, that our peaceful intercourse will not be interrupted by the advancement of any claim or pretension upon their part to which our honor would not permit us to yield. Long the defender of my country's rights in the field, I trust that my efforts will be directed to the preservation of peace with foreign powers, any indication that their rights will ever be sacrificed, or the honor of the nation tarnished, by any admission on the part of their chief magistrate unworthy of their former glory. I shall, therefore, endeavor to secure, as my object, the same liberty and justice which marked the course prescribed to me by two of my illustrious predecessors, when acting under their direction in the discharge of the duties of superintendent of the Indian Affairs, and strictly observed. I can conceive of no more suitable motto than that more likely to propitiate an impartial and common creature—than a rigid adherence to the principles of justice, on the part of a powerful nation, in its treatment of a feeble and uncivilized people, under circumstances that lay the latter under the

Before concluding, fellow citizens, I must say something to you on the subject of the parties at this time existing in our country. To me it appears perfectly clear that, the interest of that country requires that the violence of the spirit by which those parties are at this time governed, must be greatly

unfought, if not entirely extinguished, or consequences will ensue which are appalling to be thought of.

If parties to a republic are necessary to secure a degree of vigilance sufficient to keep the public functionaries within the bounds of law and duty, at best they are a necessary evil, and at worst a destructive of public virtue, the arena of a spirit antagonistic to that of liberty, and eventually its inevitable conqueror. We have examples of republics, where the love of equality and of liberty at the expense of the rights of the minority, has become the passion of citizens, and yet, with the continuance of the name and forms of free government, not a vestige of these qualities remaining in the bosom of the people. In the *Annals* of Tacitus, we find the mark of a distinguished English writer, that "in the Roman senate Octavius had a party, and Anthony a party, but the commonwealth had none." Yet the senate continued to meet in the temple of Mars, and the people continued to assemble in the commonwealth, and gaze at the statues of the elder Brutus and of the Curius and Dentii; and the people assembled in the forum, not as in the days of Cato, to elect or to depose, but to witness the annual magistrates, or pass upon the acts of the senate, but to receive from the hands of the leaders of the respective parties their share of the spoils, and to shout for one or the other, as those who were to be elected or re-elected. The result would furnish the larger dividend. The spirit of liberty had fled, and avoiding the abuses of a ritualized man had sought protection in the wilds of Republicanism. The result would be the triumph of the same cause and influence it will fly from our capital and our forum. A calamity as awful, not only to our country, but to the world, must be deprecated by every patriot, and every tendency to the perpetration of this crime must be checked. Such a tendency has existed—does exist. Always the friends of my countrymen, ever their flatterer, it becomes my duty to say to them, from this high position, that the partiality has existed many times that exists in the land. It is not only their best interests—hostile to liberty itself. It is a spirit contracted in its views—selfish in its objects. It looks to the aggrandizement of a few at the expense of the rest of the community. The entire repose is with the people. Something, however, may be effected by the means which we have placed in my hands. It is union that we need. It is the support of the party, but a union of the whole country for the good of the whole country. For the defence of its interests and its honor against foreign aggression—for the defence of those principles for which our ancestors so gloriously fought—let us be united. If this union it shall be accomplished. All the influence that I possess shall be exerted to prevent the formation at least of an executive party in the halls of the legislature. I will support no member of that body to any measure, unless I can satisfy his judgment and his sense of duty to those from whom he holds his appointment. Nor any confidence in advance from the people but that which will be the result of their own free effect to the legal administration of their affairs.

I deem the present occasion sufficiently important and solemn to justify me in expressing to my fellow citizens a profound reverence for the Christian religion, and a thorough conviction that sound morals, religious liberty, and a just sense of religious duty are the only solidly founded basis of all true and lasting happiness and that the only Being who has blessed us by the gifts of civil and religious freedom—who watched over and prospered the labors of our fathers, and has hitherto preserved to us institutions far exceeding in excellence those of any other people, let us unite in fervently praying that the God of our fathers, the God of our country in all future time, (Oath administered.)

Fellow citizens: Being fully invested with that high office to which the patriotism of my countrymen has called me, I now take an affectionate leave of you. You will bear with you to your homes, the remembrance of the pledge, I have this day given, to discharge all the high duties of my exalted station, according to the best of my ability; and I shall enter upon their performance with entire confidence in the support of a just and generous people.

Washington, March 4, 1841.

THE UNITED STATES AND GREAT BRITAIN. We earnestly congratulate our readers on the information concerning the relations between the United States and Great Britain, which they will find exactly stated in the report of yesterday's senate proceedings. Considering the rumors that have been in circulation, nothing could be more interesting to the whole country at the present moment than these disclosures to the senate, unless perhaps it be the

chart of the principles of the new administration which may be expected in the inaugural address of the president elect.

We learn from the statement of Mr. BUCHANAN that, in regard to the boundary question, the governments of Great Britain and the United States have agreed upon the main points of a convention for the final adjustment of that question; and that in the opinion of the executive, there is every reason to look with entire confidence to a prompt and satisfactory termination of the long negotiation upon this question.

We learn, further, with great pleasure, that there is no foundation for the rumor that an angry correspondence has recently taken place between Mr. Fox and Mr. Forsyth, or any correspondence, the character of which would justify a call for its publicity.

The remarks of Mr. CLAY, whose wisdom and experience in our foreign relations stamp every thing he says on that subject with a more than common impress, are no less popular than acceptable. Happy must it be accounted that upon this very interesting and important matter, the leaders of the party coming into power and of that which is about retiring, entertain opinions upon it between which there is hardly a discernible shade of difference.

The statement of the chairman of the select committee on foreign relations, the reader cannot fail to perceive, has all the effect of a counter-blast to the martial appraisal of the other day by the distinguished chairman of the committee on foreign relations in the other house. The effect, mark! We do not say the intention, as we are not in the confidant of the honorable senator from Pennsylvania or of the administration whose confidence he enjoys.

[Nat. Int.]

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL.

In senate, Thursday, January 14

Mr. SUTTON of Indiana, said: While the original bill granting pre-emption to actual settlers was the only question before the senate, I felt no desire to take any action since the amendment proposed by the senator from Kentucky, to the amendment to that proposition submitted by the senator from South Carolina, have fairly brought before the senate for discussion the whole subject of the public lands, and I feel that I have no right to interpret or misinterpret me to take some part in the debate. And, sir, permit me to say that I enter upon this discussion with the more pleasure, because I have not the least idea that the question will be settled at this time, and I feel that I have no objection to any willing but anxious that my sentiments should be fully known by the people of my state before the next session of congress, during which I hope to see the whole subject amicably and finally arranged; and I feel that I have no objection to present, on this occasion, and upon all other subjects, both the interest and wishes of my state, and to those wishes and that interest I will at all times, on all questions of expediency, conform my own action here, so that I may be able to say to the people of my state that I consider the bill and the proposed amendments as bringing the whole subject before the senate; for, sir, I cannot agree with the senator from Missouri that they are unnecessary, I cannot agree with the senator from Virginia that they are unimportant, nor for argument and legislation. The whole subject may well be arranged in a single bill; and as the basis of such a bill must include the principles of the original proposition, I am inclined to think it proper that it should be discussed with the original proposition.

Previous to the views which I intend to submit upon this subject, the senate will pardon me if I notice the curious remarks of the senator from Arkansas, (Mr. Sevier), who has just taken his seat. He has said that the "union of the two common-sense views of the relation between cause and effect, has just told us that the in coming party need do nothing to meet the expectations of the people; that it must bring up and support new measures; that it could not let it down in the seats of the people, and say that it was satisfied with the measures which have been adopted." He has said that the measures under which the government has been administered were hostile to the interests of the people, and says that the "in coming party are numbered; the days of the in coming or Harrison party are numbered—it will go out at the end of four years by a larger majority than it came in. I entirely concur with the senator in his position, and think him far too honestly and candid for the admission he has made, and he has honestly made the ground of the safety of the nation, and of the people, and

result of the political campaign in the minds of some senators, and especially in that of the honorable senator from Missouri, (Mr. BEXTON), who declared, a few days ago, that the result was a mystery he could not understand. The senator from Arkansas perfectly understands it, and I concur with him that, if the incoming party pursues the same line of general policy that was the ruling policy of Mr. Van Buren, its days will be numbered; that it may or may not be ruinous. The people have adopted that policy; they have willed that those who supported it shall no longer fill the highest offices within their gift; they have willed that a different policy shall prevail; they have willed that their government shall have the purpose of carrying out different policy; those agents stand pledged to do so, and it would be a direct violation of faith to the people to refuse to conform to their will. It would be such a breach of faith as ought to number the days of those who should presume upon such a dangerous experiment. I trust, however, that there is no cause for alarm from any quarter on this subject. I merely notice the remark of the senator to say that I heartily concur with him, and, so far as I am concerned, the charge shall have no application.

Another remark of the senator I must briefly notice, in which I am not so fortunate as to concur. I understood the senator to say that the senators from the old states had uniformly voted against the pre-emption of the new states in which they held any interest.

[Here Mr. SEVENROSE said he had made several exceptions.]

So I understood the senator, but I do not feel disposed to let the remark pass, even with the exceptions, as I do not think it does justice to the senators from the old states, as they are called. How many senators compose this body, sir? The answer is fifty-two; of that number only eighteen are from the old states, so call them. Well, sir, does not the senator consider both the pre-emption and graduation bills western measures? And how could the new states, with their eighteen members, have passed any bill on either of these subjects without the aid of the senators from the old states? And still these bills have again and again passed the senate with the votes of senators from the old and new states. And, sir, I cannot let the occasion pass without doing to senators from the old states justice, so far as it is concerned in this subject. I have the honor to have been a member of this body, let the kind and support of many of the senators from the old states on subjects of vital importance and deeply interesting to any state, which a most able representative could come from the southwestern states, designated as new states. It affords me great pleasure to except from this remark the senator from Arkansas. So, sir, as one of the representatives of one of the new states, I claim to participate in the application of the remarks of this senator.

The senator from Arkansas also intimates that the new states would soon be strong enough to make their own laws on this subject, without the aid of the other states of this union. This he thinks may take place by the year eighteen hundred and fifty. The senator from South Carolina (Mr. CALHOUN) also predicted a portion of his remarks upon the same hypothesis. Here again I am compelled to take issue with the position assumed by those senators. It seems to me that the senators overlook a most important fact in order to arrive at their conclusions; that is, that the states are becoming old faster than new; or, in other words, that the old states are increasing in number faster than the new ones. Use the words "old" and "new" in their confined acceptance. If the senators consider all new states that have been, and that may be, admitted into the union since the adoption of the federal constitution, and the rights of the states in the matter may be made to their advantage; they refer to states having a border interest in common, growing out of their frontier situation, and the quantity of public lands within their limits. In this sense, does it not strike the senator that the increase in the proportion? and that the power to control legislation on this subject must ultimately, unless settled soon, lie with them? It looks so to me, and I have been no argument to shake this view of the case. How stands the case with Ohio? How with Indiana, say, Indiana, that but a few years ago was upon the extreme frontier. The former no longer claims to be a new state; and the latter, so far as the land question is concerned, may be said to belong to that class of states. Others are following rapidly; and in a few years will all the present great states in the valley of the Mississippi be in the very centre of the union of old states, and not even a vestige of the subject. It is, then, wise in the senator in the extreme frontier of

the states called the new states to raise any question founded upon local considerations exclusively, on this great land question? I submit these remarks in a spirit of kindness, for these senators, or, at all events, those who have ever stood there when the interest of their states was in question. But, sir, I must be pardoned for saying that I never bear these local and discriminating questions agitated here or elsewhere, when they can possibly be avoided without a deep sense of the impropriety of the course. Let us remember that we are brethren of the same family, embarked in the same vessel, bound to the same port. Let us never forget our motto, "United we stand, divided we fall." Let us must have the same feelings, the same interests, the same patriotism from the same race, united together by the same patriotic love of country, acknowledging the same Supreme Being, and cherishing the same free constitutional form of government, should we not have full confidence in each other, and should we not avoid every thing calculated to excite angry feelings or engender sectional hostilities? It may not become us to lecture other senators on this subject, but I shall rest my defense on the importance of the subject and the impression it has made on my mind. I will digress no further, but take up the subject under consideration, as I had originally intended before I was decoyed from the path by the remarks of the senator from Arkansas, which I have just noticed.

While we differ upon many points connected with the land question, we all concur in the magnitude of the subject, and its great importance. There is another point in which there is general concurrence, and that is, the propriety, nay, more, the necessity, of settling the whole matter as soon as it can be done satisfactorily to all. Upon the magnitude of the subject and its consequent connection with the legislation of congress, and the diversified interests of the states in all their varieties, the senator from South Carolina commented at large; and, as I do not design travelling over the same ground that other senators have occupied, when I concur with them, I will content myself by reading an extract from the report of the committee on public lands, to which the bill of the senator from South Carolina has been committed. This extract will show the quantity of the public lands over which our legislation extends, and the magnitude of the subject. It will also show the recollection of senators when I allude to it in my subsequent remarks. The report says:

"It appears from a report of the commissioner of the general land office (see document 46, 34 session, 25th January 1841), that the whole quantity of public domain on the 30th December, 1838, to which the Indian title was not extinguished, amounted to seven hundred and sixty six millions in round numbers. There were at the same time, as appears by the same report, in the states and territories three hundred and nineteen millions of acres to which the Indian title was extinguished; making the whole public domain in the aggregate at that time to be ten hundred and eighty-five millions of acres. By table marked A, herewith annexed, it appears that, on the first of January last, there were in the new states one hundred and fifty-four millions of acres to which the Indian titles were extinguished, and nine million five hundred thousand acres to which the Indian title was not extinguished. There were in the aggregate one hundred and sixty-three million five hundred thousand acres. From this deduction for disputed grants, many of which are large, to which the right of the government may not be established, and the small number of acres which would leave one hundred and sixty millions subject to the operation of this bill, (Mr. CALHOUN's amendment); being less than one-sixth of the whole public domain."

Who can read the above extract, and not see the immense magnitude of the subject under consideration? I listened to the senator from South Carolina, (Mr. CALHOUN), while portraying the importance of this great subject, with the attention due to that subject, and I said to myself—let me try to hear the whole argument; and, sir, I had the pleasure of concurring most fully with that senator up to the point of his argument where he declared that the pre-emption, graduation and distribution plans all will abort of the desired object of settling the question upon the terms of compromise upon which I desire to see it placed; and urged as the only panacea, or remedy for the disease, his amendment tending to the effect in which they use the words "within their limits, upon certain terms and conditions." I thought I was compelled to leave the company of the senator. I could not concur with him in either of his positions; and, sir, I confess that I was surprised to find that the senator declared that his amendment, or bill, was calculated to close the whole subject. Why, sir, does not the senator see that it falls great-

ly short of meeting the desired object? Can he shut his eyes to the fact that the garment he has made is entirely too small for the body he designs to put it on? His bill applies to the land lying in the new states alone, one hundred and sixty millions of acres; while the whole quantity of the public lands is over ten hundred millions of acres, as shown by the report which I have read.

The great object of the senator, as he has declared, are to get rid of this agitating question in congress, to withdraw executive patronage, and, finally, to settle the land question. How will the bill of the senator effect these desirable results? As I have said, the bill extends to one-sixth of the public domain; the other system, with its pre-emption, must still be kept up; congress will have just as much legislation, and the patronage will be about the same as if no such bill had been passed. But, sir, I forbear to push the argument on the senator's bill further at this moment, as I shall have occasion to examine it in its proper order in the course of my remarks. Our land system has been justly eulogized by senators on all sides of the chamber. When we compare it with the systems of other countries; how high does it stand in the comparison; or even contrast it with the manner of the disposition of the public lands, by granting large tracts, upon credit, to individuals or companies, as was first proposed by the senator from Arkansas, which does our present system stand. Still it is becoming too great in magnitude, too extensive in its demands upon the legislation of congress, intimately too much connected with the various affairs of the nation. There is a feeling, a general feeling, a desire to make changes, either in the manner of the administration of the lands or in the disposition of the funds proceeding from their sales. The debt of the revolution has been extinguished, the lands ceded by the states have been liberated from that charge, and a new state of the question has been presented by these considerations.

I propose to notice the different propositions that have been made for the disposition of these lands in as brief a manner as I can, and show how they stand. At the commencement of the last congress of the administration of Mr. Adams, I took my seat as a member of the house of representatives. At that time the questions of graduation and pre-emption were the favorite topics of discussion. Well, sir, pre-emption laws, in some shape, have been passed from that day to this, and we now have one before us differing somewhat in character from any former law, of which I will speak hereafter. Well, sir, the graduation bill has been passed, and very different from the pre-emption bill. The session of congress has been held without discussing or acting upon a graduation bill in some shape or other. Gen. Jackson came into power on the tide of unbounded popularity; his friends were devoted to his person, and his policies were followed with measures with great unanimity. He was most decidedly in favor of graduation; he held it up, as did his adherents, in the west as the antagonistic measure to the distribution principle as carried out in Mr. CLAY's land bill; and when the president defeated that bill, he proclaimed graduation as the proper measure. Well, sir, he held the station for eight years; and at the expiration of his term Mr. Van Buren came into power. Like his predecessor, he, too, recommended graduation; the secretary of the treasury favored it as a financial measure; his patrons in the west held it up to the people as an administration measure. At the last session of congress the bill passed the senate about the same time the pre-emption bill was introduced. The graduation bill, the pre-emption bill passed, and the graduation bill slept on the table. There was power enough to pass the sub-treasury bill and the pre-emption bill, but the graduation bill was forgotten. Thus, sir, twelve years ago, when the senator from South Carolina and Mr. Van Buren, have passed away, and the graduation bill stands precisely where it did when I came to congress first. From this I am led to believe either that there never was any serious intention of passing it, or that it was merely held up to the gaze of the people as the opposition measure to distribution for the purpose of defeating the latter measure; or the people were opposed to it, and the dominant party knew it and were afraid to pass it. Let me say to senators now, that I have not the least idea it ever will pass, unless it shall be connected with the pre-emption and distribution principles, upon terms of compromise of the whole subject.

The objects of the senator's proposed graduation bill are, first, that it settles the land policy; secondly, it reduces the price of the real estate of the country; thirdly, the principle of graduation, by the time the lands have been in market, is arbitrary and unjust, and it is a principle which would make lands which have been long in market still find purchasers at the minimum price of one dollar and

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foreigners overruling or injuring the government, by their votes or otherwise. Still, let me tell senators that this is not the class of men from whom danger is to be apprehended. These are honest, hard working, industrious men, who support themselves and their families by their own labor, and who intend to tend to their own business, and not the concerns of the public; they are not the class of political foreigners who hang around our sea-ports and the suburbs of your large cities, making politics their trade, preaching agrarian and free-trade doctrines in the streets, and begging for alms, and looking for protection at night—the levetters down, because they cannot level up. Men who do not betake themselves to honest callings for a livelihood, and who are the enemies of those who do; these are the men you may fear. These are the foreigners who come to settle into the western country, and to grow on a piece of wild land, commence his little improvement, surrounded and aided by his wife and children, you may rest satisfied that you have nothing to fear from him; he is of the useful class of foreigners that stimulates the progress of the country, and that prompts him to acquire property will induce him to protect and defend it. The other class are not affected by pre-emption laws, for they would not cultivate and improve the new lands if you would give them the privilege free of cost. I have seen many of these men, and I have seen them in the courts; I have never seen one of them claiming pre-emption privileges. The other class usually apply for the benefit of our naturalization laws, and become citizens at the earliest period possible; they are good members of society, and I desire to give them all the protection and aid consistently with the provisions of the constitution.

During the discussion of this question, the argument was pushed further than was called for by the speaker, who, in the first place, was not asked to defend, or rather sprang upon us, one of which, being an important one, I am not disposed to let pass without a brief notice. It has been contended that the right of citizenship is not a privilege conferred on citizens, or, in other words, citizenship on foreigners, notwithstanding the constitution of the United States on that subject. Others have contended that the power of naturalization is not a privilege conferred on the power of passing naturalization laws on the part of congress. I heard these opinions advanced by distinguished senators, and I confess I thought at the time that the speaker was not to be depended for the first of these positions were clearly and wholly unstates; and that those who admit the power is in the states, in the absence of the exercise of the power by the states, would be obliged to admit that that could not be maintained. I supposed the whole power to be exclusive in congress, and that in no case, under no circumstances, could the states, or a high authority, (Story on the constitution), that I was right. I will read to the senate what that learned commentator says on the subject.

"The priority of confiding the power to establish a uniform rule of naturalization to the national government seems not to have occasioned any doubt or controversy in the convention. For aught that could be said against it, it proceeded without objection. Under the Confederation, the increased the state authority to exercise the power, as the dissimilarity of the system in different states was generally admitted as a prominent defect, and laid the foundation of many delicate and intricate questions. Under the Constitution, all citizens of each state were entitled to all the privileges and immunities of citizens in all the other states; it followed that a single state possessed the power of forcing into every other state, with the enjoyment of every immunity and privilege, any alien whom it might choose to receive. In its own society, however repugnant such admission might be, it had no convenience and even prejudices. In effect, every state possessed the power of naturalizing aliens in every other state—a power as mischievous in its nature as it was indiscriminate in its actual exercise. In the formation of the new constitution, it was deemed proper to confer the rights of citizenship in some one place where certain requisites were required. And, therefore, incapacitated for the possession of certain rights by the laws of the latter, ought, by a previous sentence and naturalization in the former, to be at pleasure all their salutary regulations self-imposed. It was also deemed consistent with equal truth and justice, that it was owing to mere equality that the exercise of this power implied the confederation did not involve the union in the most serious embarrassments. There is great wisdom in the power to confer the right of naturalization throughout the United States. It is of the deepest interest to the whole union to know

who are entitled to enjoy the rights of citizens in each state, since they thereby, in effect, become entitled to the rights in citizens of all the states. If aliens might be admitted indiscriminately to enjoy all the rights of citizens at the will of a single state, the union itself might be endangered by an influx of foreigners hostile to its institutions, ignorant of its powers, and incapable of a due estimate of its privileges."¹¹

"It follows from the very nature of the power that, to be useful, it must be exclusive; for a concurrent power in the states would bring back all the evils which the framers of the constitution sought to remedy by the constitution as designed to remedy them. And, accordingly, though there was a momentary hesitation, when the constitution first went into operation, whether the power might not still be exercised by the states, it was soon decided by the congress so far as the legislation of the latter extended, as the supreme law; yet the power is now firmly established to be exclusive. The Federalist, indeed, introduced this very case as entirely clear, and the only one which admitted of no possible implication, arising from the repugnancy of a similar power in the states. 'This power must necessarily be exclusive,' says the author, 'because if each state had power to prescribe a distinct rule of law, it would be a source of confusion and anarchy.' Mr. Sima's speech to be concluded in our next."

TWENTY-SIXTH CONGRESS—2d SESSION.
 SENATE.

February 23. Most of this day was taken up in the presentation of memorials.

Mr. Benton submitted a resolution directing the secretary of the senate to pay out of the contingent fund to each messenger of the office of the secretary, three dollars per day, and to the assistant messenger and laborers two dollars per day, in lieu of all dues.

Mr. King thought this a decidedly preferable mode: it was fixing the recompense of these people on some fixed basis instead of voting additional pay at the last hour of the session, as had frequently been the case. It was advisable to fix the matter definitely; and while he was averse to voting additional compensation at the close of congress, he was for paying those worthy public servants a liberal but not extravagant compensation. He moved that it be sent to the committee on the contingent expenses: which was agreed to.

The bills heretofore noticed as having been ordered to be engrossed were severally read a third time and passed.

On motion of Mr. Merrick, the bill for chartering the banks of the District of Columbia was taken up, and amended by Mr. Clay, of Alabama, and Mr. Wright; when Mr. Tappan moved to strike out all after the enacting clause, and insert as an amendment a bill embracing the following features:

Every stockholder shall record his stock in the clerk's office, the schedule of the same to be published every three months in the newspapers of the District; every sale and transfer to be placed on record and published within ten days.

To issue no notes of less than \$20, under a penalty of five hundred dollars.

Making the passing of any note by any individual, of less than \$20, liable to a forfeiture of double the amount of the note.

That if any person shall establish a bank and issue notes as money, without means of redeeming the same in current coin, he shall be deemed guilty of a misdemeanor, and on conviction shall be imprisoned not less than three nor more than ten years.

Mr. Tappan spoke in favor of the principles of his amendment, and against banking generally, until a late hour, when he gave way for a motion to go into executive business; after which the senate adjourned.

February 24. Mr. Pierce, of New Hampshire, presented resolutions from that state, on the subject of appointing the same day throughout the United States, for the choice of presidential electors.

Mr. Bates, of Mass., presented resolutions of the state in relation to the claims of American citizens for French spoliations on commerce, prior to 1800.

After acting on various private bills, the senate proceeded to the discussion of the bill to revive and continue in force the banks in the District of Columbia, when Mr. *Toppan* rose and concluded his remarks. The question having been taken on his

On motion of Mr. Tappan, the committee on Indian affairs were instructed to inquire into the expediency of making an appropriation for the removal of the Wyandott Indians from the state of Ohio.

Mr. Buchanan said he was instructed by the committee on foreign relations to move to be discharged from the consideration of the resolution which had been referred to that committee, "requesting the president to communicate to the senate, if not incompatible with the public interest, any correspondence which may have taken place between this government and that of Great Britain, relative to the northeastern boundary not heretofore communicated to the senate."

He would state, with as much brevity as possible, the reasons which had induced the committee to believe that it would be looked upon at the present moment, to publish the correspondence to which the resolution referred.

It would be recollected by senators who had directed their attention to that subject, that, in consequence of the correspondence already published between the two governments, and to which he need not particularly refer, it became the duty of Great Britain to submit to our government the project of a convention for the settlement of this long disputed boundary question. This duty had been performed by the British government in the month of May, 1839. The president did not approve of this proposed convention, chiefly because it contained no ultimate provision by which war, inevitable and final, to determine the controversy between the two countries. Indeed, from its character, it was quite probable that, had it been adopted, it would not have produced this result, so much to be desired; and the president was finally convinced that it was an end to the delay—the state of mutual irritation existing along the border, and the imminent danger of actual collision—that the interest of both parties imperatively demanded the adoption of such treaty stipulations as must necessarily make an end to the question.

The British government had since unconditionally coincided with the president in these sentiments; and the two governments had already agreed upon the essential points of a convention based upon these principles, and already advantages and honor had been secured. There were still some provisions of this convention of comparatively minor importance, and involving detail rather than principle, which had not yet been agreed upon; but if it were the sincere wish of both parties to advance it, it was, to arrive at an amicable conclusion, the negotiation must soon be successfully terminated. Under these peculiar circumstances, the committee believed that it could do no good to either party, whilst it might embarrass the government, to publish to the world the correspondence and the different projects and counter-projects of treaties which had passed between them.

Mr. B. said that his official position in the senate had afforded him frequent access to this correspondence. He had examined it with care, and would now frankly state the impression which it had made on his mind. Although he would not pretend to say that there were no omissions of war in the conduct of the British government on our northern frontier, yet this he should assert with much confidence, that in the negotiation itself relative to our northeastern boundary, nothing had occurred inconsistent with the sincere and anxious desire which had always been professed by that government to preserve peace, which now so happily subsisted between the two countries, and to bring the question to a final and satisfactory conclusion. Probably this expression might be too strong, and that he ought to have qualified the general truth by saying, except during the delays we had experienced from the tardy movements of the British government at every stage in the progress of the negotiation. Still he felt himself justified in using, at the present moment, the language of the president in the opening of the commencement of the session, that, "from the character of the points still in difference, and the undoubted disposition of both parties to bring the matter to an early conclusion, I look with entire confidence to a prompt and satisfactory termination of the negotiation." He had reason to believe that such were still the anticipations of the president in regard to the northeastern boundary question.

Mr. B. said that, on the present occasion, he should purposely refrain from the expression of any opinion in regard to the case of the steamboat *Caroline*. This was unnecessary, by the fact that all the correspondence in relation to that case, of every general importance had already been published, and each senator had the same means of forming an opinion which he himself enjoyed. There was no truth whatever in the rumor now so current that there had been an angry correspondence between

the British minister and the secretary of state since the date of the last correspondence between them, now before the public. There was no foundation for this rumor. It was true that, since that time, a single note bearing upon the subject had been addressed by Mr. Fox to Mr. Forsyth, which the latter had answered; but this note and answer were of such an unimportant character, that he did not deem it necessary to call for their publication, and their tone was far from being of any angry character.

Mr. Clay made a few brief remarks, understood in his sense to be that, in his position with the committee on foreign relations, he derived it to have been from the vice president, it might not be amiss in him to say a few words in relation to the subject. The questions in immediate dispute between the two countries were the northeastern boundary, the affair of *Caroline*, the case of *McLeod*, and certain seizures on the coast of Africa. The most important was doubtless that relating to the northeastern boundary. Reference had been made to an arbitration that was to be definitely the question, and all the principles that should regulate the composition of the arbitration had been settled on, except some minor points of detail. With regard to the *Caroline*, there had been some delay in answer to the demand of our government whether he captured within our jurisdiction had been previously authorized or subsequently sanctioned.

As to the case of *McLeod*, a good deal depended on what the government of New York should do in making his opinion, there ought to have been some attention by the executive to the proper authority in New York of the necessity of affording to the accused a fair and impartial trial; and to his person, he should be acquitted, per se, security.

If it could be obtained where he was, he should be brought to a part of the country, where strong prejudice did not exist, and where the safety of his person should be put beyond all question. He thought it probable that New York would take some view without suggestion from any quarter. He hoped he might have a full and an impartial trial, such as it was the duty of the country to have guaranteed to him.

With respect to the African captives, he did not think the correspondence had taken place between the two governments under no circumstances would this country submit to the right of search.

Mr. C. gave it as his decided opinion that the state of the correspondence between the two countries was not such as to require a special mission. The president there would be able to do all that would be necessary in the premises without difficulty, and that he thought without delay.

Each (in an undertone). I am sorry to hear that, I expected to be your secretary of legislation. Mr. Clay bowed.

After all, (said Mr. C.) I have not yet begun to think of the possibility of any immediate war with Great Britain; that time has not arrived yet. But however distant it may be, I would relax no effort to place the country in a proper state of defence. He looked to the absence of all means of floating defence, steam-batteries, &c. with the deepest concern. He thought the government should apply all its energies to place the country in such a state of defence as would prepare it to meet any possible emergency that might arise.

Mr. C. expressed his belief that both governments desired peace; that it was essential to the interests of each, and that if war did come, it would not be from the will of the governments, but from collateral causes, over which they would have no control.

The committee was then discharged, according to the motion of Mr. Buchanan.

Mr. Phelps, from the committee on Indian affairs, stated that the committee had had under consideration a memorial in relation to the Seneca Indians. The committee have an opinion to express on the subject in due season, but as they have understood that no opposition is to be made for this session, he was directed to move that the memorial be discharged from the further consideration of the memorial. The motion prevailed.

Mr. Culbertson said that on the resignation of the late senator from Massachusetts, (Mr. Webster), he had charged to the senator read opinions on the subject of southern institutions. This had led to a discussion, in the course of which he (Mr. C.) had pledged himself to prove certain points. The most important point was, that Mr. Webster had charged that Congress had the power to prohibit the slave trade between the states. The next point was, that the legislature of Massachusetts had maintained the same doctrine, and quoted the opinions of that senator (Mr. Webster) to sus-

tain them. He had pledged himself to produce the document to support and justify the charge.

Mr. Phelps rose to a point of order with some reluctance. There was no question before the senate, and he was not aware that the discussion could lead to action of any sort.

Mr. Culbertson said the senator from Vermont should not have taken him at the outset of the discussion on the previous day. The senator did not then stop him. He had pledged himself to produce the proof of the charge which he then made, and he insisted on his right to establish the position which he then made.

The president said the discussion was not in order according to the strict rules of parliamentary proceedings; but it had been the usual practice of the senate to permit such explanations as were necessary to vindicate gentlemen in a course they thought proper to pursue.

Mr. King said there was no rule to warrant the proceeding, and he regretted that the discussion should have arisen. But the senator from Georgia (Mr. Calhoun) had made a statement which had been called in question, and he had a right to justify himself. No case had ever occurred in which this courtesy had been refused to a senator. In the ordinary business of the senate, it was necessary to enquire into the conduct of a senator, and a senator claimed a privilege of this kind, it was uniformly accorded to him.

Mr. Preston hoped the point of order would be withdrawn. It was due to the senator from Georgia that he should have an opportunity to put himself right before the country.

Mr. Phelps said an apology was perhaps due from him for making the point of order. He was absent at the time of the discussion. If he had supposed that the senator from Georgia considered himself implicated in any way, he should not have intervened. That senator, under the circumstances, had a right to be heard on that floor, and he withdrew the point of order.

Mr. Culbertson desired the clerk to read an extract from a paper which he sent to the desk. It purported to be a memorial, drawn up by a committee of which Mr. Webster was a member. The memorial expressed the opinion that congress had the power to prohibit the slave trade between the states.

Mr. Culbertson then animatedly upon the remark made by Mr. Clay, complimentary to Mr. Webster, and spoke of three great events in the history of the two governments, which had taken place in opposition. The first crisis was the late war with Great Britain—Was there then any unity of action between the two senators?

The next crisis was when the southern underlook to resist the protective tariff. The gentlemen had divided on that question. The gentleman from Massachusetts had gone against the compromise—When it was compromise or war, that gentleman had sternly refused his assent to the measure.

The third crisis was when the senators of the north were pressing the subject of abolition upon congress. Then the gentleman from Massachusetts was opposed to the senator from Kentucky. When it was all important to have a unanimous vote of the senate, the discordant voice of the gentleman from Massachusetts was always heard in opposition to the majority.

Mr. Clay regretted extremely that he had been called out in this way. The discussion of the other gentleman was not a subject for every member of that body, with the exception of the senator from Georgia. He agreed with the senator from Vermont (Mr. Phelps) that it was all out of order. There was no necessity to create an occasion for the discussion of the subject of slavery. The gentleman from Massachusetts was soon to be nominated to that body, and then would be the proper time to bring out all the opposition to him. But the senator from Georgia had appealed to the courtesy of gentlemen, and he (Mr. Clay) was not willing to refuse the request.

No error could be greater than to judge of human character by a single act, a single sentiment or opinion. We were not to expect perfect coldness in every thing that should be practiced.

Mr. Culbertson then addressed the chair.

Mr. Clay said: I cannot be interrupted, Mr. President. I will not permit an interruption. The practice is much too common, and especially at the other end of the hall. I have a great deal to say, and I will have ample opportunity to reply when I have concluded. What was the question—what the subject of difference in the discussion? The senator from Georgia alleges that the distinguished gentleman from Massachusetts has expressed the opinion that congress had the power to regulate the trade in slaves between the states. On this subject great diversity of opi-

nion exists. The power to regulate did not imply the power to prohibit. Congress possessed the power to regulate foreign commerce, but it had no right to prohibit it.

But the senator from Georgia had adverted to the fact that he (Mr. C.) and his distinguished friend (Mr. Webster) had agreed on some questions, and disagreed on others. Was this unusual, or singular in itself? The senator from South Carolina (Mr. Calhoun) and the senator from Georgia were now on the same side, had they always agreed? Was the gentleman from Georgia ever a nullifier? [Mr. Calhoun said, no.] No. He (Mr. Clay) presumed there were many nullifiers. He (Mr. C.) was not a nullifier, but he was a man on which those gentlemen differed. The only correct method of judging was to take human nature in the *last ensemble*, and not undertake to determine by a single instance.

The senator from Georgia had referred to three subjects in which he (Mr. Clay) had differed with the gentleman from Massachusetts. The first was the late war with Great Britain. Mr. Webster had regarded that as unnecessary, and in that Mr. C. thought he was wrong. But there was another war—a domestic war—it was waged by General Jackson against the property of the country; and where stood the senator from Georgia in that war? The gallant Webster had contended for the people through this long war, with persevering ability, but the senator from Georgia was on the other hand.

In regard to the compromise act, the gentleman from Massachusetts had been opposed to that healing measure. But how was it with other senators, with whom the gentleman from Georgia was now conversing? The senator from Missouri (Mr. Benton) and the senator from New York (Mr. Wright) both voted against the compromise, but the gentleman finds no difficulty in acting with those gentlemen because they disagreed with him on that measure.

As it regarded abolition, so far as he (Mr. Clay) knew the opinions of Mr. Webster, he was just as much averse to it as the senator from Georgia himself. That there was danger impending, no one would deny. The danger was in ultram. The ultram of a portion of the south on the one hand, and from abolition on the other. It was to be averted by a moderate, but firm course; not being led off into extremes, on the one side, or frightened on the other. Mr. Webster and himself (Mr. Clay) said they differed on some subjects, but they coincided on others; and the senator from Georgia might have referred to an instance in which he himself had voted with Mr. Webster, and in opposition to him, (Mr. Clay.) He alluded to the tariff of 1822. The substance of the charge was, that Mr. Webster and himself (Mr. Clay) had agreed on certain matters, and disagreed on others; and if the senator from Georgia should undertake to compute the several agreements and disagreements, he would have to work out a more difficult problem than a blood of Mr. C.'s the other house, who had tried to ascertain whether Vermont or Kentucky was the banner state.

Mr. Calhoun said there was nothing in the remarks of the senator from Kentucky that was worthy of reply. If the debate on the nomination of Mr. Webster was to be public, there would have been some force in what had been said on that point.

Mr. Rice had not intended to take part in the discussion, but he desired to prevent the possibility of an misconception of the language he had used the other day. He had no real issue with the senator from Georgia in regard to the opinions of Mr. Webster. He had merely said that he knew nothing of those opinions, except what had been stated on the floor of the senate. He would take occasion to say, however, in relation to the proof which the senator from Georgia had produced, that there was nothing to connect Mr. Webster with the doctrines. There was no evidence that he had written, sanctioned, or even seen the report. He (Mr. Rice) had heard Mr. Webster, benevolent as he was, a teacher, and in the presence of an intelligent assemblage of Virginia, avow doctrines of the most patriotic and satisfactory character to the south.

Mr. Rice then adverted to Mr. Van Buren's vote in the New York legislature in 1820 in favor of a resolution asserting the power of congress to prohibit slavery in the new states. Apply the rule which the senator from Georgia has laid down, (said Mr. R.) and how stands Mr. Van Buren? Is he a nullifier, or is he not? Mr. R. hoped we should have no more such presidents. He wanted an American president, with American feelings, such as the man who was to be inaugurated on the 4th of March.

[There was a burst of applause from the gallery, which the president promptly rebuked and suppressed.]

Mr. Rice then referred to the Mississippi case now under consideration by the supreme court, and said Mr. Clay had raised his voice of argument and eloquence against the restrictive regulations which Mr. Van Buren had voted in favor of. Mr. Webster's opinions, expressed in his great speech in reply to Mr. Hayne, concurred with those entertained by Mr. Clay. Subsequent occurrences, however, had satisfied the minds of the south that Mr. Webster's views were sound on this subject.

Mr. Preston said the circumstances connected with the avowal of Mr. Webster's sentiments at Alexandria and Richmond, and said they had given him the liveliest satisfaction. He (Mr. P.) had had some personal agency in bringing out declarations so important to the south and the whole country.

Mr. Walker made a speech of some length in defense of the constitution of Mississippi, which is involved in a case now before the supreme court.

Some conversation took place between Mr. Buchanan and Mr. Preston, when, at the instance of Mr. Wright, the business was changed to the consideration of a civil and diplomatic appropriation bill, when the senate took a recess until 5 o'clock.

Evening session. The senate met at five o'clock, pursuant to adjournment. The bill making appropriation for the civil and diplomatic expenses of the government was taken up in committee of the whole, the question pending being the amendment proposed by the committee on finance to reduce the salaries and fees of public officers and agents—such as collectors of the customs, marshals, district attorneys, postmasters, &c. &c.

Mr. Wright explained the object of the committee in offering the amendments.

Mr. Smith, of Indiana, was opposed to considering the subject of the reduction of salaries in an appropriation bill—a bill that all admitted to be unconstitutional. He was opposed to it, he said, because it was clearly his opinion that the whole subject of the salaries of the officers should undergo revision, and, in many cases, reduction; but he had an hesitation in saying that this was not the proper time and place to go into the subject. It was a whole, and would require the deliberation and much consideration; it was a work for a committee, who could obtain a full knowledge of the whole subject. When the work is done, it should be well done. It should do ample and equal justice to the whole, and not be partial to one side or the other. Mr. Wright said he would suggest to the senator from Indiana to let the amendments first be acted on which were submitted by the committee, and after that a motion could be made to strike out.

Mr. Phelps said that the bill before them was merely an appropriation bill, and every senator must see the necessity that existed for its passage to meet the current expenses of the government. Here, however, within forty-eight hours of the close of the session, was a proposition to connect with it the reduction of salaries. It had been said that some salaries were too large. He was not prepared to say that such was not the fact; nay, he believed in some cases that it was true; but, in his opinion, it was not the time to act on them. The whole subject would require careful review, and much action in framing a bill so as to meet the subject as it ought to be met. The only practical thing was to pass the appropriation bill, and reserve these matters until the next session, when they might all be considered upon with a view to the benefit of the country.

Mr. Benton thought it utterly wrong that high fees and perquisites should be permitted in this country.

Mr. Phelps thought it very extraordinary that gentlemen should just then think of a proposition to reduce salaries. It had been said that some salaries were too large. He was not prepared to say that such was not the fact; nay, he believed in some cases that it was true; but, in his opinion, it was not the time to act on them. The whole subject would require careful review, and much action in framing a bill so as to meet the subject as it ought to be met. The only practical thing was to pass the appropriation bill, and reserve these matters until the next session, when they might all be considered upon with a view to the benefit of the country.

Mr. Walker thought the bill defective. If he understood it the fees of the marshals would be limited to \$6,000. If such were the fact no man in Mississippi could be a marshal.

Mr. Smith thought the bill had better stand as it did.

Mr. Southard was for the retention by postmasters of the proceeds of the boxes; he considered it a contract between postmasters and individuals. Mr. Phelps thought it different. He thought that \$5,000 was ample for the services performed by any postmaster—\$2,000 for the emoluments of office, and the boxes limited to \$3,000. These private boxes were as much a matter of convenience to the public as the public boxes. He did not think there was any danger of money going into the treasury from any such source. If the boxes

amounted to \$6,000, the price would be reduced so as to make only \$3,000, what was proposed to be allowed the postmaster. He thought this whole subject

Mr. Tallmadge argued against going blindfold into this subject at the close of the session. He was for reducing officers to some fair and liberal standard, but not to rush unadvisedly into measures that could not benefit the community.

Mr. Clay, of Alabama, thought \$6,000 enough for any officer; it was as much as the chief justice of the United States received, or any head of a department. With regard to what had been said about postmasters neglecting the community, the intelligent population of the city of New York would soon rectify that matter.

Mr. Preston said this was not the first time that the subject of boxes had been before the senate; he had voted against it before, and would do so again, on the same principle. He thought that the officers in the present case an invidious party business. Large emoluments had been enjoyed for the last twelve years, and why had they not heard of them before? He affirmed that the proposition about reducing the boxes to \$3,000 was to make the government sleeping partners, to come in for a share of the profits with its own agents.

Mr. Linn had voted to increase the salaries of the clerks and officers of the army and navy, when all the necessities of life were increased in price through an increased medium of exchange. It was a very different aspect, and a sense of duty would compel him to vote for the reduction of the emoluments of all officers. Mr. L. occupied the floor for some time and went into several collateral matters touching the pledges of the administration, and in favor of the course pursued by general Jackson and his successors.

Mr. Walker rose to move an adjournment, when the vice president laid before the senate a letter from the president elect, informing the body that he was prepared to take the oath of office on the 4th of March.

Mr. Preston immediately submitted a resolution appointing a committee of three, to be appointed by the chair, to receive the president elect.

The vice president announced his intention of vacating his seat to-morrow in order to give an opportunity for the election of a president pro tem.

A motion was then made that when the senate adjourns, it adjourned to meet at 10 o'clock, which motion was carried. And the senate adjourned.

HOUSE OF REPRESENTATIVES.

Tuesday, Feb. 23. Mr. Calhoun moved to suspend the rules to enable him to offer the following resolution:

Resolved, That, from and after four o'clock this day, all debate in committee of the whole on the state of the union on the bill making appropriations for the support of government for the year 1841 shall cease, and the committee shall proceed to vote upon the amendments that may be offered in the afternoon, and that may be offered to and bill, and shall then report the same, with such amendments as may have been agreed to, to the house; and said bill shall then be the special order, and take precedence of all other business, until the same shall be disposed of by the house: *Provided*, That nothing in this resolution shall prevent the committee from reporting said bill in the house at an earlier hour.

Mr. Fillmore asked Mr. Calhoun to extend the time one hour, so as to take up the bill to regulate the taking of testimony in cases of contested elections.

Mr. Calhoun assented, and modified his resolution accordingly.

The question was then put on suspending the rules, and there appeared in favor of suspending 110; against it 19. And so the miles were suspended.

And the resolution came fully before the house. The previous question was moved and seconded, and was put and carried.

And the main question was then taken, that the house do agree to the resolution, and passed in the affirmative.

And so the debate on the bill making appropriations for the support of government for the year 1841 will cease to-day at 5 o'clock, P. M.

The house then again resolved itself into committee of the whole on the state of the union, and resumed the consideration of the bill making appropriations for the support of government (the civil list) for the year 1841; (Mr. Bell resumed the chair of the committee.)

The pending question was on the appeal taken by Mr. Calhoun from the decision of the chair last evening. The amendment offered by that gentleman was not in order, on the ground—first, that the subject was entirely different from that under consideration; and, secondly, that the amendment was a matter of difficulty for which an appropriation was made in the bill.

Mr. Smith, of Indiana, rose and moved to reconsider the vote taken last evening on the proposition of Mr. Thompson, of Mississippi.

The chairman said that it was not in order to move to reconsider a vote in committee; the question would again come up in the house.

And the question recurring, "shall the decision of the chair stand as the judgment of the committee?"

The question of order was debated at considerable length by Messrs. Alorton, Clifford, Tillinghast, Banks, Underwood, Winkup and Everett. After which the chairman stated briefly the grounds of his decision.

Mr. Tillinghast supported the decision of the chair in a short speech.

And the question being then put, "shall the decision of the chair stand as the judgment of the committee?" it was decided in the affirmative without a division. So the decision of the chair was affirmed.

Mr. Carr Johnson then offered the following amendment:

"Provided, That the district attorneys of the United States in and for the several districts, the clerks and marshals respectively of the same, shall render an account quarterly, each and every year hereafter, to the secretary of the treasury, of all fees, emoluments and receipts of every name and nature whatsoever by them respectively received by virtue of said offices, which account shall be rendered upon oath or affirmation, and shall be sworn before and attested by the clerk or marshals of the district in which they are respectively appointed, and shall be filed with the secretary of the treasury in his judgment may prescribe for the purpose of enforcing the provisions hereinafter named; that is to say, if it shall appear that the salaries, fees and emoluments, and receipts and earnings of any of the said attorneys shall exceed the sum of \$4,500, then such attorneys shall pay such excess into the treasury of the United States for the purposes of government; and if the salaries, fees and emoluments or earnings of any of the said clerks or marshals shall exceed \$2,500, then the excess shall be paid into the treasury of the United States for the purposes aforesaid. And if the salaries, earnings, fees and emoluments of any of the said marshals shall exceed the sum of \$5,000, then such excess shall also be paid into the treasury of the United States for the purposes aforesaid."

Mr. Cushing inquired of the chair whether this proposition was not substantially the same as that which was put last evening?

After a few moments consideration, the chairman said that he had not had time to examine the proposition minutely, but, from looking at it, he thought he saw that it was a proposition to insert as an amendment to the amendment of the gentleman from Mississippi. (Mr. Carr Johnson) on the bill last evening, that portion of the original proviso which was a rack out, almost in the very order of the proviso. It that was so, it was not in order.

Mr. Carr Johnson then offered the following amendment to the amendment:

"Provided, That the fees and emoluments retained by the district attorneys, marshals and clerks shall, in no case, exceed, for the district attorney and marshal, or either of them, the sum of \$6,000 and those for each of the clerks shall not exceed, in any case, \$4,000, the surplus of fees and emoluments to be paid into the public treasury, under such rules and regulations as may be prescribed by the secretary of the treasury, subject to the direction of congress."

Mr. Hunt submitted that this was precisely the same proposition in principle as the proposition struck out last night, which was, fixing a maximum.

The amendment was then offered by Mr. Carr Johnson, Evans, Wise, Clark, Vanderpool, Stanley, Gauger, Green and Cushing.

Mr. Gray then took the floor, and said that he desired to submit some observations, but that, if the committee were prepared to take the question, he was willing to yield his right to the floor.

And the question having been put by the chair, Mr. Gray rose, and was proceeding to make some remarks, but Mr. Gray claimed his right, and the debate was continued by Mr. Carr Johnson, and by Messrs. Green, Clifford, Thompson, of Miss, and Sterrett; (in explanation.)

[The whole debate was directed mainly to questions affecting retrenchment and reform, and the appropriate time and debate of bringing out the policy pursued by the friends of Gen. Harrison.]

After which, Mr. Morgan moved to amend the amendment by inserting a proviso that all the fees over \$6,000 received by district attorneys, marshals, &c. for the last twelve years should be refunded; but subsequently withdrew it, with the remark that, as he supposed very little could be obtained from the gentlemen who had held those offices during that time, he would not press it. Mr. Morgan then moved to amend the amendment by inserting after the word "service" the words "exclusive of clerk hire." Which motion was rejected.

The question was then taken on the amendment of Mr. Carr Johnson, and, by ayes 93, noes 43, it was agreed to.

The house then took a recess until 4 o'clock.

During the recess, at 4 o'clock, Mr. Bell, the chairman of the committee of the whole on the state of the union, resumed the chair, and called the committee to order.

The chairman stated that the question before the committee was now on the motion of Mr. Hunt to strike out the entire proviso.

Mr. Willard asked if the amendments were not in lieu of the motion to strike out the proviso.

The chair answered no; that the amendments had been made by the law of parliament, which permitted a proposition to be amended so as to make it as perfect as possible before the question be put on striking it out altogether.

Mr. Carr Johnson took the floor and spoke upon the subject of reform generally, and as to his own course in particular, in relation to that subject, during the ten years he had served in congress.

Messrs. Graves, Geary and C. H. Williams, made frequent explanations during Mr. Johnson's speech. At 5 o'clock, at 5 o'clock, when under the order of this morning, the debate was arrested, and the committee commenced to vote.

The question was then put on striking out the entire proviso, as amended on the motions of Mr. Thompson, of Miss, and Mr. Carr Johnson, of Miss, house counted by tellers, and there appeared for striking out 57, against it 113. And so the proviso, as amended, stands.

The item for the survey of the coast being under consideration, Mr. Cary moved to amend the same by the addition of the following proviso:

"Provided, That \$20,000 of the same shall be expended under the direction of the president in making an hydrographical survey of the lake coast of the United States."

Mr. Curtis raised a question of order, on the ground that the amendment was precisely like a bill from the senate now pending before the house.

The chair entertained the amendment, but upon a question of order, Mr. Wise and other members, that the appropriation for the coast survey had been invariably confined to the Atlantic coast, he decided that it was not in order.

From the decision Mr. Carey appealed, but the house sustained the decision of the chair.

Mr. Thompson, of Mississippi, moved to amend by inserting a proviso appropriating \$30,000 for the continuance of the survey of the coast of the Gulf of Mexico, which was agreed to.

Mr. Duncan then moved an amendment providing for the arrears of pay of the judge of the eastern district of Florida, which was ruled out of order.

Various other amendments having been moved and disposed of, Mr. John W. Allen, of Ohio, moved the following item:

"For furniture for the president's house, of American manufacture, so far as may be practicable add expedient, to be expended under the direction of the president, in addition to the avails of the sale of decayed furniture, the sum of \$6,000."

Mr. Alfred moved the following substitute: "That, for furniture for the president's house, the president elect be authorized to sell the gold spoons and other such furniture as he may deem extravagant and unnecessary in the president's house, and purchase with the proceeds of the sale thereof such furniture as he may deem proper and useful."

Mr. Duncan inquired if there were any gold spoons in the president's house?

Mr. Lincoln said he did not know that there were gold spoons among the items of the president's furniture. He had understood there were spoons carried after all spoons.

Mr. Morgan desired to know by what authority Thomas L. Durcan, a son of a member, was employed as page to the vice president. The fact appeared by a report of the secretary of the senate of the 17th of December, 1840.

Mr. Duncan denied that he had a son by that name.

Mr. Morgan said he was mistaken in the name. It was Thomas T. Duncan, and the son of the member from Ohio. He cannot deny that.

Mr. Duncan made a reply, but it was not distinctly heard; he was understood to deny that the money had been paid to his son.

The reading of an inventory of the president's furniture was called for, and objected to.

And the question was put, shall the paper be read? and passed in the affirmative.

The paper was then read, by which it appeared that the spoons were silver gilt, that is, silver spoons gilt with gold.

Mr. Alfred then modified his substitute so as to say "silver gilt spoons" instead of gold spoons.

Mr. Graves inquired if the Mr. Noland who had given the certificate or paper which had been read was the whig gentleman spoken of a day or two ago.

Several members answered he was no whig.

The question was then put on Mr. Alfred's amendment, and there were for it 61, against it 66.

The question then recurred on Mr. Allen's amendment.

Mr. H. H. inquired on what authority this appropriation was asked for.

Mr. Allen answered, on the authority of the commissioner of public buildings.

Mr. Krim said that he was a member of the committee on public buildings and grounds, and nothing had passed between the commissioner and that committee on the subject, and that Mr. Allen was not a member of the committee.

Mr. Allen said that doubtless all was very true which had been stated by the gentleman who had not offered the amendment as a member of any committee; it had been usual, he believed, for some friend of an incoming president to make such motion, and he, as the friend of Gen. Harrison, had offered the amendment.

Mr. Graves inquired of Mr. Krim, of the committee on public buildings and grounds, why it was that that committee had not acted in the premises.

Mr. Krim answered that if any thing had been done by that committee, it was to have done so in other, it was the extravagance which had been practiced in the president's house; and it was for this reason that the committee had not recommended any thing for the president's household.

Mr. Allen said that it was not evident that there was political feeling in the question.

Mr. H. H. was prevented from proceeding further under the rule which precludes debate.

And the question was put on Mr. Allen's amendment, and there were for it 90, against it 81.

So the amendment was adopted.

Mr. Leonard, chairman of the committee on public buildings and grounds, moved the following: "For annual repairs of the capitol, attending furniture, water closets, lamp lighting, oil, laborers on capitol grounds, tools, keeping iron pipes in repair, attending guards, gardeners' salary, and top-dressing plants, \$7,632 50."

Mr. L. explained the amendment, and it was adopted.

Mr. Leonard then proposed the following:

"For annual repairs of the president's house, gardeners' salary, horse and cart, laborers, tools, and annual repairs of furniture, \$2,628."

Mr. H. H. inquired if the salary of the president's gardener was included. Mr. Leonard. It is. Mr. Lincoln explained the amendment.

After some further conversation between Mr. H. H. Mr. Leonard and Mr. Stanley, as to the duties and the authority of the committee on the public buildings over the public grounds, the amendment was agreed to.

Mr. Leonard moved the following amendment:

"For completing back buildings, grading grounds, and cutting down the west portion of the new treasury building, and for materials, \$11,188 44."

This was agreed to.

Mr. Leonard also moved the following:

"For fitting columns of the new patent office, finishing roof and stone work, and for materials, \$7,730."

Mr. H. H. inquired if the chairman could tell him how much this building had cost?

Mr. Leonard answered he could not, and then went on to explain the necessity of the amendment. The amendment was agreed to.

Mr. Leonard moved the following:

"For enclosing new jail yard in the city of Washington, \$5,000."

Messrs. Stanley, Everett, Leonard and Thompson, of Miss, made some remarks on the amendment; after which, it was agreed to.

Mr. Leonard moved the following:

"For the new general post office building, 100,000 dollars."

Mr. Williams, of N. C. inquired how much this building was intended to cost?

Mr. Leonard could not answer specifically. The building was existing in contract; but he was not furnished with the particulars.

Mr. Lincoln gave information on the subject.

Mr. Burnard asked Mr. Leonard who made the estimate for \$100,000 for the post office building?

Mr. Leonard answered that the estimate was made by the architect, and was for \$17,000 dollars. The committee had thought \$100,000 would be sufficient for the present year, and had cut it down to that sum. The amendment was then adopted.

Mr. Leonard moved the following:

"For the coat house in the city of Alexandria, \$2,000."

Mr. Stansly said, if it remembered correctly, the committee on public buildings had reported last year that this building had been completed within the estimates. Mr. Lincoln explained.

The amendment was agreed to; yeas 70, noes 55. Mr. Leonard moved the following:
"For pay of stone cutters and other workmen on the new treasury building and the new patent office building, of the sums allowed them by the commission appointed by the president of the U. S. under the resolution of congress of the 20th July, 1840, \$123,923."

The resolution of the last session was read. Mr. Clifford said that this was not a proposition to pay for work never done.

Mr. Leonard asked that the resolution which had been read explained itself.

Mr. Stansly said to the table to have read one of the certificates given under the resolution.

Mr. Lincoln explained fully the nature of the claims proposed to be provided for.

The amendment was agreed to; yeas 59, noes 42. Several items of the bill were then read and passed over.

The items for salaries of ministers to Great Britain, France, Russia, Prussia, Austria and Mexico, were read; when Mr. Mallory moved to strike out "Mexico," for the purpose of sending a charge d'affaires to that republic, that being the grade of mission sent to all the other South American governments.

Mr. Ewing opposed the amendment. Mr. Pickens explained the present state of our negotiations or relations with Mexico, and suggested that it was best not to make the amendment.

Mr. Mallory thought we had negotiated with Mexico long enough about chimin, and it was not worth while to keep a minister there any longer.

Mr. Wise thought this the best time to reduce the outlay, as Mexico had no minister in this country. The amendment was adopted; yeas 51, noes 47.

Mr. Stansly moved to amend the bill by striking out Great Britain, France, Russia, Prussia and Austria, so as to have all foreign governments placed on the same footing; that is, to send charges d'affaires to all of them. Mr. Vanderpoel asked for a division.

The chair stated that the question could be divided, and the question would be first put on striking out Great Britain, and on each of the nations separately.

Mr. Stansly said, if the question was to be taken in detail, he would withdraw his motion.

Mr. Vanderpoel then moved to strike out Prussia. After some remarks from Mr. Pickens, Mr. Vanderpoel withdrew his motion.

The item for compensation of charges d'affaires to the various foreign governments being read; Mr. Mallory, of Va. moved to amend it so as to include a charge d'affaires to Mexico. The amendment was agreed to.

Mr. Pickens suggested to Mr. M. to move an outlay for the charge d'affaires to Mexico.

Mr. Mallory said he would leave that for the extra session of congress.

Mr. Jones moved an amendment:
"For the payment of arrearages incurred to enforcing the neutrality laws on the northern and northwestern frontier, \$5,000." The item was agreed to.

The item for transportation of the mail, 9,280,000 dollars, was read; when Mr. Morgan moved to increase the sum to \$3,320,000. Messrs. Jones, Morgan and Holmes made remarks in relation to the amendment; after which, it was rejected.

After the item for compensation to postmasters had been read, Mr. Underwood moved the following proviso:

"Provided, however, that, in addition to returns required to be paid by postmasters, it shall be the duty of the postmaster at New York, Boston, Philadelphia, Baltimore and New Orleans, and the other several cities of the union, each and every year hereafter, to render a quarterly yearly account to the postmaster general, under oath, in such form as he may shall prescribe, for the purpose of giving full effect to this provision, of all emoluments or sums by them respectively received for boxes or pigeon holes, or other receptacles for letters or papers, and by them charged for to individuals; or for the delivery of letters or papers, or from any place in either of said cities other than the actual post office of such city, and of all the emoluments, receipts and profits that have come to their hands by reason of keeping branch post offices in either of said cities, and of all the sums so received; so that the net amount received by either of the postmasters at either of said cities for such boxes and pigeon holes and other receptacles for letters and papers, and for delivering letters and papers at or from any place in either of said cities other than

said post office, and by reason of keeping a branch post office in either of said cities, shall, in the aggregate, exceed the sum of \$3,000 in any one year, such excess shall be paid to the postmaster general for the use and purposes of the post office department. And no postmaster shall be held to account on any pretext whatever, have, receive, or retain for himself, in the aggregate more than \$8,000 per year, including salaries, and commissions now allowed and limited by law."

The amendment moved by Mr. Underwood, after being read, was agreed to.

The remaining items in the bill were then read; and the bill was gone through with, when Mr. Thompson, of Miss. proposed the following:

"Resolved, That the survey of the coast of the Gulf of Mexico, \$20,000."

The amendment was agreed to; yeas 73, noes 48.

Mr. Cate Johnson then renewed the amendment which he moved this morning, laying restrictions on the amount of compensation of customs house officers, and which was then ruled out of order. He now moved it as a separate and distinct section.

The chair again ruled the amendment out of order, on the ground that it had no relation to any clause of the constitution within the power of congress to make laws as to length for its officers. Mr. Johnson appealed.

Mr. Wise gave reasons to show that a precedent relied upon in support of the amendment was not a valid one, and that the decision of the chair was affirmed without a division.

Mr. Barker then proposed the following:

"And be it enacted, That the secretary of the treasury be, and he is hereby, authorized to pay out of the treasury, not otherwise appropriated, to the collectors, deputy collectors, naval officers and their respective clerks, together with the weighers, gaugers, measurers and markers of the several ports of the United States, the same compensation for the year 1840 which they would have been entitled to receive if the third section of the act of July, 1838, entitled 'an act to provide for the support of the military academy of the United States for the year 1839, and for other purposes,' had been in force during that year, subject to the provisions and restrictions therein contained: Provided, That this act shall apply to such officers only as shall choose to avail themselves of its provisions."

Sec. 3. And be it further enacted, That the secretary of the treasury be, and he is hereby, authorized in pay to the clerks in the custom house at Boston, out of any money in the treasury not otherwise appropriated, the arrears of their salaries from 1832 to 1839, to make the same equal to what they received in the last mentioned year, on the same principle as has been applied in the custom houses at New York and Philadelphia.

Sec. 4. And be it further enacted, That the secretary of the treasury be, and he is hereby, authorized and required to pay to the clerks in the custom house at Philadelphia, such sum of money as, with the amount appropriated by the act of the 31st March, 1839, will make up the arrears of their salaries from 1832 to 1837, the sum to be so paid being first ascertained by the proper accounting officers of the treasury.

Sec. 5. And be it further enacted, That the secretary of the treasury be, and he is hereby, authorized to pay to Charles S. Drake, deputy inspector in the custom house at Philadelphia, such sum of money as, with the amount already paid him in the year 1838, will make his salary for that year \$1,800.

Mr. Tillinghast inquired if the amendment was in order. The chair ruled it out of order.

Mr. Barnard moved the following:

"For continuing the improvement of the navigation of the Hudson river, above and below Albany, to the sum to be applied as before, under the direction of the secretary of war."

The chair ruled this amendment out of order.

Mr. Vanderpoel moved the following:

"And be it further enacted, That the sixth section of the act making appropriations for the civil and diplomatic expenses of government for the year 1823, by which it is made lawful for the franking privilege to be exercised by each member of congress for the period of sixty days before he takes his seat in congress until the meeting of the next congress, and the same is hereby declared to mean the annual meeting of congress on the 1st Monday of December in each year."

The chair ruled the amendment out of order.

The committee, then, (at 8 o'clock, night), rose, and reported to the house, with the amendments agreed to.

Mr. Wise moved the previous question. And, before it was seconded, a motion was made to adjourn.

Mr. Wise inquired if his motion for the previous question would be considered the pending question. The chair answered it would.

And the house adjourned.

Wednesday, Feb. 24. Mr. Andrews, a member of the committee on claims, said he was instructed by the committee to ask leave to submit a resolution to allow per diem pay to such members of the house as were prevented from reaching the seat of government by the first day of the present session of congress, by reason of the great storm which raged for several days before and after that day.

Several members objected. Mr. Jones then called for the special order on the bill making appropriations for the civil and diplomatic expenses of government for the year 1841.

This bill was reported from the committee of the whole on the state of the union last evening, at 9 o'clock, with a number of amendments. Immediately upon which, the previous question was moved by Mr. Wise; which question was pending at the adjournment.

It was announced by the speaker; and on a count for a second, a quorum did not vote; when Mr. Vanderpoel moved a call of the house; and the yeas and nays were counted by the motion.

They were taken, and the result was: for the call 106; against it 42.

A quorum being present, Mr. Morgan moved to dispense with the call; on which the yeas and nays were ordered; Mr. M. then withdrew his motion.

And the roll was called, and 190 answered to their names.

Mr. Clifford moved that all further proceedings be dispensed with; which was agreed to.

The previous question was then seconded, and the main question was ordered to be put; and it was put, separately, on each amendment; and the nine first amendments were agreed to without opposition.

On the 10th amendment, which proposes to appropriate \$30,000 for the repairs of the Potomac bridge, in the city of Washington, the yeas and nays were called for by Mr. Davis, of Indiana, and were taken. The result was as follows: yeas 115, nays 72.

And so the yeas and nays were called for the repair of the Potomac bridge was carried.

Several other amendments were then successively put, and agreed to.

And the amendment to the provision in relation to the compensation of district attorneys, marshals and clerks, was read.

Mr. Ganger called for a division of the question on the amendment, so that the question be first put on that part which establishes the fees of state clerks or the fees of the attorneys, clerks and marshals of the United States, and then on that part which fixes the maximum of compensation for attorneys and marshals at \$8,000, and for clerks at \$4,500 per annum.

The speaker decided that, as the amendment was to strike out a proviso in the bill, and to insert another in its place, the question, under the rule which prohibits the division of a question to strike out and insert, could not be divided.

Mr. Bell stated the proceedings in committee, and said the latter part of the amendment was made in committee as a separate motion, and was a separate and distinct amendment, and ought to have been so reported by the clerk; and the question to concur upon it should be put as on distinct and separate amendments.

A short debate arose on the question of order, in which Messrs. Bell and Drumgoole advocated the right to divide, and Messrs. Wise and Banks opposed it.

The chair, from the explanations given, now decided that there were two separate and distinct amendments, and that the question must be put separately upon them.

Mr. Wise appeared on the ground that it was a single amendment, and could not be divided.

The clerk read the minutes of the proceedings in committee of the whole.

Explanations were made upon the subject by Messrs. Bell, Briggs and Hild.

And the question was put by yeas and nays on the appeal, and there were yeas 98, nays 59. And so the decision of the chair was sustained, and it was decided that there were two amendments.

The question then recurred, and was put, on so much of the amendment as proposes to strike out the original proviso contained within the bill, and which is as follows:

"Provided, however, That the district attorneys of the United States, and for several districts, the clerks and marshals respectively of the same, shall render an account quarterly, yearly, each and every year hereafter, to the secretary of the treasury, of all fees, emoluments and receipts of every name and nature whatever by them respectively

received by virtue of their said offices; which account shall be rendered upon oath or affirmation, and shall be in such form, and supported by such proofs as the secretary of the treasury in his judgment may prescribe for the purpose of enforcing the provisions hereinafter named: that is to say, if it shall appear that the salaries, fees and emoluments, receipts and earnings of any of the said attorneys shall exceed the sum of ——— dollars, then such attorneys shall pay such excess into the treasury of the United States for general purposes of the government. And if the salaries, fees, emoluments or earnings of any of the said clerks shall exceed ——— dollars, then the excess shall in like manner be paid into the treasury for the purposes aforesaid. And if the salaries, earnings, fees and emoluments of any of the said marshals shall exceed the sum of ——— dollars, then such excess shall also be paid into the treasury for the purposes aforesaid.

And inserting that part adopted on the motion of Mr. Thompson, of Mississippi, which is as follows: "That hereafter, in lieu of all fees, emoluments and receipts now allowed, it shall and may be lawful for the United States clerks, attorneys, counsel and marshals, in the district and circuit courts of the United States in the several states to demand and receive the same fees that now are, *in hereafter* may be, allowed by the laws of the said states respectively where said courts are held, to the clerks, attorneys and counsel and marshals, in the highest courts of said states in which like services are rendered; and to other fees or emoluments, except that the marshals shall receive, in toll for summoning all the jurors for any one court, thirty dollars; and shall receive, for every day's actual attendance at any court, fifty cents per day; and for law services, including the composition for mileage, performed by said officers in the discharge of their official duty, for which no compensation is provided by the laws of said states, respectively, the said officers may receive such fees as are now allowed by law according to the existing usage and practice of said courts of the United States, and every district attorney, except the district attorney of the southern district of New York, shall receive, in addition to the above fees, a salary of two hundred dollars per annum."

The result was as follows: For the amendment 176, against it 16.

The question was then put on that part of the proposition moved by Mr. Cuvier Johnson, which is as follows:

"Provided, that the fees and emoluments retained by the district attorneys, marshals and clerks shall, in no case, exceed, for the district attorney and marshal, or either of them, the sum of \$6,000; and for each of the clerks shall not exceed, in any case, \$4,500; the surplus of fees and emoluments to be paid into the public treasury, under such rules and regulations as may be prescribed by the secretary of the treasury, subject to the disposition of congress."

And passed in the affirmative, as follows: yeas 138, nays 53.

Save at other amendments were then read, and agreed to.

The following amendment was then read: "For sundries for completing the custom-house in New York, \$24,321 21."

The question on this amendment was decided by yeas and nays as follows: For the amendment 91, against it 83. And so the appropriation was granted.

The following item of amendment was then read: "For furniture for the custom house at New York, \$8,000."

The question on this amendment was decided by yeas and nays as follows: For the amendment 134, against it 109. And so the appropriation was referred.

The item to appropriate \$700 for the expenses incurred by the collector of New York in the execution of the act for the removal of vessels on goods destroyed by the great fire in December, 1833, was read and agreed to: yeas 76 to 54.

Sundry other amendments as read were then agreed to. And the following item then came up:

"For furniture for the president's office, and for sundries, so far as may be practicable and expedient, to be expended under the direction of the president, in addition to the avails of the sale of decayed furniture, the sum of six thousand dollars."

Mr. Stansfield asked leave to move an amendment to the item.

Mr. Chapman objected. The question was then put by yeas and nays on the item reported from the committee of the whole, and there appeared yeas 100, nays 89. And so the appropriation for furniture for the president's house was made.

Just before the speaker announced the vote on this question, and after the roll had been called,

Mr. Stansfield said: Mr. Speaker, I wish to vote. I did not vote when my name was called, because I was waiting for those who were in their seats, but did not vote. I see I shall wait in vain. I vote *aye*.

The item for repairs for the president's house, attending and keeping the grounds in order, pay of gardener, and repairs of furniture, \$2,628, was read, and the yeas and nays were ordered upon it; but before they were taken, the hour for recess (2½ o'clock) arrived, and the speaker left the chair, and a recess was taken until 4 o'clock.

At 4 o'clock, the speaker took the chair, and at 5 minutes past 4 a quorum not being in attendance, Mr. Andrews moved an adjournment, and the question was put on yeas and nays, and there appeared for the adjournment 4, against it 108.

The house refused to adjourn, but a quorum did not vote.

The speaker counted the house, and reported that 136 members were now in attendance.

The question was then put on the amendment under consideration when the house took recess for dinner, which in state and senate was then appeared for the amendment 112, against it 49.

Further amendments were then read and concurred in—and the item of \$3,000 for the new court house in Alexandria was read, and the yeas and nays were ordered upon it. The result was for the amendment 105, against it 70. And so the three thousand dollars were granted.

The following item was next in order, viz:

"For pay of stone cutters and other workmen on the treasury building and on new patent office building, of the sum allowed them by the commission appointed by the president of the United States under the resolution of congress of the 20th July, 1840, \$12,923."

The yeas and nays were ordered on the amendment, which was taken, it passed in the affirmative.

Next came the amendment reducing the mission to Mexico from a full mission to a charge des affaires.

On the question to agree to this amendment the yeas and nays were, yeas 86, nays 101. So the amendment was rejected, and the mission to Mexico remains a full mission.

[Before the roll was called upon the motion for striking out the appropriation for a minister to Mexico, the previous question pending, Mr. Stansfield asked to be excused from voting, and he was again assigned his reasons. A question of order was raised, but Mr. S. said he would assign his reasons, as he had a right to do. He then said, I ask to be excused from voting because the chairman of the committee on foreign affairs (Mr. Pickens) told us last night that there was no reason that he was aware of why the mission should be reduced. He was opposed to it, and Mr. S. said the opinions of that gentleman on this subject ought to be respected in this house. The chairman also told us, that the executive did not concur in the propriety of reducing the mission at this time—that our relations with Mexico were such as to require a full mission at present. For these reasons I have asked to be excused from voting; and not wishing to trouble the house, I withdraw the motion, and will vote *no*.]

Other amendments of the committee of the whole were then reported by the clerk and concurred in.

And the amendment adopted on the motion of Mr. Andrews (as above), relating to compensation of postmasters, was then read.

The question to agree to it was decided by yeas and nays as follows: For the amendment 152, against it 12. And the amendment was adopted.

Next came the appropriation \$20,000 for conducting the survey of the coast of the Gulf of Mexico westward, and decided by yeas and nays as follows: For the appropriation 97, against it 87. The amendments being now gone through with—the bill was ordered to be engrossed and read a third time; and being engrossed, it was read a third time forthwith by the title.

And on the question shall it pass? it passed in the affirmative. And so the bill was passed, and sent the senate for concurrence.

An adjournment was then moved, (6½ o'clock) which was agreed to.

The question was put and carried, and the house adjourned accordingly.

Thursday, Feb. 25. As soon as the reading of the journal had been concluded, Mr. Chapman moved that the rules be suspended, and that the house go into committee of the whole on the state of the union and take up the bill from the senate to establish an additional land office in Alabama.

Some conversation here took place between the speaker and Mr. Briggs and several members, about an amendment to that part of the journal which sets forth the proceedings on that part of the appropri-

ation bill which relates to the compensation of district attorneys, marshals and clerks. No question was put on the subject. Whilst this conversation was going on, Mr. Crabb and his colleague went to include in his motion the bill from the senate to annex the Cherokee territory in Alabama to the Coosa land district, and for the removal of the land office of said district. Mr. Chapman assented.

The speaker asked that the bill named by Mr. Crabb had not been read or committed.

Mr. Chapman then varied his motion so as to include the reading the first and second time and commitment of the bill.

And the question was put on the motion of Mr. Chapman to suspend the rules for the purposes aforesaid, and there appeared yeas 64, nays 69.

Mr. Jones, of Virginia, moved a suspension of the rules in relation to the resumption of business, and that the house proceed to the consideration of the bill making appropriations for the naval service of the year 1841.

Mr. Lincoln asked Mr. J. to waive his motion for a few minutes that the house might take up and pass the bill reported a few days ago, to declare valid certain patents or deeds heretofore issued for public lands within the limits of the naval service.

Mr. Crabb asked Mr. J. to waive his motion so as to afford the speaker an opportunity to clear his table of the great amount of business which has accumulated upon it.

Mr. Jones pressed his motion, and the question upon it was put, and carried without a count.

The house then resolved itself into committee of the whole on the state of the union, and proceeded to the consideration of the bill making appropriations for the naval service for the year 1841.

Mr. Key, of North Carolina, was called to the chair of the committee.

The bill was read throughout by the clerk, and the committee then proceeded to take it up item by item.

The item *for* increase, repair, armament and equipment of the navy, and wear and tear of vessels in commission, \$1,425,000," was read.

Mr. Silliman moved to increase the sum to \$2,000,000, and gave, at some length, the reasons for the increase he proposed.

The debate on this amendment was continued by Messrs. Jones, of Va., Evans, W. Thompson, Tillinghast, and Proffit. When the latter concluded, the house took its accustomed recess until 4 o'clock, P. M.

Evening session. On the resumption of the house the debate was continued by Messrs. Smith, of Ind., Mason, of Ohio, Cooper, of Georgia, Wise, Mallory, Hoffman, Cushing, Vanderpool, and Smith, of Me. until 8 o'clock.

Mr. Wise moved that the journal of the 24th inst. be amended in that part of which sets out the proceedings on the division of questions concerning with the committee of the whole on the state of the union, on the amendments to the general appropriation bill, relating to the fees and compensation of district attorneys, marshals and clerks. Before the question was taken, the house adjourned.

Friday, Feb. 26. On the resumption of the house, the question occurred on the motion of Mr. Wise to amend the journal, made yesterday, just before adjournment.

Upon this motion a debate of an hour's continuance ensued, mainly on the facts of the case, in which Messrs. Wise, Bell and Donaghe participated.

The speaker, during the discussion, several times gave a statement of the facts as they occurred, and his views of the proper mode of showing them on the journal.

Mr. Morse moved that the proposition to amend lie on the table. The yeas and nays were taken, and resulted as follows: To lie on the table 67, against it 97. The previous question was then moved, ordered, put and carried. And the question was put on the motion of Mr. Morse to amend the journal, and passed in the affirmative: yeas 97, nays 57.

Mr. Andrews, from the committee of accounts by direction of the committee, asked leave to introduce the following resolution:

Resolved, That the committee of accounts be instructed to allow the pay of all such members of this house as may have been unavoidably detained on their way to the seat of government at the commencement of this session, by the storm which occurred about that time, they having left their respective places of abode a sufficient time to have reached the capital in time to have taken their seats on the first day of the session.

Objecting to the resolution, Mr. Andrews moved that the resolution be suspended.

They were suspended by a vote of two-thirds. The resolution then came fully before the house. It was again read; when Mr. Andrews moved the previous question. Which was ordered put and carried.

Mr. *Drumgole* asked the yeas and nays. And, at his request, the rule was read which says that "no member shall vote on any question in the event of which his is immediately and particularly interested."

Mr. *Crabb* asked to be excused from voting: yeas 81, nays 91. The question was then taken on the passage of the resolution, and there appeared, yeas 100, nays 48.

Mr. *Banks* rose, and with much feeling announced to the house that Philip P. Barbour, a justice of the supreme court of the United States, died suddenly at his lodgings at the seat of government, on the night of the 24th instant. After detailing the public and private history of the deceased, and speaking of his many social and private virtues, and of the loss his country, his family and his friends had sustained, Mr. *Banks* submitted the following resolution:

Resolved, That this house have learned, with deep sensibility the decease of the hon. Philip P. Barbour, for many years a member and able speaker of the house of representatives of the United States, and, at the time of his death, an associate justice of the supreme court of the United States, which melancholy event took place suddenly in the city of Washington, on the 24th of the present month, and that as a mark of the respect entertained for the memory of the deceased, this house will adjourn at two o'clock, this day, for the purpose of attending the funeral of the deceased, and that at 4 o'clock of the same day, the members of this hall of the house for the despatch of the public business.

Mr. *Wise* concurred in every thing that was said by Mr. *Banks* of the talents, the virtues and the worth, public and private, of judge Barbour, and his feelings were deeply affected at the loss his friends and his country had sustained—but a night later than he had fallen, and no such notice of his death was taken. He alluded to the illustrious John Marshall, chief justice of the same court. He could not vote for honors to the memory of judge Barbour which had not been bestowed on the memory of chief justice Marshall. He asked his colleague to withhold the resolution, and content himself with the annunciation of the decease of the judge.

Mr. *Banks* spoke a few words in reply, which were not heard at his desk.

Mr. *Steady* asked Mr. *Banks* to modify his resolution so that the house adjourn immediately, instead of 2 o'clock. Mr. *S.* implored that there be no debate on this resolution.

The question was then put, and the resolution was agreed to.

Mr. *Lincoln* asked the house to devote a few minutes to the bill to make valid defective land patents.

No objection was made, and the bill was taken up. Mr. *Lincoln* called the previous question. The bill was then read.

Mr. *Crabb* desired to propose an amendment, and asked Mr. *Lincoln* to withdraw the previous question to enable him to do so, promising to renew it after the question on his amendment should be decided.

Mr. *Lincoln* could not accommodate his friend.

The bill was then ordered to a third reading: was read the third time, passed, and sent to the senate for concurrence.

Mr. *Joist*, of Virginia, moved that the house again go into committee of the whole on the bill making appropriations for the navy for the year 1841.

Mr. *Fillmore* begged that the hour which remained before the recess be devoted to the bill proposed for taking testimony in cases of contested elections.

Mr. *Russell* begged that the hour be devoted to private bills. The question was put on Mr. *Joist*'s motion, and it prevailed.

The house then resolved itself into committee of the whole on the state of the union, and resumed the consideration of the bill. Mr. *McKay*, of North Carolina, was again called to preside over the deliberations of the committee.

The debate was continued on the subject of the navy generally by Mr. *Merriss* and Mr. *Sallottall* until two o'clock, when the committee rose, and the house adjourned to attend the funeral of the honorable judge Barbour, deceased, late of the supreme court.

Evening session. At four o'clock the house reassembled its session in committee of the whole on the state of the union on the navy appropriation bill. Speeches were made by Messrs. *Weller*, *Ellis*, *Leadbetter*, *Dawson*, *Hawes* and *Wick*—the latter gentleman spoke at large upon various subjects connected with the navy, and when he concluded the committee rose, and then the house adjourned.

Wednesday, Feb. 27. Mr. *Joist* said this was the last day, according to the rules, that the house could send to the senate any bill of its own which had not previously passed and been to the senate

and returned with amendments. He therefore, moved to suspend the rules proscribing the routine and priority of business, so far as relates to the several appropriation bills now pending before the house.

The speaker suggested that the better way would be to confine the motion to the bill for the navy.

Mr. *Joist* assented, and modified his motion accordingly, which was concurred in.

Mr. *Joist* then moved the amendment moved in committee of the whole by Mr. *Sallottall*, to amend the item appropriating \$1,425,000 for increase, repair, armament and equipment of the navy, and wear and tear of vessels, by striking out \$1,425,000, and inserting \$2,000,000.

And the question was taken on this amendment by yeas and nays, and resulted as follows: for the amendment 94; against it 80.

So the amendment was adopted, and the appropriation was fixed at \$2,000,000.

This bill was then ordered to be engrossed and read a third time; and being engrossed, it was read the third time and passed, and sent to the senate.

The bill contains appropriations amounting to \$2,000,000.

Mr. *Joist* moved a further suspension of the rules as to the order of business, and that the house proceed to the consideration of the bill making appropriations for the army.

The motion was concurred in; and the house resolved itself into committee of the whole on the state of the union, and proceeded to the consideration of that bill. Mr. *Cushing* was called to preside over the committee.

It was taken up item by item.

When the clerk came to the item—

"For continuing the military road on the western frontier, \$5,000," Mr. *Davis*, of Indiana, moved to insert the following item:

"For the continuance of the Cumberland road through the states of Indiana, Ohio and Illinois, to be equally disbursed among said states, and to be subjected to all the restrictions and limitations of former appropriations, \$300,000."

Mr. *Joist* objected to the amendment as out of order.

Mr. *Davis* said, if Mr. *Joist* would waive the question of order, and let the question be taken on it, he would not say any thing upon the subject; but if the objection on the score of order was pressed, he should be compelled to enter upon its support.

Mr. *Proffitt* took the same ground, and urged earnestly the necessity of the appropriation.

Mr. *Joist* insisted on the question of order, and said that separate bills had heretofore been passed for this road.

Mr. *Cass* thought the chairman of the committee of ways and means was mistaken as to a fact; that the Cumberland road had often been provided for in this way—that is, by way of amendment to other bills.

The chair decided that as the Cumberland road had been constructed under the superintendence of the war department, in the various discussions upon it, its advantages as a military road had been always urged as a reason for its construction, extension and repair; and as appropriations for it had been incorporated in several bills, he decided the amendment was in order.

Mr. *Montgomery* appealed from this decision of the chair.

And the question on the appeal was put, the house was counted by tellers, and the decision of the chair was sustained, yeas 95, nays 81.

The question was then put on the amendment of Mr. *Davis* by tellers, and there appeared for the appropriation 78, against it 85. And so the amendment was rejected.

Mr. *Hunt* moved to insert the following item: "For improving the improvement of the navigation of the Hudson river, above and below Albany, the sum of \$100,000, to be expended as heretofore, under the direction of the secretary of war."

Mr. *Clifford* objected to it as not in order.

Mr. *Hunt* advocated the amendment on the ground that the Hudson river was a great military thoroughfare, and stated that if this river had been improved before the last war more money would have been saved than would remove all the obstructions which exist in its navigation.

The chair, under the 50th rule, which provides that "no motion or proposition on a subject different from that under consideration shall be admitted under color of amendment," decided that the amendment was not in order, as there was nothing in the bill of an analogous character.

Mr. *Hunt* appealed, and supported the propriety of his proposition as an amendment to this bill, principally on the ground that the Hudson river was a great national thoroughfare, and, as such, indispensably necessary in the transportation of troops and every thing else connected with the defence of the country. He adverted to appropriations already made for the improvement of the navigation of this river, amounting to \$100,000. He also stated that his amendment came within the principle set by the chair in the case of the amendment moved by Mr. *Davis*, of Indiana, for the Cumberland road.

The question was then put, and the decision of the chair was sustained without a count.

Mr. *Moore*, of Louisiana, moved to amend the bill by inserting after the appropriation for "arsenals," these words:

"And for removing the obstructions in Red river, under the instructions of the secretary of war, in order to open the communication with and furnish supplies to Fort Tuxson."

And to increase the appropriation by adding \$40,000 thereto for this purpose.

Mr. *Gulbath* objected to the amendment as out of order.

At the request of Mr. *Moore*, the report of the secretary of war, showing the necessity of the improvement of Red river as a means of supplying the military posts on the western frontier with provisions and other supplies, was read.

After the report was read, Mr. *Gulbath* withdrew his question of order.

Mr. *Hopkins* renewed it.

Mr. *Pope*, in a few words, clearly and forcibly illustrated the necessity of the appropriation, both in a military and commercial point of view.

He was well acquainted with the river and the country, (having been governor of Arkansas many years while it was under a territorial government).

Mr. *Hunt* also objected to the amendment as out of order, on the ground on which the amendment proposed by him for the Hudson river was ruled out of order.

The chair ruled the amendment out of order.

Mr. *Moore* appealed, and addressed the house on the appeal, which he forcibly exhibited the necessity of the appropriation; but of its appropriateness in this place, he took the ground, particularly, that it was one of the contingencies necessary to carry on the purposes and business of the government.

Mr. *Cass* considered the amendment intimately connected with the defence of the country, and entirely within the rule, and, consequently, in order.

He also showed the indispensable necessity of the improvement of this river, in consequence of the great number of Indians placed on its upper waters by the government, and the consequent constant danger arising therefrom to the western frontier.

Mr. *Underwood* begged gentlemen to abstain, at this late hour, the session, from unnecessary or protracted debate.

The chair here recapitulated his reasons why the amendment was not in order, and put the question on the appeal; and the decision of the chair was sustained, and the amendment was consequently voted out of order.

Mr. *Grinnell* moved to insert the following item, to come in after the item for armament for fortifications:

"For the purchase or manufacture of repeating fire arms, under the direction of the secretary of war, \$70,000."

Mr. *Waddy Thompson* suggested the propriety of changing the wording of the item by using the words "Colt's repeating fire arms."

Mr. *Grinnell* accepted the suggestion, and modified his amendment accordingly.

Mr. *Thompson* further suggested that the appropriation be increased to \$20,000.

Mr. *Grinnell* did not accept this suggestion.

Mr. *Thompson* then moved it as an amendment, and supported his motion by referring to a senate document, which showed that the arms of Colt had been fully tried and compared with Hall's; he was in five minutes had fired 380 times, with more accuracy than could Hall's, and without the slightest accident. Mr. *T.* added the testimony of col. Harney warmly in its favor, after personal experiment.

He explained the general construction of these arms, and dwelt on the expediency of introducing them into the service of the army. He moved \$10,000 of the proposed appropriation for the construction of the bomb cannon invented by Cochrane, and stated the report of a naval officer in its favor, after full trial. He pointed the improvement introduced into the British army by Cochrane, they had seized upon it, and Mr. Cochrane was now under contract to a large amount for the supply of this species of cannon.

Mr. *Drowsode* objected to the amendment on the ground that, as the bill had been gone through with, it was not in order to go back to make amendments; that the bill must be amended as the committee proposed. The chair decided that the amendment was in order.

Mr. *Smith*, of Maine, referred to the competition between different inventors of repeating fire-arms; he wished the door to be open to them all. The gentleman from S. C. was once strongly opposed to all repeating arms; he has suddenly changed his opinion, but Mr. S. now agreed with him, save in being willing to give the patronage of government exclusively to one individual. Another invention by Nutting had been urged in another part of the capital; Mr. Colt's rifle and a report to its favor had been made by the same board of officers who had testified in favor of Colt's. The revolving apparatus of Colt's arms easily got out of order, and the army in Florida had lost an opportunity of shooting at the most distinguished chiefs of the Seminole Indians owing to this very circumstance. Mr. S. remonstrated warmly against any action of congress in favor of one inventor to the exclusion of all others. Let all be tried and the proper authority decide. He was willing to be tried, but was not an exclusive patronage. He yielded the floor to Mr. Thompson who modified his amendment so as to omit the word "Colt's." He then read several documents in favor of Colt's repeating pistols and muskets, and further urged the importance of the amendment.

Mr. *Smith* resumed.

Mr. *Aford* called for action on the ground that Mr. *Smith* had spoken once already. He hoped the gentleman would not fire at the house on the principle of Colt's repeating arms. [Laughter.]

Mr. *Smith* said he still retained the floor. The gentleman from Georgia had not kept his eye steady on his musket, or he would have taken better aim.

Mr. *Aford* said he could shoot both eyes and hit the gentleman from Maine.

Mr. *Smith* said he could not say the same, for he might as well fire at nothing as at the gentleman from Georgia. [A laughter.]

Mr. S. then proceeded to read a report in favor of Nutting's rifle; disclaiming, however, all exclusive distinction; and he asked was that the door be kept open alike to all.

Mr. *Wise* remonstrated on the consumption of time, and said he would not give a farthing for the whole of both inventions.

Mr. *Drowsode* called to order.

Mr. *Monroe* congratulated Mr. *Wise* on his zeal against the waste of time, and hoped his example would enforce his doctrine.

Mr. *Kemble* made some remarks, scarce heard, but understood to be in favor of Mr. *Wise*'s rifle.

Mr. *Banks* replied to Mr. *Drowsode*.

Mr. *Coles* opposed the amendment, and referred to a report of the secretary of war against repeating arms, or other new inventions, until thoroughly tried.

The question being now taken, Mr. Thompson's amendment was rejected, as was also the original amendment moved by Mr. *Grinnell*.

Mr. *Jones* moved to amend the bill by adding a further section, as follows:

"For preventing and suppressing hostilities in Florida, to be expended and the directive of the secretary of war, conformably to the acts of congress of the 19th March and 24th July, 1836, and the acts therein referred to, viz:

"For forage, for hire, or transportation of military supplies of every description from the places of purchase to Florida; for the purchase of wagons and harness, of boats and lighters, and other vessels, of horses, mules and oxen, to keep up the trains of troops, mules and other material for repairs; for transportation within Florida, including the hire of steamboats and other vessels for service in the rivers and on the coasts, and the expense of maintaining the several steamboats and transport schooners connected with the operations of the army; for hire of mechanics, laborers, mule drivers, teamsters and other assistants, including their subsistence; for miscellaneous and contingent charges, and for arrears in 1840, \$1,061,216."

Mr. *J* supported the amendment as being authorized by the committee of ways and means. The reasons on which it rested were that, at the commencement of this year, there were arrears, to the amount of \$661,216 due on the expenditures of the Florida war. The remaining \$400,000 were to meet charges which might have accrued since the 1st of January last. The committee had before it estimates to a much larger amount. Mr. *J* here read an estimate from the war department for the raising of a corps in Florida of 750 mounted men and 250 foot; but the committee doubted the authority of the existing law for the raising of these troops. There-

could not come under the act of 1795 for calling out the militia, but would be an addition to the standing army of the United States. The committee had therefore rejected the estimates for these troops. The \$400,000 of the amendment would pay and maintain 1,000 men as long as they would probably be needed in the Florida service. Mr. *J* said he had the highest respect for estimates from the executive departments, but the committee were constrained to decline repeating them. A few days since the committee had approved of \$100,000 for the use of the Seminoles as were willing to emigrate. We had already 4,500 of the regular troops of the United States now in Florida.

Mr. *Ezra* moved to strike out the sum mentioned in the amendment, and insert the sum asked by the department. The \$100,000 could not be applied in the war in Florida, but was for the removal of warships who came in. Early in this session the secretary had asked for \$2,300,000, but, as the prospects of peace were worse than before, the secretary had reduced his estimates to \$1,600,000. Over \$600,000 of this was due for arrears; this the chairman was willing to allow, but instead of \$1,000,000 for which the secretary asked, the committee gave only \$400,000, an extraordinary example.

Mr. *E* found himself in a strange position, viz: that of defending the administration and the president of the United States against the charge of his friends. Mr. *E* here insisted that the calling out of a corps of mounted men, as proposed by the secretary, was not in order. The secretary did not propose to call out such a force; he had then already. They were in part the "sedentary militia," called out for 3 months, and then for 3 months more, and then for 3 months again. The pay of this whole force was to be paid out of the treasury, and he lost. The force was now in service and must be paid. Mr. *E* would not say there had been any violation of law; the president and secretary thought there had not; the troops had been raised, and it did not pass now they must be hereafter. If the chairman thought it a violation of law, how would he report an appropriation to pay for it? These arrears, if not paid now, would fall on the coming administration. Citizens of Alabama, Georgia and Florida having invited to enter this corps and had done so, and had served. We are not to be paid. Mr. *E* held Mr. *J* to his own doctrine, urged yesterday; these estimates were from those charged with these duties, and if we could not trust their estimates, what could we trust?

The secretary then screened down the estimates to the very lowest point; the question of their application was a different matter; it belonged to congress to appropriate; if the money was wrongfully employed, let those who did it, be answerable for it. Mr. *E* held the war department responsible for the department in Florida, and the subservience of the army for want of adequate appropriations, and hoped congress would not risk the prolongation of the war for want of the supplies asked by the department.

Mr. *Jones* replied, repelling the intimation that he had charged the president and secretary with a violation of the constitution and laws. The committee were not military men; they entertained great doubt of their authority in an appropriation bill to authorize a provision for the raising of a body of mounted men. Congress had deemed it necessary to provide a law before this could be done. Mr. *J* insisted that the force now in the field was amply sufficient, and denied the necessity of more troops, and the committee proposed to appropriate.

Mr. *Masson* dwelt on the authority of the estimates from the war department, and necessity of enabling the department to carry out its plans. The chairman had opposed this on the ground of a doubt as to the authority of congress to call out a particular description of troops, and asked the house of representatives to act on this doubt, disclaiming, at the same time, all military knowledge, and urging nothing but his doubt and the committee's doubt. The supplies had been furnished, the service performed, yet the chairman refused to appropriate for what was actually due, on no better reason than a doubt of one gentleman in this house. Was his doubt of more weight with the house than the deliberate judgment and plans of the highest military authorities of the government? The chairman denied having made any charge against the president or the secretary of war; but with great humility suggested his doubt. Yet he was willing to appropriate for a portion of the debt thus unconsciously created by the government. The chairman denied having made any charge against the president or the secretary of war; but with great humility suggested his doubt. Yet he was willing to appropriate for a portion of the debt thus unconsciously created by the government. The chairman denied having made any charge against the president or the secretary of war; but with great humility suggested his doubt. Yet he was willing to appropriate for a portion of the debt thus unconsciously created by the government.

Mr. *M* had voted five millions at a time for this Florida war; and yet now, when the war seemed drawing to a close, gentlemen were for throwing

over the expenditures due on a future administration. Mr. *M* was opposed to this; it was neither just nor wise; it was bad principle and bad policy. The subject had never been submitted to the military committee; yet, on the doubt of a man who disclaimed all pretensions to military knowledge, the house were to refuse what was asked by a department as necessary. The chairman thought we could get along with \$100,000; no doubt of it; so we could if but one dollar should be appropriated; but the government was dissolved, and the Seminoles made their way to Washington, and took control of the departments. When it suited the chairman he could rely implicitly on estimates; but when it did not, then he was for settling them as the committee should see fit. The chairman was suspicious; there were opposite extremes of folly. This money must be paid, and would be; and every gentleman here knew it would, in spite of the doubts of the chairman. The soldier must get his pay, and the farmer must be paid for his forage, and the contractor for his pork; the nation would not be blinded as to the design of casting burdens on the coming administration, and they would see this matter in its true light.

Mr. *D* urged that the hour for the hour of recess arriving; the house took recess accordingly.

Evening session. Mr. *Downing* said he was bound in duty to his constituents to explain certain facts in which they were deeply interested. He had raised the subject of the Indian atrocities that address the committee at this late hour. Recommendations had been made to appropriate \$100,000 to close the Seminole war by treaty, but this was not the first effort to bring the war to an end by treaty. As far back as 1837 general Jessup had concluded a treaty with the Seminoles, but the government refused to ratify it, and the Seminoles rose it up again but the interference of the people of Florida to recover their slaves. They did not interfere, and yet the war continued. So in 1839, the military force was withdrawn on the same persuasion. Mr. *D* urged that the same delusion would occur again. The Indians were treacherous and could never be relied on. Tigertail, after signing the treaty, had made his escape, and carried off one of the pacificators with him.

Mr. *D* urged strongly the necessity of a state of preparation. The chairman of the committee on his mere motion had reversed the estimates of the war department, and that gentleman's fiat was the order on which the action of this house turned. It was not an object of party to make a show of economy, the more necessary the appropriation was, and now be came in with a clause for arrears to cover more than half of what should have been appropriated last year. There was every year a large bill of arrears. Either congress must not calculate or they shall delude the people. The Florida war was not ended. Every account from that country about surrenders, fugitives was accompanied by accounts of cruel murders. When a camp of over one hundred men had been surprised, and escaped by an older than general Armstrong, the very same men afterwards murdered Mrs. Montgomery. It was vain to hope to close the war without further fighting. Mr. *D* had risen to raise the rancor of the game now playing—to give his solemn opinion that an effort was making to induce the committee to believe that war was ended, with a full knowledge that the fact was otherwise, that all the column of its breaking out anew might be cast on the new administration. It behooved this congress to furnish the new administration the means to bring it fully and efficiently to a close.

The session a bill had been rejected for a force of 1,500 men. Notwithstanding, the secretary, by his own volition, called that corps into service, against law, for the purpose of fighting, but to remain sedentary in camp. The chairman said that he had no authority to raise this corps without an express act of congress; yet he had called them out on his own authority; and put them under the command of governor Read, under the militia laws of Florida, a whole family of them under the militia laws of the United States. These militia had not even been raised by the chairman, but an appropriation was called for to pay them. Why were not the militia of Florida included? citizens were called out, but not to visit the Indians, nor to raise parties in march, and not to remain at home. Mr. *D* inveighed against the distinction as odious. These men had been called out merely to assist the last election. Show him their services to the Indians, had they slain the women and children, they had done nothing. While inclined to remain at home they were furnished with horses at government expense; to ride, he supposed, from their homes to their potato patches? When the militia who had been six months in hard service had never been able to obtain a day's pay,

these sedentary militia had hundreds of thousands of dollars reported for their pay. Mr. D. alluded to the Florida bounty to the amount of \$500,000, and said that on them the territory had almost held its existence; had raised armies and fed them, and defended themselves from the hostile force, and contended that the government was in justice bound to reward the money; but he could not hope for its success. He asked the chairman if it was fair for the mere sake of a political object to trammel the coming administration in conducting this war. It had been the advice of Churchill and Adams to go to the aid of the Florida troops, to illuminate every tree with the fire of musketry, and search every hamlet and evergreen. This he believed the only way to bring this war to a close, and was it fair to curtail the government in attempting it? Mr. Jones explained.

Mr. Downing protested against charging Florida with the accoutrements and pay of the troops employed; for this they must pay even in peace. So \$100,000 was all the money appropriated. If General Butler should be charged with the service, he would find the sum very insufficient. As to these sedentary militia, they were called out quarterly—every three months. The secretary's duty, if he called out the militia, would be to call up the troops ordered by the state or territory to which they belonged; if on horseback, they must be used on horseback; if on foot, on foot.

Mr. D. insisted that the war could never be ended. The physical force of the country rendered it impossible for a white man to follow Indians on foot over the deserts of Florida. The Indians would destroy Bonaparte's army, if only thus organized. The Indians had better rifles, and more skillful marksmen than the white men. Their soldiers never could obtain, as an attacking force. He entreated gentlemen to remember that their responsibility lasted only five days longer: was any provision made for that force, (the best in Florida), which carried the war up the rivers and streams into the interior? The naval force on the coast had done essential service in protecting the coast from the population of the small islands around and the neighboring foreign nations. He paid a tribute to the committee on the bill, and to the secretary of the navy, and admitted that the secretary of the navy had fully done his duty, and entitled himself to the lasting gratitude of the people of Florida.

Mr. D. had now fulfilled his duty by warning the government that these would be no peace, but, on the contrary, murders. He asked if, with signs like such as had recently occurred in that territory, any man of common sense could hope for peace? He asked, if the war was not closed, it was because a race in comparison to which hell might be preferred. He inveighed against the parsimonious spirit which had pervaded the whole system of management of this war, and laid the consequences at the door of the administration. If the proper means should be placed in the hands of the coming administration, he should begin to hope that at length the dawn of peace had broken.

The question was now called on the motion of Mr. Evans to increase the appropriation to 1,665,000 dollars.

Mr. Dawson suggested to Mr. Evans to increase the sum by including \$250,000 due to Georgia.

Mr. Crabb made a similar plea for Alabama. Mr. Jones admitted the validity of the claim of Georgia; as the war had not been closed, it was not well informed. He believed the sum mentioned justly due to Georgia, but it would be excluded from this bill, as no law had yet passed allowing the claim. He reiterated the validity of the claim of the amendment, for men were now suffering in the everglades of Florida.

Mr. Wise had rather seen a campaign in Florida than have this debate further protracted.

Mr. Dawson pleaded for the claim of Georgia on the ground of equity and honor. Her sons had endured every hardship in the field, the government had not paid them, and Georgia had herself advanced the money to save her citizens from distress.

Mr. Graves protested against voting money to pay these sedentary militia and their horses, for cultivating their crops, at near \$2 a day, for doing not one particle of public service. It was a new case under the government; such a thing had never been heard of. Gen. Taylor had told Mr. G. that the money paid to these 1,200 men would have paid 9,000 men.

Mr. Downing explained: stated the valuable and arduous services of the militia of Florida.—Mr. Graves insisted. Mr. Downing replied.

Mr. Graves objected to the policy of employing Florida mounted militia, and preferred the regular forces of the United States.

Mr. Morgan asked if any part of this appropriation went to pay the "sedentary militia"? If so, he would vote against it. But if it was to put an end to the war, he would vote it cheerfully. He believed the war would end with the administration which it had disgraced. He pronounced an eulogy on the enterprise and bravery of Col. Harvey. Mr. M. would vote cheerfully in favor of a review of the course of the administration towards the people of Florida, in conducting the war, and earnestly appealed for an appropriation that should put an end to it. He did not complain of the amount expended, but of the manner in which it had been wasted.

Mr. Evans replied to the inquiry of Mr. Morgan, stating that the amount in the amendment was general, to be expended by the government according to law. As to the sedentary militia, their claim was not the main question before them, they had been ordered by the government, and they must be paid.

Mr. Wise put the amendments together, and called for the question.

It was taken by tellers, and resulted as follows: Ayes 71, Nays 76. So the amendment of Mr. Evans was negatived.

The question then recurring on the section proposed by the committee of ways and means, it was agreed on.

Mr. Crabb then referred to the services of the Alabama militia. The state had paid them 130,000 dollars, and presented her claim here; but as it still remained before the committee of claims, he desired to submit an amendment to this bill.

The chair inquired whether there was a standing law for these expenditures?

Mr. Crabb said there had been, but there was some irregularity in the vouchers, and therefore he wished the claim settled on principles of equity and justice.

Mr. Jones inquired for the law.

Mr. Crabb said there was a general law for the payment of militia, when called into the service of the United States, at a month.

Mr. Lincoln said there was no other law than that under which the militia of Massachusetts and other states had been paid.

Mr. Tillinghast objected to the amendment as being for past services, while the appropriations in the bill were for the future.

The chair pronounced the amendment out of order.

Mr. Crabb thereupon withdrew it.

The committee then rose, and the bill was reported to the house. And the question being on concurring in the amendments reported to the bill; Mr. Chapman moved the previous question. The call was sustained—ayes 93, nays 83.

The previous question was then put and carried, and the main question being on the amendment, (viz: the new section for the Florida war), it was agreed to.

The bill was then ordered to its third reading. It was read a third time; when Mr. Hubbard moved the previous question; which was seconded, put and carried, and the bill was passed.

The whole amount appropriated in the bill is \$5,275,919.

Mr. Jones moved to suspend the rules to go into committee of the whole on the state of the union, with a view to take up the general Indian appropriation bill, but at the suggestion of Mr. Bril, he suspended the motion till Mr. B. had reported the Indian bills from the committee on Indian affairs, viz:

A bill to defray the expense of delegations of Seminole Indians west of the Mississippi to Florida, and for other purposes.

A bill making appropriations for the temporary support of an agent to reside at Kikapoo Indians, and to defray the expense of removing and subsisting for a limited time, the Swao creek and Black river Indians, of Michigan.

The bills were read and referred to the committee of the whole on the state of the union.

Mr. Jones then renewed his motion, which was agreed to, and the house went into committee of the whole on the state of the union, Mr. Drom going in the chair, and took up the Indian appropriation bill, which was read throughout by the clerk for information.

The bill was taken up by items.

Mr. Saltonstall moved the following amendment: For presents for Indians under the same act \$3,000.

He supported his motion by some remarks.

Mr. Jones opposed the amendment, on the ground that the whole amount of presents to the Indians was \$10,000. Through this bill had been introduced into previous bills, from year to year, it had been inadvertently done. The law, when fully examined, would be found not to warrant the annual appropriation.

Mr. Rurden explained; the withholding of the money would not injure the Indians, as the money ultimately fell into the hands of agents and sub-agents; and the Indians were more injured than benefited by the practice.

Mr. Everett considered the act as distributing \$5,000 annually. It was so intended at the time, and had been understood ever since. The bill made permanent provision for the Indian department.

Mr. Prentiss inquired whether any law allowed part of the annuities to be paid to the Indians in goods?

Mr. Jones said this was according to each treaty; the payments were variously made.

Mr. Prentiss said the law was daily violated; he had conducted Indians under one of the treaties, and knew that more than half the annuity to the Potawatamies was paid in such goods, though the treaty required gold and silver. Mr. Prentiss made other statements, showing that the Indians refused, but that the department replied they must take goods or nothing. Mr. P. then addressed himself to Mr. Bril, saying that he had found \$275,000 worth purchased from a certain mercantile house in New York, invoiced at prices over the retail price in the interior. Goods were boxed up and marked with large sums outside, but when opened were found to contain only small sums of cash. Goods were thrown into a blanket, and what fell out were considered as belonging to the agent. He agreed with Mr. Rurden respecting the agents getting most of the presents.

Mr. Jones asked Mr. Prentiss to specify a particular treaty.

Mr. Prentiss said that, in 1837, the treaty with the Potawatamies promised gold and silver, and was paid, by force, in goods, charged at enormous prices.

Mr. Jones said at the proper time he would convince Mr. P. that he was mistaken; he denied that the law for presents was intended to operate annually.

Mr. Everett insisted on an opposite construction.

Mr. Saltonstall confirmed the view of Mr. Everett, intimating that the provisions of that law were permanent.

Mr. Jones would not yield, and the amendment was negatived.

Mr. Dodge, delegate from Iowa, moved to insert an item of \$500 for the hire of a clerk for the superintendent of Indian affairs north of the Missouri river.

Mr. Jones objected on the ground that there was no law for it.

Mr. Dodge mentioned the need of the appropriation, but it was rejected.

Mr. Jones moved to reduce the item for the Cherokee from \$30,950 to \$14,950; which the committee agreed to: to reduce the item for the Omahas from \$2,140 to \$1,140; to increase the item for the Ottos and Missourians from \$3,440 to \$5,640; all of which were agreed to.

The bill having been gone through with, was laid aside to be reported to the house, and the committee took up the bill to defray the expenses of the delegation of the Seminole Indians west of the Mississippi.

No amendment being offered to the bill, the committee next took up the bill for the relief of certain Kickapoo Indians and Black river Indians of Missouri; which was in like manner laid aside.

Mr. Cuddeback moved in effort to get the senate bill for relief from an raft in Red river taken up, but without success.

Mr. Jones moved that the committee rise; which prevailing—the committee rose accordingly, and the bills read a third time in committee were reported to the house, where amendments concurred in, the bills read a third time, passed, and sent to the senate.

The amounts appropriated by these bills are—

For the Indian department and for treaty stipulations \$532,280

For support of Seminole Indians 15,000

For support of Kickapoo and removal of Swan and Black river Indians 22,000

Mr. Russell made an effort to get the hour of meeting changed to 10 o'clock, and to set apart two hours on Monday and Tuesday for private bills. The motion requiring two-thirds of the house, voters were called, and the vote stood: ayes 91, nays 34. The rules were suspended to receive the motion. It was received and read.

Mr. Drummond moved to amend it by striking out the clause respecting private bills; on which motion tellers were called, and the vote stood: ayes 36, nays 93. So the amendment was negatived.

The question being then put on the resolution, no quorum voted; when Mr. Wise moved to adjourn; which prevailing, the house adjourned.

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FOREIGN ARTICLES.

The steamer President, which sailed from Liverpool on the 10th Feb. arrived at New York on Wednesday morning, 3d inst., bringing files of foreign papers up to the day of her departure.

By this arrival we have received most important intelligence from China, by the overland mail, and exceedingly interesting and important news from England, to which we refer our readers.

GREAT BRITAIN.

At a council held on the 6th inst. the queen decreed that the name of prince Albert be inserted in all the royal books and seals, and in all churches!

The duke of Wellington was seized with sudden indisposition in the house of lords on the 6th inst. but had so far recovered from his attack as to leave no doubt of his being able shortly to resume his usual habits. His illness was attributed to his exposure to the severity of the weather.

The receipt of New York papers in London by the packet ship Cambridge, with the correspondence between Mr. Fox and Mr. Forsyth, with regard to the arrest of Mr. McLeod, caused much talk and considerable excitement.

The Times predicts the most serious national consequences from this affair, which was brought before parliament on the 5th inst by lord Stanley and the earl of Mountrath.

The former asked lord Palmerston, whether the government had taken any, and if so, what steps, for the protection and liberation of Mr. McLeod!

Lord Palmerston replied that the government had secured certain instructions, but that the conclusion of the correspondence was recent, and that it was impossible to send final instructions, and that he was not prepared at that time to state formally what those instructions were.

The earl of Mountrath asked similar questions of lord Melbourne in the house of lords, to which similar answers were given, stating also that her majesty's ministers would take those measures which in their estimation would be best calculated to secure the safety of her majesty's subjects, and to vindicate the honor of the British empire.

In the course of the debate upon the correspondence between Mr. Fox and Mr. Forsyth, viscount Palmerston said that he rather thought his honorable friend would find in that correspondence that instructions had been given by the American government to Mr. Stevenson to abstain from pressing the subject farther—(hear.) With regard to the letter of Mr. Forsyth, he (viscount Palmerston) begged leave to say that the case stood thus: In the case of the American citizens engaged in invading Canada, the American government disavowed that acts of those citizens, and stated that the British authorities might deal with them as they pleased—(hear.) And that there, and there, were persons concerned in this undertaking who were not in any degree entitled to the protection of the U. States—(hear.) But in the other case they treated the affair of the Caroline as one to be considered as that of the go-

vernment, and in fact assumed it to be altogether a government transaction, and not to be left upon the responsibility of individuals. Until, therefore, the British government discovered these persons concerned in the destruction of the Caroline, in the same manner as the American government had disavowed their citizens in the other case, he conceived that the American government had adopted an international responsibility the late detraction of Mr. McLeod, and could not, therefore, change their ground upon this question. (Hear, hear.)

Sir R. Peel wished to ask the noble lord a question relating to a matter of fact. He believed that, in the expedition which had been formed for the destruction of the Caroline, certain officers who held commissions in her majesty's army and navy were concerned in that affair, and that some of these officers had, in the execution of the orders which they received, received wounds.

The question he wished to ask was, whether or not her majesty's government had thought proper to award pensions to those officers corresponding in amount with those which were usually granted for wounds received in the regular service of her majesty?

Lord J. Russell said that he was not aware of any pensions having been granted to those officers who were wounded in the expedition against the Caroline.

Mr. O'Connell was sorry that his honorable friend (Mr. Hume), had taken such a course, because he, (Mr. O'C.) thought that on this subject, at all events, there ought to be unanimity of feeling—(hear, hear.) He thought that every citizen should be made to have Mr. McLeod saved, as he had acted under the command of the officers of her majesty's government, and it was in the strict performance of his duty that he had incurred the dangers which he was threatened—(hear, hear.) Whether those orders had been right or wrong, this government was bound to give him every protection possible—(cheers from all parts of the house.)

Mr. Hume said that the noble lord, (Palmerston), had made a speech in substance to the effect, that the noble lord had been put to him by the noble lord, the member for North Lancashire; but he, (Mr. Hume), wished to ask the house to suspend their opinion upon the subject until they had the whole of the papers laid before the house. He had himself a paper in his possession that would explain many things connected with this question, and which, by-the-by, were not exactly consistent with the statement which had just been made. It appeared by the papers which he had in his possession, that in January, 1825, a motion was made in the house of representatives calling upon the president to place upon the table of the house all the papers respecting the Caroline, and also the correspondence which had passed between the government of the United States and the British government on the subject of the destruction of the Caroline.

In consequence of that motion, certain papers were laid upon the table, including the papers of Stevenson, the present minister here from the U. States. These were accompanied by a long letter, dated the 15th of May, 1838, from that gentleman, in which he set forth the burning of the Caroline was characterized by very strong language. He also stated that agreeably to the orders of the president, he had laid before the British government the whole of the evidence relating to the subject, which had been taken upon the spot, and Mr. Stevenson declared he had never been informed that the expedition against the Caroline was authorized or sanctioned by the British government. Now, from May, 1838, the time when the letter had been written, up to this hour, no answer had been given to that letter, nor had any satisfaction been given by the British government upon this subject.

In a letter dated from London, the 2d of July, Mr. Stevenson stated that he had not received any answer upon the subject, and that he did not wish to press the subject further, but if the government of the United States wished him to do so, he prayed to be informed of it. By the statement which had taken place in the house of congress, it appeared that the government of the United States had been ignorant of any information that could be given to suppose that the enterprise against the Caroline had been undertaken by the orders of the British

government or by British authority. That he believed was the ground upon which Mr. Forsyth acted as he had done.

He takes his objections, and denies the allegation of Mr. Fox, that neither he, nor her majesty's government made any communication to him, of the authorities of the United States, that the British government had authorized the destruction of the Caroline. He, (Mr. Hume), therefore hoped that no discussion would take place until all the papers connected with the matter were laid before the house. He wished to know what the nature of those communications was with Mr. Stevenson and her majesty's government which had induced him to act as he had done.

On Tuesday, the 8th inst., the debate was resumed, and in the course of it lord Palmerston admitted that the government approved of the burning of the Caroline. The conversation was getting rather warm, when sir Robert Peel interposed by a motion on the affairs of Persia.

The English papers are very bitter on this topic, and the Tories are more insolent than usual.

The general impression in England, even amongst moderate and liberal men, is decidedly against us, and so strong does this national feeling appear, that I believe the government would be warmly supported in a war, however contrary it may be to the real state of Great Britain. However, these speculations are idle; it is to be hoped the affair is already adjusted.

American stocks, London, Feb. 5. Alabama £ sterling five 78; Indiana five 67; do £ sterling 75; Illinois sixes 73; Kentucky do, 84; 85; Louisiana £ sterling five 87; Maryland do, 82; Massachusetts five 80; do £ sterling 100; New York five 53; 54; 55; Ohio sixes 90; 91; 92; do £ sterling 100; Pennsylvania five 84; South Carolina do, 88; 89; Tennessee sixes 81; 82; Virginia do, 89; 90; New York city five and sixes, and bank shares £11 3s. a 121; 100; do debenture 100.

Liverpool cotton market, February 9. In the early part of the week there continued a good demand both from the trade and speculators, and rather better prices were obtained; but since Tuesday the inquiry has been limited, and the market closed heavily, our last quotations being barely supported. The sales of the week amount to 28,300 bales, of which 6,000 American are on speculation, and 200 American for export; and comprise 80 Sea Island at 15d. to 22d. with 20 stained at 9d. to 13d. 6, 100 bales 6d. to 7d.; 1,870 Mobile, Alabama and Tennessee 6d. to 7d.; 16,240 Orleans 6d. to 7d.; 318 Pernambuco, Paraíba, &c. 8d. to 9d.; 110 Bahia and Macao 8d. to 9d.; 250 Maranhão 8d. to 7d.; 100 Pernambuco 7d. to 7d.; 130 Laguayra 7d. to 7d.; 100 Cartagena 5 1/2 d. to 5d.; 66 Egyptian 9d. to 13d. and 1,850 Surat 13d. to 6d. per lb.

The market has been rather quiet to-day, the sales only amounting to 3,000 bales, including 200 Bahia at 8d. to 9d.; 50 Maranhão 8d. to 9d.; 100 Egyptian 10d. to 12d.; 20 Cartagena 8d. to 9d.; 200 Surat 5d. to 5 1/2 d.; the remainder American 6d. to 7d. There is no change in notice in prices. On Saturday 2,000 bales were sold.

Feb. 9. The sales to-day are, 1,000 bales.

FRANCE.

The news from France is not of much interest. The works on the fortifications were carried on with great activity.

Political circles are much agitated by diplomatic notes addressed to the French cabinet by lord Palmerston, in which, it is said, a disavowment is insisted on in strong and unequivocal terms. Mr. Guizot had not replied to these notes, but the compliance of the French government, from the feeling of the chambers, and of the public, was considered to be entirely out of the question.

The fortification bill having passed the chamber of deputies by a large majority, it was surmised there would be a split in the cabinet.

We do not find any important intelligence from either Spain, Portugal, or any other of the states of Europe.

CHINA.

Overland mail from India. By an extraordinary express from Marsabit, news was received at London on the 6th inst. from China, India and Egypt, with dates from Alexandria to January 23,

Bombay to January 1st, Calcutta to December 16th, Madras to Nov. 3d, and Canton to October 27th.

The state of affairs in China remain unchanged since the last advices; and gloomy apprehensions as to the final result of the proposed negotiations were entertained. Both in China and India the conduct of admiral Elliot is commended upon in the most entire terms.

The negotiation with the emperor of China does not appear to have made any progress, nor the approach of admiral Elliot to the Chinese capital here, as yet, produced any result, and the dismissal of commissioner Lin from the governorship of Canton, and the appointment, as his successor, of Ke-shan who is commissioned to settle matters, and is supposed to be as much opposed to intercourse with foreigners as the late governor.

Admiral Elliot was still at Chusan, which place had been found extremely unhealthy. Out of 3,650 British troops landed there, only 2,536 were fit for duty, chiefly owing to bad diet and want of fresh meat. The number of deaths is stated at *ten per day*!

The admiral was expected to leave for Canton about the middle of November. The British naval force consisted of twenty sail of pennants, exclusive of steamers.

Memorial of Lin to the emperor. Lin, in a memorial to the emperor, among other things, confesses his crimes and begs for mercy; at the same time he asks the emperor to be firm in the present emergency, after suffering that the Chinese ought to build ships after European models, and cast cannon, he goes on to say that the English forces at Chusan have been so much bewildered and reduced by death and sickness, they will soon be obliged to evacuate it, and submit. In conclusion, he hints at the probability of difficulties between the English and other nations on account of their interference with the trade of foreign nations, and he considers this favorable for the Chinese.

INDIA. The intelligence from India is generally pacific, and no event had occurred since the last dates of much political importance.

Afghanistan remained tranquil. The news from China and Central Asia was of a satisfactory character.

EGYPT.

From Alexandria we have received the confirmation of the news of the arrival of commodore Napier, empowered by his government to offer the original treaty for the pasha's acceptance, which was immediately agreed to. Two days afterwards a steamer arrived at Alexandria with Meytum bey and admiral Mether on board, who came to claim the fleet, which was to be sent to the 11th ult. and finally sailed for Maroucia on the 21st ult.

AFRICA.

The packet barque Hobart, capt. Parsons, arrived this morning from Monrovia, whence she sailed on the 1st of January, to which date inclusive we have letters and papers.

Capt. Parsons, who is now at our elbow, gives us the most flattering account of the health of the inhabitants and the general prosperity of the colony. The Hobart brings sugar and coffee. Capt. P. says that one coffee tree produced 18lbs. while a fair crop in the West Indies, we are informed is about a pound and a quarter. It is believed that the trees in Africa will average 100 lbs. *[N. Y. Com. Adv.]*

We learn from the coast of Africa, that all the slave factories had been broken up by the British cruisers.

SOUTH AMERICA.

New Grenada. By the *St. Michaela*, at New York, the editors of the *Courier* have received the following intelligence. The whole country of New Grenada is involved in a civil war. Fifteen provinces out of twenty have decreed for a federal government, and have collected and sent troops towards Bogota to compel the central government there to come to terms. The government has concentrated all its forces near Bogota, and is determined not to yield to the wishes of the revolted provinces. Gen. Herran is carrying on the operations for the government, aided by gen. Thomas Gonzalez and gen. Carnamos, two generals. Sineva, col. Gonzalez and others for the provinces. Panama will separate from the rest of New Grenada. *[Balt. American.]*

Buenos Ayres. Buenos Ayres papers for the 15th December have been received by the editors of the *New York Journal of Commerce*.

Lavalle had been again defeated on the 26th of November, by the forces of the president of gen. Rosas, having some 1,500 men killed. All his forty, artillery, and 80 wagons were lost, and Lavalle himself escaped with only four companies,

abandoning the rest of his army, which scarcely amounts now to 500 men.

Another unsuccessful attempt has been made by the Brazilian government to compromise matters with the insurgents of Rio Grande, who are confident in their own strength, and will make no concessions which does not secure them what they call their rights.

WEST INDIES.

From Mayaguez. A letter dated the 3d of February from this place contains the following additional information.

The entire loss by the fire is estimated to be about two and a half millions, and from 20 to 25,000 tons of coffee had been consumed. The fear that a rebellion among the negroes might break out, is at present entirely suppressed, the strict vigilance observed on the part of all the whites, and the confusion is not by any means as great at present as during the preceding days. The governor general is expected every moment to arrive from the capital, and we have strong hopes that he will forthwith take steps to relieve in some degree the suffering inhabitants of Mayaguez, by abolishing for a length of time to come the duties for our port, also the duties on coffee, &c. which will facilitate to the merchants to rebuild their houses and to recommence business, in which for the present perfect stagnation is created. Lumber above all will undoubtedly enjoy a brisk demand during the year, and we can recommend our friends to shipments of the same, and particularly of p. p. lumber. In the expectation of soon being able to give you a more favorable report of affairs in general here, and to inform you likewise of the revival of business with us, we remain, &c.

NATIONAL AFFAIRS.

APPOINTMENTS BY PRESIDENT VAN BUREN, by and with the advice and consent of the senate. *Philmon Dickinson*, to be judge of the United States for the district of New Jersey, in the place of Mahlon Dickinson, resigned.

Peter V. Daniel, of Virginia, to be one of the associate justices of the supreme court of the United States, in the place of Philip P. Barbour, deceased. *John V. Mason*, of Virginia, to be judge of the United States for the eastern district of Virginia, in the place of Peter V. Daniel.

John P. Ketchum, to be collector of the customs for the district of St. Marks, in the territory of Florida, vice Francis S. Beattie, removed.

THE NEW CABINET. We learn from Washington that the nomination of members of the new cabinet, made by president HARRISON, to the U. S. senate, have all been confirmed by that body. The cabinet therefore is thus composed: *Secretary of state*—DANIEL WEBSTER, of the state of Massachusetts.

Secretary of the treasury—THOMAS EWING, of the state of Ohio.

Secretary of war—JOHN BELL, of the state of Tennessee.

Secretary of the navy—GEORGE E. BADGER, of the state of North Carolina.

Postmaster general—FRANCIS GRANGER, of the state of New York.

Astronomy general—J. J. CRITTENDEN, of the state of Kentucky.

THE INAUGURATION. *From the National Intelligencer.* The consummation of the great political object of yesterday's interesting proceedings, the election of general Harrison as president of the United States took place yesterday, the glorious fourth of March, by the inauguration of the president at the capitol, preceded by the installation of the vice president, in the presence of an immense multitude of citizens, who had travelled from all parts of the union to witness the imposing and interesting solemnities of the occasion.

For several days previously, the metropolises of the nation had been gradually filling with visitors from the more distant states of the Union. Yesterday and the day previously, the contiguous counties of Maryland and Virginia and the city of Baltimore poured in vast multitudes and parties of citizens, who, either travelling on the various ways by land and water, on foot, in carriages, or in boats, to witness the inauguration of their beloved chief.

It cannot reasonably be expected that we shall lay before the public a very detailed or accurate account of yesterday's interesting proceedings and ceremonies. To satisfy, however, the demand for an early notice, we present the following sketches of the scenes and incidents of the day:

The morning. Early in the morning, long before sunrise, the thrill of the music of the bands, the tramp of feet along Pennsylvania avenue towards the hotels and boarding houses, gave notice

that our number of visitors was greatly increasing, and that the auspicious day of the inauguration had arrived. The morning broke somewhat cloudily, and the horizon seemed rather to be between snow or rain. At sun-rise a salute of twenty-six guns was fired from the mall, south of the gun room, by a party of the Columbia artillery, acting under the command of captain Buckingham. Soon after the firing of these guns, the entire body, apparently, of our citizens and numerous visitors, roused from their slumbers, thronged the Pennsylvania avenue and other streets, and were to them a very animated and lively appearance; the throng continuing to increase until eight o'clock, when the various delegations, military companies, *Tippecanoe* clubs, associations and citizens assembled at their respective positions.

The procession. Soon after ten o'clock the procession moved from the head of Four-and-a-half street; when a salute of three guns announced their march towards the quarters of the president elect. Having there received general HARRISON, attended by his personal friends, the procession moved on from the quarters of the president elect, up K street to 11th street, up 11th street to F street, up F street to the Pennsylvania avenue, to Pennsylvania avenue, down Pennsylvania avenue to the south gate of the eastern yard of the capitol, exactly as laid down in the programme.

Occupying a favorable position in front of Brown's building, we witnessed the procession as it passed along the most public part of Pennsylvania avenue to the capitol. The scene was highly interesting and imposing. The ladies every where, from the windows on each side of the avenue, waved their hands and hats, and testified of their kind feelings, and general HARRISON returned their smiles and greetings with repeated bows.

The enthusiastic cheers of the citizens who moved in the procession were, with equal enthusiasm, responded to by thousands of citizens spectators who lined Pennsylvania avenue, or appeared at the side windows, in the numerous balconies, on the tops of houses, or on other elevated stands. At the head of the procession was the chief marshal, who was mounted on a fine horse, suitably caparisoned; as also were his two aids.

The military portion of the procession was remarkably fine and soldier-like. Much of this, no doubt, was owing to major FITZ, of the Philadelphia National Guards, who, with his volunteer band of music were objects of particular notice and admiration. The military marched along in the following order:

1. The Potomac Dragoons, commanded by captain MERRILL, fine body of cavalry, consisting of thirty citizen soldiers from Georgetown. We never saw the Potomac Dragoons turn out so well, or appear to so great advantage.

2. The *Muscular Armistis*, commanded by captain KETCHUM. Their revolutionary costume, venerable appearance, and precise movements, as they marched along, with their two field pieces, gained them great credit.

3. The National Guards, of Philadelphia, commanded by major FITZ, fine body of men, well disciplined and soldier-like in all their movements.

4. The Washington Light Infantry, commanded by captain France, a full company, numbering about eighty musketeers, all well uniformed, and showing to more advantage than on any former occasion.

5. The National Blues, commanded by captain Middleton, marching well, and also making a soldier-like appearance.

After the officers and soldiers who fought under general HARRISON came.

The president elect, mounted on a white charger, and accompanied by his suite of personal friends. On his right were seven citizens, ineligible to office, left were the marshal of the District of Columbia and his four aids.

Then followed, in the order of the programme, the delegates of the young men's convention, held at Baltimore, May 1840. The delegates marched along with them in the procession some very handsome banners; as did also the citizens of each state and territory, as they appeared with the respective *Tippecanoe* clubs and associations. Among the banners which seemed to attract the most particular notice was a very large one from Cayuga county, New York, representing gen. HARRISON in military costume on horseback. Several other very handsome banners, having patriotic and suitable mottoes, were also visible. Some with Virginia and Alabama delegations, and with the delegation from Prince George's county, Maryland. From the latter county the delegation was very numerous and spirited. Besides their handsome and appropriate banners, they exhibited a relief drawn by a splendid white horse, all suitably caparisoned,

and bearing bells, containing wearing apparatus, &c. with the operatives working there-with as they moved in the procession. This curious and interesting machinery, which was furnished and directed by Mr. Capron, of the Lunel Factory, Maryland, attracted unusual notice. Along with the Prince George's delegation was also seen a large log cabin, (the emblem of a sturdy yeomanry), drawn by horses; the sides of the cabin had suitable mottoes and inscriptions. On its roof were numerous white flags, bearing the names of the several states that voted in favor of gen. HARRISON.

The Virginia delegations were also remarkable for their numbers, fine appearance, and handsome banners. The delegation from London county had a band of music with them. The delegation from Winchester was very numerous, and had also a band of music.

The corporations of Washington and Georgetown, the Tippecanoe clubs, and the citizens of both places, turned out in great numbers and with suitable distinctions, banners and mottoes. Not the least interesting part of the procession from Georgetown was the long line of Georgetown college students, who appeared in the college uniform, with their faculty, bearing a handsome white silk banner, representing, with various mottoes, a golden eagle with extended wings.

Approaching the capital. The approaches to the capital presented a scene to gratify the eye of a painter, while it swelled the patriot's heart. The thronging crowds, the groups, the soldiers, the banners, and then the stately coach, with its freight of fashion and beauty—all eager, all animated, all in conversation, and some in song—all pressing onward toward one central point, told of the deep, the universal, the heart-stirring interest of the people in **THIS PEOPLE'S FRIEND.** Here might be seen a little fellow of seven or eight, his chubby cheeks rosy with joy, his bright eye sparkling with the bustle and gladness of an novel scene, waving proudly over his head a little banner, purchased probably by the savings of his pocket money for many days, on which, as the wind sported with it, was turned out to view a "log cabin," or the "hero of Tippecanoe." There was a group of black laborers, tricked out in all their Sunday finery, with sashes, hats, and the like, starting at the people, or gazing at the horse of some young apprentice, caroling along the avenue, at once to the glory and manifest danger of his rider. There hurried along a marshal of the day, with his rose of the law in his hand, and the ladies, too, of the dignity of his station. Here strode on some military officer, glittering in blue and gold, and feeling all the prouder to think that a soldier, as well as a patriot, was to-day to assume the supreme seat of dignity in the republic. The ladies, too, (God bless them!) the ladies shared, fully, in the excitement of the hour: their eyes glancing, their cheeks glowing, and their tongues (for ladies have such things) were in rapid and harmonious motion. Every thing was in its best and loveliest. Every thing you met, every thing you saw, seemed to cry out, "this is the long waited, the long wished-for day of **THE INAUGURATION!**"

At the capital. In the senate chamber, though reserved for the privileged persons, there was a crowd at an early hour, long before any thing official was to be seen or heard, the ladies' circular gallery on the one hand, and the gentlemen's gallery on the other, were filled to overflowing. What eager looks, what rich and lustrous shawls, what waiting hands, what glittering jewels were to be seen! Nods of recognition, smiles of pleasure, peering looks of eager curiosity every where met the eye. When some full uniformed officer of the army or navy entered the hall, with his straw colored plumes, and his distinguished bearing, he was greeted with a low salute, and a low salute was returned out of many necks, what an exchange of inquiries, what looks of awakened interest pervaded the circle! **SCOTT** and **GAINE**, **MACOMB** and **JONES** and **WOL**, presented a brilliant group, calling up associations connected with our past days of glory; while on the opposite side, there could be seen a civil group of no less interest, embracing the nominated members of the new cabinet, inspiring auguries not less cheering of future prosperity and glory.

The senate (convened by the president in extra session) having been called to order by the secretary, the oath of office was, by order of the senate administered by Mr. **CLAY** to Mr. **KING**, of Alabama, (on his re-election for a new term), who was then unanimously re-elected president pro Tempore of that body.

Mr. **KING** thereupon took the chair of the senate.

The **DIPLOMATIC** corps now entered the hall, and were seated in the rear of the men for them, and on the left of the chair. A most brilliant as-

pearance they made, decorated, as they were, not only with the insignia of their various orders, but half covered with the richest embroidery in silver and in gold. Had this group of distinguished personages, however, been stripped of all external decorations, the eye of the most casual observer could not have failed instantly to recognise the marked difference which distinguished them from us, as foreigners. **CEVIER** might, very possibly, have told, from their heads alone, the different nations from which about this body of highly dignified men to which outward adornments would have added nothing but an alloy.

On the opposite side of the chair appeared, soon after, in the strongest contrast, the array of the judges of the supreme court, in their black robes, with their grave, intellectual, reflecting countenances. There was a stately, quiet, unpretending air about this body of highly dignified men to which outward adornments would have added nothing but an alloy.

The late **VICE PRESIDENT** and the **VICE PRESIDENT-ELECT** became the next objects of notice. They advanced together to the steps of the president's chair, when Mr. **TYLER**, having been presented to the presiding officer, took the oath of office, and then ascending to the chair, which had been vacated for his reception by Mr. **KING**, delivered, with much grace, dignity and self-possession, an address to the senate of moderate length, marked by modesty, propriety and sound sense; a copy of which will be found in another part of this paper.

The new senators were then successively sworn in, and took their seats.

At twenty minutes past 12 o'clock, the warning note was heard from the table of the **VICE PRESIDENT**, when gen. **HARRISON** entered and took the seat prepared for him in front of the senate chamber. His appearance cheerful but composed; his bodily health was manifestly perfect: there was an alertness in his movement which is quite astonishing, considering his advanced age, the multiplied hardships through which his frame has passed, and the fatigues he has lately undergone.

After he had retained his seat for a few minutes, preparations were made for forming the line of procession to the platform prepared for the ceremony of the inauguration, erected over the front of the capitol, at the right of the east front of the capitol. The procession was in the prescribed order, as yesterday announced by authority of the committee of the senate.

It was not without great difficulty and very severe labor that the body of citizens who followed and accompanied this train passed out of the east door of the rotunda; and the inadequate and disproportionate size of that entrance (always a defect at least, if not a deformity) was never more sensibly manifested. Some ladies suffered severely in the pressure of the crowd, but no serious accident is known to have occurred.

On the platform, seats had been provided for the **PRESIDENT** and the **CHIEF JUSTICE**, who were placed immediately in front. On their right, were assigned to the diplomatic corps. Behind sat members of both houses of congress, officers of the army and navy, and many distinguished characters now assembled in the city, intermingled with a great company of ladies, who occupied not only the steps in the rear of the platform, but both the broad abutments of stone which support the steps on either side. Temporary balustrades had been placed around those exposed spaces, without which they would have been a very unsafe station, more especially for the ladies.

But the sight which attracted and arrested and filled the eye of all those who were fortunate enough to get a favorable post of observation from which to witness the scene was **THE PEOPLE.** Sixty rows, they stood, and had stood for hours, in a space before the capitol still extending back some distance into the open square) from thirty to fifty, and even sixty thousand. Happy was the man who could climb upon railing, or post, or pillar, to get a better sight of the great multitude. All such places were filled, up with, with clinging occupants; some ascended the trees in the square, whose branches, in their present denuded condition, afforded an unobstructed prospect. On the verge of the crowd were drawn up carriages, filled with the gentler sex: while here and there peered up a standard bearing a pacific banner, or the stand of colors of some volunteer company.

While patiently waiting for the arrival of the president, the multitude of heads resembled some placid lake, not in a perfect calm, but gently rippled by a passing breeze, its waters in perpetual but gentle motion; but the instant he was seen advancing from the capitol, it suddenly remembered that same lake when a stormy wind, the mountain's breath, or a sunken ship, thrown it into tumultuous agitation, and

"flung up its hands on high." A deafening shout went up from the glad hearts and axling voices of an emancipated people. It sung welcome to the man whom the people delight to honor, and must have met, with overwhelming power, the throbbings of his own bosom.

When the uproar had subsided, it was succeeded by the deep stillness of expectation, and the new president forthwith proceeded to read, in accents loud and clear, his address to the nation. Of the character of the paper we forbear now to speak, reserving what we have to say to a more leisure moment. In its delivery, the voice of general **HARRISON** never flagged, but to the end retained its full and commanding tone. As he touched on successive topics lying near the heart of the people, their sympathy with his sentiments was manifested by shouts which broke forth involuntarily from time to time; and, when the reading of the address was concluded, they were renewed and prolonged without restraint.

Previous to delivering the closing sentences of the address, the oath of office, tendered by the **CHIEF JUSTICE**, was taken by the **PRESIDENT**, in tones loud, distinct and solemn, manifesting a due and deep impression of the importance of the act; after which, the president announced the remaining passage of his address.

The pealing cannon then announced to the country that it had a new **CHIEF MAGISTRATE**. The procession was again formed; and, setting out from the capitol, passed through the city, and proceeded to the mansion of the president, cheered throughout the whole route as gen. **HARRISON** passed, by the immense crowds on foot which lined the avenue, and the hardly less numerous assembly of females who filled the doors and windows along the whole route.

At the president's house. Nearly the whole throng of visitors accompanied the **PRESIDENT** to his new abode, and as many as possible entered and paid their personal respects to him. The spacious building, however, could hardly contain a fortiori part of them; so that very many were unable to obtain admission at all. A popular president will on such an occasion always be surrounded by more friends than it is possible for him to receive and recognise individually.

The close of the day was marked by the repetition of salutes from the artillery, the whole city being yet alive with a population of strangers and residents, whom the mildness of the season invited into the open air.

In the evening the several ball rooms and places of amusement were filled with crowds of gentlemen and ladies attracted to this city by the novelty and interest of the great occasion. In the course of the evening, the president of the U. States paid a short visit to each of the assemblies held in honor of the inauguration, and was received with the warmest demonstrations of attachment and respect.

The end of the day was marked, as its progress from the early morning hour had been, by quiet and order, only very remarkable but gratifying, considering the vast crowd of persons, the excitement of the occasion, and the temptations which it offered to undue exultation. No accident or incident whatever occurred, so far as we have heard, to leave a painful pang behind it, or to mar the gratification of the multitude of those who rejoiced in their hearts that they had lived long enough to see this day.

VICE PRESIDENT TYLER. In the U. S. senate, on the 4th instant, the **VICE PRESIDENT** of the United States having taken the oath of office, and assumed his place as president of the senate, delivered the following address:

SERVICES. Called by the people of the United States to preside over your deliberations, I am proud to withhold the expression of the high estimate I place on the honor which they have conferred upon me. To occupy the seat which has been filled and adorned—to say nothing of my more immediate predecessors by—men of such high character as Gen. **CLAY**, **CLINTON**, and a Tompkins—names that, although belonging to the dead, still live in the recollection of a grateful country—is an honor of which any may well have just cause to be proud. But this honor is greatly augmented by the perfect equality among the true character of this body—the high order of moral and intellectual power which has distinguished it in all past time, and which still distinguishes it—by the dignity which has, for the most part marked its proceedings, and, above all, by the important duties which have devolved upon it under the constitution. Here are to be found the immediate representatives of the states, by whose sovereign will the government has been spoken into existence. Here are the members of the confederacy among the members of this confederacy which attests to the

smallest state in the union a voice as potential as that of the largest.

To this body is committed, in an eminent degree, the trust of guiding and protecting the institutions handed down to us from our fathers, as well against the waves of popular ad rash impulses on the one hand, as against attempts at executive encroachment on the other. It may properly be regarded as holding the balance between the powers and the people concerned to this government, and the rights reserved to the states and to the people. It is its province to concede what has been granted—to withhold what has been denied—thus, in all its features, exhibiting a true type of the glorious cohesiveness under which it is our happiness to live. Should the spirit of faction—that destructive spirit which recklessly walks over prostrate rights, and tramples laws and constitutions in the dust—ever find an abiding place within this hall, indeed, we should see a sentence of condemnation be issued against the peace and happiness of this people, and their political institutions be made to topple to their foundations. But while this body shall continue to exist, by its frames, it was designed to be, deliberative in its character, unbiased in its course, and independent in its action, then may liberty be regarded as entrenched in safety behind the sacred ramparts of the constitution.

While I occupy this chair, senators, I shall have frequent occasion to invoke your indulgence for my defects, and your charity for my errors. I am but little skilled in parliamentary law, and have been unable to preside over deliberative assemblies. All I can urge in excuse of my efforts is, that I bring with me to this chair an earnest wish to discharge properly its duties, and a fixed determination to preside over your deliberations with entire impartiality.

DIPLOMATIC CORTESY. On the 27th ult. at 3 o'clock, p. m. in accordance with previous arrangement, the members of the diplomatic corps accredited to the government of the United States, were called upon the president to present their united and official respects, on his approaching retirement from office.

Mr. Fox, as the senior of the diplomatic body, delivered an address in their name to the president, which, with the reply, we publish below.

Mr. Fox's address.

Sir: I have the honor to address you in the name of the diplomatic body accredited to the United States of America. We are anxious, sir, to express to you the high respect and esteem which we entertain for your character, as well as the gratitude that we feel personally for the kindness and courtesy we have always received from you. We shall all remember with satisfaction the period during which our respective public duties have placed us in communication with your government; and in now taking leave of you officially, we beg to be allowed to assure you of the sincere interest we shall ever feel for the continued welfare and happiness of yourself and of your family.

The president's reply.

I reciprocate, sir, cordially, the expressions of the respect and esteem which you have made to me in behalf of the members of the diplomatic body accredited to this government.

I would have regretted besides the occurrence of a single circumstance in our official intercourse to interrupt those feelings of mutual respect and personal kindness, the maintenance of which between public functionaries is always agreeable, and which seldom fails to exercise a salutary influence upon the transaction of public business. Your obliging expression has satisfied me that my utmost wishes in this regard have been fully realized, and I derive great pleasure from the conviction.

The members of the diplomatic body will please accept my grateful acknowledgments for the interest they take in the future happiness of myself and family; and I beg them to be assured that I will always cherish a lively solicitude for their individual welfare, and for the welfare of those whose happiness is dependent upon theirs.

PRESENTATION OF FOREIGN MINISTERS. The members of the diplomatic body, now in Washington, and accredited to the government of the United States, were received by the president on the 9th inst. at 2 o'clock. Mr. Fox, the British minister, on being presented by the secretary of state, made to the president the following address:

Sir: I have the honor to address you in the name of the diplomatic body accredited to the United States of America. We hasten, sir, to congratulate you upon your accession to the high office of president of this republic, which the confidence of your

fellow citizens has conferred upon you. We speak the true sentiments of our respective governments and countries, in offering this testimony of regard and respect for your person and for your station. We rejoice, sir, to have heard from your own lips, in your inaugural address, the declaration of a virtuous desire to promote the relations of national friendship and peace between the United States and foreign powers; and we are happy to recognize, in your personal character and qualities, the strongest assurance that the efforts of your government will be faithfully directed to accomplish so good and useful a purpose.

To this address the president of the United States made the following reply:

Sir: I receive with great pleasure the congratulations you have been pleased to offer me in the name of the distinguished diplomatic body now present, the representatives of the most powerful and polished nations with whom the republic which has honored me with the office of its chief magistrate has to maintain relations, for ages, interrupted.

The sentiments contained in my late address to my fellow citizens, and to which you have been pleased to advert, are those which will continue to govern my conduct throughout the whole course of my administration. Last night, when I assumed the undivided sovereignty of the country, and stepped immediately from amongst them, I am enabled, with confidence, to say that in thus acting I shall be sustained by their undivided approbation.

The object to which I am now bound by duty and inclination I shall omit nothing in my power to contribute to their own personal happiness and that of the friends whom, on this occasion, you represent, as long as you may continue amongst us.

The signers of the address, with their wives, and the persons attached to their respective missions, were then successively presented to the president. The minister of Russia, we learn, was prevented from being present, by indisposition, which, we are happy to be able to say, is not serious.

COLLECTOR OF N. YORK. The National Intelligencer states that in the senate on the 27th ult. in executive session, a new collector was nominated and appointed to the office of collector of the city of New York. It appears that Jesse Hoyt, *esq.* resigned, and that John J. Morgan, *esq.* was, on Saturday, nominated and confirmed in his stead. [Mr. Morgan is a gentleman of highly respectable character, and has been for many years a member of the legislature at long intervals, as a member of congress from the city of New York.] The following article in the N. York Times, of Friday last, may, perhaps, explain some of the causes of this extraordinary occurrence.

"The collector. There have been whispers in Wall street for some days past of a defalcation in the custom house. Whether the circumstances warrant the use of the word *defalcation*, we cannot say; but certain it is that Mr. Hoyt, the collector, retains in his hands a large amount of money, the produce of seizures and of fees, which he refuses to place to the credit of the government. A correspondence is said to have taken place between the collector and the president, the result of which is understood to be a determination on the part of Mr. Hoyt to resign.

"The grounds upon which Mr. Hoyt reserves the money in question are variously stated. We believe that he claims for himself a large sum for extra services, and as fees properly accruing to the collector, under unparalleled portions of the revenue law of 1796, and another portion as a fund to provide for and against loss in case certain seizures should be held by the government, should be decided to be illegal. The sum total retained by Mr. Hoyt amounts, if we are correctly informed, to about two hundred thousand dollars."

We have reason to know, says the N. Y. American, that there is a misunderstanding between the collector of this port and the accounting officers of the treasury—as to certain charges made by the former in his accounts.

The sum in question is about forty me thousand dollars—a portion of which has actually been distributed to other officers entitled to their shares of forfeitures.

The collector contends that the usage of the treasury and the law are in his favor; the accounting officers, stimulated to unwearied zeal by the exhibition of former remissness in the Swartwout case—insist upon a different construction. Hence the difficulty. There is no pretence of defalcation, but the collector wisely conceals the money, subject to judicial decision.

The New York Standard contains a correspondence between Jesse Hoyt, *esq.* collector of the port, and the Hon. Levi Woodbury, secretary of the

treasury, from which it appears that the gross amount in dispute between the government and the collector is \$48,369 04.

From this sum certain deductions have been made, leaving a net amount of \$30,519 83, for which a suit has been commenced against Mr. Hoyt by order of the government.

We publish three of the letters which will explain the details of the case, so far as it is explained by this correspondence.

U. S. district attorney's office, N. York, Feb. 25, 1841.

Sir: In connection with the suit commenced against you and your sureties, by the United States, on your official bond, certain of which you have doubtless received notice by the service of the process issued therein. I have been instructed by the solicitor of the treasury, pursuant to the special direction of the president to the secretary of the treasury, to require you either to pay into court, or to place in some safe deposit in trust, to abide the event of the suit, the amount of the disputed charges in your accounts, as lately audited by the accounting officers; this requisition, however, not extending to certain disputed duties on forfeited goods, nor to the item of \$1,350 90, for official expenses of markers.

The gross amount of the disputed items in your accounts, as shown in the documents received by me from the department is \$48,369 04

From this sum deduct

1. Amount of disputed duties on forfeited goods, as also appears from those documents \$11,498 31

2. Official expenses of markers, 1,350 90

\$36,519 83

And the balance, thirty thousand, five hundred and nineteen dollars and eighty three cents, is the sum which I am instructed to require you to pay into court, or to place in some safe deposit mentioned. The requisition I now make; and beg leave to ask to it your immediate attention.

Be pleased to acknowledge the receipt of this letter—and to inform me whether the requisition is complied with, or whether you desire to discuss the forms suggested, you propose to adopt. I am, very respectfully, your obedient servant,

Signed, B. F. BUTLER, *U. S. district attorney.*

To Jesse Hoyt, collector of the port of N. York.

N. York, Feb. 25, 1841.

Sir: Your letter of the 25th instant came to me at so late an hour of the day, that I had not the opportunity to reply to it then; nor have I had the leisure to do so till this moment. You state subjoined to be the suit commenced against me and my sureties by the United States on my official bond, and of which I had doubtless received notice, by the service of the process issued, that you had been instructed, by the special direction of the president to the secretary of the treasury, to require me either to pay into court, or to place in some safe deposit in trust, to abide the event of the suit, the amount of disputed charges in my accounts, as lately audited by the accounting officers. The amount of the deposit required, you also state to be \$30,519 83.

In reply to this requisition, I have to say:

1. The suit you refer to was commenced on Saturday, the 26th instant, of which I had notice from the secretary of the treasury, on the 27th inst. I have no bond. I need not say with what surprise that notice came to me, for you will probably appreciate it, when I inform you that my correspondence with the treasury department had not closed, when the process was served upon me. I have not, however, for that proceeding, consider it now closed. It is then quite apparent that, by the legal proceeding referred to, all the mischief has been done me, that the nature of the case was susceptible of producing.

2. It was five days after the commencement of the suit against my sureties, that you called upon me to deposit the sum referred to, without explaining to me the motive for such a request.

If the proposition had been submitted, before the commencement of the suit against the sureties, to make the deposit for the eventual acquittal of the United States and such suit had it been confined, in case of the deposit, to me alone, with the view of leaving the legality of my claim, considerations would then have entered into the question which cannot now arise.

3. The case of calling for a deposit, could in any view I can take of the case, be only beneficial to the sureties of the United States, and as they had, before making such a call, very unexpediently to me, broken off the correspondence, and elected to resort to the legal rights against me and the sure-

tion, the perfect responsibility of whom to meet the consequences cannot be doubted, I think I ought to leave the matter in the position the United States have chosen to take of it. By which I mean that, under the views I take of the subject, I decline making the deposit. Very respectfully,

(Signed) J. H. Hovey, collector.

To B. F. Butler, esq. U. S. district attorney, N. Y. Treasury department, 27th Feb. 1841.

Sir: I am instructed by the president to inform you that he has accepted your resignation of the office of collector—to take effect agreeable to its tenor, on your being duly notified of the appointment of your successor.

The notice will be given to you by that successor, soon as he is appointed and ready to enter on the duties of the office. Respectfully,

(Signed) LEVI WOODBURY, Secretary of the treasury.

Jesus Hovey, esq. collector of New York.

ARMY.

One hundred and eighteen recruits sailed from N. York for Savannah a few days since, under the command of Lieut. William Mock, intended as a reinforcement of the 7th regiment of infantry in Florida.

Florida. The Savannah Republican of the 7th instant supplies the following intelligence, in a letter dated:

Fort Russell, E. F. March 24, 1841.

Gentlemen: I listen to inform you are the express starts for Pliska, of the re-appearance of the Indians this evening at Orange Creek, within three miles of this fort. Lieutenant Alberts, of the 2d regiment of infantry, who was detached from fort Russell some few days since to garrison fort Brooke, about five miles distant, was started about eleven o'clock this morning by hearing the wild cry of the Indian war-who in the direction of fort Russell. Taking with him twenty-four men of his small command, Lieut. A. immediately left fort Brooke, and following the direction of the cries, encountered the Indians in force at Orange Creek hammock, only three miles from fort Russell. On perceiving the Indians, Lieutenant Alberts ordered a heavy fire upon them, which continued for an hour; but as the Indian force continued to increase, numbering about one hundred, and Lieutenant Alberts having fired away his ammunition, he was compelled to retreat back to fort Brooke, bearing with him five of his men severely wounded. Having deposited the wounded in a block house, together with the females of the post, and established a guard with others to fight or slay should the post be attacked during his absence, Lieutenant Alberts again issued to the accompaniment of only seventeen men, with the determination to cut his way through the Indians in order to communicate with Capt. Bannin, the commander of fort Russell.

On arriving once more at Orange creek, the Indians emerged from the hammock and offered Lieut. Alberts battle, in the broad pine barren. That officer, with bravery almost unparalleled, with only seventeen men, again fought the enemy twice an hour, and at times, although lacerated in him, made his way through the whole force of Alex. Tuskegee to the post of fort Russell, losing the greater of five only one man. The commanding officer of fort Russell immediately left in pursuit of the enemy. Our sagacious army doctor brought into the post, 2 killed—1 corporal and 1 private—6 wounded—1 sergeant, 1 corporal and 4 privates—and 1 is missing.

Killed—Corporal Long, Company G, 2d infantry; private Hook, Company H, 2d infantry; sergeant, Company K, 2d infantry; corporal Harford, Company K, privates Holman, Company K; Newton, do. Company K; McQuilling, do.

Missing—Private Alrick. The loss of the enemy cannot be ascertained, as the Indian warriors were seen to drag off their dead and wounded as fast as they fell. Yet my word for it, Alex. Tuskegee, at the head of his hundred warriors, while contemplating the dead and wounded at this moment feels much bitter against Lieut. Alberts and his "scavenger" men.

P. S. No Indian news from Tampa. The Indians came in have not yet gone west.

THE NAVY.

Promotions, by and with the consent of the senate. The following named passed immediate orders to be Lieutenants: Robert E. Hoar, from 17th Dec. 1830. James M. Lockert, from 21st December, 1830. William F. New, from 28th December, 1839.

Wm. H. Brown, Charles Steadfast, William L. Herndon, John P. Parker, John F. Borden, James Allen, Jr., Augustus L. Case, Roger Perry, James

W. Raver, Alexander M. Pennock, B. S. B. Darlington, George F. Emmons, Edward Middleton, Montgomery Lewis, George M. White, William S. Swann, Thomas T. Hunter, A. A. Holcomb, Gust H. Scott, Richard Forrest, Levin Handy, David McDougal, Charles F. McIntosh, James W. Cooke, C. F. M. Spotswood, Henry C. Flagg, Daniel F. Dulany, George L. Selden, William T. Ball, John F. Cretzer, James E. Brown, Charles C. Bartol, John J. B. Walback, Oliver H. Perry, Charles W. Morris, Joshua Humphreys, Richard Backe, Jr., Francis E. Barry, John B. Dale, Stephen De-caur, from February, 1841.

The *Worcester*, Captain Wilson, of the British brig *Worcester*, at Halifax 21th ult. fifty days from Annapolis bay, via Matanzas, reports that he spoke, 10th ult. off the Isle of Pines, American frigate Macedonian, Captain Wilkinson, from Norfolk, for Pensacola, which, seeing the *Worcester*, was in such sickness, took three men on board, and kept in company five days—during which time the surgeon of the frigate was frequently sent on board.

Materials. It is stated that we have at the various navy yards throughout the country, materials for building 20 ships of the line, 40 frigates, and a number of steamers.

The United States ship *Marion* was adrift and perfectly free from water at Rio Janeiro on the 22d Dec. 1840.

Seizure of the Delaware. The ship John Hale from Boston, arrived here on Saturday, with a draft of 240 seamen, under the command of Lieut. Bruce and Deas, for the United States ship *Delaware*; and about 30 more arrived on the same day, in charge of John J. Mackay, from Philadelphia, via Baltimore, in the steamer *Pocahontas*. [Norfolk Herald.]

The steamer *Missouri*. The United States steam frigate *Missouri*, building at the Brooklyn navy yard, will be ready for service about the first of July. We understand that her armament will consist of eight ten inch Paixhan guns, two of which are to be placed on swivel carriages on the fore-castle. These destructive guns are considered as effective as a full battery of the largest calibre. Her rigging, which will soon be ready to be placed on board, and in early summer we may see her making her experimental trip. The engines, which are building at Cold Spring, are nearly completed, and will be brought down as soon as the state of the navigation will permit. [N. Y. Standard.]

U. S. frigate *Potomac* on shore. According to the New York Journal of Commerce, letters from Rio de Janeiro of 8th January, state that the U. S. frigate *Potomac* was on shore at that place, and that she had been ordered to be placed on the coast, and be got off. Rumors were abroad that she had 12 feet water in her hold.

Letters of the 8th say the accounts relative to the *Potomac* had been somewhat exaggerated—she was not on shore, and had a pilot on board when the accident happened.

Later. A letter from the U. S. consul at Montevideo, of December 30, states that vessels were sent to her relief from Barraco Ayres and Montevideo, on board of which all the heavy articles were placed, and that on the 24th she was got off "without having sustained the slightest injury."

The U. S. ship *Cyclops*, arrived at Cadiz December 25th from Malon, and sailed again on the 30th. Capt. Morgan took command of the navy yard at Charleston, on Friday last, and was received with the customary salute.

STATES OF THE UNION.

MAINE.

The legislature has instructed the hon. L. Williams to vote for the repeal of the sub-treasury, for a national bank, for such a revision of the tariff as shall furnish a revenue equal to the expenditures of the government, and afford protection to American industry, and for an equal distribution of the proceeds of the public lands among the states.

Special election. Gov. Kent, of Maine, has appointed the third Monday in March to be placed for special election of a member of congress from the Kennebec district, in place of the hon. Geo. Evans, elected United States senator.

NEW HAMPSHIRE.

Education. The course of speech in the house of representatives on the 28th ult. upon the subject of a reform in the post office department, Mr. Pierce took occasion to refer to the literary character of the state he in part represents, in the following terms:

Mr. P. said he had no intention whatever to reflect on the course of any gentleman. It was not for him to dictate; but when he was importuned from day to day respecting measures in which the people who he had the honor in part to represent were deeply interested—when they were continually asking him why the post office reform was not

effected—why their private claims were not considered, he chose to state the true and only reason—on which no gentleman here could gaily or convert.

His people were not a complaining people; but they knew what was just and reasonable, and they usually insisted upon it. He would say a word with regard to New Hampshire, not in a spirit of boasting, but to state the facts, and to state the facts of the weak men and wicked men of buffoon and politicians, whose jaws and standers had found their way into the partisan press under the caption of the "dark corners." That which had drawn upon her reproach was nothing but the distinguished character of which every son of the soil was proud to have him birth should be most proud—the sternness and inflexibility with which she had adhered to her political principles. In war, she had sent forth from her thousand hills more warriors than her proportion of men, with strong hands and stout hearts, to do battle for the common country; and, as their blood upon many a well-fought field, both in the revolution and the late war, would testify, they had not disgraced the land of their nativity. In peace, she called her sons to the ballot-box to stamp the seal of her reprobation upon the miserable dummery of electorshiping shows, and to smite back defiance upon any appeals made to them not supported by truth and justice.

"The dark corners!" She obnoxious to the charge of darkness and ignorance! He would not ask gentlemen to look at the number and condition of her literary institutions of the highest class—at her sixty-three academies, and her colleges, and her higher branches of education were taught by nearly six thousand scholars—at her two thousand common schools, all supported at the public expense, with more than eighty-one thousand pupils at the circumference, that the means of education was brought, as it were, to every man's door—there being a place of public education to every one hundred and thirty inhabitants; but he would state a single fact, ascertained by the late census—it was this: that, with a population of 284,481 souls, there were only 927 persons over 20 years of age, foreigners included, within the limits of the state, who could not both read and write; and on that fact alone he would hold her up in the sunlight of her intelligence. He would not say that persons, but he might safely challenge them from others.

MARSHUSETTS.

Paupers. The secretary of the commonwealth of Massachusetts, has laid before the legislature an abstract of the statistics of the poor in the year 1840. The whole number of persons relieved or supported, during the year, was 14,912. Of these, 4,271 were state paupers. Foreign paupers, 8,175. Of the whole number, 6,587 were made paupers by intemperance in habits or others, more than one half the whole number.

A whig state convention was held at Boston on Tuesday evening last, and John Davis nominated for governor and George Hull for lieutenant governor. Among the resolutions, was the following, complimentary to the hon. Daniel Webster:

Resolved, That as citizens of Massachusetts, we feel bound to express our sincere gratification, that the course of events will place at the head of the new cabinet an eminent citizen of our own commonwealth, whose long public life is illustrated by every act which can mark a patriot, and "in whose hands the prosperity of Massachusetts has not been impaired, nor her honor tarnished," and to whom we now tender this record of the solemn judgment of his constituents.

RHODE ISLAND.

A convention is to be held in Rhode Island on the first Monday in November next, for the purpose of forming a state constitution. This little state has existed since 1662 under the colonial charter granted by Charles II. to the Providence Journal says that the commonwealth has "never enjoyed so favorably thus far, and remarks it was strange that such a charter proclaiming perfect freedom in all "religious concerns," and declaring the colony to be "democratical in its laws," and "in whose hands, should have been granted "by one of our best-gifted and prerogative exacting race of the Stuarts."

Whatever may have been the character of the other Stuarts, Charles the second was neither bigoted nor tyrannical; for he was too careless and fond of pleasure to be either. It is questionable whether or not the "merry monarch" knew the contents of the charter which he signed for the little colony over the water.

The alterations proposed to be made by the convention relate chiefly to a change in the representation, which will increase the number of representatives, and to some new modification of the judiciary. [Bolt. Amer.]

union the lands must be ceded, the other continues the distribution. Without, therefore, going into the great variety of important questions which have been discussed by others relative to the power and expediency of the amendment of the senator from South Carolina, I am compelled to arrive at the conclusion that it is my duty to vote against it; and if it should pass and become a law, and the question should be put to whether the proposition should be accepted by my state, I should have to answer in the negative.

I have now, Mr. President, arrived at that point of the argument when it becomes necessary to discuss the main subject of the proposition, to wit, the proposed amendment of the senator from Kentucky, (Mr. CRITTENDEN). [Here Mr. MERRICK asked Mr. SMITH to give way for a motion to adjourn. Mr. S. having spoken over an hour and a half, and it being late in the evening, the senate adjourned.]

At the moment of the adjournment, Mr. President, on yesterday, I had arrived at what seemed to me to be the main question before the senate. I had said something about the gradation and pre-emption bills and their kindred subjects. I had attempted to examine some of the provisions of the bill of the senator from South Carolina. I had admitted the importance of the question before us, and I had urged the great utility of the proposition, and the expediency of placing this whole matter on the basis of a judicious compromise. Commencing, therefore, at this point where my remarks were arrested, (for I shall avoid repetition as much as possible), I proceeded to give my views on the question of distribution, in which it will be my purpose to show why it is, in my opinion, entitled to my support, and to answer some of the objections that had been urged against it. The senator from Arkansas, (Mr. SEVEN), alluded to this subject the other day, and I confess I was rather disappointed in his course of remarks: I did expect and I did hope to hear that senator discuss the merits of the proposition. I was anxious to hear his views, for they are usually marked with a strong vein of common sense and practical illustration. The senator, however, declined the argument, and contented himself with saying that the measure was dead, and by telling us that the senator from Missouri (Mr. BAXTER) had said so. Yes, says the senator from Arkansas, the senator from Missouri murdered it as soon as it was introduced. I hope the senator did not mean to charge the malice aforethought, which is constitutive of the crime of technical murder. [Mr. SEVEN said yes, sir.]

Well, Mr. President, I have only to say that malice is essential to constitute a killing murder in the eye of the law, it is not so essential in the composition of a legislator. We should meet the question that is presented to us with calmness and deliberation. I do not say that the senator from Missouri did not so discuss this question: I am merely replying to the remark of the senator from Arkansas.

It so happens that I differ entirely with the senator from Arkansas in the assumption that he has indulged in, that the proposition of distribution is either killed or murdered. Sir, that proposition is not dead, but living; and let me tell senators who think that it is dead, that they will find it not only living, but that it is destined to become the law of the land, and that, too, before many more sessions of congress shall have passed by. It should, in my opinion, long since have been the law. If the bill that was introduced by the senator from Kentucky, (Mr. CLAY), and which passed congress during the administration of general Jackson, had become the law, it would have been most valuable measure for the whole union, and especially for my state; and I assure you, sir, that by the benevolence of general Jackson still sustaining him, it was for other reasons than his opposition to the distribution bill. The same measure is now before us, and I shall give it my hearty support; and not like my friend from Arkansas.

I conclude with a more expressive opinion. I desire my state to see the distinct grounds of my support, for I have no sentiment to conceal on this or any other measure.

First. I support the bill because it is the only compromise measure upon which all can unite, and which, with proper provisions, will do ample justice to both the old and the new states. The interest of the new states will be amply protected, and the rights of the old states will be maintained in the distribution of the land. The difficulties spoken of by the senator from South Carolina, as arising from the present system, will be partially obviated, and the voice of discontent between the new states and the old, growing out of the subject, will be silenced in the future. Instead of making the bill expire by its own limitation in a few years, I would make it a part of the permanent land system.

Secondly, I support it as a western measure. Yes, sir, as a western measure; not especially as a measure called for by the hostilities of my state. The west must have been blind to the administration of public affairs for the last few years, who has not seen the tendency of the government to draw the money from the west, through the land offices and import duties, as an expenditure for the support of the government. (Mr. ANDERSON), who addressed the senate the other day upon this point, with great ascension. The noblest stand he took, and the independence with which he announced his views, commended his remarks to the attention of the west. Three years the table of expenditures will show that the expenses of the administration have been \$99,895,720.

Thus, in 1838,	\$10,427,218
1839,	21,915,000
1840,	26,645,512

Now, how much of this fund has been expended in the west? how much in the northwest? Let the friends of the northern harbors answer; let the friends of the Cumberland road and the friends to the improvement of the navigation of western rivers answer. Not a dollar of this vast sum was appropriated to the protection of lake commerce; not a dollar to the improvement of the navigation of the state on the road, and the best horses have been lost through the obstruction of the navigation, and the consequent high tariff of tolls at the falls, still remains. The Cumberland road, that great western measure, the construction of which was the subject of the dispute under the administration continued through the subsequent administrations to the present, has been suffered to sink into a state of dilapidation, decay and ruin. I talked the other day with a contractor for carrying the mail in my state on the road, and he told me he would like to abandon his contract at all hazards. He said it would ruin him to try to go on, for the mail was so very heavy that he could carry no passengers; and so soon as the frost was out in the spring, it would be impossible for four of the best horses to be able to travel more than two miles an hour upon it, and even then they would swamp or mire down at the worst places, and have to be raised by rails or levers.

Next, sir, out of four expenditures of nearly one hundred millions of dollars in the last three years, not one dollar could all the entreaties and arguments we could use obtain. I saw the tendency of the doctrines that have held us in our present condition of poverty and distress, and I saw the necessity of a proposition that had been introduced favorable to the western objects which I have named had been voted down, and it was declared by a distinguished senator (Mr. CALHOUN) that our appropriations and our proposition was a waste of money, and appropriate \$90,000 to the commencement of a new work at Pensacola, on the Gulf of Mexico; the same senators that voted against the Cumberland road voted for the Pensacola work, it brings on the seaboard. And even at this season, the senator from Illinois (Mr. YOUNG) introduced a bill making a small appropriation to the Cumberland road, and proposed to let it remain on the order without reference, the senator from Alabama (Mr. CLAY) objected, and wished the committee to inquire into the propriety of borrowing money for this road; and yet I am greatly mistaken if the same senator did not vote for the Pensacola appropriation when the government was borrowing money, without ever putting that question to mind.

Thirdly, I support the bill because it is a measure to show the tendency of modern doctrines, and the propriety, on our part, of providing for contingencies. Not that I have any disposition to give up the Cumberland road or the improvement of the navigation of the west, but I am in favor of the consideration of congress so long as I am honored with a seat in this body. I hope, however, to see the Cumberland road provided for in the final adjustment of the land and navigation of these states.

It was originally connected with it, and I shall contend for the continuance of the connexion. By the distribution, at least a portion of the money that is drawn from us will be returned to our people annually. The virtuous industry of these states will be felt in every part of the union, but more especially in the west, which is, by the modern doctrines, in effect, cut off from the participation in the benefits of a national treasury, so far as direct appropriations are concerned. I am speaking for my own state. I know that here also the distribution will be most acceptable to her, circumstances as she is. And as it is in her right, I feel it to be my duty, as her representative, to urge the measure by my vote as well as by my tongue. I have seen the senator from Kentucky introduce his amendment, the senator from Missouri, (Mr. LANS), intimated an intention of moving an amendment to the proposition of distribution, to ap-

propriate the land funds to the navy and national defences exclusively. I suppose he meant the defences of the western frontier, as that subject is near his heart. (Mr. LANS from his seat, said, no, sir; the entire national defences.) The senator from South Carolina (Mr. CALHOUN) catching at the proposition, but understanding it to be confined to the navy alone, took to his seat, and I think the senator from Ohio took to his seat unanimously, and spoke in strains of eulogy and high commendation of the project. Thus in but carrying out the policy which I have stated has given the government appropriation to sail their revenue; but, sir, as a western senator, I cannot sustain either of these propositions; and let me not be misunderstood: there is no one here who would go further to sustain the nation in all necessary appropriations for these objects; but let the funds from this source not be taken exclusively from the west; let not the door be closed forever to a return to us of some part of the money that is abstracted from us by the continual drain of the public lands upon the pockets of our citizens. I confess that the two propositions coming from the quarter they do, are somewhat alarming to those who hope to see a return to the west of a portion of the proceeds of the public lands. The objects named belong to the general charge; they are not the private property of the west; and then, for, should the time come when our patriotism and devotion to our country shall call upon us in the west to act with our brethren in the defence of our common country, by land or by sea, they have in the past a sufficient guarantee for the future.

Thirdly, I sustain the proposition because a compromise founded upon it will not unsettle the land system, but preserve it in an improved form, while all the different interests represented can harmonize. The distribution bill, which is to be introduced by the senator from S. Carolina will be to unsettle the land system, create the relation of debtor and creditor between the general government and the states, and produce conflicts arising out of our Indian relations.

The distribution bill which is to be introduced by the states will have received public lands for various purposes. The senator from Michigan, (Mr. NONVELL), has repeatedly introduced this subject, claiming, upon equitable principles, that the other new states should have a share of the proceeds of the Ohio, that has received more of the public land than any other new state. This bill will accomplish that object, it it does not exceed it. The 12 1/2 per cent. on the unsold land in Michigan, being over 21,000,000 acres, will give them a share of 2,625,000 acres of the Ohio. Michigan has received 968,759 acres, Ohio has received 1,812,911 acres—difference 873,152 acres; 12 1/2 per cent. or 1-8th of the unsold lands in Michigan would be 2,500,000 acres, while the 12 1/2 per cent. of the 2,000,000 acres unsold in Ohio would be only 250,000 acres. So that the effect of the bill will be entirely favorable to those of the new states that have not received as much of the public lands as Ohio.

These are, briefly, my reasons for supporting the distribution bill. Let us look at the grounds on which senators place their objections to its passage. So far as I have been able to understand them, they are these:

First. The measure is unconstitutional. Secondly, It will retard the settlement of the states by holding up the lands for prices at which they will not readily sell.

Thirdly, It will prevent the states to drain the western soil, and the revenue of the nation, and leave the general government helpless.

Fourthly, It will corrupt the states, and produce prodigality among their citizens.

Fifthly, It will make the states, by abstracting the proceeds of the public lands from the general revenue, to lay additional imposts to meet the deficit.

These, I believe, comprise the principal objections; I have stated them fairly, and I intend, in the progress of the debate, to show the ground on which I deny the constitutionality of the proposed measure; they contend that it is unconstitutional to raise money for the purpose of distributing it among the states, and therefore, inasmuch as the abstraction of the land fund from the revenue of the general government creates a deficit that must be made up by an increase of imposts, it raises the constitutional objection. The view that I entertain of the constitutional question renders it unnecessary for me to examine the grounds on which they contend, to lay a question of grave import, but which, upon a full discussion in congress, was decided in favor of the power upon the question of distributing the surplus revenue, and that decision was approved of by the

late president, I feel no disposition to open the argument of the question until the case shall arise making it necessary for me to do so.

I contend that the pre-emption disposition of the proceeds of the public lands, by distributing them among the states according to population, evidenced by their representation in congress, is the most constitutional disposition that can be made of them. It is the faithful discharge of the constitutional duties of congress demands the measure proposed. The land question arose prior to the adoption of the federal constitution; it was a revolutionary measure in its origin; it bears date at a period anterior to that at which the general government had the power of levying imposts on foreign merchandise; and hence it never was connected with that mode of raising revenue. The different states, during the revolutionary war, had contracted debts which the confederation desired to see liquidated, and the states owned large tracts of wild land, Virginia being the largest proprietor, her claim covering the most of the northwestern territory, now Ohio, Indiana, Illinois, Michigan and Wisconsin. Cessions of these lands were made by the proprietary states to the confederation. That of Virginia, which may be selected to test the question, after ceding her lands, provided for the use to which they should be applied as follows:

"The said lands shall be considered a common fund for the use and benefit of such of the United States as have become, or shall become, members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general revenue of the confederation, and shall be faithfully and *bona fide* disposed of for that purpose, and for no other use or purpose whatever."

"The confederation being a mere league of states acting for the benefit of states, accepted of the terms upon the terms, and took upon itself the execution of the trust confided to it. In 1778, after the trust had been accepted by the confederation upon the terms of the deeds of cession, and while the confederation subsisted upon it, the constitution was adopted, in which provision was made for this very property, the eye of the convention evidently being directed to it. The 34 section of the 4th article provides that—

"New states may be admitted by the congress into this union; but no new state shall be formed or erected within the jurisdiction of any other state, nor any state be formed by the junction of two or more states, or parts of states, without the consent of the legislative body of the states in which the same shall be formed. The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this constitution shall be so construed as to prejudice any claims of the United States, or of any particular state."

These are people powers conferred and expressly delegated to congress over the entire subject of the public domain, the object of which was clearly to enable the general government to act directly upon the subject matter of the public lands, uncontrolled except by the terms of the constitution, and the previous contracts and engagements of the confederation. These contracts and engagements were expressly recognised by the first clause of the 6th article of the constitution, which declares that "all debts, contracts and engagements entered into before the adoption of this constitution, shall be valid against the U. States under this constitution, as under the confederation." Thus you are the contracts and engagements of the confederation of states under the articles were expressly recognised and protected by the federal constitution. The question then arises, did the cession of the public lands by the states, and the acceptance of them by the confederation under the deed of cession, upon the terms specified, and for the purposes declared, amount in the eye of the confederation, to "engagement," on the part of the confederation, which was obligatory upon it? Can there be any doubt upon this point? If not, then the article of the constitution which I have just read provides for the very purpose, and the object of the confederation, and now are precisely those of the confederation before the change of government and the adoption of the federal constitution. The question then recurs, what were the obligations of the confederation? This question must be decided by the deed of cession, and can be as well answered in the very language used by the parties, to dispose of these lands

"for the use and benefit of such of the U. States as have become, or shall become, members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions in the general exchange and expenditure, and shall be faithfully and *bona fide* disposed of for that

purpose, and for no other purpose whatsoever." I leave the constitutional argument here, having in my own mind still sustained the constitutionality of the disposition proposed of the proceeds of the public lands, by which it would seem to follow that any other disposition, except to make the trust fund more valuable, since the discharge of the revolutionary debts, for which purpose they were ceded, had been a violation of the deed of cession, and consequently an infraction of that section of the constitution which I have read, securing the inviolability of the "contracts" and "engagements" of the confederation.

Now, I would inquire, how do you maintain, under this state of the argument, the grants of lands to the new states, and the distribution of the land fund not covered by the deeds of cession? My answer to the first is, that the clause of the constitution which I have read, giving the power of disposition over the property, and as a trustee confers the power to grant or appropriate one part of the fund to enhance the value of the residue. Such has been the character of all the grants made to the new states. I have introduced these remarks as the other lands have been paid for by the people of all the states, the same people have an undoubted right to a return of their proceeds upon a fair distribution; should they deny this, the bill retard the settlement of the states in which the lands lie, by holding up the price beyond that at which they will readily sell? So it is contended; but it may be answered, that the incorporation of the other principles in the bill, which I have just read, would entirely remove all doubt on the subject. Standing alone, however, it seems to me that the new states have a sufficient guaranty in the fact that the fund is to be distributed, and the disposition of the old states to get possession of their share of the fund will certainly prompt them to accelerate rather than retard the sales. The tendency of the measure, I think, therefore, is the other way, and the new states have no cause for alarm on that score.

Thirdly, it is contended that it will stimulate the states to drain the treasury of all the revenue of the nation, and destroy the general government. This position presents for our consideration matters of great importance, and I trust, of great public interest, and I would speak of it as its importance demands. The political relations of the general government with the state governments, as well as the relation of congress to each, are involved in the argument. The people of the states are interested in the general government, and that we, the congress of the United States, are called upon to protect the federal government against this disposition of the states. Let us begin at the source of power, and see what we are to do.

It is contended that the people of the states are hostile to the people of the federal government, being the identical same people, or that the people of the states are hostile to the federal government, and would destroy it to build up the state governments. Neither of these positions, I humbly conceive, can be maintained. If it were not so, would not that hostility long since have been carried into effect? Is it a controversial point that the federal government only exists at the will of the people of the states? If they not abolish it without even the necessity of resorting to revolution? Should they think proper to do so, let them refuse or omit to appoint senators, or to provide for the election of members of congress, or to elect their representatives in congress. If they do not do so, the point of time of electing either, or to act upon the subject, nor has the executive any greater powers over it, or let them omit to provide for the election of a president by appointing electors, which they may do. If they do not do so, the government, either of these courses, and what becomes of the federal government? The pactament, called the constitution, would still remain, but for all practical purposes it would be as a blank piece of paper. If the people of the states would not do so, violence, without bloodshed, by the mere operation of non-user, until the same people shall think proper to put the machinery in motion. So you see, sir, the people of the states are as to the complicated machinery of our system of government, as the heart is to the human system—its vitality and its power. Let us, sir, pursue the argument, and see what our position is as members of the senate. Are we not the creatures of the different states, created by their power, and the representatives of their will within the provisions of the federal constitution? Does it become us to charge those who delegated us to take seats on this floor, who clothed us with all the powers we possess as senators, to turn upon their creators and charge them with a disposition to destroy the federal government, and claim for ourselves the high prerogative of acting as the exclusive protectors of the federal government against the

assault of the states? Can we maintain the position that we hold powers legitimately at war with the rights and interests of our common constituents, the states? Let senators who choose to leave their high grounds maintain them. Our duties are of a two-fold character—while we sustain the federal government and support the federal constitution, we do so as the representatives of the states. Sir, I return to this question, and I would charge them with instructions from the legislatures of their states on this subject of distribution? Let me suppose that the honorable senators from Missouri were instructed, would they turn upon the legislature and charge it with a disposition to destroy the federal government, or would they obey? Suppose the legislature of Alabama should instruct her senators, would they obey? [Mr. CLAY, of Alabama, said, no, sir.]—Then the senator would resign, I suppose. [Mr. CLAY, Yes, sir, I would.] I would say, we would get another senator in your place, who would carry out the will of the state, and the operation would merely exchange one senator for another—the principle would be carried out, and the state would triumph. I have introduced these remarks for the purpose of showing that, if the states were so disposed, they have it in their power to arrest the further progress of the operation of the general government without resorting to the supposed course to effect that object. I have introduced these remarks, I repeat, to show that the position of the states are hostile to the general government; when, in fact, nothing is less true: the people of the states are devotedly and patriotically attached to the federal government, and would rather see it destroyed or embarrassed, it they would come to its rescue in the hour of peril and lay down their lives in its defence.

Fourthly, it is argued that it will corrupt the states, and lead to prodigality. This is the position that the people of the states are not competent to manage their own concerns, and that we should act as their guardians—a doctrine that has of late years found its way into congress, and has found numerous adherents. Those who profess a reverence, next to that of holy writ, for democratic doctrines! This is strange democracy. Afraid to trust the people with their own money! And pray, sir, what would you do with it? Leave it in the hands of the people? No, sir, it would be lost, that is the safe deposit. They cannot be corrupted, as a matter of course. Is that the doctrine senators contend for? This is guarding the rights of the people of the states with a vengeance! We have their money, and we are to guard it for them. In answer, you cannot have it; you are not capable of taking care of it; you will become prodigal; let us keep it, we can be trusted; your money will be safely kept or laid out, as we think proper; recollect it is not your money, it is the people's money, and they will take care of it themselves to the trouble of taking care that they are not tempted. Would a course like this comport with our duty to the states? Let senators who approve of it adopt the course, it does not suit me. On the score of prodigality, I know of no state that could not compare itself with the general government for the last four years.

The senator from Missouri (Mr. BENTON) refers to the deposit of the surplus revenue with the states, and attributes the great rage for speculation and internal improvements to that deposit. Suppose I admit his premises, can he show me that a similar effect would not have been produced by the expenditure of the same sum of money by the general government? I would not say that it would, but I would say that it would be scattered in the air, and not the band that scattered it. But, sir, I cannot let the remarks of the senator pass without further notice. I do not concur with him in the course to which he refers. The removal of the public deposits from the states, and the deposit of them in the hands of the federal government, was a bargain that was made between the government and the local or state banks, that the banks should pay a per cent. on the public deposits, authorising the banks to issue upon them; the circuit of the secretary of the treasury, and the consequent inflation of the currency, produced the effect to which the senator from Missouri alluded, and not the deposit of the surplus with the states.

Fifthly, it is objected that, by abstracting the land fund for distribution, it will become necessary to provide for the deficit by laying imposts. I presume this position is well founded, provided the present imposts shall not be sufficient for an economical administration of public affairs. That it would fall greatly short of the late expenditures I readily admit; but that is no criterion to judge by. If I trust the expenditures hereafter will be brought within economical limits. I hope, in no emergency hereafter, we shall be required to resort to the present policy of treasury, and to the sale of the surplus of the sale of argument, that we shall have to lay imposts duties to make up the deficit of the land fund. Those duties can be laid upon luxuries, such as

wines, brandies and milks, articles consumed by the rich, and then only by such persons as choose to pay for them. The great laboring class of society would pay very little of the duty, while they would receive their proportion to the distribution. As a general principle, I see no objection to it; as connected with the obligation of distribution, it would be the true policy in the contingency of which I have spoken. My remarks, Mr. President, will be closed, so far as the laboring class is concerned, with this declaration: I do not anticipate the possibility of arranging this great subject at the present session; but I hope to see the whole matter finally settled at the next session, upon terms of compromise and mutual concession to the people, and the government, and the officers of the general government, and the best interest of the states. The constitution of the United States was based upon a compromise of conflicting opinions. The tariff question, that almost threatened the union, was not settled; and why should not this great land question receive the same blessing?

I would here close my remarks and resume my seat, but the senate must pardon me for noticing the political topic that has been introduced into the discussion. I did hope, Mr. President, when we were assembled here at the present session, that we would, by common consent, exclude from these halls all the political heat that was created in the late political contest. We have all heard enough of it; we need none now of it ever. But in this I have been disappointed. The very title of the bill introduces the log cabin as a political reminiscence calculated to lead to political discussion; indeed, it has no led some of the senators who have addressed you. I did suppose that the charges that have been made in the heated partisan press, that the late presidential election was influenced by stock-jobbing considerations in England, would not have found their way into this august body. But here, again, I have been mistaken. And since the charges have been made, I desire to know what state has been so operated upon. Let the charge be located. For my state and her citizens I repel it. I had seen in the columns of the party press, immediately after the election, that the president, the charge that the election had been carried by fraud. This we had a right to expect, for it is a principle in our nature to attribute our defeat to anything else than a defect in ourselves or our conduct; and, as we have seen in the case of the late election, I thought it but the privilege of the defeated party to excuse themselves, even at the expense of facts and of the feelings of their opponents; but, to my utter astonishment, I saw in the official organ of the administration, that the same state had been there at the time of the election, had heard and seen much, and I now declare to you that I honestly believe there never was a more fair and honest expression of public opinion in the senate than there has at the election the late presidential election. There may have been illegal votes given, and no doubt were, but, if so, I have good reason to believe they were unknown to the judges and inspectors, and were not confined to one side alone.

I am aware that an argument has been based on the fact that there were more votes given in August and November than there were polls assessed in the spring. Admit this to be true, and does it prove that the excess were illegal votes, or that they were all cast on one side? Or may it not rather be attributed to the fact that all the polls were not taken by the assessors in the spring, or that some may have come of age between the time of the assessment and the election? Thus we have the same view of the matter. Add to this the fact that these same assessors accidentally returned "2,235,906 acres of land less than the true amount," and then make the calculation, and you will find that the vote of Indiana does not bear a higher proportion to the population, than an average of other states, and it seems to me that even the official would consent to raise the floor from Indiana, and seek some other point of location. It does not become me to say what was the cause of the defeat of the administration party at the late election. The senator from Arkansas and myself said a few words on that subject at the commencement of my remarks. Still I may be permitted to make I have laid down for the people, that I attribute the result to the fact that those in power lived too far from the people, knew too little of their interest, cared too little for their wishes, treated upon the country obnoxious measures, attempted to oppress the people in power by the application of doctrines with which the great body of the people had no sympathy, and treated with disdain, contempt, slander and abuse, the candidate of their choice.—While the winning republicans have been so destructive. It has proclaimed to the world the power of the ballot-box, and the perpetuity of our glorious form of government.

TWENTY-SIXTH CONGRESS—34 SESSION.

SENATE.

March 2. Mr. Wall presented the credentials of the hon. Jacob W. Miller, senator elect from New Jersey, from and after the 1st of March next.

The vice president laid before the senate a report of the secretary of the treasury, transmitting information concerning the annual appropriations and expenditures.

Mr. Young moved the following resolution:

Resolved, That the same number of the memorials presented by the people called Mormons or "latter day saints," to the senate of the United States of the last session, together with the memorial of the same, and presented in support of the same, be printed for the use of the senate, as have been printed of a document purporting to be the testimony given before the judge of the state of Missouri, in the trial of Joseph Smith and others on the alleged charges of high treason and other crimes against the state.

Mr. Young said that statements had been made in documents presented from the legislature of Missouri, which, if all contained in them was correct, would go to show that these "latter day saints" were very dangerous people. He thought, however, they ought at least to have an opportunity of defending themselves; and they had assured him they would defend their memorial in all its essential points. The government, he believed, had been called on to pay a militia of Missouri for putting down the Mormons.

Mr. Linn must beg leave to interrupt the senator; Missouri never called on the government for any such thing; the senator was entirely mistaken. The proper place for this memorial was the legislature of Missouri, not the senate of the United States. Was the senate to undertake to bring Missouri to bar to answer to the complaint of the Mormons? When their memorial had been presented at a prior session, he had told the senate it was a error, and reflected improperly on the state. It was, however, published to the world; and the statements he had received from the legislature, setting forth all the facts, was also published; and the senate was called on to act upon it.

Mr. Young moved to print the same number of the present document as had been printed of that from the legislature of Missouri.

Mr. Hubbard moved to lay the motion to print on the table. Mr. Young said that the vote stood as follows: yeas 22, nays 12.

Mr. Benton, from the committee on military affairs, in answer to the memorial of the corporate authorities of Baltimore, asking for a suitable fortification for the city of Baltimore, reported the following resolution, closing with the following resolution:

Resolved, That the report of the United States be requested to cause to be laid before the senate, at the next session of congress, reports of the military and naval condition of the country; showing the fortifications, or other permanent defenses commenced, completed, young, or deemed necessary.

1st. For the northern frontier, from Lake Superior to Passanquoddy bay.

2d. For the maritime frontier from Passanquoddy bay to Cape Florida.

3d. For the gulf frontier, from Cape Florida to the Sabine bay.

4th. For the western frontier, from the Sabine bay to Lake Superior.

Together with a conjectured estimate of the expenses of constructing or completing such works as may not yet have been completed or commenced.

Mr. Benton explained the object of the report; it was to obtain a correct and complete view of the state of the armament of the fortifications, the armories, magazines and foundries, the floating or other military vessels, the military and naval arsenals, docks, naval establishments, &c. that may have been commenced or deemed necessary.

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Every thing connected with the defense had gone into a state of dilapidation and decay. He expressed his deep regret that so much precious time should have been lost, and which, he feared, could never be recalled.

Mr. Benton said he would not take up the time of the senate now to answer the arguments of the senator from South Carolina, but he would pledge himself to controvert them all when the matter came up at the next session. He would make no speeches for the galleries.

Mr. Preston apprehended that speeches to the galleries were made from the other side of the house rather than on his.

Mr. Benton said he would lay the subject on the table; which was agreed to.

The senate then proceeded to the discussion of the house bill making appropriation for the civil and diplomatic expenses of the government for the year 1841.

This bill having been amended in several particulars, which amendments were discussed by Messrs. Henderson, Wright, Anderson, Southard, Prentiss, Preston, Calhoun and others, the amendments were ordered to be printed, and the bill read a third time.

The bill making appropriations for the naval service of the United States for 1841 was taken up in committee of the whole, and, after having been amended in several particulars, was ordered to be printed.

The house bill making appropriations for the support of the army for the year 1841, after being amended, and the amendment debated at great length by Messrs. Benton, Pierce, Hubbard, Sevier, Henderson, Wright, Foster, Norrell, Calhoun, White and others, was ordered to be read a third time.

A bill to authorize the issues of patents for certain entries of the public lands, and a bill explanatory of an act supplemental to an act entitled "an act to grant pre-emption rights to settlers on the public lands," approved June 22, 1838, were considered in committee of the whole and ordered to be engrossed.

On motion of Mr. Merrick, the bill for chartering the banks for the District of Columbia was taken up and discussed by Messrs. Clay, Adams, and Wright, when Mr. Tappan moved to strike out all after the enacting clause, and insert as an amendment a bill embracing the following features:

Every stockholder shall record his stock in the clerk's office of the district, and the same shall be published every three months in the newspapers of the District; every sale and transfer to be placed on record and published within ten days.

To issue no notes of less than \$20, under a penalty of \$100.

If specie be refused, enabling any justice to enter judgment with 20 per cent. damage, and cost of suit.

Making the passing of any note by any individual of less than \$20, liable to a forfeiture of double the amount of the note.

That if any person shall establish a bank and issue notes as money, without means of redeeming the same, in current coin, he shall be deemed guilty of a misdemeanor, and on conviction shall be imprisoned not less than three nor more than ten years.

Mr. Tappan spoke in favor of the principles of his amendment, and against banking generally, until a late hour, when he gave way for motion to go into executive business; after which the senate took a recess.

Evening session. The vice president having called the senate to order, he arose and addressed the senators.

Yesterday I intimated to the senate that I should, some time during the session of this day, feel it my duty to retire from my seat, for the purpose of giving the senate an opportunity of selecting a president-elect. It was a subject of great importance to the 4th of March; and I have selected this moment for that purpose, and to separate the official ties which have existed between myself and the members of this body for the last four years. I have no doubt the property of many of our countrymen on this occasion. What I say, therefore, shall be very brief, because the time would not permit, nor would it be proper for me to give utterance to all that my feelings suggest.

In taking leave of the members of this body, language is inadequate to express the feelings which agitate my bosom. I have been associated with a very great majority of the members of the senate, not only here during the last four years, but during many years in the course of our common country; and it has been my great happiness during that period, whatever diversity of opinion or sentiment has existed between me and my political friends on minor points, or between me and those from whom I differed on points of great magnitude, to know that my personal relations with them have ever been kind and tender. I was elected to the place I occupy by an equal vote of the electoral

was like a young man courting a young lady and promising every thing, but after marriage the tone was greatly changed. There was a vast difference between him and our countrymen, even by whigs when they were out, were one thing; when they were in, they would feel matters greatly altered.

As to defending the western frontier, if the committee would sit, Mr. Cross in getting the obstructions removed in Red river, it would do more toward that object than all other things put together. Mr. P. had little doubt we must, eventually, at some time have a war with Great Britain; she would not abandon her occupation of Oregon till compelled by force. We had men and brave ones in abundance; but we needed money, the views of war; when this could be provided, we should soon be ready for a contest with any nation in the world.

Evening session. The committee reassembled at four o'clock, when Mr. Pope resumed and concluded his remarks; and was followed by Messrs. *Hand, Jameson, Searles, and others.* After various attempts to amend the bill by inserting additional items of appropriation, the committee rose and reported it to the house, with three small amendments, which were agreed to, and the bill was forthwith passed under the operation of the previous question. An effort was made to take up the bill from the senate to continue the corporate existence of the banks of the District of Columbia, pending which the house adjourned.

Tuesday, March 2. Mr. *Daly*, of Wisconsin, asked leave to introduce the following resolution, which was objected to:

"Resolved, That the hours from twelve to half past two o'clock to-morrow be set apart for the consideration of territorial business."

The motion of Mr. *Wm. Cost Johnson*, pending last evening, to take up the bill of the senate to extend for two years, with severe restrictions, the charters of the banks of the district of Columbia, was announced from the chair.

A call of the house was ordered; and the roll was called and 146 members answered to their names.

A large quorum being present, further proceedings in the call were dispensed with, and the question was put on the motion that the bill be suspended for the consideration of said bill. The yeas and nays were taken, and resulted as follows: For the suspension 74, against it 71. Two-thirds not voting in the affirmative the question was lost. After the consideration of various private bills, the house resolved itself into committee of the whole on the state of the union, and proceeded to the consideration of the bill making appropriations for the military academy for the year 1841. Mr. *Hale* called the chair of the committee.

Mr. *Andrews* moved, as a test vote, to strike out the enacting clause of the bill; which was promptly rejected without a count. The bill was then properly laid aside.

The house, in committee of the whole, took into consideration the bill reported by the committee of ways and means at the last session, making appropriations for surveys and other purposes.

Various amendments, making appropriations for different objects, were proposed and discussed, and at half past 2 o'clock, the house took the usual recess until 4 o'clock.

Evening session. At 4 o'clock, Mr. *Hale* resumed the chair, and called the committee to order—several amendments having been offered and discussed, on motion, the committee rose and reported the bill making appropriations for the military academy; and further reported that, on the bill making appropriations for surveys, the committee had come to no conclusion.

The question then came up on the engrossment and third reading of the military academy bill.—And the question being put, it passed in the affirmative.

Mr. *Smith*, being engrossed, was read a third time, passed and sent to the senate for concurrence.

Mr. *Thompson*, of Mississippi, asked the house to take up the bill from the senate, to revive and amend an act to appropiate commissions to settle claims to land, under the 14th article of the Cherokee Indian treaty; which being objected to, Mr. *Thompson* moved to suspend the rules, which was refused.

The house then proceeded, in committee of the whole, to the consideration of the amendments of the senate to the bill making appropriations for the civil and diplomatic expenses of government; which amendments were severally read, amended and adopted, when at 10 o'clock the house adjourned. **Wednesday, March 3.** Mr. *Daly*, of Wisconsin, offered a resolution setting apart this day, from 12 to half past 2 o'clock, for the consideration of territorial business.

The bill from the senate abolishing the office of collector of the customs at Curruck Inlet, North Carolina, was taken up and passed.

Mr. *Crawb* moved to suspend the rules to take up the bill from the senate to reorganize the judicial circuits of the United States, and there not being two-thirds, the rules were not suspended.

The committee then took up the amendments of the senate to the bill making appropriations for the navy, which were read and adopted.

The amendments to the bill making appropriations for the Indian department, &c. were next taken up, which were then taken up and passed.

The amendments to the bill making appropriations for the army was then taken up, and all but one concurred in.

The committee then took up the amendments of Congress to the bill making appropriations for the West Point military academy, which were read and concurred in.

The amendments of the senate to the bill making appropriations for destitute Kickapoo Indians, and for relief of the Swam Creek and Black River Indians, of Michigan, were read and adopted, except that in favor of Clements, Bryan & Co.; which latter amendment was debated until half past two o'clock, when the house took a recess.

At 4 o'clock the chair of the committee of the whole was resumed by Mr. *White*, of Kentucky.

On motion of Mr. *Jones* the committee rose and reported on the amendments of the senate to the bills making appropriations for the navy, army and the Indian department and treaty bill, leaving to be hereafter considered, in committee, the amendments of the senate to the bill for the relief of destitute Kickapoo Indians, which was pending when the house adjourned last evening.

And then the amendments of the senate to the bill making appropriations for the Indian department and Indian treaty stipulations were again read and agreed to by the house. And so the bill finally passed the house.

The amendments to the army appropriation bill, were then taken up and concurred in.

The amendments to the West Point military academy were taken up and adopted—and so this bill fell passed the house.

On motion of Mr. *Jones* the rule which prohibits the presentation to the president on the last day of the session any bill or resolution, so far as respects the several appropriation bills was suspended. Mr. *Johnson*, from the committee on the judiciary to whom the memorial against the official conduct of Judge Cooke of the western district of the state of New York, reported that there was not just cause for the interposition of the powers of the house against the said Judge, and asked that the committee be discharged from the further consideration of the subject.

Mr. *Curis* made an adverse report upon the petition of certain steam navigation companies, praying an alteration of the law of debentures, so that drawbacks of duties may be allowed upon foreign coils consumed on board of steam ships on the high seas, which was ordered to be printed.

The house then again resolved itself into committee of the whole on the state of the union.

Mr. *Lincoln* was called to the chair of the committee.

Mr. *Evans* moved the consideration of the bill to provide for the payment of the militia claims of the state of Maine.

Mr. *Furney* called for the consideration of the unfinished business of the committee, to wit: the amendments to the senate to the bill making an appropriation for the relief of destitute Kickapoo Indians, &c.

Mr. *Wise* insisted that these amendments was the business actually before the committee without a question. The chair assented.

Mr. *Graves* then claimed that the bill making appropriations for surveys and light-house, which was before the committee yesterday, and remained unfinished, took precedence of any thing else.

Much confusion here arose as to precedence of business.

The house at length resumed the consideration of the amendments of the bill making appropriations for the relief of destitute Kickapoo Indians, and for the removal of Swan Creek and Black River Indians.

The question pending was on a proposition to make the amendment of the senate providing for the claim of Bryson, Clements & Co. conform to a proposition submitted by the committee of claims of this house for the settlement of the same case.

Mr. *Steady* opposed the amendment of the senate unless the amendment of this house was adopted, in which case he would vote for it.

An animating and exciting debate took place on this claim, in which it was advocated by Messrs.

Clark, Brown, of Miss. Leet and Galbraith; and opposed by Messrs. Tillinghast, Wise, Graham, Giddings and Russell.

The question was then put on the amendment of this house to the amendment of the senate—yeas 73, noes 51. So the amendment to the amendment was rejected.

Mr. *Wise* inquired if any one could tell him who were the actual claimants in this case.

Mr. *Steady* said it was useless to contend any longer; there were too many claimants within the bar, (laying much emphasis on the last words).

Mr. *Wise* made the following remarks as to who are the owners of the claim.

Mr. *Waterson* said there were no persons whatsoever concerned in the claim but those whose names appeared on the face of it—Clements, Bryan & Co.; the Co. was intended to designate Gen. Clements, the brother of the claimant now here.

Mr. *Wise* asked Mr. *W.* if he asserted this on his own knowledge, or from information from others? Mr. *Waterson*. On my own knowledge.

Mr. *Wise* then read a portion of the report of the committee of claims, stating a suspicion of secret partners.

Mr. *Brown*, of Tennessee, gave a full statement of the ownership of the claim.

Mr. *Clark* then asked the question the house had nothing to do with; this question to be decided was to the justice and equity of the claim.

The question was then put to concur in the amendment of the senate: yeas 95, noes, 52. So the amendment was rejected.

Mr. *Evans* then called for the consideration of the bill to provide for the militia claims of the state of Maine.

The question being put on taking up the bill, there appeared: yeas 92, noes 33. So the bill was taken into consideration by the committee.

Having been read, Mr. *Darwin* proposed to amend, by a provision appropriating \$208,618 to pay the militia of Georgia for services rendered in the Indian war. The amendment was adopted.

Mr. *Proffit* inquired what amount of money was required to pay the militia of Maine; and he wished to know by what authority the militia were called out. He wished the sum to be paid to the limited militia.

Mr. *Evans* answered that the accounts were not audited, and, consequently, the amount was not ascertained. That Maine had paid about \$600,000, but did not expect to get through this bill over \$200,000 of the militia of Maine to pay out of her own treasury about \$400,000. The troops were called out by the governor of Maine, and not by the United States, as the militia of Georgia, Alabama, Tennessee and other states had been called out. Mr. *Evans*, then, with great earnestness, advocated the bill.

The bill was then, on motion of Mr. *W. Thompson*, amended by restricting the sum to \$205,000.

Mr. *Arlinton* then moved an amendment to cover the claims of New Hampshire for militia called out at Indian Stream.

Mr. *Smith*, of Maine, objected to the amendment as out of order, for the reason that a bill was pending before the house for the same purpose.

The chair said it was substantially the same.

Mr. *Arlinton* referred to a note accompanying the rule.

Mr. *Smith* asked if Mr. *Arlinton* appealed?

Mr. *Arlinton* appealed, and argued in support of the appeal.

The question was taken, and stood: yeas 50, noes 40. No quorum voting.

Mr. *Arlinton* insisted that the question should be taken again.

Mr. *Thompson* argued in favor of the appeal. Mr. *Foster* took the same ground.

When, the question being put, the decision of the chair was sustained: yeas 72, noes 63.

Mr. *Levis* then moved an amendment to cover the claim of Alabama for services of militia in the late Creek war.

Mr. *Triplett* inquired if the claim of Alabama had been presented and reported on by any committee.

Mr. *Levis* answered, the claim had not been presented or reported on; he had not had an opportunity to present the claim, but the memorial had been in his possession many weeks. The claim he believed to stand upon the same footing as that of Georgia, which had just been decided in.

Mr. *Crawb* stated that the claim had been presented and referred to the committee on military affairs many weeks ago, but not reported on. The amendment was adopted: yeas 68, noes 53.

Mr. *Dodge* moved an amendment to cover the claims of the State of Iowa. The amendment of Mr. *Dodge* was lost.

Mr. *Dorning* then proposed an amendment to cover claims for the services of militia of Florida.

Mr. Jameson moved an amendment for the benefit of volunteers of Missouri who went to Florida some years ago. The amendments were voted down.

Mr. Evans moved that the committee rise and report the bills acted on.

Mr. White, of Louisiana, insisted on moving an amendment to refund to Louisiana moneys paid by her for her militia serving in the Florida war several years ago. The amendment was rejected.

The bill to refund the duties on the French ship *Alexandre* was then taken up, read, and ordered to be reported to the house.

The bill of this house concerning tonnage duties on Spanish vessels was then taken up, read, and ordered to be reported to the house.

The committee then rose, and reported their proceedings.

The amendments of the senate to the bill making appropriations for the support of the militia, Ketchikan, Ind., &c. to which the committee of the house reported their agreement, were then again read, and all concurred in, except that for the relief of Clements Bryan, & Co. on this the yeas and nays were taken, and carried: yeas 99, nays 98. So that the bill was finally passed, with Clements Bryan & Co. included in it.

The bill to provide for the payment of the militia claims of the state of Maine then came up. The previous question was then moved and carried.

And the question was put on the amendment making provision for the Georgia militia claims: It was taken by yeas and nays, and resulted as follows: for the amendment 60, against it 69.

The question then was also put on the amendment making provision for the militia claims of Alabama: It was taken by yeas and nays and resulted as follows: for the amendment 41, against it 110.

A motion was made to lay the bill on the table; and the question being put, it was decided to the negative: yeas 72, nays 80.

The question on the third reading of the bill was then put and carried: yeas 92, nays 81. The bill was then read the third time and passed.

Mr. Briggs said he respectfully asked the attention of the house for one moment. His rise to offer the annual tribute of respect to the presiding officer of this house. For that purpose he would send a resolution to the chair, and he hoped it would receive the cordial and unanimous approbation of every gentleman present.

Resolved, That the thanks of this house be presented to the honorable Robert M. T. Hunter for his able, impartial, and dignified manner in which he has discharged the duties of the chair during the 26th congress.

This resolution was read, and on the question being put thereon, by Mr. Dringdale, who temporarily occupied the chair, it was agreed to, unanimously.

The rules being suspended for the purpose, the usual resolutions of compensation for messengers, pages and watchmen were moved.

And the previous question being moved—Mr. Barnard sent the following to the table, where it was read, as it might influence the vote on the previous question:

Resolved, That the clerk of this house be directed to furnish to such members of the present house of representatives as have not already received them, such books as were furnished to the members of the last house: provided that this resolution shall not be construed to authorize the reprinting of any of said books.

The resolution having been read, the previous question was seconded, and the motion was put, and the resolutions for compensation to attendants were adopted.

Mr. Chapman moved that the house resolve itself into committee of the whole on a bill to establish an additional land office in Alabama for the sale of Cherokee lands. The motion was rejected.

Mr. Reed called on, and the consideration of the amendments of the senate to the bill concerning navy pensions and half pay.

Mr. Cushing objected to the consideration of the said amendments, on the ground that the amendments and bills recently reported from the committee of the whole of the state of the union had not been definitely acted on, and until they were acted on and disposed of, nothing could be taken up by the house, unless on a suspension of the rules.

The speaker decided in favor of Mr. Reed's motion.

Mr. Cushing appealed, and the speaker's decision was affirmed.

And the question was put on Mr. Reed's motion, and it was lost.

[Note. These amendments were not afterwards considered or acted upon. The bill did not go forward, finally pass—the amendments having remained unacted upon.]

Mr. Wise moved a suspension of the rule to offer a joint resolution to declare that the franking privilege of members of congress who may not be re-elected shall not be cut off by an extra session of congress, but shall extend to the 1st Monday of December after they shall cease to be members.

On the question to suspend there were: yeas 89, nays 34. These not being two-thirds, the question was rejected.

Mr. Graham said that he was desirous of doing an act of justice to the District of Columbia by taking up the bill to continue the corporate existence of the banks of the District of Columbia; this view he moved to suspend the rules.

The yeas and nays were demanded, and being taken, resulted as follows: yeas 100, nays 99.

These not being two-thirds, the rules were not suspended, nor was the bank bill acted upon at all.

The speaker laid before the house sundry communications from the president of the United States:

1. The opinion of the several attorneys general on the subject of the claims of citizens of the United States on the government of Hayti. 2. All the opinions of the attorneys general and other officers connected with the government, which give instructions to the public laws, not of a temporary character. 3. Papers relative to the recent seizure or swards of our vessels on the African coast or elsewhere by British cruisers, &c. together with communications from consul Trist, at Havago, respecting the slave trade. 4. Papers relating to the sub-treasury. 5. Papers relating to return of state banks. 6. On the canal lands in Ohio. 7. On the subject of emigrants. 8. On horses and other property lost in Indian wars. 9. On the subject of mail routes. 10. On Indian schools in Kentucky. 11. On Indian disbursements. 12. On commerce and navigation. 13. On post office incidental expenses.

Resolutions were here introduced fixing the pay of the keeper of the state of the house, the superintendent of the folding room, and granting pay to the postmaster of the house for extra services; which, after some modifications and explanations, were agreed to.

Mr. Evans asked leave to move the following resolution:

Resolved, That the clerk of this house be directed to furnish to such members of the present house of representatives as have not already received them, such books as were furnished to the members of the last house: provided, That this resolution shall not be construed to authorize the reprinting of any of said books.

The leave was objected to; and the motion was moved to suspend the rules, to enable him to offer the same; and on suspending the rules there were—yeas 114, nays 23. There being two-thirds in favor of the motion, the rules were suspended.

The resolution then came fully before the house, and the previous question was seconded. And the main question, that is, that the resolution do pass? was put by yeas and nays, and resulted as follows: yeas 99, nays 50. And so the resolution was agreed to.

On motion of Mr. Lincoln, all committees were discharged from the business referred to them.

The bill reported from the committee of the whole to refund the duties improperly collected on the French ship *Alexandre*, was taken up, read the third time, and passed, and returned to the senate.

On motion of Mr. Krim, the bill from the senate "to amend the act entitled an act to amend the act approved May 13, 1800, entitled an act to amend an act entitled an act to establish the judicial courts of the United States," was taken up, ordered to a third reading, read the third time, and passed, and returned to the senate.

The resolution from the senate to appoint a joint committee to wait on the president of the United States, and notify him of the approaching close of the session of congress, was taken up, read and agreed to; and Messrs. Vanderpoel and Briggs were appointed the committee on the part of the house.

Mr. Griswold asked leave to move the following resolution:

Resolved, That the sergeant-at-arms be directed to settle with the members of congress for the present session of the 26th congress at the rate of per diem; and in case any member has already received more than at that rate, he be directed to refund the same to the sergeant-at-arms, for the use and benefit of the treasury of the United States.

Mr. Dringdale objected.

Mr. Griswold moved to suspend the rules, to enable him to offer the resolution. The motion was rejected.

Mr. Mallory, of New York, from the committee of claims, obtained leave to make report (adverse) on the cases of Hopperell Hebb and Wm. Palma.

Mr. Kemble, from the committee on military affairs, obtained leave to make a report (adverse) on the petition of William Hawkins.

Mr. Leonard asked leave to move a resolution to authorize the members having petitions to present to hand them to the clerk, with the names marked on the back; and directing the clerk to enter such on the journal as were not excluded by any rule of the house; and if any were handed in which were excluded by the rules, to return them at the next session. It was objected.

Mr. Underwood asked that the resolution from the senate in relation to water-rotted hemp be taken up. Mr. Stanley said he had no objection, if the gentleman from Kentucky did not seem to intimate that he intended to have more occasion to complain than heretofore. Mr. Underwood did not mean to make any such insinuation. Mr. Stanley. Then I do not object. The question was put to suspend the rules, in order to take up that subject, and negatived.

Mr. Cushing asked leave to present petitions, which was objected to.

Mr. Leet moved to suspend the rules in order to move a resolution similar, to all respects, to that which Mr. Leonard a few minutes before asked leave to introduce, to authorize members to hand petitions to the clerk. The question was put, but the rules were not suspended.

Mr. Underwood obtained leave to move a resolution fixing the pay of Charles W. Steward for cleaning the hall, attending upon the speaker, &c. The resolution was agreed to.

The speaker laid before the house the following letter:

March 3, 1841.

Sir: Last evening I received notice of my appointment as Justice of the Peace for the district of New Jersey. Therefore I resign my seat as one of the representatives from the state of New Jersey in the 26th congress. I am, sir, very respectfully, your obedient servant.

PH. DICKERSON.

Mr. Proffit objected to receive the letter. Some conversation took place between the speaker and Mr. Proffit and other members, when the speaker withdrew the letter from before the house.

Mr. Olney moved that the rules be suspended to take up the bill from the senate to establish a system of general permanent pre-emption rights in favor of occupants of the public lands.

Mr. Everett moved a call of the house. The yeas and nays were taken on the call; and there appeared for the call, yeas 114, nays 111.

Mr. Vanderpoel, from the joint committee appointed to wait on the president, and inform him that, unless he may have further communications to make to congress, the two houses are about to close the present session by an adjournment, reported that the committee had discharged the duties imposed upon them; that the president answered that he wished the members a safe return to their homes and families.

And then, at 12 o'clock at night, a motion was made that the house do adjourn. And the question being put, it passed in the affirmative.

And thereupon the speaker rose from his chair, and addressed the house as follows:

GENTLEMEN: It is with the deepest sensibility that I rise to return you my grateful acknowledgments for all of your kindness, ere I perform the last official act which is to separate so many of us, perhaps forever. If it is no light thing, under any circumstances, to break up long-standing associations, how much more so must be the resolution with which we part from those who met us in confidence, and take leave of us in kindness!

A consciousness of my own deficiencies forces me to attribute much of the high compliment which you have offered me to that courtesy which relieves and softens our intercourse in the various relations of social and official life. But, may I not, at the same time, ascribe it, in part, to your sense of the duties which I have been governed in the discharge of the duties of my office? If I have not done all that an abler man would have effected, in my station, still it is to be remembered that no other has ever been called to this place so unexpectedly, and under so many circumstances of difficulty and embarrassment. In a nicely-balanced state of parties, and amid scenes of great political excitement, I was selected to execute your highest and most delicate trust, without previous preparation or experience, and with no party to sustain me, other than those friends whom I might make by endeavoring to discharge my duties justly and impartially. I foresee many of the difficulties to which I should be exposed, and if I had consulted my own ease, I perhaps should not have excepted the office, with my view of its duties, and under the circumstances to which I have alluded. But higher con-

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FOREIGN ARTICLES.

ENGLAND.

Reform. The following is an extract from lord J. Russell's speech on the first night of the session of parliament:

"I will not mislead institutions for abuse, and attack them as if they were vices in our political system. I wish to maintain the institutions of this country, and I wish not to undertake any reform—improvement though it be called—which is incompatible with their institutions. I wish to maintain an established church. I wish to see no hereditary horde of peers—I wish to maintain no hereditary monarchy. If there be any plan proposed which I think hostile to those institutions, they shall have my decided opposition. I do not wish in the least to diminish my views. If there be any plan proposed which, as I think, would tend to a republic—to overturn the church, or to the destruction of the hereditary peerage—I shall, as I have always done, state my sentiments to the house, and explain the ground of my opposition. But if it is not just to countenance the resistance to innovations of this kind—resistance to changes of this nature—with resistance to improvement. I think that, in the present state of this country, the safest improvements will be those which can be gradually carried, without offering disturbance to our political system."

SOUTH AMERICA.

Montevideo and Buenos Ayres. By the brig Susan, ex-A. Lauderman, from Montevideo, the Exchange received the Constitutional, published at Montevideo, and the British Packet, published at Buenos Ayres, on the 25th Dec. The most important news is the account of a hard fought battle between the troops of gov. Rosas and general Lavalle, and the defeat of the latter. We copy the following from the British Packet:

The following letter from an officer in the army has been handed to us by a friend. It contains some interesting particulars:

"Villa de los Ranchos, Dec. 12, 1840.

"My esteemed friend: You will, long before this, have learned the mortal blow we dealt to the miscreant Unitarians, the enemies of the peace of two republics, and the apostates from the cause of America in general, on the field of Quebracho Herrado, the 25th ultimo. The conduct of our gallant chief is beyond all praise, and our commander-in-chief, general Oribe, his second in command, gen. Pacheco, and, indeed, all our officers and brave soldiers covered themselves with immortal glory. We commenced our march from Corondo on the 25th ult. at half past four in the afternoon, traversing a

desert which did not afford us even a single drop of water to allay our parching thirst.

On the 26th we came up with the enemy, about 4,000 in number, at Los Quebrachos, 26 leagues from Coronda, and here the battle took place, our army being formed in three divisions with their corresponding reserves, the left commanded by general Pacheco, the centre by col. Costa, and the right by col. Lagos. The action began at half past 11, and at 2 became general—at 5 the enemy's cavalry was in complete dispersion, and the infantry surrendered. The action, Lavalle left the field with about 800 men, but being closely pursued this body likewise dispersed. The pursuit was continued for a great distance and immense slaughter made. The result of the victory is 1,500 men of the enemy killed, among the rest col. Baltar, Toribio Talera, captain Urrutia, Rufino Varela, &c. &c. &c.; 700 prisoners, including the officers and civilians, 2 colors, 6 pieces of artillery, and a great quantity of arms, 75 carts, 3 carriages, a multitude of families a considerable number of horses, all the baggage, correspondence, &c. captured. Our loss including 40 men who died from thirst, does not exceed 130 men.

La Madrid was at a short distance from this place when the action was fought, and here he was joined by Lavalle; but on our approach they precipitately retreated to Cordova. The head quarters of the army is at present here (3 leagues from Cordova), as likewise the Argentine and French commissioners general Mancilla and M. Halay. The latter had an interview with Lavalle, who requested some time to reply to the propositions offered him.

We are waiting for the answer, which is not expected to be satisfactory, in order to give the finishing stroke to the war we have commenced. All this quarter of Cordova has been restored to the federal authority under Manuel Lopez, who is also with us. We have likewise been joined by colonel Mazza and his battalion, who could not come up in time to have a share in the action. Governor Juan Pablo Lopez was also prevented by ill health from attending in person.

La Madrid's force, insignificant as it was, has been completely demoralized by the defeat of Lavalle, his troops having nearly all deserted him.—The only assistance he reckons upon, is Acha with 300 infantry and 150 cavalry, who was on his way to join him from Tucuman.

The army has placed itself in communication with general Aldao and governor Calleson of Sao Luis, so that were the remnants of the enemy ten times as strong as they are they could not stand before us.

Tampico. Passengers arrived last evening who left Tampico on the 14th ult. They were landed at the Balize from the brig Charles Carroll, bound for New York from Tampico.

Business was remarkably dull when they left. A large number arrived from the interior with half a million of dollars, about fifty thousand of which was said to be destined for New Orleans; there was then no vessels there to convey it either.

A rumor was bruited about in Tampico that general Acha was about joining with Canada for the purpose of embracing the federal cause. Every thing was quiet in the interior.

[Piquette.]

TEXAS.

The Galveston paper of Feb. 4, says: "Congress adjourned on the 4th inst. The private treaty with England guaranteeing peace between Texas and Mexico in 30 days after its ratification, now made, reaches the capital of Mexico; Texas agreeing to pay England, as her part of the debt due Mexico, \$1,000,000 in 50 years."

There was an arrival at New Orleans on the 3d, but it brought little or no news. A list of consuls appears in the papers, among which we find the name of Henry H. Williams, consul at Baltimore. Gen. T. J. Green had been appointed minister to England. There was no news from Mexico to be depended upon.

Galveston dates to the 23d ult. were received at New Orleans on the 21th. The news is of but little interest or importance. Every thing was quiet on the western frontier, so far as the Mexicans were concerned. The Indians were making considerable trading and depredating. If the business and future prospects of Texas, the Houston Telegraph says:

"The annual revenue of the country may be safely estimated at one hundred thousand dollars—the amount of the appropriations for the current year is only six hundred thousand dollars. This fact alone is sufficient to dispel all doubt relative to the future credit of the republic, and to inspire complete confidence in the holders of government liabilities. And when we take in view, also, the certainty of an armistice with Mexico; the removal of all apprehension relative to the now enfeebled savage enemy; the late rapid augmentation of the industrial classes of the country, and the extension of its foreign relations, we cannot hesitate to admit that the prospects of this nation are far more encouraging than they have been at any previous period. The flood-tide of prosperity seems to be setting in with an irresistible current."

The dates from Galveston, received at New Orleans, are to the 28th ult. According to the Bulletin, entire tranquility seems to prevail on the Texas frontier. The whole country is represented as improving rapidly. Agriculture is the order of the day. Great preparations are being for the cultivation of cotton. The recent establishment at Galveston and Houston of English mercantile houses, and the prices which are offered, have given a new impulse to the culture of that great staple.

The Galveston papers state that col. Dangerfield has been appointed charge d'affaires to France, judge Webb, minister to Mexico; and gen. Green, charge to England. A gentleman from Austin assures us that gen. Green has not been appointed to England, and that gen. Hamilton will continue to act as minister at the court of St. James.

The new tariff is to take effect on the 1st of April. The highest rate of duty is 45 per cent. in promissory notes, equal to about 8 per cent. for money on the invoice price of merchandise.

Methodical church. We have the minutes of the first conference of the Methodist Episcopal church of Texas, recently held by the rev. bishop Waugh, from which we learn the state of that church in the new republic. The following is the number in society:

	Whites, Col'd.	Whites, Col'd.
St. Augustine	266 52	Austin 67 5
Jasper	104 32	Brazoria 45 21
Nacogdoches	216 17	Victoria and Ma-
Crockett	75 1	lagoria 103 24
McCombs	218 8	Galveston 17 7
Houston	33 11	Washington 231 40
Harrison	68	Nashville 40 8
Rutersville	78 4	
		1,623 230

RECAPITULATION.

	Whites, Col'd.
Members	1,623 230
Local preachers	25

Total 1,648 230
There are three districts in Texas, viz: San Augustine, Galveston and Rutersville. There are eighteen preachers belonging to the conference—these are exclusive of the local ministry. We perceive that fifteen preachers are to be supplied by the bishops. The next conference is to be held at San Augustine on the 23d of December.

NATIONAL AFFAIRS.

EXTRA SESSION. We copy from the National Intelligencer of the 18th inst. the following proclamation of the president of the United States calling an extra session of congress:

By the President of the United States of America, A PROCLAMATION.

WHEREAS, among important and weighty matters, principally arising out of the condition of the revenue and finances of the country, appear to me to call for the consideration of congress at an earlier day than its next annual session, and thus form an extraordinary occasion, such as renders necessary, in my judgment, the convening of the two houses as soon as may be practicable, I do, therefore, by this my proclamation, convene the two houses of congress, to meet in the capitol at the city of Washington, on the last Monday, being the thirty-first day, of May next. And I require the respective senators and representatives of the two houses to assemble, in order to receive such information respecting the state of the union as may be given to them, and to devise and adopt such measures as the

good of the country may seem to them, in the exercise of their wisdom and discretion, to require.

In testimony whereof, I have caused the seal of the United States to be hereunto affixed, and signed the name with my hand.

Done at the city of Washington, this seventeenth day of March, in the year of our Lord one thousand eight hundred and forty-one, and of the Independence of the United States the sixty-fifth.

W. H. HARRISON.

By the president:
DANIEL WEBSTER, *secretary of state*.

APPOINTMENTS BY THE PRESIDENT, with and with the advice and consent of the senate.

A. A. Hall, of Tennessee, to be charge d'affaires to the republic of Venezuela, in the place of John G. A. Williamson, deceased.

Lorenzo Draper, to be consul for the city of Paris, in France, in the place of Daniel Brent, deceased. Nathaniel P. Cassin, jr. secretary to the president, to sign patents.

Thomas Hayes, navy agent, Philadelphia. Wm. M. Meredith, attorney U. S. for the eastern district of Pennsylvania, in the place of John M. Read, resigned.

Walter Forward, attorney U. S. for the western district of Pennsylvania, in the place of J. P. Anderson, resigned.

Henderson Taylor, attorney U. S. for the western district of Louisiana, in the place of Benjamin F. Linton, resigned.

Ogden Hoffman, attorney, U. S. for the district of New York.

Henry C. Boaler, U. S. marshal, for the western district of Pennsylvania, in the place of Arnold Plumer, resigned.

Daniel Hugunin, U. S. marshal, for the district of Wisconsin, in the place of Edward James resigned. Clark Robinson, U. S. marshal, for the northern district of New York, in the place of Nathaniel Garrow, deceased.

Wm. Berroz, U. S. marshal for the district of Vermont, vice Leonard Lowry.

Solomon Lincoln, U. S. marshal for the district of Massachusetts; vice J. L. Sibley.

Bernard Peyton, to be deputy postmaster at Richmond, Virginia; vice C. W. Gooch.

Miller Selden Watkins, to be deputy postmaster at Huntsville, Alabama; vice D. B. Turner.

Lieut. W. K. Hanson, to be a captain by brevet. Wm. A. Spencer, to be a captain in the navy.

Abraham Bigelow, to be a commander in the navy.

Wm. L. Maury, to be a lieutenant in the navy.

Officers of the customs—Collectors.

Ebenezer Bacon, Barnstable, Mass. vice Henry Crocker, whose commission expired on the 3d instant.

Isaac N. Stoddard, Plymouth, Mass. vice Scudder Sampson, whose commission expired on the 11th instant.

Myra Elliott, jr. Hertford, North Carolina, re-appointed.

James Danaghe, New Haven, Connecticut, vice W. H. Ellis, whose commission expired on the 11th instant.

Austin Baldwin, Middletown, Connecticut, vice Noah H. Phelps, whose commission expired on the 11th instant.

Nathan Cummings, Portland, Maine, vice John Anderson, whose commission expired on the 11th instant.

Wm. R. Watson, Providence, R. I. vice Walter R. Danforth, whose commission expired on the 11th instant.

Tristram Storer, Saco, Maine, vice John F. Scammon, whose commission expired on the 11th instant.

Daniel Remick, Kennebunk, Maine, vice Barnabas Palmer, whose commission expired on the 11th instant.

Henry Southmayd, assistant collector of the customs for the district of New York, to reside at Jersey city, in the state of New Jersey, vice J. M. Cornelison, resigned.

Surgeons.
Wm. P. Greene, Providence, Rhode Island, vice John B. Barton, whose commission expired on the 3d instant.

Robert Butler, Smithfield, Va. re-appointed. Gordon Forbes, Yeocomico, Va. re-appointed.

Wm. Pinkney, Baltimore, Maryland, vice James Mosher, whose commission expired on the 11th instant.

Jedediah W. Knight, Pawcatuck, Rhode Island, vice George Brown, whose commission expired on the 12th instant.

Geo. Howland, Tiverton, R. Island, vice Charles Durfee, whose commission expired on the 11th instant.

Land officers—Registrars.

Jesse K. Dubois, Palestine, Illinois, vice Joseph Kitchell, whose commission expired on the 5th instant.

James M. Hartford, Jackson, Mississippi, vice Thomas H. Hopkins, resigned.

[The Madrasian says: The appointments which have been sent to the senate for confirmation, have been chiefly to fill vacancies. It may be of some use to state our belief that removals and appointments generally which seem to be expected, will not take place without deliberation, for which time and opportunity are necessary.]

REPRESENTATIVES OF FOREIGN STATES NOW IN WASHINGTON. *Envoy extraordinary and minister plenipotentiary accredited to the U. States.* From Great Britain. Henry S. Fox, esq. presented March, 1836.

From Russia. M. Al. de Bodisco, presented May, 1835.

From the Argentine confederation. Gen. Alvarez, presented October 11, 1835.

From Austria. Baron de Marschal, presented October 13, 1835.

From Spain. Chevalier d'Argalz, presented September 27, 1835.

From France. M. de Bacourt, presented July, 1840.

Ministers resident.
From Prussia. Baron de Roenne, presented June, 1834.

From Portugal. M. Figueira e Morao, presented December 31, 1840.

List of charges d'affaires.
Mr. Steen Bille, charge d'affaires of Denmark, credential letter November, 1828.

Chevalier Adrian Mutil, charge d'affaires of the Netherlands, credential letter July, 1835.

M. Charles Serruy, charge d'affaires of Belgium, credential letter September, 1835.

Chevalier de Nordin, charge d'affaires of Sweden, credential letter November, 1835.

Count de Colobano, charge d'affaires of Sardinia, credential letter February, 1839.

Bernard E. Bea, charge d'affaires of Texas, credential letter April, 1840.

PRESENTATION. Yesterday, at half after two o'clock, his excellency M. A. de Bodisco, the envoy extraordinary and minister plenipotentiary of the emperor of Russia to the United States, accompanied by the secretary of legation, M. DE STOKKES, was presented to the president by the secretary of state.

Mr. Bodisco delivered the following address, to which the president made the following reply:

Address of M. A. de Bodisco.
I have the honor to present myself before you, Mr. President, as the envoy extraordinary and minister plenipotentiary to his majesty the emperor of all the Russias, to congratulate you upon your elevation of the chief magistracy of the confederation of the United States.

Called by the most flattering suffrages to preside over the destinies of seventeen millions of Americans, you enter, Mr. President, upon the exercise of your high functions at an epoch when all the foreign relations of the United States present themselves under a gratifying aspect, and the assurances that you have, of your own accord, given on the day of your inauguration, afford an additional guaranty for their duration.

I esteem myself happy, Mr. President, to be able to assure you that my august master the emperor desire most sincerely the continuation of the friendly relations so happily established between the Russian and the United States; and all my wishes, Mr. President, will be gratified if, by your amiable concurrence, it shall be reserved for me to draw still closer the bonds of the relation already existing.

I pray you, Mr. President, to be assured that it is my sincere wish to render myself constantly worthy of the esteem of the chief magistracy of the union.

Reply of the president.
I receive, sir, the congratulation which you offer me, in your capacity of envoy extraordinary and minister plenipotentiary of the emperor of all the Russias, upon my election to the presidency of the United States, with great pleasure.

From the epoch which introduced the United States to the world as an independent nation, the most amicable relations have existed between them and the powerful and distinguished monarchs who have successively awayed the sceptre of Russia.

The presidents, my predecessors, acting in behalf and under the authority of the people, their constituents, have been faithful to every proper occasion to confirm and strengthen the friendship so auspiciously commenced, and which a mutuality

of interests rendered so desirable to be continued. I assure you, sir, that none of them felt the obligations of the duty more powerfully than I do, and you cannot in language too strong communicate to your august monarch my sentiments on this subject. And permit me to add, that no more acceptable medium of communicating them could have been afforded than that of a personage who has rendered himself so acceptable, as well to the people as to the government of the United States.

[*Lat. Int. of 13th.*]

INAUGURATION INCIDENTS.

Among the gratifying incidents of inauguration day, was the assemblage of some of the surviving officers and soldiers of the late war, who were placed conspicuously in front of the president in procession, and conducted by gen. Leslie Combs of Kentucky, in the costume of a Kentucky volunteer, and such a one as general Harrison generally wore while commanding on the northwestern frontier.

Tippecanoe, Minnie-wawa, and the Thunders, river Rains and Dudley's defeat, Fort Meigs and Fort Erie, Chippewa, Lundy's lane, Brigravater, Queenstown, &c. were all represented by the few veterans present; a majority of whom bore honorable marks upon their persons of their dangerous proximity to the enemy in war time ago.

After partaking of refreshments at the presidential mansion, they returned to Gadsby's, and took leave of each other in a most feeling manner, after a brief address from gen. Combs. It was to be regretted that the number of all present were not able to remain in time for this noble event. We have been enabled to obtain only the following list:

Gen. James Miller, of Massachusetts; major Jas. G. Camp, of Virginia; col. Cus. S. Clarkson, of Kentucky; col. John McElvain, of Ohio; major J. Thompson, of New York; Col. John M. Pendergast, of Kentucky; Dr. J. Penn, of Va. gen. John Payne, of Kentucky; major John Willock, of Pennsylvania; Richard S. Chinn, esq. of Kentucky; James V. Redden, esq. of Kentucky; capt. John A. Rogers, of Tennessee. [*Lat. Int.*]

The final adjournment of the great Baltimore convention of whig young men. On Thursday morning the assembled and large numbers from various parts of the union, and took the station assigned them in the procession by the marshal of the day, marched up to the capitol, heard the inaugural address, saw William Henry Harrison invested by the president with the Great Seal of the United States, official powers to officiate as president of the union, accompanied the president to the people's mansion, saw him safely quartered in the white house, and dined. At 8 o'clock, they reassembled at the City Hall, Mr. Horner in the chair; when, after several spirited speeches from Mr. Harvey, of S. Carolina, Mr. Adams, of Massachusetts, Mr. R. S. Elliott, of Pennsylvania, Z. Collins Lee, and Wm. Pitts, of Maryland, Charles Carter Lee, of Virginia, and several others, the convention adjourned *rite die*, in that spirit of harmony and good feeling which is the best harbinger and surest guaranty of what the young men of the union can and will do, when duty again calls them from their retirement to serve in a similar manner. [*Lat. Int.*]

Festival of whig editors. From the National Intelligencer. The inauguration of president Harrison, as is well known to our readers, brought together the American citizens to the capitol of the United States. With the whigs of the union, Washington was the pilgrim city, and the multitude thronged there as did the pilgrims of olden time to the holy city. The fourth of March, 1841, was a new day for the people of the United States. The citadel had been besieged for a series of twelve years and they were enclosed within its walls, clinging to their altars and their principles to the last gasp forth in the end the conquerors of the corrupt dynasty, who had held time in view of power, instead of a surrender, discretionary or by force of arms, there was a triumph, and one so complete and astonishing that besieged as well as besiegers were alike amazed at the issue of the contest.

Of the many who came here, and who had done good service to the country, was a number of the editors and proprietors of the whig press of the country. A body of men, who, through their newspapers, were in daily communion with one another, and representing, as it were, the eye and tongue of the nation, were now, for the first time, in the same city, and here for the same purpose, to participate in an event which had been consummated in part through their agency. The gathering of so many of the "press gang" at head quarters was made the occasion of a fraternal meeting. Arrangements were made for the accommodation of the good things prepared by one of the best caterers in the city. The time fixed for the convivial meeting

was the evening succeeding the inauguration of president Harrison.

Some forty of the members of the press were present from almost the extremes of the Union. There were editors in attendance from Maine to Missouri, from New Hampshire to Alabama, and from the tops of the Green Mountains to the embryo state of Florida. Old Massachusetts was there, and beside her old Virginia; the Empire state was represented from the great commercial city of the union to the interior of the state. New Jersey was there, represented by one who had been instrumental in rallying the great host at Baltimore in May; the broad and fertile region of the south was there, and beside her a son of the Old North state which had shown herself a bright beacon light in the midst of surrounding darkness. Maryland was there, and Alabama was there. "The Keystone state" was represented from the great capital of the state to its capital from the former, by an adopted son born under the shadow of the old Plymouth rock, and from the latter, but one who had been the first to rescue the tenants of the log cabins from the degradation which the vassals of power would have cast upon them and upon one of the great pioneers to the wilderness of the west.

The representation of the American press would have done credit to any body of men in the land. The oldest editor in the country was there, a man who, forty-two years since, had put the business of the press back, and was now the manager and proprietor of the successor of Washington, to the inauguration of one whom the father of his country had, in the buoyancy of youth, called from the retirement of social life to the hard service of a campaign to the untried and almost unexplored northwest. The seniors and juniors of the press of the country were in attendance, and the combined experience of the few present would, if told and concentrated, have been that of almost five hundred years. Some had been more than two hundred years in the service, and several had labored with pen or type for more than a quarter of a century. Others there were who had grown old and grown poor in the rank; and others who, having done good service, and lost their little all in a profession of their blood, had retired to some seclusion where the laborer was better rewarded for his toil. Others had linked their destiny for good or evil with the public press; and others yet, and younger yet, were fresh and ardent in pursuit of a career in the vast and almost unexplored field, and is one of its greatest attractions. But we must leave the pretense for the play, and our own speech for the speeches of better soldiers in the service.

We found ourselves between seven and eight o'clock seated at a long table covered with a white cloth, the very best of the season, and decorated with all the good taste and beauty of one skilled in the culinary art. At the head of the table, as the presiding officer of the evening, was the mayor of the city, one of the editors of the National Intelligencer, and at the foot of the table was seated a worthy and intelligent colleague in the service, in the person of colonel Stone, of the New York Commercial Advertiser. "The feast of reason and the flow of soul" followed: amid speech, sentiment, and song, mid-night came, and morning too, before a separation could be made, and, in the end, the final parting was as painful as the first meeting had been pleasant.

It would fill a newspaper from the title to the imprint to recount half the good things said upon the occasion. Though a social gathering, and confined to the craft, with no set speeches, and no studied sentiments, there were frequent sallies of wit, displays of eloquence, exhibitions of thought, and promptness of reply and repartee, that would have done honor to any body of men who were invited to it might be to play the orator. Many have doubted whether a speaking man, and a writing man could be concentrated in the same person. The doubt should no longer exist, for we can bear witness that newspaper editors, without practice, are as ready to think and to talk as upon their legs as any class of men, who speak in public by profession. The old hand remarks during the evening were suggested at the moment, from occurrences growing out of the festivity, and from the assembling of so many together upon a similar or grand. There were poets, presents, and poetry, both in prose and verse; bookmakers and dramatic writers of a high reputation and no mean capacity were there, and with a score of distinguished politicians, and men who make a name and fame for themselves, who, independently of the press, would never have been known beyond the place of their birth and labors.

The veterans of the corps told their experience, and a sad experience it was with some whose sentences were sublimed in their toast, and who indicated the press from the attraction which too

many would use, abuse and banish. The experience was generally a common experience, and the opinions expressed common opinions, both as to the wrongs inflicted and the proper redress of grievances. Those who spoke of the power of the press spoke of it in no vain boasting, and in the full conviction that the press was rather a curse than a blessing to a people, unless it were more intelligent, responsible and accountable. All regarded it as a potent engine, for good or for evil, and to keep it pure those placed at the helm of this great and speaking power between man and man, and the community at large, should be men of truth and wisdom—men entrusted with the key of knowledge, and accountable to God and the people for the knowledge imparted. A proper self-respect was the true means of exacting respect from others. Coolness, good temper and dignity of character, were spoken of as the great qualifications for man placed as sentinels upon the watch-tower of liberty. It was said, too, and heartily responded to, that those who would proscribe the press should be proscribed. The young should receive, not from other men, but as other men, of the honors and emoluments of office—not merely for the sake of office, but for the sake of justice. Public opinion was wrong, and public opinion should be corrected. The press had been long the mouth-piece of little and mean passions, and should be made to expand and breathe nobility as dangerous to the country as injurious to the press itself. The question, also, was discussed whether public opinion created the press, or the press public opinion? Whether, as the first or second moral power for the world, it was in advance of public sentiment?

We might go on through the evening to the morning festivities, and should close with a very imperfect sketch of a profitable and delightful meeting. Some of the remarks we met with were two of the best of the same profession. We could wish such meetings were more frequent, as well from the social enjoyment derived from them, as from the power they would have to unite in every good cause and purpose of a common feeling and undivided pursuit. We have known each of them sit in part in our absence one from another. Sectional prejudices, state feelings, a difference in institutions, habits of life diversified in their character, and that everlasting exaction of time and labor which keeps us from the very best of our own country, and which, printing office at his domicile, have, in a measure, warped our better judgments. Our meeting here was in the very rally of the national circle, not north nor south, nor east nor west. If we had prejudices against them, how could we, if we had them here, they cannot come with us, after being here, but drinking wine together, with common pleasures and mutual feelings. The more there is of this meeting face to face and eye to eye, the better for the country. The press is, as was expressed in one of the speeches, the connecting link between the people of the nation; and a tremendous engine, as it is, it should be linked together, in no conspiracy for evil, but for the accomplishment of great and holy purposes, in a common bond of union. We remember, then, our common and harmonious festivity, as the members of a family remember those who are bound to them by the strongest ties of affection. If we are inclined heretofore to indulge in asperities, they will be softened by the recollection of the meeting of the whig editors, at Washington, upon the day of the inauguration of our president, and the friends of the United States. If we are ambitious of advancement in our calling, it shall be a generous emulation to excel each other in good works. Our rivalry shall be that of friends placed in positions of responsibility, and accountable, mainly by the position, to make to the public for a correct public sentiment, and more than this, for the perpetuity of our institutions. The press of a country is its conservative principle—necessary to establish, and also capable of keeping a people civilized, humane and virtuous. It is, too, the loudest and the most long-tongued voice of the people. It breathes the spirit of liberty upon the nation, and while it is a terror to evil doers it speaks in a voice of encouragement to the deserving of every age and every calling.

We come now to the sentimental offering, some few of which we have preserved. Of more speeches made, we can, for lack of time say no more than we have said. Of the speakers, it would be out of place to make distinction. For other particulars we refer to the main given below:

By *J. B. Chandler*. The conductors of the whig press in Washington. Their attention and courtesy to their brethren from other parts, like their discharge of their editorial duties, deserve our warmest thanks.

By *John A. Sime*, editor of the Petersburg Intelligencer. "A decent and manly examination by

the press, of the acts of the government, should not only be tolerated but encouraged."

By *F. C. Hill*. *New Jersey*. Every acre of her soil was tracked by the footsteps of an enemy in '76, every vestige was washed out by that enemy's blood. She has manifested in 1840 that the spirit of '76 still exists.

By *James Munroe*, of Boston. Tip, and Ty: Words of great import. They have enabled the wings of the United States to tip over the chair of the Kinderhook magician in the white house, and to tie the legs of his blind followers so firmly that they are "laxer for slow traveling" for the next twelve years.

By *Mr. Wharton*, *Wheeling Times*. Col. Munroe, of the Baltimore Patriot: A gentleman whose ardent patriotism, warm industry and talent, command our respect, and are worthy of emulation.

By *Isaac Munroe*. The tree of liberty: My branches expand until it overshadows the earth.

By *Nelson Fox*. The National Intelligencer and its editors: The exemplars of newspapers and of gentlemen.

By *Joseph R. Chandler*. The liberty of the press: The right to publish, and the power to exclude.

By *I. Munroe*. The granite hills of New Hampshire: May they not yield to the spirit of locustianism?

By *James Brooks*, of the New York Express—The press power, and the steam power: The great agents of civilization to make all other powers tear and tremble.

By *F. C. Hill*, of the Wilmington (N. C.) Advertiser. The whig press: The result of a fact con-proves that no combinations of action can withstand its efforts in behalf of constitutional liberty.

By *James M. Stearns*, of the Troy Daily Whig, N. Y. The whig press: The mental lever which has raised the people and produced the great political revolution over which we now rejoice.

By *John W. Sime*. The editor of the Princeton Whig: Honor to the people and the Baltimore convention, and to those who obeyed the call.

By *Epes Sargent*. The reporters of Washington: But for whom it might be said of members of congress, as of the heroes before Agamemnon, "they had no post and they died."

By *G. B. Adams*, of Alabama. The "general ticket": A two-edged sword, whose sharpest edge shall yet recoil upon the heads of its false fabricators.

By *Mr. Barker*, of Mobile. The north and the south: One and indivisible in feeling and interest.

By *Mr. Agassiz*. The elcbol of the press: A table of its purified spirit necessary stimulus to an administration. May they avoid the folly of total abstinence.

By *R. E. Hornor*, of the Princeton Whig, N. J. May the whig press of the union always be "willing to praise, but not afraid to blame."

By *Isaac Munroe*. The present cabinet: Made up, by a master-workman, of the best materials.

By *J. Prentiss*. The whig press: As it has contributed to aid the efforts of statesmen and patriots in discharging from public confidence men deemed unworthy by a vast majority of the people—let it ever be united in the support of the new administration, so long as the text book is adhered to.

By *W. M. Blackford*, editor of the Fredericksburg Arena. The Press:

"We lift on high the warning voice, When public ills prevail; Ours is the warning on the wall, That none may heedless pass."

By *N. Fox*. The Virginia press: Not excelled by the press of any other state, in ability, fidelity, or chivalry.

By *Joseph T. Adams*, of Boston. The political press: Entitled to the favor and confidence of the government and people, in exact proportion to its undeviating support of good principles, good men and good measures.

By *Thomas Allen*. An agreeable sign of an early spring: The migration of the martin to the north in March.

By *Col. Stone*. The members of our profession: The first in requisition in the hour of trouble, the first forgotten in the hour of triumph.

By *Erastus Brooks*. An unshackled press: The crushing mass of a free and independent people.

By *John L. Carey*, of the Baltimore American.—The independence of the press: The press must represent principles and sentiments which exist in the community; its true independence consists in preserving and enforcing such only as are true and good.

Loed is respectably connected in New York, and studied for the ministry, but was expelled from want of moral character. He then studied medicine in Philadelphia, and went to India as surgeon of a merchant vessel; and finally returned to Canada, his native country, with his usual Miscellaneous view in full operation, and has got into this scrape, and nearly got our country into a scrape likewise. We hope, however, that the whole affair may have an auspicious termination, and it will have, if it is discreetly managed. [N. Y. Times.]

THOS. JEFFERSON. The following interesting correspondence has been handed to us for publication, copied from the original deposited in the archives of gen. Tobias E. Stansbury, of Baltimore county. The envelope has the following endorsement:—*A Maryland Republican.*

TH: JEFFERSON Pr. U. S.
The Honble
The President of the Senate and
The Speaker of the H. of Representatives
of Maryland
at Annapolis
WASHINGTON Decem. 10th, 07

Gentlemen
I received some time ago from the President of the Senate, and Speaker of the House of Representatives of Maryland and Address of that Legislature to which, on public consideration, it was thought advisable, that the answer should be deferred. I now ask permission to convey the answer to the Legislature through the same channel, and to tender you the assurance of my high consideration and respect.

TH: JEFFERSON.
The Honble.
The President of the Senate and
The Speaker of the H. of Representatives
of Maryland
at Annapolis
WASHINGTON Decem. 10th, 07

I received in due season the address of the Legislature of Maryland bearing date this third day of January last, in which, with their approbation of the general course of my administration, they were so good as to express their desire that I would consent to be proposed again to the public voice, on the expiration of my present term of office. Entertaining, as I do, for the Legislature of Maryland the warmest sentiments of high respect which would have prompted an immediate answer, I was certain, nevertheless, they would approve a delay which had for its objects to avoid a premature agitation of the public mind, on a subject so interesting as the election of a chief magistrate.

That I should lay down my charge at the proper period is as much a duty as to have borne it faithfully. If some termination to the services of the chief magistrate be not fixed by the constitution, or supplied by practice, his office, nominally for years, will in fact, become for life; and history shows how easily that degenerates into inheritance. Believing that a representative government, responsible at short periods of election, is that which produces the greatest sum of happiness to mankind, I feel it a duty to do so as which shall eventually impair that principle; and I should unwillingly be the person who, disregarding the sound precedent set by an illustrious predecessor, should furnish the first example of prolongation beyond the second term of office.

Truth also requires me to add, that I am sensible of that decline which advanced years bring on; and, feeling their physical, I ought not to doubt their mental effect. Happy if I am the first to perceive, and to obey the admonition of nature, and to solicit a retreat from cares too great for the wearied faculties of age.

For the approbation which the Legislature of Maryland has been pleased to express of the principles and measures pursued in the management of my magistracy, be it as flattering, thankful, and should I be so fortunate as to carry into effect, the equal approbation and good will of my fellow citizens generally, it will be the comfort of my future days, and will close a service of forty years with the only reward it ever wished.

TH: JEFFERSON.
Dec. 10th, 1807.

ARMY.
Col. Harney. The Charleston Mercury says:—"We write great praise to being assured by a distinguished officer just from Florida, that the report of Col. Harney's arrest is utterly untrue."

On the contrary, Col. Harney's conduct has received the marked approbation of the war department, and has been highly commended by general Armstrong himself in general orders read at the head of the troops."

NAVY.
"The Philadelphia Inquirer of Saturday, says:—"We learn that orders have been received at our navy yard, to proceed forthwith to the completion of the present frigate on the stocks, and also immediately to lay the keel of another. This is right. The government cannot be too prompt or active in the work of proper defence."

Commodore Renshaw has been re-ordered to the command of the naval station at Brooklyn. Purser Ramay has been ordered to the sloop-of-war Fairfield.

The broad pennant of commodore Shubrick was yesterday transferred from the Delaware to the U. S. ship of the line Pennsylvania, capt. Skinner.

[*Norfolk Beacon* March 10.]
It is said that the command of the sloop-of-war Fairfield is to be given to commander McIntosh, and that her destination will be the coast of Africa.

STATES OF THE UNION.

MAINE.
David Bronson, esq. of Anson, has been nominated by the whigs of the Kennebec and Somerset congressional district, for election to the U. States house of representatives, in the place of the hon. *George Evans*, transferred to the senate.

MASSACHUSETTS.
Governor Davis and lieutenant governor Hull have been nominated for re-election by the whig members of the Massachusetts legislature, and have consented to be candidates. The nominations were unanimous.

Wheat bounty. The secretary of state has published an abstract, showing the amount of bounty allowed for the raising of wheat in this state. By this it appears that the total number of applicants, for the years 1838 and 1840, is 7,184—the number of bushels raised 190,569. By an act passed March 2, 1838, the sum of two dollars was to be allowed to every person who should raise fifteen bushels, and five cents for every additional bushel. The amount allowed for the past two years is \$18,477. In addition to this, claims on the raising of 12,273 bushels remain unadjudicated. [*Phila. Inq.*]

Western rail road. The house of representatives on Monday, 14th inst. of 19 to 8, passed a bill to aid the western rail road. It grants \$700,000 to the same in aid of the same, and also the same in labor into cash, as a further aid to the road, provided the stockholders pay in \$800,000, or twenty dollars upon each share now selling in the market at \$18 for \$100 paid, and also give the state full power to suspend the operations thereon, allowing five state directors, instead of four as at present.

Past day. Governor Davis, has appointed Thursday, the 8th day of April, as a day of fasting, humiliation and prayer, in that commonwealth.

Message from the senate. *Sir:* I have transmitted to the house of representatives, for the consideration and use of both houses, a copy of certain resolutions of the legislature of Connecticut, "requesting the senators and representatives of that state in congress, to resist by all constitutional means every attempt to destroy or impair the protective policy of our government, and to use their exertions to procure the passage of such laws as will effectually protect the labor of this country from the policy and legislation of foreign governments;" and also certain resolutions of the legislature of Alabama, upon the same subject.

This is unquestionably a topic of great interest, and deserves the most careful and deliberate consideration. If, however, it is examined with the candor and patriotism its importance merits, it will be found that a wider difference of opinion here prevails than either facts or experience will justify. The controversy when disconnected from the complex and imposing circumstances which surround it, may be readily understood.

The question is generally debated and argued as if it were a matter regarding only the price of goods, while this is obviously but a subordinate element of the controversy. Revenue must be raised, at all admit, but there is a difference of opinion as to the amount and manner of raising it; because if assessed in the form of duties upon foreign merchandise, it is believed to have a serious influence on domestic industry. Many of the growers of cotton contend for the least amount that will subserve the most urgent and indispensable necessities of the government,—and the leading object appears to be to prevent the importation of foreign cottons. This policy, if carried out, would distribute this amount so as to give the least possible aid to manufacturing and mechanical labor, because favoring rival domestic productions is believed to diminish importations.

Another view of this policy is to encourage importations because a greater demand is supposed to be

therby created for cotton, and the growth to be stimulated. It thus obviously terminates in the encouragement of a domestic business, and resolves itself into the same principle which influences all the producing classes who desire aid from the regulation of foreign trade. In pursuit of this object, many of the growers of cotton represent that they are the great exporting interest, and for that reason, insist as a right upon a policy that shall promote their prosperity. It is not, however, the exporting, but the importing trade that they would regulate for this purpose. In this, they have no the greater, or more immediate interest, than all the country—for all the country are consumers, and the burden of duties (as far as there is any) fall upon the consumer; indeed, if there were no consumers of foreign merchandise but the growers of cotton, it would be the same as if they were a very limited, and consequently the homeward trade comparatively small. It is difficult therefore to perceive the justice of such a claim, or to discover any grounds upon which it can rest for special favor, or any reason why the protective duties should be more considered in regulating foreign trade, than any other great interest.

If we assume the position that the more goods we import, the more cotton we shall export, and therefore we must encourage the importation of foreign goods, such a condition would such a policy bring us, if carried out? We should either derive most of our supplies, which are not produced by cultivating the soil, from foreign workshops, or should be compelled to work at the rate of wages which prevails in old and more populous countries. This is the inevitable result, for the planter of cotton finds a certain market abroad for his staple, while other agriculturists do not, and the assumption that the demand for cotton will increase as importations increase, is founded on the supposition that other produce will find little demand in the regions from which imports are chiefly derived, and therefore the cotton trade will reap the principal advantage. This view of public policy embraces but one interest, and looks only to the encouragement of that branch of American industry. The other great branches of agricultural industry, having no markets abroad capable of taking up the surplus of their productions, are forced upon the necessity of creating them at home, by diverting the labor of the soil to manufactures. The farmer wants to be supplied by diversity of occupation.

To accomplish this object, a policy, which is, in some extent, the opposite of that of the cotton grower has been deemed wise and expedient. The object has been to encourage the diversified production of certain articles, instead of importation, rather to encourage our own laborers, instead of resorting to the shops and manufactures of foreign countries. While this policy like that of the cotton grower, has for its end the encouragement of domestic industry, it seeks to accomplish its end by the regulation of foreign trade. But instead of aiming at the direct increase of importations, it seeks aid from a discrimination in the assessment of duties upon imports, which shall enable the manufacturer and mechanic, upon the principle thus afforded, to bring the produce of their labor into the market on favorable terms, against imported articles of the same description. It thus appears that both parties seek the enlargement of domestic production, through the regulation of foreign trade; but the general policy of those who advocate the increase of the agriculturists who are not connected with cotton, by discouraging manufactures and the mechanic trades; while that of the other tends to strengthen and invigorate the diversified pursuits of labor.

The question here arises, are these great interests irreconcilable, and must the one or the other policy be pursued, regardless of all other considerations? I have neither time, nor is this a fit occasion, to discuss the question; but it may be permitted to remark, that the fortunes of the country do not appear to rest upon any such alternative. If the policy which is opposed to diversity of employment, could be carried out in its fullest extent, it would end in paralyzing and impoverishing the country, involving those who advocate it in the common calamity. If their exports depend upon the amount of imports, these must in turn depend upon the ability of the population to consume, and the imports cannot exceed that ability. The advocates of the importation policy, therefore, a great interest in sustaining the common prosperity of the whole country, as that alone is capable of sustaining their policy. Labor, as now divided, acts upon, and restrains, to some extent, a portion only of the arable empire; but still diversity of employment is the best method of increasing it, and becoming the consumers of foreign products, as well as of raw cotton.

Whatever may be the objects of such a change in policy, there can be no misapprehension about the effect, for it must operate unfavorably to a division of labor, by discouraging manufacturing and mechanical pursuits; and I am not able to perceive any thing which can recommend such a change, unless it be desirable to substitute foreign for domestic productions. There may be those who believe the aggregate of importations will be increased by diminishing domestic productions; but even this may be well doubted, for we must consider whether it will not be as likely to impair the general ability to consume, as to increase importations.

Have we then reached a point when expediency or public policy requires us to put at hazard the great interests of the country, by adopting a change of policy which promises nothing but evil? There would seem to be but one possible contingency from which the growers of cotton can reap advantage from it, and that is by increasing importations. But they, as well as others, must perceive that this result can be obtained only at the expense of domestic labor, by diminishing domestic production. There is little probability that any advantage will accrue in this manner; or that there will be any equivalent to any interest for the sacrifice. The change can bring nothing with it to recommend it to us, and while it may be less injurious to others, it will probably bring no positive good to any. The revenue must be raised; and it is difficult to comprehend how any well founded objection can exist to a discrimination in the assessment so as to favor the great laboring classes; unless it is desirable to check their prosperity by diminishing their business. The amount raised by either process is the same; but if one method is beneficial, and the other injurious, we ought to find no difficulty in choosing between them.

This is a matter for grave consideration, and ought to be approached with candor and a conciliatory temper on all sides; and may we not feel a strong assurance that if it is so examined, it will not be passed upon the country. It is worth while to inquire whether, if it should eventually become the law of the land, it will not put at hazard our best interests, and excite an unprofitable agitation of the public mind. It is manifest, that in assessing the revenue, all the great interest should be considered, embraced and harmonized in the policy. This may be accomplished by a just discrimination, favoring all the great interests that are promoted by a division of labor, and without raising unnecessary revenue or resorting to high duties. This course is so free from well founded objections, and is so obviously the only one that will be likely to harmonize public opinion, and give tranquility to the public mind, that I trust it will meet with the approbation of those whose duty it is to adjust this question. The only question at issue is a choice between a fair and just discrimination and a horizontal level of duties by which the same amount is imposed on all articles, and the reasons in favor of the principle of discrimination seems to be decisive.

JOHN DAVIS.

Council chamber, Feb. 27th, 1841.

NEW HAMPSHIRE.

Election. From the returns that have come in of the election held in this State on Tuesday last, it is pretty evident that the entire democratic ticket for congress and state officers has been elected by a majority equal to that of the November election.

NEW YORK.

Free banks. A panic exists in this state respecting the free banks. We find the following article on the subject in the Albany Argus:

"Red Back" associations. The panic in relation to "red back" notes which has pervaded the public mind for several days, may be said to have reached a crisis yesterday. Down to Monday inclusive, 13 of these institutions had stopped payment, viz:

Millers' bank of Clyde.
Farmers' bank of Seneca county.
Tonawanda bank.
N. Y. city trust and banking co. (frud)
Tenth Ward bank, N. Y.
Chelsea bank.
Staten Island bank.
Washington bank.
Erie County bank, Buffalo.
Union bank.
Bank of Western N. Y. Rochester.
Farmers' and Mechanics' bank, Batavia.
Binghamton bank.

On Wednesday, the following were thrown out by the agents in this city, viz:
Bank of America, Buffalo.
Merchants' Exchange, "

And finally yesterday, the explosion became general, and the agents threw out the following:

Mechanics' bank of Buffalo.

United States "

Phoenix bank "

Bank Commerce "

Bank of Brockport.

Cattaraugus County bank.

Bank of Lodi.

St. Lawrence bank.

The two latter banks, it is supposed, will furnish their agents with funds to go on and keep up their redemptions in a short time; the officers and some of the stockholders of the St. Lawrence bank particularly, being among the most wealthy citizens of St. Lawrence county.

The Commercial bank of Oswego, (safely fund), we understand, has been relieved in small amounts; but such amounts as were sent in by banks to the agency, were refused.

The panic has burst so suddenly upon the agencies of the associations, that the bands placed with them were exhausted before they could arrange to meet such an extraordinary demand.

By a singular, if not an inadvisable construction of the law, by the late comptroller, (Mr. Cooke), preference has been given in the redemptions from the deposits in his hands to those who were the first to appear with their protests.

Yesterday, a bill was passed through both branches of the legislature, and waits only the signature of the governor to become a law, providing that the circulating notes be paid *pro rata*.

The comptroller has put forth an official document in reference to these banks, which has the effect of placing more confidence in them. The report gives the circulation and securities of each of the banks. In no case does the circulation at all approach the amount given in security, and although the stocks which form the main pledge of redemption are much depreciated, there is no good reason to doubt the ability of the banks to meet their liabilities. Many of the securities are in bond and mortgages—the amount varying from \$14,000 to nearly \$100,000 for each bank.

The Heidelberg, or patron war, which created so much fuss fifteen months since, is to be renewed, it seems. The year past, the bank has recovered judgment against its tenants for rent justly due him. Executions have been levied, but an open resistance is threatened by the Heidelbergers, and the sheriffs as yet stand in awe of the "quatern." The affair seems to become a serious one, and if much blood is not shed, much ink assuredly will be.

Statistics. In compliance with a resolution of the assembly, the clerk of that body submitted to the house a detailed statement of the returns of the census of the state, as obtained from the marshals of the northern and southern districts. The same has been printed, by order of the house, and makes a pamphlet of 80 pages, large 8vo. Some of the footings are annexed. "It is proper to say," remarks the clerk in an accompanying note, "that these aggregate figures are taken from the footings of the deputy and assistant marshals who were employed to take the census, and may not in all cases be entirely correct. These footings are now undergoing a careful revision in the department of state at Washington, which possibly may vary the results in some instances; but it is believed that the errors will be few and of but trifling importance."

Number of free white persons.

Under five years of age	Males	187,533
	Females	150,689
Five and under ten	Males	165,059
	Females	134,495
Ten and under fifteen	Males	138,653
	Females	135,144
Fifteen and under twenty	Males	130,461
	Females	137,446
Twenty and under thirty	Males	226,650
	Females	158,251
Thirty and under forty	Males	143,909
	Females	89,958
Forty and under fifty	Males	97,496
	Females	52,102
Fifty and under sixty	Males	53,326
	Females	30,887
Sixty and under seventy	Males	30,173
	Females	14,639
Seventy and under eighty	Males	14,292
	Females	3,961
Eighty and under ninety	Males	4,165
	Females	378
Ninety and under 100	Males	817
	Females	25
One hundred and upwards	Males	25
	Females	25

Number of free colored persons.

Under ten years	Males	5,990
	Females	6,150
Ten and under twenty-four	Males	6,363
	Females	6,909

Twenty-four and under 36	Males	5,689
	Females	6,803
Thirty-six and under 55	Males	4,218
	Females	4,427
Fifty-five and under 100	Males	1,463
	Females	1,982
One hundred and upwards	Males	16
	Females	43

Total population of the state 2,429,476

Number of persons employed in

Mining	1,820
Agriculture	456,475
Commerce	28,595
Manufactures and trades	102,576
Navigation of the ocean	5,560
Navigation of canals, lakes and rivers	10,061
Learned professions and engineers	14,221
Revolutionary pensioners	4,029
Deaf and dumb, of all ages	white 995
	colored 62
Blind	white 891
	colored 81
Inane and idiots, at public charge, white	700
	colored 45
" private charge, white	1,470
" "	colored 107

Schools, &c.

Universities or colleges	12
Number of students	901
Academies and grammar schools	50
Number of scholars	31,633
Primary and common schools	10,871
Number of scholars	501,156
Number of scholars at public charge	26,266
Number of white persons over 20 years of age who cannot read and write	43,715

Schedule of mines, agriculture, commerce, manufactures, &c.—Mines.

Number of furnaces	190
Tons of cast iron produced	82,654
Number of bloomeries, forges and rolling mills	116
Tons of bar iron produced	58,275
Tons of fuel consumed	366,249
Number of men employed	3,378
Capital invested	\$2,113,519
Number of dwelling houses, for lead	9
Pounds of lead produced	570,650
Number of men employed	833
Capital invested	\$131,000
Value of other metals produced	\$48,514
Number of white persons employed	2,567,584
Number of men employed	332
Capital invested	\$5,801,000
Value of granite marble and other stones produced	\$1,678,015
Number of men employed	3,715
Capital invested	\$1,494,005

Agriculture.

Number of horses and mules	476,115
neat cattle	2,202,438
sheep	5,581,235
hogs	1,916,558
Poultry, estimated value	\$2,272,029
Number of bushels of wheat	11,852,507
barley	2,498,170
oats	20,718,758
rye	2,884,913
blackwheat	2,244,438
Indian corn	11,083,142
potatoes	30,000,508
clover	14,073,134
hops	362,762
flax	164,021
tobacco gathered	6,567
silk cocoons	2,103
angur made	10,092,991
Tons of hay	3,160,916
Cords of fire wood sold	1,085,048
Value of products of the dairy	\$10,497,082
of the orchard	\$1,732,375
home made goods	\$16,535,075
market gardens	\$462,300
nurseries and florists	\$78,550
Gallons of wine made	14,710

Commerce.

Number of commercial houses in foreign trade	458
commission houses	1,049
Capital invested	\$48,508,401
Retail dry goods, groceries and other stores	13,068
Capital invested	\$41,451,551
Lumber yards and trade	707
Capital invested	\$2,495,077
Number of men employed in internal transportation	9,329
butchers, packers, &c.	7,421
barrelled pickled fish	22,214
gallons sperm-oil oil	400,251
white and other fish oil	1,269,241
Value of whalebone, &c.	\$344,645
Number of men employed	1,223

Value of lumber produced	\$2,765,173
Barrel tar, pitch, turpentine and rosin	25,924
Tons of pot and pearl ashes	6,504
Skins and furs, value produced	\$15,734
Ginseng and other productions of the forest, value	\$141,026
<i>Manufactures.</i>	
Value of machinery manufactured	\$2,794,568
Number of men employed	5,468
Value of hardware, cutlery, &c. manufactured	\$1,808,638
Number of men employed	868
cannon cast	801
small arms made	8,051
men employed	112
Precious metals, value manufactured	\$1,002,908
Various metals	2,614,092
Granite, marble, &c.	887,170
Bricks and lime	1,213,326
Number of fulling mills	398
woollen manufactures	829
Value of goods manufactured	\$9,417,328
Number of persons employed	4,464
Capital invested	\$2,516,498
Number of cotton manufactures	115
spindles	253,619
Dyeing and printing establishments	\$3,561,437
Value of manufactured articles	7,436
Number of persons employed	\$4,834,382
Capital invested	277
Number of pounds of silk made	\$2,418
Value of same	\$46,429
Value of manufactures of flax	\$1,496,347
mixed manufactures	\$831,571
manufactured tobacco	\$2,919,741
hats and caps manufactured	\$156,398
straw bonnets	1,213
Number of bonnets	1,213,833
Sides of sole leather tanned	049,830
of upper leather tanned	5,311
Number of men employed	\$9,892,398
Capital invested	7,993
All other manufactures of leather, saddles, &c.	\$6,286,685
Value of manufactured articles	\$2,477,774
Capital invested	10,700,974
Number of lbs. of soap	4,000,283
tallow candles	353,000
sperm and wax candles	401
Number of men employed	999,375
Capital invested	206
Number of distilleries	2,710,110
gallons produced	86
breweries	6,471,122
gallons produced	\$5,214,776
Capital invested	9
Powder mills	665,000
Powder made, lbs.	41
Men employed	\$91,500
Capital invested	\$893,791
Drugs, paints, dyes, &c. value	\$131,487
Turpentine and varnish, value	675
Men employed	\$1,294,735
Capital invested	12
Glass houses	417
Glass cutting establishments	417
Men employed	367,870
Value of manufactured articles including looking glasses	\$181,301
Capital invested	47
Portulias	\$132,990
Value of manufactured articles	192
Men employed	\$68,332
Capital invested	7
Sugar refineries	\$385,000
Value of produce	\$5,007
Value of chocolate manufactured	\$366,146
Value of confectionary made	416
Men employed	\$474,556
Capital invested	77
Paper manufactures	\$693,821
Value of produce	822
Value of all other manufacture of paper, playing cards, &c.	104
Men employed	166,814
Capital invested	146,914
Printing offices	41,005
Binders	12,588
Daily newspapers	3,210
Weekly do.	\$1,852,510
Semi and tri-weekly do.	45
Periodicals	\$361,019
Men employed	597
Capital invested	\$212,150
Musical instruments produced, value	\$321,130
Men employed	438

Capital invested	\$108,775
Carrriages manufactured, value	\$2,461,511
Men employed	4,790
Capital invested	\$1,527,413
Flouring mills	334
Bbl. flour manufactured	2,697,914
Grist mills	1,761
Saw mills	6,480
Other mills	75
Value of manufactures	\$18,088,182
Men employed	10,797
Capital invested	\$14,247,914
Furniture, value	\$797,810
Men employed	3,675
Capital invested	\$1,615,700
Brick and stone houses built	1,269
Wooden do.	5,221
Men employed	16,720
Value of buildings constructed	\$7,704,634
All other manufactures not enumerated	\$6,864,882
Capital invested	\$9,825,836
Total capital invested in manufactures	\$32,069,936
<i>Common schools.</i> By the late report of the superintendent of common schools in the state of New York, it appears that there are 10,760 school districts in that commonwealth. This number shows an increase of sixty-three since the report of the preceding year. The number of children in the state over five and under sixteen years of age, exclusive of the city of New York, was 592,864 at the close of the year 1839. The number of children instructed in the common schools during the year was 572,995.	
The superintendent remarks: "It is a subject of congratulation that so many children of the republic have had the school-room opened to them; and although it may not have afforded the high degree of instruction which may be desirable, yet much is gained by giving the opportunity of learning something. They have acquired the elements; the good seed is sown; and matured by general instruction, it will germinate and grow and expand, even by its own force. What is thus obtained can never be lost; and it furnishes the foundation for advancement and progress by the gradually improving standard of education."	
The productive capital of the common school fund in the state of New York amounted to \$2,033,407. It is the revenue arising from upwards of three millions and a half of the surplus revenue of the United States deposited in the state treasury in 1837. The school fund thus far has the benefit of the revenue yielded by a capital of more than \$2,000,000. The average pay of teachers in the common schools is \$18 per month. The schools are kept open, on an average, eight months in the year.	
The opinion is expressed by the superintendent that it is not best in the schools entirely to be left by leaving a small portion of the expense to be paid by the inhabitants of each district, greater attention is secured to the good management of the schools. The amount raised by supervisors in the districts during the year 1839 was \$214,747.	
<i>Ball. Amer.</i>	
<i>NEW JERSEY.</i>	
The legislature adjourned sine die on the 12th instant.	
A state tax of \$30,000 is deemed necessary for this year, and was laid. The state prints in so much need of its available means, as to require, in the estimation of the keeper and inspectors, a cash advance of 5,000 dollars, to keep it in successful gait. The manufacturers will not sell.	
The People's bank at Paterson, has been re-chartered.	
The bill of Mr. Sutphen, to impose further restrictions on the banks of the state, and to punish the suspended banks, has failed by a close vote.	
We understand that George P. Moleston, esq. of New Brunswick, was yesterday elected attorney general of the state, vice Field, resigned, and Daniel Elmer, of Cumberland, judge of the supreme court, vice Dayton, resigned.	
<i>PENNSYLVANIA.</i>	
Education. There were 282,410 pupils in the different literary institutions of Pennsylvania during the past year. Of this number, 1,889 pupils are in colleges and universities; 1,430 in female seminaries; 2,465 in academies; 21,968 in the public schools of Philadelphia, and 254,908 in the common schools throughout the state.	
One term. The joint resolution to amend the constitution of Pennsylvania, as to provide that the governor shall serve but one term in a period of nine years, passed a third reading in the senate of the state, on Monday, by a vote of 19 to 5.	
The hon. John Banks, of Reading, has been unanimously nominated as the whig candidate for	

governor of Pennsylvania, by the state convention which met at Harrisburg on the 10th inst.

MARYLAND.

Extra session. Proclamation of gov. Grason, calling an extra session of the legislature. *Warrens.* The senate and house of delegates have declared, by their joint resolution of the fifth inst. that the time to which their session was then limited, was not sufficient to enable them "to transact the important business entrusted to their charge," and have requested me to convene them "at the earliest convenient day after the 15th of April next."

And whereas, the senate and house of delegates have the best means of forming a correct judgment in relation to the importance of the business under their consideration, and to the necessity of having further time to act upon it:

And whereas, it is desirable that questions of so much interest to the state as to require a special call of the legislature, should be settled without unnecessary delay:

I do therefore convene the general assembly of Maryland, in compliance with the request contained in the resolution aforesaid, and do accordingly give notice to the members of the legislature of the session of the legislature on Wednesday the 24th day of the present month, for the purpose of transacting such business as in their judgment the public interest may seem to require.

Given under my hand and the great seal of the state, this 15th day of March, in the [L. A.] year one thousand eight hundred and forty-one.

WM. GRASON.

By the governor, J. MURRAY, secretary of state.

NORTH CAROLINA.

The Raleigh Register of Tuesday says: Our banks have again suspended the payment of their liabilities in specie. They have been compelled to do this course because their credits with foreign banks from Philadelphia to this city, have become wholly unavailable for specie purposes. Hitherto, a draft on a Virginia or Philadelphia bank has answered the same purpose as specie, and our banks have thus been strengthened in their ability to meet their responsibilities; but now their checks on the Virginia and more northern banks, being paid in current notes only, they are no longer available as specie payments.

In republishing the foregoing paragraph, the Richmond Compiler of Thursday adds:

Our banks stand now pretty much alone. If they can continue to pay specie while there is no place where they can draw specie to restore that they pay out, and what is worse, exchange with New York per cent, against us—and render the proper aid to trade at the same time, they will do wonders.

ALABAMA.

The electoral vote. As we assisted to circulate the statement that the vote of Alabama would be cast out by congress, on account of the manner in which it was given, it becomes proper that we tell how the electors repaired their error, and saved the vote of the state. It is true, as we stated at the time, that in their public convention in the hall of the house of representatives, the electors voted *vice* *no*; but, at a private meeting in the evening (having probably learned that their mode of voting in the morning was illegal, and would vitiate the suffrage), they again voted—this time by *ballot*—and made out their returns accordingly, in pursuance of the requirements of the constitution. The oversight of the electors in their public proceeding the morning was thus repaired, and not only excused by the ingenuity of their private action in the evening.

[Florence (Ala.) Eng.

MISSISSIPPI.

The legislature has done itself honor, we were going to say—but this is making honesty rather too scarce in the market—by resolving, in spite of the official influence of governor McNutt, that the state was bound to redeem her bonds, and would redeem them. The resolutions to this effect, strange to say, were voted by the governor!!

LOUISIANA.

The house of representatives. On the 10th instant, adopted a resolution, requesting their senators and representatives in congress to use their endeavors to procure the alteration of the present naturalization laws, so as to require twenty-one years *consecutive* residence in the United States, before a foreigner could become naturalized. It passed by a vote of twenty-one to ten.

TENNESSEE.

The whigs assembled in convention at Murfreesburg, on the 4th instant, for the purpose of designating a candidate for governor in opposition to colonel Polk, at the August election. Forty coun-

tiers of the state were represented in the convention. After organizing, the convention adjourned till next day. On meeting next morning, the committee of nomination reported the name of JAMES C. JONES, of Wilson county, as its choice;—and thereupon the choice was unanimously agreed to by this convention.

KENTUCKY.

The senate have passed bill providing for the congressional election in April, instead of August, should an extra session of congress be called.

INDIANA.

We extract the following statement from the N. York Argus:

The legislature of Indiana adjourned on the 15th of February.

Laws were passed laying a poll tax of 75 cents, and a tax of 40 cents on each 100 dollars of property. The enumeration of persons subject to the poll tax, embraces about 100,000, yielding a revenue of \$75,000.

The taxable property of the state is estimated at \$100,000,000, on which 40 cents on each \$100, yields 400,000.

From bank stock and other sources the state has an income of 150,000.

\$625,000

This is about \$200,000 less than the interest on the state debt and the expenses of making remittances to New York and London to pay it. The state scrip, or bills of credit, issued in 1839, are receivable for taxes, and these bills will probably absorb the greater part of the amount collected from this source.

Provision has been made by law that real estate, household furniture, farming implements and mechanical tools, shall not be sold on execution for less than one-half their appraised value. And real estate may be redeemed in one year from the day of sale, on paying 12½ per cent. on the purchase money.

A law has also passed, appropriating the sinking fund, the surplus revenue fund, the saline fund, college fund, and the school fund, all to banking purposes. Such of these money are now loaned out, are to be called in and paid over to the state bank. There is a provision that if any debtor to the surplus fund shall desire longer time, it shall be granted to him at 6 per cent. interest, "upon delivering his note to the proper branch, with sufficient endorsers, for the payment of the sum he may owe. And it is provided also, that "the bank may in its discretion grant any indulgence to such debtor, which it usually grants to other borrowers," &c.

Ex-governor Noble has been appointed fund commissioner in place of general Stepp, legislated out of office.

In 1836 the legislature of Indiana passed a law providing for the construction of 1,329 miles of roads and canals, as follows:

Canals	900½ miles.
Turnpike roads	338 "
Rail roads	90½ "

1,329½

There has been expended already \$7,199,449, and the sum required to complete them is estimated at \$13,346,000, being at least one-fifth of the total value of all the real and personal property in the state.

The state has about 260 miles of canal in use, yielding about \$5,000 in toll. Two rail roads yield about \$266,000, being a total of \$31,000, the present revenue growing out of a debt of fourteen millions of dollars.

Instead of a tax of 5 or 10 cents on a 100 dollars, the people are now to be taxed 75 cents on each 100 dollars, besides their town, county and village taxes, and in addition to this each male inhabitant of lawful age is required to pay a poll tax of 75 cents; and when all these taxes are collected there will not be enough by two hundred thousand dollars to pay the interest on the public debt.

ILLINOIS.

Banks. We learn by the Chicago American that by the suspension law the state bank of Illinois, is authorized to charge 7 per cent. interest on loans not exceeding six months, and 9 per cent. for a longer period, and is permitted to take \$1, \$2 and \$3 notes. The bank is prohibited during the suspension of specie payments, from disposing of its specie, except in sums of \$5 for change—may not increase the amount of circulation over the capital paid in, and is to receive and disburse the funds of the state, without charge. The bank is further required to pay the out standing warrants drawn by the auditor.

The directors of the state bank have re-established the branch at Chicago, and re-appointed the former cashier.

MISSOURI.

The legislature adjourned sine die on the 16th ult. after a session of about three months.

ABOLITION CONVENTION.

In the Rochester American Citizen of March 9th, we find the proceedings of a convention held on the 24th of February, at Warsaw, New York. "In compliance with a call addressed to Christians of every denomination in western New York" at which Eliza, Giddens presided, J. C. Jones and R. W. Lyman acted as secretaries. The names of the delegates in attendance are given—87 of whom are of Warsaw itself, and 43 from other places. The following are the resolutions adopted at the convention, most of them unanimously:

1. Resolved, That the institution of the slaveholding system are a swift witness against it, and fully convict those who appear as its apologists, of an attempt to screen from the point of faithful, Christian alike abhorrent to the just requisitions of God's pure and unalterable law, and to the unperverted sentiments of the civilized world.

2. That the slaveholding relation interposes a barrier to the spread of pure Christianity, and to the establishment of true gospel churches over a large and most interesting portion of our republic; that in the judgment of this meeting, the resident churches and Christian communities with which we are connected, are most solemnly bound to persist in prayer to God, and in the application of the most strenuous Christian efforts for the complete demolition of this barrier.

3. That that regard slaveholding to be a sin gross, and so utterly at variance with the gospel of Jesus Christ, that we ought, as Christians, to withhold all ecclesiastical connection from those slaveholders and slaveholding churches, who after having been faithfully and affectionately admonished, according to gospel rules, refuses to abandon this sin.

4. That those who either apologize for slaveholding, or object to its immediate, universal and unconditional abolition, or devise schemes of gradual or partial emancipation in its stead; do thereby array themselves, not merely against the interests of the slave, but against the cardinal principles of civil and religious freedom, but likewise against the doctrines of an orthodox Christian theology, embodied in the creeds, the confessions of faith, the scriptures, and the standard theological writings of the primitive evangelical denominations.

5. That the primitive churches held up before the community the true principles of reform, which if faithfully applied by modern churches, would supersede the necessity for anti-slavery, temperance, moral reform, missionary and other kindred societies.

6. That whilst that sound maxim both of human and divine law, to wit: that the necessary is as guilty as the principal, remains true, so long it will remain no less true, that the apologist for slavery and the witness of its inhumanity, who does not spread the alarm, is as really guilty as he who actually perpetrates its inhuman deeds.

7. That the churches of the north are present resulting from the atrocious wickedness necessarily resulting from the slave system, and many of them not only refuse to testify against it, and to admonish their members to shun it, but to admit of an alarming extent, and in various ways, have become its apologists, or real supporters.

8. That many of them either tolerate or require silence in their pulpits on the momentous subject of human rights: that in many of their theological schools they observe a caution dictated by expediency, or attempt wholly to repress the rising spirit of freedom; they receive, unrebuked, known slaveholders to their pulpits, and to their communications, along with their own, the unallowable doctrine of "ungodly gain," wrong from the unrequited toil of the crushed slave.

9. That it is the right and the duty of the re- spective churches to investigate the subject of slavery and to set upon it—to enter upon their records, and until they do so, the community will justly hold them recreant to the high duty prescribed to them in the gospel of the kingdom of sin, and as implicated deeply and willingly in the foulest transgressions of the divine law.

10. That the monthly concert of prayer for the peaceful abolition of slavery, is a stated and important anti-slavery meeting, which every Chris-

tian abolitionist should feel sacredly bound if possible to attend, and which, in the opinion of this convention, may be truly regarded as the thermometer in any community of the Christian abolitionism of that community.

THE CASE OF THE AMISTAD.

Supreme court of the U. States—January term, 1841. The United States, appellants, vs. the libellants and claimants of the property of Antonio, Ruiz, Ferrer and furniture, together with her cargo, and the Africans mentioned and described in the several libels and claims. On appeal from the circuit court of the United States for the district of Connecticut.

Mr. Justice Story delivered the opinion of the court:

This is the case of an appeal from the decree of the circuit court of the district of Connecticut, sitting in admiralty. The leading facts, as they appear upon the transcript of the proceedings, are as follows:

On the 27th of June, 1839, the schooner L'Amistad, being the property of Spanish subjects, cleared out from the port of Havana, in the Island of Cuba, on a voyage to the United States, under the command of the schooner, were the governor's gun board of Cuba. Pedro Montez had with him four other negroes, also claimed by him as his slaves, and stated to be his property in a similar pass or document, also the high seas, at the distance of some 20 miles from the shore of Long Island. A part of the negroes were then on shore at Coluden point, Long Island, who were seized by lieutenant Gedney and brought on board. The vessel, with the negroes and claims of the property of Antonio, Ruiz, Ferrer and furniture, together with her cargo, and the Africans mentioned and described in the several libels and claims, was brought by lieutenant Gedney into the district of Connecticut, and libelled for salvage in the district court of the United States. A libel for salvage was also filed by Henry Green and Pelatiah Fordham of Sag Harbor, Long Island, on the 18th of September, Ruiz and Montez filed claims to the property of the schooner, and ownership of the negroes as their slaves, and of certain parts of the cargo, and prayed that the same might be "delivered to them, or to the representatives of her Catholic majesty, as might be most proper."

On the 19th of September, the attorney general of the United States for the district of Connecticut filed an information or libel, setting forth that the Spanish minister had officially presented to the proper department of the government of the United States, a claim for the restoration of the vessel, cargo and slaves, as the property of Spanish subjects which had arrived within the jurisdictional limits of the United States, and were taken possession of by the said public armed brig of the United States, under such circumstances as made it the duty of the United States to cause the same to be restored to the true proprietors, pursuant to the treaty between the United States and Spain; and praying the court, on its being made legally to appear that the claim of the Spanish minister was well founded, to make such order for the disposal of the vessel, cargo and slaves, as would best enable the United States to comply with their treaty stipulations. But, it should appear that the negroes were persons transported from Africa in violation of the laws of the United States, and brought within the United States contrary to the same laws; he then prayed the court to make such order for their removal to the coast of Africa, pursuant to the laws of the United States, as it should deem fit.

On the 19th of November the attorney of the United States filed a second information or libel similar to the first, and the exception of the second prayer above set forth in his former one. On the same day, Antonio G. Vega, the vice consul of Spain for the state of Connecticut, filed his libel, alleging that Antonio was a slave, the property of the representatives of Ramon Ferrer, and praying the court to cause him to be delivered to the said vice consul, that he might be returned by him to his lawful owner in the Island of Cuba.

On the 7th of January, 1840, the negroes (Cinco negros), with the exception of Antonio, and by their counsel, and an affidavit being made, that they were slaves, or the property of Ruiz and Montez, or that the court could, under the constitution or laws of the United States, or under any treaty ex-

ercise any jurisdiction over their persons by reason of the premises, and praying that they might be dismissed.

They specially set forth and insist in this answer that they were native born Africans, born free, and of right ought to be free and not slaves; that they were, or were not, kidnapped from their native land, unlawfully captured, and forcibly and wrongfully landed on board a certain vessel on the coast of Africa, which was unlawfully engaged in the slave trade, and were unlawfully transported in the same vessel to the United States, where they were sold as slaves; that they were unlawfully sold as slaves; that Ruiz and Montez, well knowing the premises, made a pretended purchase of them; that afterwards, on or about the 28th of May, 1839, they were taken on board the schooner "Amistad," and were transported to the United States (with Ferrer, captain of the Amistad), caused them, without law or right, to be placed on board of the Amistad, to be transported to some place unknown to them; that they were transported to the United States, where they were sold as slaves; that on the 2d of August, 1839, of Montauk Point, near Long Island; a part of them there went aboard, and were seized by lieutenant Gedney, and carried on board, and all of them were transported by him into the district of Connecticut.

On the 7th of January, 1840, Jose Antonio Telles and Messrs. Aspe and Laca, all Spanish subjects residing in Cuba, filed their claims as owners to certain portions of the goods found on board of the schooner *L'Amistad*.

On the same day, all the libellants and claimants, by their counsel, except Jose Ruiz and Pedro Montez, (whose libels and claims, as stated of record, respectively, were pursued by the Spanish minister, the same being merged in the claims), appeared, and the negroes also appeared by their counsel, and the case was heard on the libels, claims, answers and testimony of witnesses.

On the 22nd of January, 1840, the district court made a decree. By that decree, the court rejected the claim of Green and Fordham for salvage, but allowed salvage to lieutenant Gedgey and others on board the schooner *Albatross*, who had captured the *Amelia*, if, but not the negroes Cinquez and others; it allowed the claim of Tellinae and Aspe and Laca, with the exception of the above mentioned salvage. It dismissed the ibels and claims of Ruiz and Montez for salvage, and declining under the laws of Spain the Spanish mission. It allowed the claim of Ferrer's vice consul for Antonio, on behalf of Ferrer's representatives. It rejected the claims of Ramirez and Montez for the delivery of the negroes, but admitted them as cargo, with the exception of those already mentioned. The court decreed that the same should be delivered to the United States, as made by the attorney of the United States, on behalf of the Spanish minister, for the restoration of the negroes under the treaty; but it decreed that they should be delivered to the president of the United States, to be sent to Africa, pursuant to the act of 3d of March, 1819.

From this decree the district attorney, on behalf of the United States, appealed to the circuit court, except so far as it related to the restitution of the slave Antonio. The claimants Tellicinas and Aspe and Laca also appealed from that part of the decree which awarded salvage on the property respectively claimed by them. No appeal was interposed by Ruiz or Montez, or on behalf of the representatives of the owner of the Amistad. The circuit court, by a mere pro forma decree, affirmed the decree of the district court, reserving the question of salvage upon the claims of Tellicinas and A-pe and Laca. And from that decree the present appeal has been brought to this court.

The cause has been very elaborately argued, as well upon the merits as upon a motion on behalf of the appellants to dismiss the appeal. On the part of the United States it has been contended, 1. That the United States are entitled to the property in question, because the title thereto has been acquired by the United States by the capture of the vessel, cargo and negroes to the Spanish subjects on whose behalf they are claimed, pursuant to the treaty with Spain of the 27th of October, 1795. 2. That the United States have a right to intervene in the proceedings, because the title to the property in question is the subject of the suit, and the United States are entitled to the restitution of the property upon the application of the Spanish minister. These propositions have been strenuously denied on the other side. Other collateral and incidental points have been brought in, upon which it is not necessary at this moment to dwell.

Before entering upon the discussion of the main points involved in this interesting and important controversy, it may be necessary to say a few words as to the actual posture of the case as it now stands before us. In the first place, then, the only parties now before the court, on one side, are the United

States, interfering for the sole purpose of procuring restitution of the property as Spanish property, pursuant to the treaty, upon the grounds stated by the other parties claiming the property in their respective countries, and upon the grounds that the said property in themselves, or any violation of the own rights, or sovereignty, or laws, by the acts complained of. They do not insist that these negroes have been imported into the United States in contravention of our own slave trade acts. They do not insist that the said negroes were taken for the purpose of being transported to Cuba as pirates or robbers, or as fugitive criminals found within our territories who have been guilty of offences against the laws of Spain. They do not assert that the seizure and bringing of the said cargo and negroes into the United States, without consent of Congress, for the purpose of adjudication, is a tortious act. They simply confine themselves to the right of the Spanish claimants to the restitution of their property, upon the facts asserted in their respective allegations.

On the 10th day of June, 1851, the court on the other side, as appellars, arc listed. Gedyney, on his libel for salvage, and the negroes (Cinquez and others) asserting themselves in their answer not to be slaves, but free native Africans, kidnapped in their own country, and illegally transported by force from their country, and now entitled to maintain their freedom.

No question has been here made as to the proprietary interest in the vessel and cargo. It is admitted that they belong to Spanish subjects, and that they ought to be restored. The only point on this head is, whether the restoration ought to be made on payment of ransom. This is the main controversy. Whether these negroes are the property of Ruiz and Montez, and ought to be delivered up; and to this, accordingly, we shall first direct our attention. It has been argued on behalf of the United States that the treaty of 1795 with Spain, which has in this particular been continued in full force by the treaty of 1819, raised in 1821. The sixth article of that treaty seems to have had principally in view cases where the property of the subjects of either state is seized by the subjects of the other, within the jurisdiction of the other, during war. The eighth article provides for cases where the shipping of the inhabitants of either state is forced, through stress of weather, pirate or enemies, or any other urgent necessity, to seek shelter in the ports of the other. The article does not say that the property seized within the present case, in its actual circumstances, falls within the purview of this article. But it does not seem necessary, for reasons hereafter stated, actually to decide it. The ninth article provides "that all ships and merchandise, of one party seized by the subjects of the other, shall be restored to the hands of any pirates or robbers, on the high seas, shall be brought into some port of either state, and shall be delivered to the custody of the officers of that port, in order to be taken care of and restored according to the true property, as far as may be due and sufficient to satisfy all claims concerning the property thereof." This is the article on which the

main reliance is placed on behalf of the United States for the restitution of these negroes. To bring the case within the article, it is essential to establish, first, That these negroes, under all the circumstances, and without any appropriation of merchandise, are within the treaty; secondly, That there has been a rescue of them on the high seas out of the hands of pirates and robbers, which in the present case, can only be showing that they themselves are pirates and robbers; and thirdly, That the negroes were not the property of the true proprietors, and have established their own competent proof. If these negroes were at the time lawfully held as slaves under the laws of Spain, and recognised by those laws as property capable of being lawfully bought and sold, we see no reason why they should not be restored to the proprietor, in fulfilment of the intent of the treaty, to be included under the denomination of merchandise, [and] as such, ought to be restored to the claimants: for, upon that point, the laws of Spain would seem to furnish the proper rule of interpretation. But, admitting this, it is still to be shown, that the laws of Spain, and the essential facts and requisites has been established in proof; and the onus probandi of both lies upon the claimants to give rise to the *causa fœderis*. It is plain, beyond controversy, if we examine the evidence, that these negroes never were the lawful property of the Royal African Company, or of their subjects. They are natives of Africa, and were kidnapped there, and were unlawfully transported to Cuba, in violation of the laws and treaties of Spain, and the most solemn edicts and declarations of that government. By the laws of Spain, and the treaties of Spain, the slave trade is utterly abolished; the dealing in that trade is deemed a heinous crime: and

the negroes were rebely introduced into the dominions of Spain are declared to be free. Ruiz and Montez are proved to have made the pretended purchase of these negroes with a full knowledge of all the circumstances, and to be violent and insolent in their conduct towards the respondent. The district attorney here admitted, in open court, upon the record, that these negroes were native Africans, and recently imported into Cuba, as alleged in their answers to the libels. Ruiz and Montez supposed proprietary interest, and the respondent, in the absence of any evidence, if we are at liberty to look at the evidence or the admissions of the district attorney. If, then, these negroes are not slaves, but are kidnapped Africans, who, by the laws of Spain itself, are entitled to their liberty, and to be restored to their native country, and to Cuba, and illegally detained and restrained on board of the *Amatada*, there is no pretence to say that they are pirates or robbers. We may lament the dreadful acts by which they asserted their liberty, but we cannot but sympathize with them in their endeavor to regain their native country; but they cannot be deemed pirates or robbers in the sense of the law of nations, or the treaty with Spain, or the laws of Spain itself, at least so far as those laws have been construed by our courts. The *Amatada*, Captain of Ruiz and Montez assert there to be no such

This posture of the facts would seem of itself to put an end to the whole inquiry upon the merits. But it is argued, on behalf of the United States, that the ship and cargo and negroes were duly documented as belonging to Spanish subjects, and this is a fact which cannot be denied. It is also admitted that full faith and credit is to be given to them; and that they are to be held conclusive evidence in this case, even although it should be established by the most satisfactory proofs that they have been obtained by means of frauds and impositions upon the constituted authorities of Spain. And upon this we can in no wise assent. There is nothing in this treaty which justifies or sustains the argument. We do not here meddle with the point whether there has been any connivance in this illegal traffic on the part of the judicial authorities or subordinate officers of Cuba; but even if such a connivance or animadversion is necessary, and ought not to be pursued unless it were indispensible to public justice, although it has been strongly pressed at the bar.—What we proceed upon is this: that although public property found on board the ship, and although the cargo and crew certainly are to be deemed *prima facie* evidence of the facts which they purport to state, yet they are always open to be impugned for fraud; and whether that fraud be in the original obtaining of the documents, or in the subsequent fraudulent and illegal use of them, the subsequent fraud is established, it overthrows all their sanctity, and destroys them as proofs. Fraud will vitiate any, even the most solemn, transactions, and an assertion of title to property founded upon it is utterly void.—The very language of the ninth article of the treaty of 1795, in relation to the property of the United States, is sufficient proof of this property. And how can that be proved either due or sufficient, which is not a connected and stained issue of fraud? This is not a mere rule of municipal jurisprudence.—It is a rule more clear than the law of nations, as an established principle of private law and duties, and intercourse, than the doctrine that the papers are but *prima facie* evidence, and that, if they are shown to be fraudulent, they are not to be held proof of any valid title. This rule is familiarly applied, and indeed is of every-day occurrence in the courts of the United States, in all allegations of fraud, and, as is apparent from numerous instances to be found in the reports of this court; and it is just as applicable to the transactions of civil intercourse between nations in times of peace. If a private ship clothed with Spanish papers should enter the ports of the United States, and should be seized by the authorities and rights belonging to the United States of Spain under our treaties or laws, and she should in reality belong to the subjects of another nation, which was not entitled to any such privilege, immunities or rights, and the proprietors were seeking to evade the laws of our country by flying under the flag of Spain, there can be no doubt that it would be the duty of our courts to stop the disguise, and to look at the case according to its naked realities. In the solemn treaties between nations, it can hardly be presumed that either state intended to provide the other with a cloak for protecting frauds; but all the provisions are to be construed as intended to be applied to bona fide transactions. The 17th article of the treaty with Spain, which provides for certain passports and certificates as evidence of property on board of the ships of both states, is in its true meaning and intent, either of the parties is engaged in a war. They are issued by the

parties, and annexed to the treaty. It never was annexed; and therefore, in case the Amiable Isabella, (S. Wheat, R. J.), it was held inoperative.

It is also a most important consideration to the present case, which ought not to be lost sight of, that, supposing these African negroes not to be slaves, but kidnapped, and free negroes, the treaty between Spain cannot be applied to them, and the United States are bound to respect their rights as much as those of Spanish subjects. The conflict of rights between the parties under such circumstances becomes positive and inevitable, and must be decided upon the eternal principles of justice and international law. If the contest were about any goods on board of this ship, to which American citizens asserted a title, which was denied by the Spanish claimants, there could be no doubt of the right of such American citizens to litigate their claims before any competent American tribunal, notwithstanding the treaty with Spain. A fortiori the doctrine must apply where human life and human liberty are in issue, and constitute the very essence of the controversy. The treaty with Spain over could have intended to take away the equal rights of all foreigners, who should contest their claims before any of our courts, to equal justice, or to deprive such foreigners of the protection given them by other treaties, or by the general law of nations.—Upon the merits of the case, then, there does not seem to us to be any ground for saying that these negroes ought to be deemed free, and that the Spanish treaty interposes no obstacle to the just assertion of their rights.

There is another consideration growing out of this part of the case which necessarily draws to judgment. It is observable that the United States, in their original claim, filed it in the alternative to have the negroes, if slaves and Spanish property, restored to the proprietors; or, if not slaves, but negroes who had been transported from Africa in violation of the laws of the United States, and brought into the United States contrary to the same laws, then the court to pass an order to enable the United States to remove such persons to the coast of Africa, to be delivered there to such agent as may be authorized to receive and provide for them; and in the subsequent period, this last alternative claim was not insisted on, and another claim was interposed omitting it, from which the conclusion naturally arises that it was abandoned. The decree of the district court, in the present case, is in conformity with the decree of the United States, to be transported to the coast of Africa under the act of the 3d of March, 1819, ch. 224. The United States do not now insist upon any affirmance of this part of the decree; and in our judgment, upon the facts and law of the case, it is not necessary to assert that the case comes within the purview of the act of 1819, or of any other of our prohibitory slave trade acts. These negroes were never taken from Africa or brought to the United States in contravention of those acts. When the American government, in its possession of the negroes asserting their freedom, and in no sense could they possibly intend to import themselves here, as slaves, or for sale as slaves. In this view of the matter, that part of the decree of the district court is unattainable, and must be reversed.

The view which has been thus taken of this case upon the merits under the first point renders it wholly unnecessary for us to give any opinion upon the other point, as to the right of the United States to intervene in the decree of the district court.

We dismiss this, therefore, as well as several minor points made at the argument.

As to the claim of Lieut. Gedney for the salvage service, it is understood that the United States do not now desire to perpetrate any wrong, and in pursuance of it, it is deemed reasonable by the court. It was a highly meritorious and useful service to the proprietors of the ship and cargo; and such as, by the general principles of maritime law, is always deemed a just foundation for salvage.—The rate allowed by the court does not seem to us to have been beyond the exercise of a sound discretion, under the very peculiar and embarrassing circumstances of the case.

Upon the whole, our opinion is that the decree of the circuit court affirming that of the district court ought to be affirmed, except so far as it directed the negroes to be delivered to the president to be transported to Africa in pursuance of the act of the 3d of March, 1819, and, as to this, it ought to be reversed, and that the said negroes be declared to be free, and be dismissed from the custody of the court, and go without pay. True copy. Test:

WM. THOS. CARROLL, C. S. C. U. S.

THE DECREE.

The United States, appellants, vs. the libellants and claimants of the schooner Amiable Isabella, her cargo, apparel and furniture, together with her tackle, and

the Africans mentioned and described in the several libels and claims. An appeal from the circuit court of the United States to the district of Connecticut.

This cause came on to be heard on the transcript of the record from the circuit court of the United States for the district of Connecticut, and was argued by counsel. On consideration of the same, it is the opinion of this court that there is error in that part of the decree of the circuit court, affirming the decree of the district court, which ordered the said negroes to be delivered to the president of the United States to be transported to Africa in pursuance of the act of congress of the 3d of March, 1819, and that, as to that part, it ought to be reversed, and, in all other respects, that the said decree of the circuit court ought to be affirmed. It is therefore ordered, adjudged and decreed by this court, that the decree of the said circuit court be, and the same is hereby, affirmed, except as to the part aforesaid, and, as to that part, that it be reversed, and that the cause be remanded to the circuit court with directions to enter in lieu of that part a decree that the said negroes be, and are hereby, declared to be free, and that they be dismissed from the custody of the court, and be discharged from the suit, and go thereof quit without day. True copy. Test:

WM. THOS. CARROLL, C. S. C. U. S.

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL.

In senate, January, 19, 1841.

Mr. WILKIE said: However imperfectly I feel myself qualified to discuss this subject, I am, nevertheless, without, in this respect, occupying an impartial position. Indiana, in her progressive advances from a wilderness state to the dignity of the fourth or fifth member of the union, has reached that period in her history when she may hold with as much pride as any of the original thirteen, between the old states and the new. While, then, I listen with most respectful consideration to able counsels than I myself can aspire to give upon a subject whose growing magnitude has inspired verities, with such apprehension as even to justify precipitate and immature legislation, I shall endeavor so to record my vote upon the several propositions before us as to secure to the new states all the equity they claim, and to the old states all the rights which they challenge, and to all the states in general an equal basis of the scales of justice, to be gained, as I conceive, from no other source than from the proceeds of our bountiful domain.

In our plan of government, sir, simple as its object and well-defined as its purposes are, many difficult and complicated questions are necessarily occurring. They are chiefly questions of power. Our confederated, and at the same time republican, principle—our relations with the Indian tribes—our partial system of domestic slavery—and our protective tariff system, are all full enough of difficulties to this extent, that we are not able to solve its severest trial. Indeed, sir, parties have a tendency to organize themselves not so much upon measures of policy as upon abstract questions of constitutional construction. This tendency of party is greatly injurious, by producing political sophisms and defined theories which override every practical power for good conferred by our constitution.

The land question is not properly a question of power, and yet incidentally it involves considerations of the same character. Over the public domain which lies within the limits of our original states, the United States seem to have something more than a simple property jurisdiction or a mere private ownership. This is proved by their right to make laws for its convenience and government, and by their right to reserve its territory and its resources. All questions concerning those lands in courts of their own creation. Such powers are appurtenant to a species of territorial sovereignty.

I concur fully with senators who have ascribed so great importance to the measures now before us, in regard to merely as a question of finance, it carries a grave and serious import. Not the least among the high functions of government is its power to raise and expend money. Next to the power to declare war, and to place under the administration the sacred life and fortune of the citizen, the power to raise revenue is the highest prerogative of sovereignty. Of equal importance is it if we have respect to the question of population or settlement and of social organization. These are the great questions which the medium through which senators choose to regard the subject. Would the senator from Missouri, (Mr. BENTON), complain that we will not treat the public domain as a fund for revenue, the senator from Tennessee, (Mr. ALEXANDER), contends that it is by no means a question of finance, and that the honorable senator from Virginia, (Mr. CALHOUN), is right in his contention that I do with the honorable senator who

introduced the bill soon on your table, in the priority of the period of pre-emption law, I protest against the justice of the remedy which you have accompanied its introduction, and to which I shall have occasion hereafter to advert. My purpose now is merely to express my regret that a measure so interesting, and, I may add, beneficent, in the final disposition of the subject, should have been subjected to this body without a conjuration of influences well calculated to disturb the harmony of our legislation—influences which have lately been aroused in the conflict of contending parties, and which had expended their energies in the most conclusive demonstrations at the ballot box.

To one or all of these causes it is owing that our statute book groans under the weight of enactment in regard to the management of our land system. Since the colonial and agrarian system of Rome, no nation has had such a complication of laws regulating its domain. It may well be conceived that so extensive and fertile a territory would be a prolific subject of legislation. Our entire domain is computed at 1,085,356,252 acres of land, to add 400,000,000 of which the Indian title has been extinguished, and remains unextinguished to near 700,000,000 acres. Of this vast domain, about seven-tenths lies east, and two-tenths west of the Rocky mountains. As yet we have sold to individuals, for the purpose of settlement, 1,000,000 acres, and if we add to that grants and reservations to individuals, &c. there will still remain more than 900,000,000 acres in which the United States has a proprietary interest.

It is true that these terms are given to the future stamps upon these terms are given to the user for the abode of man, and for the development not only of the physical but of the moral and intellectual energies of the Caucasian race. Extending to the shores of the Pacific ocean, the retiring savage shall give place to the Anglo-Saxon, to the European, to the American, and upon the last great drama where can be seen, the triumphs of civilization, of liberty, and of religion.

Already upon a considerable part of this domain have these great purposes begun their accomplishment. Of the territory above mentioned, an area of about 250,000,000 acres has been organized into republican states, and nine more stars of virgin lustre shine resplendent in the galaxy of the union.

The bill and amendments before us contemplate a permanent and conclusive adjustment of the interest of the United States in the public domain, from a general view which we have taken of its use, and of the nature of the trust with which the government is invested in regard to it, we are prepared to discuss the several principles and details involved in the bill and proposed amendments.

From the beginning of our history, settlement and occupancy seem to have been the object of the government. It is true that largesses have ever been proposed, no bounties awarded, to induce a cultivation of our wild domain. On the other hand, government has been ever ready to withhold, from time to time, extinguished the Indian title, and throw the lands into market. The Indian claim removed, no other obstacle has been left by our laws in the way of settlement, no limits prescribed to the explorations of the adventurous pioneer. The method of settling the western lands in compact masses by townships at a time has been always repudiated. The government has incurred no expense to protect the settlements; no garrisons or military posts have been established upon our frontiers. The government has been ever ready to try, it has been left to the same fearless and hardy spirit of individual resolution which dared to encounter the obstacles of nature and the terrors of the forest to defend the pioneers against the marauding Indians, and to give the first firm footing to the advance of the pioneer. The rifle and the axe have gone together into the wilderness borne by the same hand. The mother has left the couch, where her infant reposed, to watch over the labors of the backwoodsman while engaged in his daily and toilsome task, and to give the first alarm when the prowling Indian, or the treacherous pioneer, approached the habitation. The first midnight repose has been rendered secure only by the guardianship of the hunter sentinel.

In such a way as this, sir, have your great transmontane valleys been settled; until now, security has succeeded to danger, and the alarms of a border war are drowned in the noisy tread of commerce and speculation. The pioneer has borne the dangers of the adventure, shall he not reap its honors and rewards? Unaided, unregarded, uncompensated, he has laid, in virtus and in peace, the foundations of several of our great cities. He has strengthened the bonds of our confederacy, aided new interest to your commerce, augmented sources to your revenue, secured to you liberties, and fresh glories to your empire. Will you now withdraw from him your protection, and leave him to the mercies of the war, or, rather, will you not confirm to him his ancient

charter? Is the same wise and liberal policy yet to continue, of covering this continent with republican states, or is the sordid greed of avarice to arrest this march of civil liberty towards its utmost destination? Is this paternal government willing to adopt the motto

"Quærenda pecunia primum est, virtus post nimis," to postpone the highest political interests of its people to a consideration of revenue?

It is remarkable that, in almost every deed of cession from the states, and in both the treaties with France and Spain for the purchase of Louisiana and Florida, guarantees are contained securing to the people of the acquired territory a republican form of government, and free and equal admission into the union. If, then, even in our foreign negotiations this appears to be a fundamental object, let us not thwart, by our domestic policy the earliest attainment of so great an end. Let revenue be a mere incidental consideration, or, in the expressive and simple language of a member of the first congress, "let us make the best of liberty, our people, and our land."

Sensors object to the pre-emption policy mainly upon these grounds:

1. That it injures our exchequer by diminishing the price received for the lands.

2. That, by giving privileges and bonuses upon the people of the new states, it is partial in its operation and unjust to the people of the old states.

3. That it produces an unnatural and forced drain upon the population of the old states. And

4. That it engenders a spirit of insubordination to the laws, and will lead to mischievous riots and excesses by tolerating a scramble for the public property.

To the first objection, I reply, that, before the former pre-emption laws had operated to any extent, the gross average at which the lands have been sold since the present minimum price was established is about one dollar and thirty cents per acre. The inconceivable loss of five cents per acre does not weigh a feather in the scale against the equity of pre-emption. To suppose even the ill-founded complaints of a single state having public lands within its borders, you ought not to hesitate to make so small a sacrifice. You have assessed the value of the lands at \$1.25 per acre. Why should you suppose them to state at auction? Most of the old lands are not worth the minimum price, and yet you refuse, and for good reasons, to graduate them downwards. Why should you graduate them upwards? In any department of business there are the auctioneers and it ought to be considered when it is possible to do so, the parent of frequently ruinous speculation, arising from an undue competition, which such an occasion generally arouses. Upon the commerce of our citizens we lay an equal duty, and do not sell the protection of our navy to the highest bidder. The facilities of the public mail and the privileges of the patent office are afforded at fixed rates. No part of our revenue except from land, is raised in the shambles. Government affords none of its favors, none of its privileges, to the cupidity of wealth, save the domicile of the poor man, of which, by conquest or purchase, it has become the lord paramount.

The second objection assumes what I cannot grant—"that the right of pre-emption is a bounty or a privilege." The pre-emptor pays a fair equivalent for his right, of the value of the land to the government than the higher price which the capitalist might bid at auction. Foregoing now the argument of increased resources and augmented national wealth produced by conveying the lands to the actual occupants and cultivators, and the consideration of enhanced value given to the adjacent lands by improvements in their neighborhood. How much the sale of this class of lands has been hastened by such causes it is impossible to estimate, but I venture the assertion that your treasury, enriched as it has been from every source, including the twenty-five millions of treasury notes which have been issued, could not stand the shock of yielding up its gains derived in this very way. Is it more the nature of bounty to give these lands for a fixed price to the first occupant, to the most industrious citizen, than to the wealthiest, who may perchance bid more than they are worth? But in what respect is this system unjust to the people of the old states? Certainly, the lands are not a fund for individual aggrandizement and profit. Whatever the government, as the trustee of the lands, owes to the states upon the great principles of equity, which I shall try and discuss, it can be under no obligation to parcel the domain out *per capita* among the individual names of people. The people of the old states, remaining united and compact, may purchase is denied to them for purposes of investment and speculation (I do not like the word) which is allowed to him who is willing to join the

new community in the wilderness, to lay his health, and to build his altar there. If the government does not hold these lands in trust for individual advantage, then it has a right to fix what principles it pleases for their sale and disposition; and surely no complaint can justly be made when those principles are friendly to the earliest development of the social and political system, and to the increase of population within the limits of the new territory. Of this I am fully satisfied.

I am willing to accord a character of plausibility to the third objection to pre-emption, above enumerated. Perhaps the tendency of American enterprise is too much to a diffusive population. To every section of the union the government owes an equal patronage, and no praiseworthy citizen build up the west would desire to see his own section built up at the expense of the sister states. Especially would no western statesman commend himself to his constituents by the enactment of partial laws. The chain of dependence is such between the most distant parts of our confederacy, that nations are so injuriously affected without sensible loss to the other. It is impossible, however, to restrain the emigrating spirit of our countrymen, and no better rule can be adopted than to leave each one free to content himself with which point to his own prosperity and happiness. While the rewards of agriculture in the rich and fertile plains west of the mountains are so tempting to the citizen than the appropriate pursuits to which those are destined who remain in the Atlantic states, it would be wrong to check that virtuous ambition which is so clamorous to reach them. Let it be remembered that agriculture is the almost universal pursuit of the western emigrant; and the more this proportion of our population increases, the more our real independence and security, and the faster our commerce will be augmented. I am not about to adopt the exclusive and exploded doctrine of the economists, which decried the productive quality to the operations of commerce and to the labors of the artisan; but I do contend that agriculture is a employment is the best adapted to the genius of our people, and to the condition of our country, and that it ought, and ever will, I trust, maintain a proud preponderance. Need I remind you, sir, that this class, in every emergency, will be the prop and stay of our republic; that here we shall find the true and the just basis of our government; that here we shall find their true abiding place, and that redaction and misrule never attend the peaceful domicile of the husbandman?

But there is a view of this subject which takes out of the objection, as we are discussing it. It is, that, although emigration may be too rapid from the old states to the new, the nature of our pursuits is such that there is a constant circulation of our population. Though, in the process of this mighty provincial ascension which has so astonished us with growth, the blood may be forced through the arteries in unusual currents to the extremities, yet the self-restoring effect of nature shall return it through a thousand veins to the seat of life. The traveler from the old states, after many days, will return with the spoils of industry, and pour the grateful offering into the maternal lap.

A single word or two, sir, shall suffice in reply to the fourth objection. It is in effect "a beginning of the question," for if you invite the occupant to take possession of your lands, he cannot be a trespasser. You are not of 1847 forever trespassing upon the public lands, and yet how little has the moral sense of the community been shocked by the frequent and constantly recurring violations of that act which we have witnessed. The universal sentiment of the people is, that the trespasser is a villain. The law seeks a home and a domicile for his wife and his children often against any rule of society? In vain do you set up the artificial authority of any law against so holy a purpose! Restrict your pre-emption law to the actual settler; guard against speculation by the law; and your statute book will have no reproaches nor opprobrium rest upon your authority from any of the acts which you fear. That there will be no strife or violent contention among the several beneficiaries of the pre-emption law, the experience of the past sufficiently proves. The northwest corner of Indiana (within my own observation) has been settled by pre-emptors. A more orderly, industrious, or better regulated community is not to be found.

The argument in favor of pre-emption is no pregnant, that it seems almost superfluous to adduce the authority of other governments which have uniformly extended the kindest protection towards their infant settlements. From the time when the wandering Scythian roamed from one hunting ground or pasture to another, as his tribe and his family would expire—from the period of the *Feldmark* and *bookland* of the ancient Saxon—there has been no mercenary legislation upon lands. The far-famed

agrarian laws of Rome were designed to aid and protect the colonist. The states of our own confederacy have either surrendered their lands to settlers or sold them at a nominal price. We are all conversant with that force of public opinion which constrained Massachusetts to pass laws requiring the successful plaintiff in ejectment to pay the occupying claimant for what they termed his "betterments," answering to what "*melioramenta*" of the civil law, or the "improvements" of the western squatter. A rigorous policy against the settler would be a violation of contemporary settlement and of all the lights of experience.

But senators say that the new states, not content with bearing the palm of successful rivalry from their older sisters, have really outstripped themselves, and have asserted the rights of majority before they have attained the age of twenty-one. Grant that this is true, sir. We have at least the proud satisfaction of knowing that our greatness is not "been thrust upon us." It is a trophy of our own achieving, we glory in the distant and most infancy, in our wilderness state, we have earned the honors of manhood. We boast not strength alone, but wisdom. In the ordinance of 1787, before the birth of your constitution, we laughingly pronounced the principle of majority to be a maxim; that, in an ordinance creating a government designed to be temporary, those great principles should be laid down as the fundamental basis of our society, and expressed to be forever binding and irrevocable upon the people and states thereafter. Wise, Sir, in Hannibal, we were correct to liberty to our infancy, and now that our noon-day sun is culminating upon the continent, we conjure you to apprehend no evil, nor to fear influences, however powerful, which are thus benign. Let senators realize, and let the people be made aware, that out their favors with a saring hand, under what difficulties, under what discouragements, and under what painful perils our early settlements were effected. Let them remember how, even in later times, it has cost us all our energies to bring our owners upon the growing forest. The state of Indiana has an area of upwards of twenty-two millions of acres, and her citizens have already contributed to the national treasury, as the price of their demesnes, more than twenty millions of dollars. Indiana, sir, is a state of great resources, and, after such exhaustion, has their industry been taxed to cultivate and stock their farms and to procure that bountiful subsistence which an American citizen demands.

You have been reminded, sir, by what I have said too gratuitous a spirit towards the new states, of the bounty and munificence, or, as the senator from South Carolina, (Mr. PASTOR), eloquently expresses it, of the *justice* (for what higher attribute can be claimed in these degenerate ages?) of Virginia and the other conceding states, in surrendering their rich possessions to the union. The new states congratulate themselves upon this result. They congratulate the union. Had the state retained this territory we should not now perhaps have been in the hands of a paternal government bestowing its reclaimed guaranty for our admission into the union. Wisconsin, Iowa, Florida, would not have been that guaranty yet to be faithfully and speedily performed. The territory northwest of the Ohio river would have been a mere appendage to the Old Dominion. Louisiana, Kentucky, and Mississippi, if not acquired, nor the navigation of the Mississippi secured. We should not now have boasted N. Orleans, the peerless exporting city of the continent; nor would our great staple-growing region of the south have been so happily prospering. The great city of Ohio, the Illinois and the Wabash, to pour the life of duty their abundant and cradles supplies into her bosom, thus giving to her annual eighty millions of exports one-third of the elements of their value.

As a representative of western interests, I do not complain of the policy of the government, nor will I be forgotten that commerce is its costly defence, and manufactures a protection springing from your laws. Of necessity, almost, the pecuniary patronage of the government is lured to the seaboard. In proportion to its numbers the west is the largest tax paying section of our country, for the simple reason that not an article of import is produced there. These drains upon our industry we submit to with an uncomplaining temper. But we cannot forget the equity which such considerations raise when you are called to pass laws upon subjects peculiarly affecting our interests. Our staples are the agricultural prods, which seem to be placed beyond the pale of constitutional protection. Compared with the magnitude of the agricultural interest, the other branches of industry are almost insignificant. Commerce has its one hundred millions of exports, and an equal amount of imports, and our manufactures double the

seend these sums in amount, but agriculture, towering above all, ascends to two thousand millions per annum. No nation can be perfectly independent, and which does not raise its own breadstuffs; and the highest condition of social happiness and prosperity is attained when other interests to be sure are flourishing, but when the agricultural interest maintains the ascendant. In every vicissitude of trade, and in every revolution of government, while the land and distress too often mark their desolating career in other countries, in peace and in war, our teeming soil continues to yield its fruits to the labor of the husbandman, and our barns and granaries to furnish plentiful resources of subsistence. No event in history is associated with such a mass of human happiness, present and prospective, as the settlement of our western country, by multiplying and cheapening the food upon which man subsists. But I will not press this topic further. The people of the west, in their growing strength, expect from congress just and considerate laws, not so much from their power to enforce them as from the enlightened appreciation in which their claims must be held by the entire union.

It is matter of regret that the dignity of these claims should be disparaged, or suspicion be thrown upon them, by the manner in which the present bill was introduced into the senate. When pre-emption laws became the mere foot-note of party, or were converted into engines for political warfare, it is no wonder that they fail to command that general assent to which they are entitled. The honorable member who brought in this bill remarked, upon its introduction, that the federal party (as he was pleased to term the whig party) in the recent presidential canvass, shown so devoted a love for negro chains and their inmates, he was fearful they would anticipate the friends of the administration in pressing the measure of a permanent pre-emption law; he therefore hastened to submit the proposed measure. Sir, the significant title prefixed to this bill, if it shall not be interpreted as ironical upon a worthy beneficiaries, has at least that aspect inference to one of the great parties engaged. In recent presidential struggle. Certainly, to prefix the bill or its title, or some other association, have produced in this debate not a little rancor against the emblems adopted, for good cause, by the whigs in the late contest. The freight with which the pre-emption vessel is laden is acceptable to no constituency but the one for which it was under which she sails. In a word, sir, it cannot be concealed that this measure is intended to overreach the action of the coming administration, and either to are that administration into an antagonistic position, or obstruct its efforts by a forced and sudden interposition of a policy for which the country was as ripe eight eight years ago as now. It matters not to me, however, whether this communication be achieved under the star of general Harrison—or whether it be the consequence of that series of conservative and patriotic measures which are to restore the character of the age and to elevate our institutions—or whether now urged on by influences no longer to be resisted, the measure has been precipitated upon us by the stern virtue which is felt and appreciated, and I may add, feared, in the character of general Harrison, and by that powerful voice of the people which has pronounced his election.

Connected with the subject of a final settlement of the land question, and proposed by the bill, two antagonistic measures have been presented to the senate. That contained in the amendment of the honorable senate from Kentucky (Mr. CATTEENEX) proposes a grant to the actual settler, whose estate shall not exceed the value of six hundred dollars of pre-emption for any quantity of land not exceeding 320 acres, and to distribute the proceeds of the sales of the public lands among the several states of the union in just and equitable proportions. The other, proposed by the honorable member from North Carolina, Mr. CALDWELL, proposes a cession of the public lands to the several states within whose limits they lie, upon conditions, the principal of which are, that the states shall annually pay to the general government sixty-five per cent of the gross proceeds, and that the cession "shall be in full of the five per cent fund, on any part thereof not already accrued to any state; and the said states shall be exclusively liable for all charges that may hereafter arise from the surveys, extended management, and public sale, and extinguishment of Indian title within the limits of said states respectively." It also provides that the states may pass pre-emption and graduation laws. I shall first consider the amendment of the senator from North Carolina.

I object to this scheme as annulling the whole land system approved by the experience of forty years; as destroying that uniformity which con-

tributed so much, not only to the security of titles, but to the value of improvements made upon the newly purchased lands. It transfers the monuments of title from the archives of this government to the custody of the executives of the several states, the forms of conveyance of course to be devised by the authorities of those states. It creates new responsibilities unknown to the constitution, and dangerous to the revenues. Who can believe that the states will meet pecuniary engagements of this kind with promptitude? Your laws cannot enforce their collection, and your only reliance is upon the faith of the states. In original engagements of the several states with the world, there is no event which is a sufficient guaranty for the redemption of any pecuniary obligation. But here the case is very different. This proposition creates relations between the states and the federal government not very dissimilar to those which existed under the old articles of confederation. A principal inducement for abolishing the old confederacy was, because requisitions for money (even for so serious a consideration as the payment of the revolutionary debt) made by congress upon the states was not regarded. The failure of a single debtor state to meet engagements imposed by this measure would produce dissimulation, and justify a like remission on the part of others. In every aspect of the case, the relation between the states and the federal government is to be degraded, but when that relation is relied upon to supply a considerable portion of our current revenue, it can result only in disaster and disappointment until the sense of obligation shall ultimately be broken. But one expectation of the kind has been since the ratification of our constitution, and that was in the act of 1836 depositing forty millions of our surplus revenue with the states. From the moment that this act was passed, and in contravention of its very terms, the sense of the nation has pronounced it a distribution and not a deposit act. That fund (or rather so much of it as was deposited) has ceased to belong to the resources of the federal government; and he who would treat it as such subjects himself to the just and severe reprobation of all.

But if, for any purpose, and particularly for revenue purposes, it is unwise and hazardous to involve the states in a condition of indebtedness to the union, how is the argument strengthened and the danger increased when the ownership of that indebtedness is the price of their retention of all the public lands have already asserted that the proprietary interest of this government in these lands, and the authority necessarily assumed in consequence thereof, is in derogation of the rights and sovereignty of the states. Such doctrine has been held, I believe, at least in Alabama and Missouri. They have been advocated by prominent members, both upon this floor and in the other branch of congress. I can regard this amendment in no other light than that of a suffering wedge for the purpose of all the public domain to the states where they lie. What sir, are the principles of the contemplated cession? Not surely the employment of the states as agents merely of this government for the sale of the lands, but a transfer to them in their own right, by virtue of a contract of purchase. It was so treated by the committee on public lands at the last session, who were friendly to the measure. The amendment *ex termino* recognises a certain right on the part of the states to control these lands, at least so strong as to enable them to render it impossible for the government further to direct their management. How long will it be after a cession made under such motives and impulses, until the states, habituated to regard these lands in the first instance as their own, will not feel that it is necessary to retain only sixty five per cent of their proceeds to the general treasury? By this act you weaken, nay, almost destroy, the sanction of the old deeds of cession from the original states, which now cannot be violations of the constitution, and the legal title has been forgotten a contract which, after the lapse of a little time, shall seem to carry with it no moral obligation. I mean up all when I say that the success of this measure is the loss of the lands.

The ground of the objection which other senators have handled, of the great inequality in this plan among the several states to which the cession is to be made, further than to quote a passage upon that subject from the report of a committee in the Indiana legislature, made in February last.—

"Besides the objections that will be made to this measure by the old states, its gross inequality cannot make it generally acceptable to the new states. The portion allotted to Indiana would be double that of Ohio, and nearly as large as the whole of the whole of Indiana, Missouri, Arkansas and Michigan likewise. The result would be, that those states are to have the least benefit who have borne the

heat and burden of the day. The settlement of Michigan, Illinois, Missouri, Arkansas, Mississippi and Louisiana, has been comparatively easy to that of Ohio and Indiana. They have endured no devastating wars, their homes have not been pillaged and destroyed and their citizens massacred, as ours have been; nor have they paid into the national coffers any thing like the sums of money that Ohio and Indiana have paid. Therefore, this measure of Mr. Calhoun, so unequal in all its bearings, cannot be acceptable, especially to Indiana."

To this I will only add, that it is impossible so unequal a system can endure; and, in its destruction, it is probable the relation will be altered by the deeds you have given them, stippled of all condition. In such a dilemma, of but little avail will be the defence in your deed, or your reverentary interest.

The committee of this body on the public lands of the last session did not attempt a vindication of this measure upon any ground of economy or right, but base their recommendation upon the equity due to the new states, and upon the impracticability of the subject as a topic of federal legislation; and, as if doubting the validity of their position, they attempted to lessen the importance of the matter by disparaging the fund deemed to be available out of the public domain. I shall not attempt to follow the committee through the intricate process of reasoning by which they endeavor to show that the present value of all the unsold lands in the nine states upon which this amendment would operate, (being 160,000,000 acres), amounts only to the sum of \$28,400,000, or about 17 cents per acre, although it would be difficult to assent to such an estimate. The committee, to determine the extent of the subject, should have looked at that boundless territory which lies west of the states immediately named in the amendment, and which will claim its benefits the moment they are admitted to the confederacy. If it is idle to suppose that their claim can be repelled, nor do I imagine that the advocates of this plan contemplate any other result. The consequence is, that Iowa, or any of the territories, coming into the union with the new states, will claim an immediate cession of their lands. The average area of the western states is 30,000,000 acres; this, divided among 60,000 inhabitants, would be 500 acres to each person, and to each family of six persons 3,000 acres. Thirty-five per cent of this (their proper interest) would be five hundred to each family of six acres. What an appeal to the cupid of our territorial inhabitants! What clamorous demand will it begel, on the part of the territories, for premature admission into the union! What conflicts with your authority! How will the storm be blown in their cap, and corrupt the legislation of the federal states! If there can be any appliance to tempt the population from the old states into the territories, the wit of man could not devise a more effectual one than this.

But, sir, it will give rise to other and unusual difficulties. The federal government will be backward to extinguish the Indian title within the territories when the benefit is to inure to the people of those territories as soon as they are organized into states. The uniform policy of the government has been to extinguish those titles as fast as practicable; but now that the neighboring settlements have rendered the Indian lands more valuable, there will be a constant struggle between the territories and the federal government, to render it necessary to sacrifice. It has been the boast of our institutions, that amidst the jarring interests of states, the government has always preserved the most partial relation towards its provincial appendages, the territories. Let the policy of cession succeed, and this relation will be broken, and in its place will be substituted the most cold and bitter rivalry. One of the states named in the amendment, Michigan, has remaining within her limits about eight millions of acres of Indian lands. These lands lie adjacent to the most fertile and valuable territory. You had not many thanks from Michigan when you gave her these lands in lieu of those valuable possessions on the Maumee bay, and her gratitude will scarce be increased when you require her to pay for her own coders for the extinction of the Indian title.

I cannot omit, before concluding my remarks upon this topic, to inquire, what would be the condition of Indiana if this cession were accepted? Evidently on the subject of positive loss. There are remaining within the limits of Indiana, including the Miami reserve not yet purchased, unsold lands amounting to 5,776,000 acres. From this deduct the sixteenth sections reserved for school purposes, and the canal lands, (in all about 651,000 acres), and there remain 5,125,000 acres. A low market value is refused land which has been in market for twenty to thirty years. The whole cannot be estimated

at more than seventy-five cents per acre, making a sum of \$3,791,631. Thirty-five per cent. on this amount is \$1,327,070, which is the gross sum to be paid by the state. Against this sum we have to set off the following amounts:	
Gross amounts due the Missinies and Pottawatomies by existing treaties	\$255,541
Perpetual annuities under those treaties of \$26,070, equal, at 5 per cent. to a cash sum of	761,400
Three per cent. fund on net amount of \$3,602,050 is	108,061
Estimate for extinguishing the residuum of the Miami title	550,000
Estimate (by the commissioner of Indian affairs) for expenses of emigration of the Missinies	55,000
Estimate (by the commissioner of Indian affairs) for their subsistence one year	36,666
Five per cent. estimated expenses of survey and sale is	189,581
	1,956,262
Estimate by topographical bureau for connecting Cumberland road in Indiana	3,144,250
	85,100,502

So that the state of Indiana, without including the Cumberland road, would be loser by the proposed cession six hundred and twenty-nine thousand one hundred and eighty-two dollars, and, with the loss of the Cumberland road, three million seven hundred and seventy-three thousand four hundred and thirty-two dollars. The committee on the public lands, in recommending this cession, expressly say that "their report has been drawn up on the supposition that expenditures in the new states by this government for internal improvements would cease should the bill pass;" in which they also include the annual appropriation for improving the navigation of the Ohio and Mississippi rivers. They credit (by the operation of the bill) the federal government, and, consequently, charge the nine states embraced in the bill, among other things, with the withdrawal from those states of the following expenditures:

Grants and donations of land (except the sixteenth sections)	\$7,017,540
Improvements in the Mississippi and Ohio rivers, and Cumberland road	6,999,274
Five per cent. fund to be surrendered by the states	10,214,262
	\$24,171,076

This loss, it is true, they distribute through a period of eighty years, (the length of time computed to be necessary to dispose of the lands), but the states interested in those improvements would hardly be willing to forego, at so critical a period of their affairs, almost the only hold which they have upon the pecuniary patronage of the government. In every aspect in which it can be viewed, this plan of conditional cession is full of objections not to be overcome.

The amendment of the senator from Kentucky, (Mr. CATTENDEN), proposing a distribution of the proceeds of the public lands among the several states of the union, is a renewal of a measure offered nine years ago by another distinguished senator from the same state, (Mr. CLAY), which twice passed this body, and was concurred in by the popular branch by large majorities, but did not receive an affirmative vote. It was then a measure of benefit and of fruitful hope; it is now remedial.—When we contemplate the present pecuniary condition of the states, and contrast it with what it probably would have been had the distribution bill become a law; and when we review the substantial series of measures which for the last nine years have marked the progress of the government, and their influence upon the policy of the states, it is impossible to suppress our regret at a loss which many years of wise legislation will never securely restore. When the distribution bill of 1832 was negatived by the president, the states were involved in the most trivial amount of debt.—At the present time the president estimates the annual interest upon their debts to the twelve millions of dollars, which at six per cent. makes a principal debt of two hundred millions. It is easy to trace this ruinous condition of the states to its primary causes, most prominent among which stands the defeat of the distribution bill. At that time your treasury, from an excess of revenue, was full of an unexpended war administration (of the government), was redundant, and your revenues outran the necessities of the government. Instead of withdrawing this excess from our exchequer, (which would have been effected by giving the proceeds of

the lands to the states), the whole of our revenues were removed from their accustomed depository, the bank of the United States, and placed in the hands of the treasury, by the secretary of the treasury, these banks immediately increased their discounts to an unparalleled extent, and flooded the country with currency. Suddenly a wild and infuriated spirit of speculation overran the land. Individuals and states were hurried by an irresistible impulsion into the most extravagant enterprises, the sequel of which, on the part of the states, is found in the tale of two hundred millions of debt.

Meanwhile, our custom houses continued to pour their flood of revenue into the national coffers until in 1834 a surplus of more than forty millions had accumulated. As a measure of the highest necessity, this surplus was, by an act of that date, directed to be deposited with the states, the true effect of which was a distribution to the states of the amount paid under that act, about twenty-nine millions.—Unfortunately, for want of a supposed competency in congress to do so, no specific application of this fund was directed. Some of the states invested their portion of the fund for various purposes, others divided the principal sum per capita among their people, and the general effect of the distribution, the possession of the money was to induce new undertakings by the states, and an increased accumulation of liability. Their resources being thus squandered and exhausted, it was impossible that either individuals or states could long continue to serve themselves in such a career, and the revolution has come, with which we are all too familiar to require a recital of it.

Having looked at this situation picture, let us for a moment imagine what would have been our condition had the distribution bill been passed. Having withdrawn from our current revenues so much as proceeded from the lands, the deposit banks would have held no excess. The daily drafts of the treasury would have employed all our funds, and the banks could not have enlarged their discounts beyond the ordinary wants of commerce.—That rash spirit of individual adventure, which, combined in masses, controlled and directed the legislative councils of the country to the same ends, would have been stopped. The monies received by the states from the lands were directed by the bill to specific objects. These were, to purposes of internal improvement or the payment of debts contracted therefor, of education, and of the colonization of free blacks. This stimulated by no exultation and thus produced no extravagance, and what monuments would not the states already have built in aid of commerce! what prouder monuments in aid of science and of intellect—unburdened with debt, and endowed with means and capabilities for progress, and achievement in the arts, great objects of patriotism and benevolence through an untold series of years!

By a report from the secretary of the treasury, made in 1838, it appears that if the land bill of 1832 had passed, the states would have received, up to the 30th of September of that year, the sum of \$57,227,230. Of this, the share of Ohio would have been \$4,957,832; of Indiana, \$2,965,744; of Illinois, \$1,797,554; of Alabama, \$1,965,934; and of New York, \$8,190,102. These would have been the sum of money received by the states in addition to the two per cent. fund accruing to the new states, and to the expenses incident to the sales of the lands. In addition to this, Indiana would have received 115,000 acres of land to make her equal with the former grants, and the other states in the same proportion. To reach the same equality. If the author of the land bill of 1832 deserves what posterity will award him, perpetual remembrance from his country, what must we say of those administrators of our affairs who have had the states in that condition, and who have diverted, and the fruits of which are now like waters of bitterness in our mouths?

But gentlemen say that the distribution is unconstitutional, and in violation of the deeds of cession from the United States to the states.

In opposition to this view, I shall not detain the senate to recapitulate at any length the argument which has been so ably maintained, and is so familiar to the country. As to that portion of our territory ceded by the old states, it cannot be denied that congress look to it in trust—in trust for all the states, old and new, and not for the people of the states. In this respect the proceeds of the land are different from ordinary revenues which are collected from the people, and for their benefit, and not for the states. The proceeds of the land are the property of the states, and congress the trustee. There is no principle in law or ethics which prevents a trustee from surrendering at pleasure a trust; and into whose hands can he make the surrender but those of the *cestui que trust*—the benefit

of the trust? And here this argument ends, and conclusively. For if, according to the very terms of the deeds of cession, this be a trust for the use of the states, it must, of necessity, be in their several and corporate capacity. The cession, then, cannot be found in our system. It was the states who surrendered to the federal government all the powers contained in our constitution; the most of these powers, in their exercise, operate upon the people of the United States, and the duties of the government inure to their benefit. But there is an exception in the very terms of the charter. I cannot, under our constitution, conceive the idea which has been expressed by the learned senator from S. Carolina, (Mr. CATTENDEN), of states in their aggregate capacity. I can in their federal capacity; and if in this capacity they were intended to hold their interest in the lands, the deeds would have expressed the tenure to be for the benefit of the "United States," and not "for the use and benefit of such of the United States as have become and shall become members of the confederation or federal alliance of the said states, Virginia inclusive, according to their usual respective proportions," &c.

Then came the constitution, providing that "the congress shall have the power to make and enforce all the laws which shall be necessary and proper to carry into effect all the powers vested in the government by this constitution, and all the powers and authorities which shall be delegated to the government by the states." Then came the constitution, providing that "the congress shall have the power to make and enforce all the laws which shall be necessary and proper to carry into effect all the powers vested in the government by this constitution, and all the powers and authorities which shall be delegated to the government by the states." Then came the constitution, providing that "the congress shall have the power to make and enforce all the laws which shall be necessary and proper to carry into effect all the powers vested in the government by this constitution, and all the powers and authorities which shall be delegated to the government by the states."

Many powers have been exercised by congress which the constitution has not delegated in terms. For example, congress have made increments in state stocks; they have required duties to be paid on companies and other associations, to supply which other classes must be taxed; they have given five per cent. of the lands to the new states, and grants of land; they have granted pensions and bounties to individuals; they have purchased territory beyond the limits of the territory of the United States out of it confederate states, and the have made scientific explorations. Not one of these but is of more equivocal authority than the cession of the proceeds of the lands to all the states.

The senator from Kentucky, (Mr. CATTENDEN), is indignant at a proposition which, he says, is to withdraw four millions of annual revenue, to be applied by additional duties upon imports. If it be such an outrage to divert this four millions (the annual proceeds of the lands) from their proper use, into the treasuries of the several states, how much more grievously do we wound the constitution if we annihilate these proceeds altogether, and dry up the source of revenue? And yet, sir, the late president has made this very recommendation. In his annual message of December, 1838, general Jackson says: "It seems to me to be our true policy that the public lands shall cease as soon as practicable to be a source of revenue." And he proceeds to recommend such a disposition of them as shall bearly reimburse expenses. This was the very session after the land bill had been first introduced and passed this body, and yet the senator from Missouri now condenses it as an affirmation of the very principle annihilated by general Jackson.

For myself, sir, I subscribe to the doctrine that the lands are the property of ordinary citizens, and not of the government. The proceeds of ordinary revenue. In their management so many questions of state policy, of jarring interests, and of patriotic accommodation are mingled that they furnish too uncertain a reliance; and the competency of this government to administer them with all that is necessary for its economical administration is greatly impaired with high interests so immediately connected with the system of impost duties, plainly indicates another and a better direction of the land fund. That direction, sir, it is deemed an amendment under consideration, and it is demanded by a fair and unobscured stretch of authority which the people have rarely exerted upon their legislative functionaries. We cannot if we would shut our eyes to the condition of the states. Laboring under mountains of debt, I will not say that the burden of impost duties, in a year or two, become insupportable, and that their faith will be dishonored, because I believe they will sustain their honor at any sacrifice. My own state (Indiana) is largely a debtor state, but, during the suspension of 1837, she was one of only two states, I believe, in the union who were not in default in specie. And she will continue to do so. But a few days ago I saw a notice from her fund commissioner of his readiness to pay her present January instalment of interest.

The vice president then, in pursuance of the notice he had previously given, withdrew from the chair as presiding officer for the residue of the present session.

On motion of Mr. Clay, the senate proceeded to ballot for president pro tem.

On the ballot forty-six votes were cast—of which

Mr. Southard, of New Jersey, received	26
Mr. King, of Alabama, received	15
Scattering	2

Mr. Southard having been declared duly elected, was accompanied to the chair by Messrs. Clay and Preston, when he rose and addressed the senate in substance as follows:

SENATORS: A custom which has existed since the establishment of the government requires from me, on this occasion, an acknowledgment of your confidence and respect. A feeling stronger than any law of custom leads me to the expression of my thanks. For eight years successively I have been a member of this body, associated with you in the obligations of duty, in the conflicts of opinion, and in the struggles of debate; with few exceptions, my conduct has been known to you as a United States senator. Under such circumstances, I must be far less sensitive than I feel myself to be, in regard to the opinions of my associates, if I could receive such a proof of your confidence without the deepest sensibility and the most grateful feeling.

I have interested upon me duties, to the discharge of which you may, I fear, discover that I am incompetent. Forms I have not studied; precedents I have never examined, and with the rules of order I have only made myself so far acquainted as to be able to keep myself within their limits. Experience in the duties of the chair I have had none.

But my omission to learn is not without excuse; the dignified order and decorum which pervades this body, the skill and intelligence which adorn the members little desire to acquire a knowledge of technical rules. I must seek, then, in the conduct, character and feeling of this body, an apology for any deficiencies which may be found in the execution of the trust with which I have been honored. In entering upon it, but for a short time, I have no promises to make, no pledges to give. The task required of me is not hard to be understood, though it may be found difficult in practice. I am aware, as you all are aware, that it demands a study of all the rules of order and modes of proceeding, legislative, executive and judicial; promptitude, decision and firmness, which must not hesitate to apply the authority of the body without considering on whom its pressure may fall; but, above and beyond all, an unswerving, unshaking impartiality toward each and every member. A failure in the former may be overlooked or pardoned; but no mantle is broad enough to cover the latter.

Should I fail in the former, I know that I have a refuge in the generous confidence and liberality of generous men; but I transgress in regard to the latter, you ought not to extend to me that charity which suffers long and forbears much.

I will not detain you with any remarks as to the importance of this body, or of its action in this government. There is no question of its position, however trivial or unimportant it may appear at the moment, which does not, in its ultimate consequences, operate on the great and permanent interests of the nation, and which may, at some moment, be made to bear on those free institutions which we find our best, and may I not say last, hope of securing liberty to man. Let each of us, then, in our respective positions, look to it, that our own hands be pure, and our conscience clear, where the great interests of our common country are concerned.

On motion, the senate went into the consideration of executive business, and, after some time spent therein, the doors were re-opened for a few moments, when the senate adjourned.

March 12. The resolution submitted yesterday by Mr. Rives, to grant extra pay to those persons connected with the late war who had been permitted in a former resolution "making additional allowances," &c. was briefly discussed, and, on motion of Mr. Huntington, laid on the table.

The senate proceeded to the consideration of executive business, and, after some time spent therein, adjourned to Monday.

March 15. Mr. Tappan laid before the senate a letter from Blair & Rives, stating that they should

hold the senate to the contract made with them, as printers to the 27th congress, and demanding a copy of all the documents, the printing of which may have been or shall be ordered during the 27th congress, as fast as the orders shall be made, &c. &c. In the session of Mr. Preston, the paper was laid on the table.

Mr. Preston then rose and addressed the senate as follows: It is, I am sure, painfully within the recollection of the senate, that a few days since a very unpleasant collision occurred on this floor between the senator from Kentucky and the senator from Alabama. Any interruption of the habitual and characteristic harmony of this body or the parliamentary decorum of its proceedings, is, under any circumstances, deeply to be regretted—but certainly in the present case, inasmuch as the manifestation of heat occurred between senators of such long and distinguished standing. It might well be supposed, that nothing but mistake or accident could have led to such a result, and, thoroughly convinced of this, I rise, Mr. President, to state my conviction of the existence of misapprehension, and to state succinctly the mode in which it occurred.

On the occasion alluded to, the senator from Kentucky conceiving that the remarks of the senator from Alabama were calculated and intended to be injurious to his character, and personally offensive, retorted in language of direct affront—language which I am convinced he could not have employed but under a deep sense of injury. In this view of the remarks of the senator from Alabama, I am convinced, indeed, I am convinced, from information which has casually come to my possession, that the senator from Alabama did not intend to be personally offensive. At the bottom of this affair, therefore, there is a misapprehension, which is removed with pleasure, and in the confident belief that, being announced, the honorable and distinguished senators will permit no formal difficulty to arrest an adjustment which is earnestly demanded by the senate and the country.

Mr. Clay, of Ky. said he shared with the senator from South Carolina, (Mr. Preston), in the regret which he had manifested, on account of the occurrence, disturbing the usual harmony and good feeling which prevail in the senate, to which he had alluded; and he bore with pleasure testimony to the high-minded feeling which had prompted that senator to make the apology which he had just presented.

Before he (Mr. C.) proceeded to respond particularly to that appeal, he wished to submit a few general observations on the senate in regard to the propriety of congressional or parliamentary debate.

Every senator had the most perfect right to speak with the utmost freedom of those who were in power; he might denounce them as arbitrary, wicked and incompetent, and their measures as tyrannical and dangerous to the best interests of the country. So it was equally the right of every member to deliver his sentiments without reserve on the character of all persons not members of the body, but whose names or characters were connected with the subject under debate, and all brought before the senate as candidates for appointment to office. All this a member has a right to do under no other responsibility than that which his own conscience and public opinion impose. But while this right was clear and undeniable, was essential to the discharge of official duty, and was in no case to be restrained, the same liberty did not extend to the language of senators towards each other, or in reference to their motives. In speaking to or of each other, the utmost respect and decorum ought ever to be preserved, all personalities, and especially all imputation of improper motives. Under these impressions as to the privileges of debate, and guided by these rules, Mr. C. had spoken, a few days since, of the elder editor of the Globe newspaper, whom he then proposed to dismiss from the position of printer to the senate. Had not that individual been thus legitimately and directly before the body, he should have forbore, as he had always hitherto, in his public station, forbore, to say a word in regard to him or the paper which he edited. Notwithstanding last year's most unparalleled abuse and unscrupulous attacks of himself, Mr. C. had remained silent; and so he should still have remained; but when the name of that person was directly before the senate, and his character and conduct of a public journal became a legitimate subject for its consideration, he had felt it to be his right to speak of him in the terms he had done. When, on the next day, the senator from Alabama (Mr. King) addressed the senate, he must say that whilst that gentleman was speaking, he had thought that there was on his part, a studied, a premeditated, and, as he then believed, a preconceived design to make an assault upon him

and his character. And when the senator concluded by instituting a comparison of Mr. C. to a man whom he had, but a day before, declared to be infamous, and of whom he had spoken as a common libeller, and of his paper as libellous, he did not doubt that his object was a personal offence to Mr. C. It was under this impression that Mr. C. had addressed to the senate some remarks which he intended as deliberate offences to that senator.

But it was due to the senator from Alabama as well as to himself to state that he had since received satisfactory information on which he placed implicit reliance, that there had been no purpose or intention on the part of that senator to offer any personal affront to Mr. C. or to cast the slightest imputation on his character or honor. Mr. C. had therefore been mistaken as to the design which he had supposed that senator to entertain; and he must have entirely misapprehended the language employed. Ready, therefore, at all times promptly to repair an injury as he hoped he ever should be to repair an indignity, and always taking more pleasure to repair than to retaliate, and without any regard to the nicety of mere technical forms, to which those acquainted with him well knew he never attached great importance—under these circumstances as thus explained, and with the understanding which he now had of the intentions of that senator, it was with infinite pleasure to him declared every epithet in the least derogatory to him, to his honor, or to his character to be withdrawn.

[This declaration elicited a spontaneous burst of applause from the surrounding audience, who had listened with eager attention to all that he said. The chair, however, interferred, and the applause was immediately suppressed.]

Mr. King said: I concur with the senator from Kentucky as to the duty which every senator owes to himself and to his constituents. It is his duty. He should studiously avoid all personalities, and keep himself strictly within the rules of order, and never depart from decorum in debate. I have long been a member of this senate, and I can fearlessly appeal to my brother senators to say whether on any occasion I have violated prescribed rules, or been guilty of indecorum in debate.

The senator from Kentucky, from whom he received the information, has not been misinformed. That senator having said that characteristic frankness, explicitly and avowedly the senator's expression used by him, I now feel myself at liberty to state, and I do it in the same spirit of frankness, that nothing which was said by me was intended to be personally offensive to that senator; nor was it any design in me to offend him. I felt that his character as a gentleman or man of honor. I make this statement with pleasure; for, while I am always prepared to defend my honor when assailed, I carefully avoid attacking others.

Mr. Preston stated that he could not repress the feelings which prompted him to congratulate the senate and the country upon the honorable adjustment of this painful controversy. The gentleman had acted as became their high character and distinguished position—affording an example for the future, of a fearless and candid course under circumstances of apparent difficulty; while the painful suspense in which the senate has been involved for some days would be, he trusted, a guaranty for the cautious maintenance of a scrupulous forbearance in debate hereafter. Again he congratulated the gentleman, the senate, and the country.

[On the conclusion of these remarks, Mr. Clay rose and advanced to Mr. King, and shook hands with him, amidst loud applause from senators and auditory.]

On motion of Mr. Rives, the letter from the adjutant general explanatory of an amendment which had occurred in the proceedings of the court martial on the trial of major general Scott, was ordered to be printed, together with a letter from the secretary of the senate in relation to the same.

On motion of Mr. Merrick,

Resolved, That a committee of two senators be appointed to wait on the president of the United States and inform him that the senate, having finished the business before them, are ready to adjourn unless he may have further communication to make.

Mr. Merrick and Mr. Phelps were appointed by the chair the committee.

Mr. Merrick, from the committee appointed to wait on the president of the United States, reported that the committee had waited on the president, in pursuance of the resolution, and had been informed that the president had no further communication to make, expressing, at the same time, his kind regard for the senators, individually and collectively, and his best wishes for their return to their homes.

On motion of Mr. Wright, the senate then adjourned without day.

CHRONICLE.

BAVKE. The Georgia Rail Road bank, suspended payments on \$250,000, after paying \$200,000 in specie funds. The directors say they still have \$100,000 of specie to resume with when the ensuing crop shall have enabled their debtors to make payments.

NEW YORK. The New York Exchange has been closed for some time on account of the depreciation of the credit of her moneyed institutions. The notes of the free banks are at a heavy discount, and the safety fund institutions are closed.

The Richmond Compiler of Wednesday says: "A sale of Virginia stock took place at the Coffee house yesterday, 20 inst., brought \$76. This is the first time in price, that is, no indication of any positive diminution in the intrinsic value of the stock. It only shows the scarcity of money."

BEST ROOT SUGAR. The Boston Journal remarks that there are, comparatively, but few manufactures of the immense quantities of sugar manufactured on the continent of Europe, from the beet root. It is computed that in France there are nearly six hundred beet root sugar manufacturers in operation—and the whole amount of the annual production in Europe, is estimated at 150,000,000 pounds. In Austria and Italy, this business has lately been neglected with the exception of a few small quantities in the latter country, and in France and Germany, it has increased greatly within the last six or eight years. The duties on sugar imported from the French colonies have lately been reduced. What effect they may have on the manufacture of beet root sugar, time will determine.

JOSEPH BONAPARTE. The count de Surville (Joseph Bonaparte), whose health suffered severely in the campaign, has had a quite re-established. The poor of St. Louis's Kirby, a wandering beggar, died at New-Brunswick Paddock, where the count resides, have had 25 guineas distributed amongst them by his orders. The uniform benevolence displayed by the ex-king during his protracted residence in England, has been so generally indicated that the epithet of "the good Joseph," applied to him by madams Junot in her memoirs, was fully merited. He is extremely popular in his neighborhood.

(English paper.)

BOSTON AND LOWELL RAIL ROAD. From the last annual report we learn that four miles of second track have been laid during the last year, making twenty miles of this track now in use, and leaving about five miles only to be laid, which will probably be completed in the course of the ensuing summer. The amount expended in construction to the present time is \$1,722,342; leaving of the capital unexpended \$70,757. The receipts of the last year amounted to \$231,275, of which about passengers in cars of the Boston and Lowell rail road \$59,23; merchandise in do. \$8,323, mail \$353; passengers from the Nashua and Lowell roads \$4,247; merchandise in do. \$2,228; and from the Rogers from Boston and Portland rail road \$16,733; merchandise do. \$4,358.

The expenses of the year were for repairs of road \$2,112; interest of money and salaries, 12,453; other expenses \$55,933; total \$91,400. Two dividends have been paid during the year, of four per cent. each; on \$1,690,000, amounting to \$132,000.

BOSTON HARBOR. It appears by statements made by the committee of the most intelligent merchants of Boston, before a committee of the Massachusetts legislature, during its present session, that Boston harbor is gradually filling up.

CANAL ACROSS THE Isthmus. By advice from Panama, brought by the schooner America, from Chagres, we learn that the department, or state, is now called, remained quiet under the new order of things, and that the obstacles heretofore interposed, by the clashing of the local and general governments with regard to the proposed canal across the Isthmus, have been efficiently set at rest.

This important undertaking seems at length in a fair way to be accomplished, through the mediation of the Franco-Granadian company, established in Paris. The necessary funds are already provided, and we are assured that the work will be immediately commenced, and prosecuted to its completion. Further particulars in our next.

(N. York Jour. Com.)

THE COTTON TRADE. The following table exhibits the movements in cotton this season, to the latest dates, from the ports respectively, all calculated from the first of last October.

	Rec'd, since Oct. 1840.	Cleared.
New Orleans,	592,035	253,781
Moblie,	152,235	37,252
Florida,	6,459	6,459
Georgia,	73,178	57,723
South Carolina,	118,253	40,624
North Carolina,	3,240	1,500
Virginia,	6,603	27,055
New York,	4,765	160
Other ports,		
Total,	923,740	384,735
Same time last year,	1,147,245	676,259
Same time year before,	871,922	261,161

CONVENERGENCE. The convener of the rev. Dr. Elliott, as bishop of the Protestant Episcopal church for the diocese of Georgia, took place at Savannah on the 15th ult. There were present, the bishop of North Carolina, bishop Giddens, of South Carolina, and

bishop Mead, of Virginia, besides the rectors of many diocesan churches. The ordination sermon was preached by the bishop of Virginia.

HENRY CLAY reached Baltimore on Tuesday evening, and on Wednesday morning was taken suddenly ill, but is recovering.

EXCHANGE. New York on London 64; on France 56; on Amsterdam 104; on Philadelphia 104; on Richmond, Norfolk, Raleigh, Wilmington, &c. 3s 3d; Charleston 21; Augusta 13; Macon 20; Columbus 15; Savannah 41; Mobile 10 1/2; New Orleans 8; New York 10 1/2.

EMIGRANTS. The department of state has a statement of the number and description of passengers who arrived in the United States, from foreign countries in the year 1840, so far as returns have been received at the consulates. The returns are incomplete; they however, show that 113,206 persons came to the United States, by sea, during the year.

ERICKSON'S PROPELLERS. The barque Clarion, which has been fitted up with Erickson's propeller, made a trial of her speed on Friday in New York harbor. The experiment has been entirely successful—the machine made seven and a half miles per hour, when the engine made forty-one revolutions. They are talking about applying the propellers to all the New York packets.

EXTRA SESSIONS. The following extra sessions of Congress have been called since the organization of our government.

John Adams was inaugurated on the 4th of March, 1797. He convened congress, May 1st 1797. His first extra session was convened on the 10th of March, 1801. Thomas Jefferson was inaugurated the 4th of March, 1801. He ordered a call session Oct. 17, 1803.

James Madison was delivered on the 4th of March, 1809. He convened congress May 23, 1809, also on the 23rd of May, 1813.

Marin Van Buren was inaugurated the 4th of March, 1837, and convened congress the 4th of Sept. 1837.

William Henry Harrison was inaugurated on the 4th of March, 1841, and convened congress on the 31st of May, 1841.

FLOCK. In Boston \$1 50; for Howard street \$4 75; fancy brands 6 12 1/2.

FLORIDA. St. Augustine, March 7. Information reached here last evening that an express arrived at Pliska, from Fort Russell, on the night of the 4th, bringing intelligence that captain Barstow, with one hundred men, (including nine mounted), came up with the Indians (whom heapt. Alburta had been compelled to retreat from on account of the smallness of the detachment) on the 2nd of March, and had captured an attack upon them. Captain B. had placed the nine mounted men in ambush, as a reserve, and led the rest of the company in finding the Indians in such a body, he made a signal for the mounted men to advance. No sooner was the signal made, when the Indians, having cut off these men from the main body, fired upon them, killing six, and wounding three, who retreated to the fort, being wounded. The express was met six miles off the Pliska, without knowing any thing further. The wounded men state that captain B. was killed.

Captain Carr, 51 dragoon, with one hundred men, was sent out from Pliska a few days previous, and returned shortly after the express had arrived from Fort Russell. He immediately supplied his men with provisions, and started for captain Barstow's band ground. It is impossible to give the particulars under such a circumstance. There is no knowing the loss, as yet, that captain B. has met with. Lieut. Alburta had lost six or seven men the day before, in his skirmish with the Indians, and was forced to retreat on account of their number. This looks very much like a New Orleans.

ICE. An English paper mentions that one of the American ships at Calcutta, recently landed 400 tons of ice, which sold at the wholesale rate of one penny per pound, getting a profit, exclusive of port duties, of upwards of 100 per cent.

LOSS OF THE STEAMBOAT RANDOLPH. On Tuesday evening, the steamboat John Randolph struck a snag during her passage up the river, a little above Carrollton, and went down shortly after. The Coastwise states that the destruction of property is estimated at \$150,000, mostly insured. There were 200 hhds. of sugar on board. The boat was insured for \$30,000, but cost more. A rumor prevails that a number of persons lost lives—this does not appear to be confirmed.

(New Orleans Bee.)

LAW DECISION. We understand, says the St. Louis New Era, that the circuit court, at its sitting on Wednesday, decided that the devolution of a steamboat, or other vessel, from her regular route, except to save life, violated the policy of insurance, and released the insurers from liability. The case before the court was that of the steamer R. R. Reed, a few years since in the lower Mississippi. She had two days of her trip to render assistance to the George Collier, aground upon her bar. After getting her off, she proceeded upon her regular route, and on the next day, she and her cargo became a total loss. The owners of a part of the cargo brought suit against the insurance office for the recovery of the amount insured.

The court judge (strongly) was against the right of the plaintiff to recover. So that it should

be generally understood by navigators upon the western waters, that to stop their vessels, or to deviate from their usual route, except in the emergency of a straits not only the policy of insurance upon the boat, but likewise the cargo. Such has not generally been regarded as the law, for the uniform practice has been for the boats to relieve each other when in difficulty. The principle is, we are told, new, such a case not having been before presented in any of the courts for adjudication.

THE MISSTRICK. We paid a visit, says the New Orleans Commercial Advertiser, to the skeleton of the gigantic animal to which this name has been attached, as commemorative of the spot where it was discovered. It is difficult for the imagination to conceive the size and form of the creature, which was certainly undoubtedly attired by these stupendous relics—a creature, half elephant, half crocodile, of such colossal stature, that the largest living specimens of animated nature, shrink into Lilliputian dimensions when contrasted with its wonderful bulk. A mammoth, to whose daily food the monsters of the deep must have contributed, and whose mammoth mass could only have been grown by the prodigious quantity of the country which it infested. The history of this marvellous creature is buried in oblivion, or only preserved in the dim and fabulous traditions of Indian tradition, and yet to the naturalist and man of science, it affords a source of profound instruction and information, as its habits, food, mode of existence and the probable period when it roamed the prairies of the West, may be ascertained from the waters of our largest streams, may all be either satisfactorily determined or approximately deduced from an examination of its bony carcass.

PASSENGERS TO THE INSANITARY. Lyford's Commercial Advertiser states that "the number of passengers, according to tickets, who were taken to the city of Washington, from February 20th to March 4th, inclusive, was only 2,496; the number that came on the 10th of March, for Washington, was 1,000; and the number that came on the 15th, 1,700; and the number belonging to this city, who took seats on the 3d and 4th, which is included in the first named number, was 967."

THE PROPECT OF THE GOLD MINES IN THE U. S. It is estimated that more than two millions of dollars per annum. Within the last three years, there have been mined from these mines, \$1,337,550.

STOCKS. Shares of the U. S. bank of Pennsylvania are quoted at 16 1/2 in New York, and sales of 335 shares on the 16th in Philadelphia at 16 1/2; Indiana bonds 50 1/2.

WEBSTER'S REPLY TO HAYNE. The Washington correspondent of the Boston Atlas relates an anecdote in relation to the celebrated reply of Mr. Webster to Mr. Hayne that has never before been published. At the time of the delivery of the famous speech, the National Intelligencer, who had been the most accomplished reporter in the country, chanced to be in the capital. Hearing that Mr. Webster intended to reply, and being told by his friends that he would not undergo once more his long neglected location of a reporter. In—read, however, of consuming about half an hour, as Mr. Webster had promised in the commencement of his speech, he went to the gallery before he had finished—Mr. Gales continuing to take note of every word, in the momentary expectation of his concluding.

Unwilling to leave off before Mr. Webster had finished, Mr. Gales continued the next day until he had concluded. But when he came to look at the notes, the magnitude of the task that it would be to write them out, appeared so formidable, that he shrank from it as an impossibility, with the many other engagements that occupied his time.

Soon after, Mr. Webster called upon Mr. Gales to require him to do his duty. This it was impossible for the former to give any thing beyond a mere sketch, having spoken unpreparedly, and to much greater length than he had any expectation of doing when he began. Mr. Gales, however, was not to be so easily complied; but his lady, who had been in the habit of assisting her husband in reading his notes when a reporter, undertook the task. This the course of a week, Mr. Gales submitted to Mr. Webster a full report of his speech in the hand-writing of his wife. It will be remembered that that speech of Mr. Webster was not published until after the expiration of a week. It was owing to these circumstances. Mr. Gales has now in his possession the notes, handsomely bound.

It is stated that Mr. Webster did not change five words in his speech. This is the case of a very few instances on record, in which we have a master-piece of eloquence taken down as it fell from the lips of the speaker.

MR. VAN BRECK. ex-president, left Washington on the 13th instant, arrived a few days in Baltimore, where he received the news of the death of his wife. He left on the 16th for Philadelphia. He notifies his friends in New York, in a letter declining a dinner there, that he will be in New York on the 18th instant.

WOLVES IN THE MOUNTAINS. It is said that Krumpholtz, a hunter in Owyhee, one of the Sandwich Islands, has slain more than nine miles in circumference, and a few three fourths a lake of liquid lava, one mile and a half long, and of a burning intense heat, and glowing with incense brilliancy.

NEWS' NATIONAL REGISTER.

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FOREIGN ARTICLES.

The steamship *Caledonia* arrived at Boston at eleven o'clock A. M. on Saturday the 20th instant, having left Liverpool on the 4th instant.

The packet ship *George Washington*, which sailed from New York February 9, and carried out intelligence of the third suspension of specie payments by the United States bank, arrived at Liverpool on the 31 of March. This intelligence did not, of course, reach London till the next day, and we have no account of its reception in that metropolis. It is announced in the Liverpool papers, but none of them contain a word of comment.

The bills on Messrs. Morrison drawn by the U. States bank, have been accepted, and a portion of them subsequently discounted by the Bank of England.

From China there is nothing of much consequence. The over-land mail had not arrived when the steamer left. From Syria, Egypt and Turkey, the news was still a pacific as usual. Mehemet Ali, unable to resist the allied powers, appears disposed to put the best face upon affairs, and to submit with the best possible grace to an unpleasant necessity.

The Greeks, so far as it goes, is pacific. There is, certainly, nothing that would seem at all to threaten the present amicable relations of the European powers. In the house of commons, on Monday, Lord Palmerston said that he saw nothing which, in his apprehension, was likely to lead to the disturbance of pacific relations between France and England.

The Liverpool Mail blusters and talks of war, but is entitled to no attention. It is particularly vindictive against this country. It says: "the revenue is declining—the expenditure is increasing—we are at war in China, and we shall be at war with the United States in the course of six weeks, and most probably with France also. Lord John Russell has therefore quite enough to do, and we wish him a safe journey." If he could manage to stir up a rebellion in Ireland, it would tend very much to the tranquility of that country; for, when we are at war, we can never have too much of it. The

sooner it rages, the sooner it ends. Ireland will never be a peaceful and prosperous country until it is reconquered and thrashed into obedience. The United States will continue to plunder and plunder until New York is burnt and Maine smouldered. The news brought by the packet yesterday is conclusive on this point."

The McLeod affair and the boundary question had caused much talk in England, the former, at one time, being the all engrossing topic.

It was rumored in Paris at the latest dates that the French cabinet was disposed to offer her mediation to arrange our McLeod dispute with the U. States.

United States bank. As the news of the suspension of the Philadelphia bank had just reached Liverpool, and is announced without comment in the papers of that city, it is impossible to judge of the effect it has produced.

ENGLAND.

London, Wednesday, March 3. The excitement here was intense when the news respecting the arrest and imprisonment of McLeod was promulgated, and the funds slightly declined in consequence. That excitement is now over, and the funds have recovered—the public being under the impression that the next advice from the United States, both as regards the case of McLeod and the boundary question, will place these difficulties between the two governments in a more favorable position.

The boundary question. In the house of commons, Feb. 15, sir Robert Peel addressed an inquiry to the foreign secretary, respecting the question of the northeastern boundary of the U. States, to which he received the following reply:

Lord Palmerston said that the present situation of affairs was this: Great Britain had first proposed a draft of a convention for the appointment of a commission to settle the boundary. That draft had not been accepted by the United States, and a counter draft was sent over by that government. It was not one of which ministers in this country could accept, and in the early part of last year they made another proposal. They thought that it would have been accepted by the American cabinet; but it had been dispatched to Great Britain another proposition, which had not received answer on this side of the water.

They survey on which a report had been made had taken place independently of the pending negotiation in order to save time, and to secure as much information as possible relative to the geographical interests of Great Britain. Of course what had been done was only on the *ex-parte* statement of the British commissioners, and could not be binding (nor was it, of course, meant to be so), upon the other party. The United States had also sent commissioners of their own to inquire, in the latter part of last summer, but he believed they had not made any material progress.

Capture of the *Caroline*. In the house of commons on the 1st inst. sir J. Graham addressed an inquiry to ministers in relation to a pension granted to lieut. McCormick of the royal navy, for wounds received in the service, and the nature of that service. Lord John Russell answered that the services of lieut. McCormick, in the capture of the *Caroline*, had been recommended for a pension to the lords of the admiralty were performed by him under the command of the supreme colonial authorities in the capture of the *Caroline*. That recommendation had been given in the house of admiralty in the commencement of the last year.

Parliament has been occupied principally with subjects of little interest to the American reader. The trial of the earl of Cadogan, in the house of lords, is the principal topic of conversation. The trial occupied the whole of Tuesday the 16th inst. The court returned an unanimous verdict of "not guilty," the duke of Cleveland answering "not guilty, heavily, upon my honor." The evidence failed to prove the identity of capt. Tuck-It as described in the indictment.

Six hundred and forty-eight thousand passengers were conveyed during the last six months upon the Great Western railway, without a single fatal accident to one of them.

The Thames tunnel is now 1,124 feet 8 inches in length, and the excavation for the shaft has been made to the depth of 23 feet, leaving only about 50 feet more to be completed.

The Globe (ministerial paper) announces that her majesty is again in an "interesting situation," at once exciting the hopes and sympathies of the nation.

Sir Will Colborne is to succeed sir John Harvey, governor of New Brunswick, who has been recalled.

Loss of the *Governor Fenner*. One of the most awful collisions that ever took place at sea, happened on the morning of Saturday, 20th ult. about two o'clock. The American ship Governor Fenner, captain Andrews, left Liverpool the preceding day, about noon, with a crew of seventeen men, and one hundred and six steerage passengers, consisting of men, women and children; and when off Holyhead, she came in collision with the steamer Nottingham, striking her hullsides, and reducing her to a complete wreck. Contrary, however, to what might be expected, the vessel striking sustained greater injury than the one struck. The Nottingham, though greatly injured, continued to float, and ultimately arrived in port; but the Governor Fenner was dreadfully shattered, that she began to sink immediately, and in less than five minutes went to the bottom, engulfing in the waves not less than one hundred and twenty-two souls! The only persons saved belonging to the ship, were captain Andrews and the mate, who were both on deck when the vessels struck. The mate saved his life by jumping from the fore-yard-arm on the deck of the Nottingham, and the captain after failing to jump on the steamer, caught a rope that was hanging from her side, just as his own vessel was going down. The shrieks of the unhappy passengers, who were roused from their beds by the shock, were most appalling; but in less than five minutes the vessel went down, carrying with it every soul on board.

The Governor Fenner was a ten year old ship, built at New York, and was repaired at Liverpool, and strengthened, at an expenditure of \$8,000, with a number of iron keels. She was about 500 tons burden, and was considered in every respect one of the best and most seaworthy of the vessels of her class. She was the property of Messrs. Andrews & Co. of New York. The commander, capt. S. E. Andrews, was a fine man, and owned a quarter of the vessel.

Liverpool cotton markets. During the week ending Feb. 20, the demand for cotton was extensive, and the sales amounted at 47,750 bales, including 17,300 American on speculation, and 436 for export. 25,500 New Orleans, at 6d. to 8 1/4 d. The sales of the week ending the 27th ult. were 51,750 bales, including 9,500 American on speculation; 16,250 New Orleans, 6d. to 13 1/4; 4,080 Mobile, &c. 6 1/2 to 7 1/2. The market being freely supplied, the demand was moderate.

Feb. 27. We have had a great demand for cotton to day, and the sales amount to 7,500 bales at very full prices, with a gradually advancing market. Speculators are by no means inactive, having taken an above line of 2,500 bales.

March 1. We have had another brisk day in cotton. Consumers are very active buyers, and have taken 5,000 bales at Saturday's full prices, in many instances an advance of 4d. on Friday's prices has been made; 2,000 bales are placed to speculators' account; to-day the market closes with a firm and healthy feeling.

March 3. To day there has been a very limited demand for cotton, not more than 2,500 bales, including 800 American on speculation. The partial advance obtained in the early part of the week is quite lost.

Liverpool corn market, March 2. The only alteration, on Friday last, in the duties on grain from foreign ports is a decrease of 14. 6d. per quarter on rye. Some further parcels of bonded flour, here and on the passage, have changed hands at 25s. a 25s. 6d. per bid, and some few purchasers, for export, have been made at 25s. at which this article is now generally held, and in consequence the spirit of speculation has a little subsided; in bonded grain little has been done, and prices quoted almost nominally.

March 3. At this day's market we experienced a slushiness, influenced by the decline in Mark-lane yesterday, and sales were made only to a very moderate extent of wheat at a decline of 1d. to 2d. per

70 lbs. and of other articles at barely the nominal prices of this day work.

The corn trade and the crops. A decided improvement has taken place both in the demand for and value of wheat within the last eight days; and it appears to be the general opinion, that a further rise in the price must occur. This disposition to speculate seems principally to be on the exportation, that the stocks are greatly exhausted, and that an importation from abroad will be required before next harvest. The quantity held by the merchants and millers is, we know, unusually small; but we feel convinced that larger stocks are held at the present time by growers than was the case at the present time of either 1840 or 1839. That there was room for a rise, after the unnecessary depression which prices underwent last autumn, we are fully prepared to allow; but, when we take the appearance of the sick-yields in all parts of the country, we think a somewhat too sanguine view of the subject is taken, and certainly are not disposed to believe that there will be any difficulty in finding the quantity of wheat necessary to carry us to the next harvest; whilst, therefore, the growing crop progresses favorably, no real reason exists to apprehend any very considerable rise on present terms, though a healthy trade, and the obtaining of few shillings up and down may, we think, be expected. The weather has, during the week, been mild and open, with a good deal of rain, which has kept the land in too wet a state to allow of fine work being actively commenced. Respecting the wheat plant, we continue to receive very satisfactory accounts, most of the reports describing the appearance of the blade as vigorous and healthy.

[*Mark Lane Express.*]

ett.

Most important and calamitous intelligence from Pechie and Chusan. At 9 P. M. on Oct. 6, H. M. S. Cruiser, H. W. Gifford, esq. commander, arrived from Chusan. Her letters were delivered to H. M. S. Columbian; the packet was large but few have as yet reached Macao. We presume orders from her superior officer prevented captain Gifford from remaining; but her arrival in India—should she be the first to arrive—would comfort the British in China will cause great disappointment to thousands.

The intelligence brought by the Cruiser is, that an imperial commissioner is on his way to Canton invested with imperial powers to amicably arrange the difficulties between the British and the Chinese, and that corresponding with his progress, admiral Elliot is proceeding with the whole fleet to the northward, with the intention of meeting the imperial commissioner in Canton, and to commence negotiations for the arrangement of affairs. The commissioner may be expected to arrive in Canton about the 13th or 20th inst.

Lin, the present governor of Canton, and formerly High Commissioner, is placed under what the Chinese call "examiners" who are to investigate his conduct since his arrival in Canton on March 10, 1839.

The state of matters in Chusan is very lamentable. Mrs. Noble, 3 of H. M. S. officers and 25 men (a boat's crew) had been seized by the Chinese, and sent over to Ningpo; they were well treated, and with fair speeches, the Chinese promise they shall be restored immediately the English evacuate Chusan. The last words we have heard are that captain Elliot and Mr. Morrison had gone over to Ningpo to negotiate for their release. Keshen has been repeatedly in communication with admiral Elliot; the Chinese statesmen is described as being perfectly blind in his manner, but where the son of his conversations was to deprecate the opium trade; and it is said some kind of *buff promises* have been made by the chief commissioner that the opium trade shall be one of the questions of the future negotiations.

We have heard the foregoing intelligence as being most important and calamitous; we consider it is the most disastrous, the most miserable intelligence that can go abroad for the national honor and commercial interest of England.

Mark and remark the absurdity of the proceedings: a British naval force arrives off the Peiho river; the mere appearance of these ships sends the Peking government into a tremor; the idea of depriving one of the highest officers in the empire to confer with the English barbarian on the subject of his grievances; well, why does not the barbarian, with his armed force—the emperor and his presence in the waters of the province of Pechie—he has already proved,—commence his negotiations—by negotiations are to be again commenced—on board H. M. ship, or at Tientsin, only 80 miles from Peking, the capital of the empire, and where the son of heaven, the sacred and supreme ruler resides?

Not he is cajoled by the bland, polite and wily Keshen to remove the only evidence of his power

the only efficient part of his mission—her majesty's ships of war—near 2,000 miles to the southward, at the commencement of the northeast monsoon, and renew his negotiations in Canton—*that city where the British name and nation has been trampled in the dust and robbed of its property! that city over which the English flag should have waved three months ago!* But why should the British superintendent, who in April, 1839, he would make *his boat to hold any one!* O most lame and impotent conclusion! The result of the capture of Chusan, of the loss of British lives, the pinning sickness of gallant British soldiers, and the British negotiations in Canton—*that city where the British name and nation has been trampled in the dust and robbed of its property!* The result of the capture of Chusan, of the loss of British lives, the pinning sickness of gallant British soldiers, and the British negotiations in Canton—*that city where the British name and nation has been trampled in the dust and robbed of its property!* The result of the capture of Chusan, of the loss of British lives, the pinning sickness of gallant British soldiers, and the British negotiations in Canton—*that city where the British name and nation has been trampled in the dust and robbed of its property!*

The end, then, of nearly two years of intense anxiety is, that British affairs and interests in the autumn of 1840, are exactly where they were in the spring of 1838—*not where they then were, but exactly where they are now, and consequently, in a most degraded condition.*

Another imperial commissioner is to come to Canton to settle matters; this, doubtless not to be wished commotion, would have resulted before a single day had the British superintendent been ordered by British troops on June 22, and immediately afterwards possession taken of the city of Canton.

The effect of these negotiations will be to disturb matters, to cause great fluctuations in the markets, and injure very materially British commerce.

[*Canton Register, Oct. 7.*]

England and China. We commend to the attention of our readers the following letter, written by the rev. Dr. PAXTER, who has resided several years in Canton, and enjoyed unusual facilities for forming a correct estimate of the Chinese character, and of the contest, now become a national one, between a powerful island power and the greatest sovereign in the east. It was written at the request of a distinguished gentleman, but as the views of the writer, founded upon a close observation of events occurring under his own eye, differ from the prevailing opinions respecting that controversy, we are permitted to publish it, in order to present our readers with no common degree of interest.

To the hon. S. T. J. Sir: Several weeks have elapsed since our conversation relative to the existing difficulties between England and China. On the subject of the opium trade, I have had several occasions for conversation, and have been much interested in the subject, and with candor have endeavored to present the facts, concerning which there has been and still is great misapprehension in this country. At this late hour I reply to your request, and the often repeated solicitations of public men and private friends, to exhibit the views of disinterested and impartial observers, who have been in China during this revolution. As the opinions of most are strongly established against the justice of the British cause, it seems necessary to approach the topic with reserve and with claims well founded to impartiality. With increased attachment to my own country, from having left it, I can view, without bias, the virtues and vices of the Chinese. I can give no higher proof than that my life is devoted exclusively to their best good; that I love and honor England cannot be denied, and that I regret the partiality of her government and public men in this claim.

Two very common and erroneous opinions are entertained on this subject, viz: that the British government has sent a military and naval force to China, to perpetrate the opium traffic; and that the British object is to compel the Chinese government not to adopt by those who have resided in China. In official language the real object is "to demand for the past and security for the future" or satisfaction for wrongs acknowledged on all sides, which has been done, and to secure the commerce which, by imperial edict, has been "cut off to eternity," and, by right of treaty, to prevent the recurrence of the evil which has been inflicted on the Chinese on the one hand, and the prevention of the recurrence of outrages committed on the English on the other.

So far as appears, the British government has never sympathized with the opium traffic, but quite the contrary. Lord Palmerston, in 1835, addressed the British superintendent of the opium trade in China to this effect: "Her majesty's government cannot protect her subjects, in carrying on a traffic which is prohibited by the nation to which they

trade." So far from fostering the opium traffic, the British superintendent, captain Elliot, in 1838, made overtures to his excellency Tang, governor of Canton, to meet him, or his officers, at the night depute, to concert measures for the suppression of an evil in which both Chinese and English were implicated. His excellency replied, "I rule over this land, and you, (i. e. the south of China); the evil which assails you, is not to me more than an insect upon a man's nose, which is brushed off at pleasure. I require none of your assistance." Then the British superintendent, upon the arrival of the British ships, ordered the British schooners out of the inner waters. His sentiments in reference to the result of this traffic, at that time, were thus expressed: "The distressing degradation of the foreign character, the painful fact that such causes expose us more and more to the just indignation of this government and people, and diminish the sympathies of our own." [Chinese Repository, vol. 7, page 432 and 3].

When captain Elliot heard of the appointment of an imperial commissioner, to repair to Canton to suppress the trade, he renewed his overtures to meet him, but with the same want of success. On the arrival of Lin at Canton, March 11, 1837, where he was met by an innocent and guileless captain Elliot, bearing of this traffic to the provincial city, at the risk of his life. Reaching Whampoa, he presented his passport at the custom house, but was told he could not proceed. Through a linguistic interpreter, he heard that British subjects are in distress at Canton. I hold in my hand the official permit to pass and repass between Macao and Canton; dead or alive, I am going to Canton," and passed on, pursued by Chinese officers and soldiers, and who could proceed no further than by her majesty's cutter, he took a small boat, manned with men from the ship *Larne*, and in full uniform proceeded, sword in hand, showing off the soldiers, and others that opposed him, and, during the officers to fire upon him. As the official boats were anchored in the river, swinging to the tide, before they could get round he had passed ahead of them, and by extreme good fortune succeeded in reaching the British ship. A new party, who had been sent, who claimed to be present, threw open the gate to him and fled for his safety. Had the wind died away, or the tide failed five minutes sooner, he had been killed, as the cordon of Chinese soldiers would have been too strong for him. He then proceeded to the British ship, and, after all communication. The manner in which the gallant officer effected his landing will long be remembered by those who experienced the emotions his presence afforded, and whose condition was thus improved. He then proceeded to the British ship, and, after all communication. The manner in which the gallant officer effected his landing will long be remembered by those who experienced the emotions his presence afforded, and whose condition was thus improved. He then proceeded to the British ship, and, after all communication. The manner in which the gallant officer effected his landing will long be remembered by those who experienced the emotions his presence afforded, and whose condition was thus improved.

The aspect of affairs was now entirely changed. Instead of being a difficulty between the Chinese and a few individuals, it became a contest on the one between the count of St. James and Tsou-Kwang. A British officer in the discharge of his duty, with two hundred or more of his fellow subjects, innocent or guilty become prisoners. The surrender of the opium, both that which was in China and that which was on the passage thither, was demanded on penalty of starvation and death. In this dilemma, captain Elliot requires it to be surrendered to him, judging, in my view, the government for the indemnity, and hence the ground for requiring pay from the Chinese. Had the contrary course been waded in the usual way, and the loss had been upon the party engaged in the trade, it is probable that the British government had never made any such demand.

Soon after the imprisonment of all foreigners in Canton, in conversation with captain Elliot, he remarked, (and the circumstances justify repeating what otherwise might seem a breach of confidence), "I repeat the words of Lord Palmerston. So far as the opium traffic is concerned, her majesty's government is prepared to go to the utmost extreme to suppress it. It is not to be a question of the life of a British subject, but it is the point at which a new understanding must be had between the two governments." In the second communication to Lord Palmerston, after his arrival at Canton, captain Elliot wrote, "I have the honor to inform you that every feeling of humanity must revolt."

In the manifesto of capt. Elliot, published in Chinese on the arrival of the British forces, Jan. 26, 1840, he uses the following language in reference to his former error: "The British government disregarded the immediate order of Elliot to forbid the imperial pleasure, which he was ready faithfully to do in a manner consistent with the dignity of the empire, the preservation of peace, and the obligations of justice to innocent and to absent ones, unconnected with the traffic in opium, &c." [Chinese Repository, vol. 7, p. 110].

That line of demarcation laid down by Lord Palmerston has been passed. A British schooner sailing from Macao to Hong-Kong, manned by seven jacks and one European, who never had any thing to do with opium in his life, (neither was the schooner carrying opium), was detained under Lanton. A Chinese war junk, or boat, approached her in this situation, and fired charcoal into the air, and then boarded her, and killed each of the crew as he did not jump overboard. Mr. Mass, the only white man, had his nose and ears cut off, and the latter warily thrust in his mouth, and he left in the bottom of the boat, as they supposed, dead, but he survives a witness against them. This act has been acknowledged by the government by bestowing rewards upon the perpetrators. At first it was presumed none but pirates could have done such a deed. Now, it is sincerely believed that it is the object of the British government to prevent the recurrence of such outrages, and to restore her commerce, and to perform a work which, when accomplished, shall lay the people of the East under lasting obligations to her, and, so far from meriting severe censure, shall receive the gratulations and thanks of western nations.

These are the views regarding the justice of the interference of the British government, which are generally entertained by all foreign residents in China. The impartial editor of the Chinese Repository (vide C. R. May, 1839, vol. 8, p. 8.) writes, "We would have the era which has been so well reached by our efforts to bring the united moral power of the western world to bear with an irresistible pressure on the high barriers which have so long separated China from the most enlightened and peaceful states of Christendom. The real ground of dissatisfaction with the Chinese is now to all. (Vol. 8, p. 8.) The rubicon is passed. Within the boundaries over which the Chinese claim jurisdiction, a force has entered that cannot be expelled and will not pay homage. The struggle now begun will not only ought not to end, until the cities, the rights, and immunities usually yielded to and claimed by civilized nations are secured. All the world must rejoice that such a force is here."

The wisdom of the course adopted by that force since its arrival in China is not now a subject of consideration; my object is obtained if the few of many facts, above alluded to, shall tend to correct the misapprehension of this public mind. The subject is not exhausted.

Our word in respect to the opium evil. Whatever speculative opinions may have been entertained formerly of the innocence of the use of opium, that it is a harmless luxury, can no longer be entertained. Though much has been published, both in China and in western nations, upon the evil, so far as I have seen, the half has not been told or generally conceived. The evil is of the most revolting character, and is it to be supposed that an enlightened and Christian nation, that gloried in having accomplished so much for the advancement of our race in other parts of the world, should send a naval and military expedition to China to force on her this odious traffic? If so, we may the voice of universal censure be raised against her, and the displeasure of Him who rules over the nations and avenges the wrongs of the innocent be feared and realized. With great respect, yours, &c.

Washington, March 15, 1841.

The treaty between France and Buenos Ayres is now passed by the two chambers, and ratified by the French government.

The French papers speak of the financial embarrassments of the government. There are not more than sixty millions of francs in the treasury—a sum inadequate to defray the ordinary expenses of the administration.

Inundations in France. The Rhine has again burst through its temporary banks; the river may be seen carrying away large trees, timber, and cattle, and sometimes even entire cottages. Dwellers in isolated habitations have become a prey to the most cruel suffering; many are to be seen on the roofs, raising their arms and voices, and crying for succor. The cattle have generally gone to the hills, but many have been drowned in the stables and farms.

General Bugaud has sailed for Algiers. Great works of colonization will be commenced in the Medjida, where a number of villages are to be founded and to be constructed. Two thousand Swiss Catholics, who had resolved on emigrating to America, have been invited by the French authorities to form a settlement in the Medjida, where they have been promised an extensive tract of land.

ALGIERES.

It is stated that col. Camignac had completely routed 900 of Abd el-Kader's regular troops, sup-

ported by a considerable body of Kabies, who presented themselves at the gates of the town. The ground was sharply contested, but the Arabs finally fled. The French loss is not stated.

SPAIN.

There was very little news from Spain. The Douro question having been settled, the Madrid elections had occupied considerable attention. Gen. Espinero had been elected senator at Saragossa. All the deputies returned by that city belonged to the liberal party.

There has been an outbreak by the medical students in Madrid, which, however, had been promptly suppressed.

PORTUGAL.

All the recent military demonstrations consequent upon the anticipated rupture with Spain, have been annulled, and the projected works of defence discontinued; the government has directed its attention to the measure, which has long been a favorite one, of dissolving the national guard, and re-constructing it on the principle of the old militia.

SWITZERLAND.

The approbation of the grand council of Berne has been given to the acts of the executive council. In aiding the government of Argau during the late disturbances by a majority of 70 votes to 16.

It is stated that the French government, in compliance with an application from the cabinet of Vienna, has sent instructions to baron Mortier, its ambassador to the Swiss confederation, to support the emperor against the emperor against the suppression of the convents in the canton of Argau.

SWEDEN.

Stockholm. The Russian ambassador recently assisted the footman of a lady of distinction. This, in the king's palace, is punishable with death; and as the lady has formally complained to the court, the reply of the emperor is most anxiously looked for.

TRAVEL, EGYPT, AND SYRIA.

The Levant mail arrived in London on the 3d instant, with intelligence from Turkey, Egypt and Syria, but the news is of little importance.

The dates from Constantinople are to the 8th ult. On the 4th a conference was held at the ministry of foreign affairs, between the ambassadors of the four allied powers and Redschid pasha, who had entirely recovered from his late illness. Nothing had transpired respecting the object.

The sublime port announced, on the 4th, in a proclamation, the conclusion of the Egyptian year.

The sultan expressed to Marabout Bey his satisfaction at the manner in which he had conducted the negotiations with Mehmet Ali. The whole Ottoman fleet, which reached the bay of Marmorie, and on the 5th a portion of it set sail for Constantinople. The rest was to have followed in a day or two.

It was expected that commodore Napier would shortly repair to Smyrna, and that two ships of the line, and that the remainder of the fleet would proceed, partly to Malta, and partly to Syracuse.

Advices from Alexandria are to the 7th ult. Ibrahim Pasha was expected at Alexandria or at Damietta, to ascend the Nile on the 8th or 9th ult.

The firm expected from Constantinople had not arrived, notwithstanding the despatch of the fleet, and private advices stated that neither it nor the return of the consul-general might be expected till the settlement of all particulars at issue between the portie and the pasha.

Further, that Russia was endeavoring to compass the downfall of Redschid pasha, as a partisan of British interests, and the negotiator of a secret treaty, whereby England had obtained the freedom of the Nile, and the Egyptian for her steam boats, and the maintenance of a garrison of 500 men, at Acra, &c.

Mehmet Ali had commenced his military colonization, and had promised commodore Napier that he would take an early opportunity of abolishing negro slavery. He had ordered a review of cavalry and military on the 6th inst. at which the commodore was present.

The plague still continued at Alexandria and Rosetta.

The Turkish forces under general Jochum were at Jaffa, and all attempts to interfere with the retreating army had been relinquished. Up to that moment, however, preparations for an attack had been persevered in for on the same day, 2d ult. letters arrived at Alexandria from Beyrout by the Emnetic packet, (three days en route), stating that they were shipping camels there for the attack on Gaza.

SOUTH AMERICA.

New Grenada. The following is a copy of a letter received by captain Waite, of the brig Enima, from an American gentleman. [No folk Beacon.

Maracaibo, February 13th, 1841. From our last advices received within a few days from New Grenada, affairs in that unfortunate country are represented as being in a most deplorable and gloomy state. The government troops 800 strong under colonel Musulas, marched into Cacueta, without any opposition; the inhabitants having deserted the town. General Herrera was on his march to the north with 1,500 troops destined it is supposed, for Mompox, where the revolutionary general Carmona has under him 2,400 well disciplined men. Mompox is a small town on the river Magdalena, distant about six days travelling from Carthagena, and he has no doubt selected that post to prevent his government troops from descending the river. General Marcano, the commander of Carthagena, has stationed a number of gun boats on the river to sustain him. In the republic of Venezuela every thing is tranquil; but should the revolutionists unfortunately succeed in New Grenada, fears are entertained that it will affect public tranquillity here.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

Robert C. Cornell, of New York, to be receiver general of public moneys, at New York, in the place of Stephen Allen, removed.

Samuel Frothingham, of Boston, to be receiver general of public money at Boston, in the place of Isaac Hill, removed.

Richard K. Meade, of Florida, to be governor in and for the territory of Florida, in the place of Robert R. Reid, removed.

Charles C. Penrose, of Pennsylvania, to be solicitor of the treasury, in the place of Matthew Burckhard, removed.

Elisha Whitteley, of Ohio, to be auditor of the treasury for the post office department, in the place of Charles K. Gardner, removed.

Pani Rosengood, to be superintendent of the branch mint at Dahlonega, in the state of Georgia, in the place of J. J. Singleton.

John Williamson, of Pennsylvania, to be recorder of the general land office, in the place of Hudson M. Garland, removed.

Solomon Van Rensselaer, to be deputy postmaster at Albany.

Land officers.

Thomas Scott, register, Chillicothe, Ohio, vice James S. McGinnis, removed.

Andrew Whitlock, receiver, Crawfordsville, Indiana, vice Ezekiel Mead, removed.

Hiram Dicker, registrar, Vincennes, Indiana, vice A. Badollet, resigned.

Officers of the customs—Collectors.

Joseph C. Noyes, Passamaquoddy, Maine, vice Sureau W. Smith, removed.

John M. Hale, Frenchman's Bay, Maine, vice Edward S. Jarvis, removed.

Charles J. Abbott, Penobscot, Maine, vice Rowland H. Brigham, removed.

William D. Smith, Machias, Maine, vice William Brown, removed.

George Thatcher, Belfast, Maine, vice Nathaniel M. Lowmyer, removed.

George Allen, at Waldoborough, Maine, vice Devery McCobb, removed.

Jeremiah Brooks, at York, Maine, vice Joseph P. Jenkins, removed.

Parker Sheldon, at Bath, Maine, vice Joseph Sewall, removed.

William C. Briggs, for the district of Vermont, vice A. W. Hill, removed.

Edward Curtis, New York, vice John J. Morgan, removed.

James Hunter, Savannah, Georgia, vice Abm. B. Fannin, removed.

Surgeons.

Shilworth S. Whipple, Eastport, Maine, vice Ezekiel Foster, removed.

Bazell Cushman, Portland, Maine, vice Stephen W. Eaton, removed.

William T. Taggart, New York, vice Ely Moore, removed.

Naval officers.

Imac P. Davis, at Boston, Mass, vice Isaac O. Barnes, removed.

Thomas Lord, New York, vice William S. Coe, removed.

VICE CONSUL.

The president of the U. States has recognized George Chacon, as vice consul of Spain, for the port of Philadelphia.

CIRCULAR.

Department of state, March 20, 1841.

To the hon. Thomas Faring, secretary of treasury:

Sir: The president is of opinion that it is a great abuse to bring the patronage of the general government into conflict with the freedom of election; and that this abuse ought to be corrected wherever

It will be time enough hereafter for the democracy to designate its candidate. It is not to be denied that feelings of personal kindness towards myself, and for which I cannot be too grateful, have been among the motives for this early designating me for the station from which I have just retired. This feeling constitutes a dangerous ingredient in political operations, and from no one could an attempt to check it proceed more properly than from myself. Preparations for the next presidential election are not, on this occasion, and at this crisis, liable to the ordinary objection of prejudging the conduct of the incumbent for the time being, inasmuch as he will, at all events, retire at the expiration of the constitutional term.

The most appropriate as well as most useful exertion which can be made at this time by my friends, is in adopting the best measures and means in their power for the explanation and diffusion of their principles, the detection of falsehoods, and the dissipation of truth among the great body of the people, leaving the selection of their candidate to a more suitable period. In the latter, the democracy never had less to apprehend from discussion among its members, since there has not, according to mature judgment, ever been a moment when the noble and patriotic sentiment advanced by their distinguished representative, "every thing for the cause—nothing for men"—was so universal among the supporters of our principles.

In the efforts to be made by the great democracy of the United States for the re-establishment of the general principles in the administration of the general government, I shall be placed, in many respects, by the station I have occupied and the known sentiments of the people in reference to the conduct becoming the position in which I stand, in the eyes of an observer only. But I will not, I assure you, be that of one indifferent to the result. I can never, while I live, look on an unconcerned spectator where the great principles, to the establishment of which I have devoted the best years of my life, and the success of which, I am assured, is essential to the welfare of my country are at issue, and my friends are struggling for their preservation with the stern energies of men conscious of the justice of their cause, and animated by the full assurance of its ultimate triumph.

I cannot close this communication without expressing my sincere acknowledgments for the friendly expressions of regard and confidence conveyed by your letter, and assuring you that they added much to the gratification I received from the honorable testimonial by which it was accompanied. Respectfully your friend and fellow citizen,

M. VAN BUREN.

THE McLEOD CASE. The hon. J. J. Crittenden, attorney general of the United States, left the seat of government last week, and proceeded to Lockport, New York, in consequence of the pending trial there of McLeod.

A correspondent of the *New York American*, says:—"The conclusion having been adopted, that in the present state of this question it would be improper to arrest the proceedings before an investigation into the circumstance of the offence of which he is accused, the following inquiry naturally presents itself: whether the federal government has a right to intervene, as the law now stands, for the protection of McLeod?"

That it has such a right under the constitution can scarcely be doubted, when it is considered—

1st. That the federal government is invested with the exclusive power over all the affairs of the country, and the states are prohibited from interfering with them in any manner except with the express consent of congress. Art. 1, sec. 10.

2d. All governments have, by the inherent rights of sovereignty, the power to maintain those rights, and to avenge or to exact satisfaction, or to pardon, as they may elect, any aggression upon them by other sovereign states or acting under their authority.

3d. As aggressions of this character must necessarily be the subject of national attention, and be repelled; or, if requisite, satisfaction must be exacted by the national arm; it follows that so far as the punishment or pardon of such offences may form the object of negotiation with foreign powers, the justification of the federal government by the constitution is complete, and that the states as to offences of this character. I do not intend to say that the state courts are divested of the power to inquire into such offences, or that they may try, convict and sentence persons accused of such crimes; do I mean to say that, under the laws as they now stand, the sentence may not be carried into effect. There is some doubt, how-

far the 25th section of the judiciary act would authorize an appeal to the federal courts in case of conviction. Still, it is not probable that the executive of a state would hesitate, if requested by the president, to postpone the execution of the sentence, until congress should pass the laws necessary to bring the question within the cognizance of the federal courts—either by appeal after conviction, or by removing the cause before trial, in a mode similar to that provided in revenue cases by the act of 1833.

The want of a law to carry the powers of the federal government into effect may prove a temporary embarrassment; but it can be easily remedied at a jury for the term of the court to have commenced on Monday, the term would not be held, and the trial of McLeod will of necessity from this cause, independent of others, be postponed till the next term of the court.

Trial postponed. In consequence of an error committed by the clerk of Niagara county, in drawing a jury for the term of the court to have commenced on Monday, the term would not be held, and the trial of McLeod will of necessity from this cause, independent of others, be postponed till the next term of the court. The federal government will then possess the actual power, as well as the constitutional authority, of disposing of the question. The manner in which that power is to be exercised will form the next subject of inquiry. J. B.

Frontier defence. While we entertain no apprehension of any speedy, or even remote, collision with Great Britain, we cannot but express our surprise and regret that so little interest appears to be felt for the protection of our northern frontier.

From Buffalo to Mackinac—every foot of which is accessible to an enemy—there are not fifteen hundred troops stationed: Nor is a single fort or garrison—not a single block house or breast work—nothing which wears the slightest appearance of a fortification! The whole border is perfectly, shamelessly, exposed; while upon the opposite shore, there are numerous depots of war munitions—forts, garrisons, block houses, &c. well fortified and well manned. And within two days march of the lakes there are more than six thousand veteran and disciplined troops, ready at a moment's notice, to enter upon all the duties of sanguinary warfare.

Detroit Advs.

PRINTERS TO THE SENATE. The discharge of the publishers of the Globe from the office of printers to the senate was upon the ground that the office had been taken over by an office at New York, accepting it they had received it with the implied condition that the duration of it might be determined at any time. It was urged on the other side that a contract had been made between the parties which the senate had no right to annul. On this point the remarks of Mr. Bayard, of Delaware, will show the views entertained by a majority of the senate.

Balt. Amer.

"What sort of contract was it? A contract which carried in *germine* the principle of its own dissolution. A contract with an office which had no business office at the will of the senate. He should like to know whether the employment of any officer was not a contract? It belonged to this class of contractors—after he have performed the work, I will pay you." There was the contract; and in accepting an office, which is itself a contract, with the pension accepted it with this consideration—that he could be removed at any moment. It was a parliamentary office, and all such were at will. No principle was better understood than that all parliamentary officers are at will. All were at will. The speaker of the house of representatives was at will—they might remove him. Did not our collectors, districts attorneys, and marshals, hold their office for a period of years, and yet with a definite condition?

"And what difference did the bond make? Did not their clerk give bond? And yet was he not removable? This was the effect and operation of the bond—simply, inasmuch as they were charged with a very important duty, that they perform the duty with fidelity as long as they remain in office. That was all. There was the limitation of it. It was in the nature of things—that if an officer holds his office at will, the same condition goes with the contract. He takes it subject to the necessary restriction. What, then, was the necessary contract? We were to have such and such an agreement, and you pay at a certain rate. And what did the other

say? I will do it at this rate—subject to your wish or refusal. There was the contract, and the whole contract."

THE COTTON INTEREST. The subjoined advertisement, which we find in a London magazine, confirms the rumors for sometime prevalent in this country, relative to the formation of a large British company to promote the cultivation of cotton in the East Indies.

While on this subject it may not be uninteresting to furnish some estimates of the relative proportions of cotton grown at this time in different parts of the world. We derive the estimates from an able article in the *Merchants' Magazine* for March, and they are to be considered as very general in their character. They show, nevertheless, that the cotton interest is one of the greatest magnitude throughout the globe.

The entire growth of cotton in the world is computed at one hundred and twenty millions of pounds. Of this amount, it is estimated, that five hundred and fifty million pounds are produced in the United States; thirty millions in Brazil; eight millions in the West Indies; twenty-seven millions in Egypt; thirty-six millions in the west of Africa; one hundred and twenty millions in the west of Asia; thirty-five millions in Mexico and South America, exclusive of Brazil; and fourteen millions elsewhere. At ten cents per pound this crop would be worth one hundred millions of dollars.

Of this amount it is estimated that there are consumed or manufactured

In England,	350,000,000 lbs.
the United States,	150,000,000 "
France,	80,000,000 "
India and China,	200,000,000 "
South America and Mexico,	35,000,000 "
Germany,	35,000,000 "
Turkey and Africa,	45,000,000 "
Spain,	10,000,000 "
Prussia,	20,000,000 "

And the remainder elsewhere.

It is stated that the value of cotton manufactures in England is actually

In England, is actually	\$170,000,000
In France,	70,000,000
In the United States,	60,000,000

The capital employed in the eastern states of the United States in the cotton manufacture in 1831, was \$40,612,285.

The following advertisement explains the character of the projected enterprise of the British in the East Indies.

East India Cotton company. Capital, £800,000, in 20,000 shares of £25 each. Deposite £2 10s. per share.

Bankers. Messrs. Glynne, Halifax; Mills & Co. London; Macleod and Salford Bank, Manchester; Messrs. Beckett, Blyde & Co. Leeds.

Solicitor. Messrs. Swan, Stevens & Co. Frederick's-place, Old Jewry, and 10, Whitehall.

The principal object of the East India cotton company will be to supply the English market with a cheaper and superior cotton of Indian growth. The overwhelming importance of this question in relation to the manufacturer and the shipowner, was strikingly brought before the directors of the East India company by a deputation from the Manchester chamber of commerce, on the presentation of a memorial which stated, "that the quantity of cotton imported into Great Britain in the first eleven months of the year 1839, amounted to 1,374,316 bales, of the value of £14,000,000 sterling, in its unmanufactured state, of which only 96,112 bales were from the East Indies, of the value of about £600,000, or only five per cent. of the whole value of cotton imported, about ninety per cent. of our supply being drawn from foreign sources. That the value of the above quantity of cotton in its manufactured state was £10,000,000 sterling per annum, giving freight for 300,000 tons of shipping, and employment to upwards of 2,000,000 persons;" and concluded by pointing to India as an available, and at the same time a more desirable source of supply.

That a large profit is to be derived by improving the culture of cotton in India, and preparing it for the English market, has been placed beyond a doubt by the successful results of the experiments recently made; the difference in quantity alone, its superior quality between the indigenous cotton and seed without it, the great saving of its weight, being in the same field, as five to one in favor of improved culture.

It was evidently a conviction of the greatest interest at stake which induced the East India company, (although prohibited themselves by the terms of their charter, and such as it may be to procure from the United States, within the last twelve

months, at their own cost, through the express mission of captain Bayles, a body of experienced cotton planters, who are now on their way to India. A deputation of the East India cotton company have had interviews of a highly encouraging nature with the late chairman and the deputy chairman of the East India company, the president of the board of control and board of trade, and the several parties in London, at Manchester, Liverpool, Glasgow, Newcastle and Bristol, interested in this most important object, all of whom agree in the urgent necessity that a company should be formed for the purpose of carrying out this object—the establishment of such a company being, in their judgment, calculated to insure ample returns to parties embarking capital, a relief from foreign dependency, and a wide channel of profit and employment to British shipping.

Applications for shares and prospectuses, with the names of the provisional directors, to be made to the bankers, to the solicitors, or to the secretary, at the company's office, 30 Backlbury, London.

FREDERICK MAXWELL DANDON, secretary.

THE GOVERNMENT STEAMER *hoo* building at the navy yard in this city, will be launched about the middle of next month. She is of beautiful model, and judging from a hasty examination of her last week, she is as strong and good as any can make her. Preparations are making for getting her engine on board, and her hull is nearly finished. Her copper is on, and the painters are at work on the bulwarks and men are preparing the "ways" for the launch. From the Journal of Commerce, that her iron cannon shaft and cranks are now on board of a tow boat in the North River, being the first attempt at making these parts of the machinery of iron. The shaft is 18 inches in diameter and 10 feet long, and weighs 12,461 lbs. They are from the West Point foundry.

[Philadelphia North Amer.]

SNAGS IN THE MISSISSIPPI. Captain Lee, U. S. engineer writes to the chief engineer, colonel Totten, that the river Mississippi was never so clear of snags as at the close of 1839, and indeed, the few that remained scattered over its length, can hardly be said to offer any obstruction. The whole number that have been removed the past year, amounts to 535, and the number of trees killed from the falling snags, 1,153. Of these, 4,097 snags and 167 trees have been taken from the Mississippi, and 950 snags and trees from the Ohio river.

ARMY.

The Savannah Republican of the 8th inst. says: the U. S. steamer *Beaufort*, is just in from Florida, bringing us the following interesting letter from one of our correspondents:

Florida, March 8.

GENTLEMEN: Another flower is marched to the sweat that decks the brow of our gallant, but wreath little army in Florida. The battle of Orange creek, by lieutenant Alberts, fought day before yesterday, though a small one, is seldom surpassed in skill, brave and determined perseverance. While sitting in the door of his tent, at Fort Brooks, lieutenant Alberts heard the crack of Indian rifles, immediately succeeded by their yells, in the direction of Orange creek bridge. He mounted his men, and found that, after leaving a small guard at the fort, he could command but twenty-three. With these he sallied forth, and in a short march, soon came upon the savages in large numbers, and poured upon them a shower of balls and buck shot. This caused the warriors to ring with their yells and brought upon him what was evidently the whole band of Alca Tustenuggee, long known to number from 70 to 100 warriors. Lieut. A. and his men returned the "war whoop" with imitative Indian ferocity, and thus the battle raged for half an hour, when the Indians took to flight, and the fort was left. As he supposed, master of the field—but it was a ruse to cut him off from the fort; as the Indians, stretching across in his rear, now attacked him with redoubled effort, but were again driven to the hammock, with only a few arrows, and the whole were seen to fall and be carried off. By this time the ammunition was exhausted, and finding the orderly sergeant, a corporal and three privates severely wounded, Lieut. Alberts returned to the fort. But he did not return to rest. He had not yet ascertained the cause of the first firing and alarm, and fearing for the fate of a small party sent by him that morning to Fort Russell, five miles off, for provisions, he put his men on the march, and in a short time with 18 soldiers again set out for the bridge, and passing the scene of his contest, soon came upon the dead body of corporal Long, who had been "on parade"

hunting. This accounted for the alarm. He then crossed the bridge and hastened through the creek hammock, upon the edge of which he again received the solution of his fate. Tustenuggee from both sides of the road. Here the force and attack of the enemy was tremendous—their yells hideous and terrific. Two men killed and six wounded, fell in their tracks, but the balance raised the war shout and rushing the fire with the timidity of a deer, four of the red skins were seen to fall, and these in front gave way before the little band of soldiers. The Indians now collected in the pine barrens and skirt of the hammock, but not being able to retain their position, were driven to the edge of the road from bush to bush for a mile and a half, when they gave it up and returned into the hammock. At one time, during this last attack, the lieutenant mused how they would all be annihilated, but the cheering, the coolness and the bravery of the little band, was unlocked for by Tustenuggee's warriors.

This gallantry was worthy of a nobler field. As an instance of the coolness being displayed, private Lane, during the last of the engagement, finding his gun missing fire, was seen to drop upon his knee and taking out his screw-driver, removed the old flint, and inserting a new one, re-commenced firing more to his satisfaction.

For Holmes, E. F. March 3.

You are aware, I believe, that Gen. Armstrong has 380 men, women and children, in at Tampa, who are to embark for Arkansas on or before the 10th inst. They are closely guarded night and day, by a company of infantry and a company of dragoons, so that they cannot escape. I tried it, and were shot down and bayoneted—one killed instantly and the other died from his wounds. If Gen. A. gets these Indians off, as I have no doubt he will, will be more than has been done for many a day. I approve most cordially of his plan, and think, if it thoroughly succeeded, would succeed better than any thus far tried; but I am still of the opinion, that both on the score of economy and business, a force of at least 20,000 men should be sent here. However, I think our services, are likely soon to be exacted, for those which will "try men's souls." We cannot long keep out of a war with England and preserve our honor. As much as I deprecate a war, (and, unlike my friend Mr. Norrell, though a military man, I do not sincerely "deprecate" one), I would rather shed the last drop of my blood than submit to the wrongs she has heaped upon us. Not only so, but she violently enters our territory, invade our borders, murder our people, and attempt to dictate humanity to us in an affair that belongs to another nation. Does the blood of '76 run in our veins? Shall we then submit to what they ought not? Our wrongs are almost unnumbered. I have wandered from my subject, which was to give you Florida news.

Yours, truly,

Lieutenant Alberts, who so gallantly met his way with 17 men through 100 Indians in Florida, and reached Fort Russell, with only one man killed and one man missing, is a practical printer. He was a few years ago editor and proprietor of a paper published at Martinsburg, Va. but afterwards received a commission in the army from president Jackson.

(Newburyport Herald.)

NAVY.

The U. S. ship *Cyane*, from the Mediterranean, and Dolphin and Grampus, from the coast, were at the Cape de Verd Islands on the 9th of February.

The senior Colonel Hawley, of the United States army, "Colonel Hawley" built at Baltimore, under the supervision of captain D. S. Miles, assistant quartermaster, left on the 18th instant, for Piliaki, East Florida, via Norfolk, Charleston and Savannah. He is a distinguished sailor, and has been in consequence of the weather. This boat is commanded by captain John Pearson, and her crew consists of one mate, two engineers, three firemen, one cook and five deck hands. Captain D. S. Miles is a passenger on board.

Correspondence of the N. York American.

U. S. brig *Dolphin*, *Porto Praya* bay, St. Jago,

Cape de Verde Islands, Feb. 7, 1841.

My dear sir: We sailed from the quarantine ground on the 10th Nov., at 10 o'clock, and arrived at Madeira, and the Rio Nunez, arrived at Sierra Leone on the 10th January. The United States schooner Grampus joined us in the Nunez, on the 1st December, which completed our squadron on the coast.

We left Sierra Leone on the 14th January, in great haste, with twenty-six cases of African fever upon our sick list, and arrived here on the 29th. The schooner *Grampus*, having been detained by the illness of her crew, did not arrive until the 20th, when it attained its height, and numbered forty four, including the captain, 1st lieutenant and assistant surgeon, who were the only

officers sick. Our ship presented the spectacle of a perfect hospital, with the trunk for our dispensary—and we lost nine men on the passage with fever, viz: H. Green, J. Morris, C. Grawold, T. P. Riccard, J. Downy, W. E. Burns, G. Pines, J. Smith, and Stephen Tyson; the two former jumped overboard in delirium, and the four former are a boat-swain's mate, a cooper, armorer and yoman, a great hole in the list of our petty officers, and which entirely broke our crew.

We left the Grampus at Sierra Leone; she was to and did follow us on Saturday, the 10th inst. and arrived here on the 30th, being as yet just 14 days, from the 16th of January. It was, in fact, one of the most remarkable coincidences, the greatest number per sick list at any one time was the same as ours, just forty-four.

The fever attacked her officers more generally than ours, and from port to port; Mr. Drake, (a midshipman, of Newark, N. J.) was in water, and with the gunner, and when she arrived here, the only officers not upon the list, were the captain, assistant surgeon and Mr. Drake; the two former were sick with fever for two days, and at the same time during the passage, and the latter was left all alone, with the sole charge of the vessel. She lost but three of her company, one of whom was her master, Mr. Albert Smith Whittier, (a passed midshipman, from Maine), and two others, viz: J. A. Smith, and on the night of the 23d; he was an honest to his profession, and died universally regretted by all who knew him.

It was our good fortune to find the United States ship *Cyane* here, bound on a cruise down the coast, by whose officers we have been treated with every kindness and attention, and to whom we feel very grateful, particularly to Drs. Hunter and Grier, whose assistance and attentions, as we were destitute of our own, were invaluable. She is now lying at Sierra Leone and Monrovia, and sails thence for the West Indies and home.

Our sick, and those of the Grampus, are ashore in the hospital and all, without a solitary exception, convalescing; some few have returned on board and are now doing light duty. The captain is staying with Mr. Gardiner, our consul, and for the last three or four days, has walked out. The doctor and Mr. Ward (our 1st lieutenant) are also recovering rapidly, and will soon be again on duty.

The climate, which is most delightful, has had the effect of magic on our sick, and has done more towards their recovery than all the medicines known.

The *Cyane* is to remain here until we are again upon our legs, and to the exertions of her assistant surgeon (Dr. Grier, who is surgeon of the hospital ashore) we are indebted to the early convalescence of the crew.

We shall not be able to leave here before the 1st of March, and it is to our regret that we cannot direct for the West Indies, and thence home, where we shall probably arrive about the middle of May. The Grampus is to return to the coast, and will be home about the middle of July. I annex a list of the officers of the squadron, which our consul says is the largest (the equal not the inferior), American one, ever before in this port, and which you may rely on for its correctness.

Of the U. States ship *Cyane*, viz: W. K. Latimer, commander; S. W. Giddin, 1st lieutenant; S. F. Hazard, 2d lieutenant; A. Taylor, 3rd lieutenant; B. M. Dove, 4th lieutenant; Lewis B. Hunter, surgeon; W. Grier, assistant surgeon; H. Bridge, purser; J. A. Smith, 1st midshipman; J. A. Smith, 2d midshipman; W. Reid, passed midshipman; F. Alexander, E. Allen, G. B. Balch, F. W. Colby, A. McRae, C. W. Place and A. C. Rhind, midshipmen; Geo. Cotto, cabin's clerk; Lieutenants F. J. P. Mason, and Mr. Goldsborough, are passengers home in the *Cyane*.

Of the U. States schooner Grampus, viz: John Stoue Paine, lieutenant commanding; C. Heywood, 1st lieutenant; J. P. Mason, 2nd lieutenant; S. W. Whittier, purser, (died 23d ultimo); J. S. Patterson, passed midshipman; A. J. Drake, C. S. Throckmorton, J. Ladd and A. McLaughlin, midshipmen; George Paine, cabin's clerk.

Of the U. States ship *Dolphin*, viz: C. H. B. commander; J. H. Ward, 1st lieutenant; T. W. Hunt, 2d lieutenant; J. D. Gibson, purser; R. W. Leece, assistant surgeon; M. Woodhill and R. D. Izard, passed midshipmen; J. Barry, C. H. Caldwell, and J. A. Smith, midshipmen; T. Meeker, cabin's clerk; Adam Young, master's mate.

By the arrival yesterday, of an American brig from the river Gambia, which is to sail direct for

Salvador, we are, in fact, invited to leave the coast, and the opportunity of ending upon this ground, in fulfillment of a promise I made you just before leaving the United States.

STATES OF THE UNION.

EXECUTIVE. The following states have not yet chosen representatives to the 27th congress: Rhode Island, Connecticut, Maryland, Virginia, North Carolina, Alabama, Mississippi, Kentucky, Tennessee, Indiana, Illinois and Missouri—twelve in all.

Of these, Connecticut and Virginia hold their election in April; all the others in August, except Maryland, which holds its in October, but in the case of that, in case of an extra session, as in this case, the governor may have a special election for an election, and Mississippi, which holds its in November.

Authority may be vested in the executive of the other states to provide for a special election—though that we have no positive knowledge.

In New York a vacancy exists in the district lately represented by *Francis Granger*—which will be supplied by a special election.

THE FUGITIVE QUESTION. New York *Virginia.* The Boston American says: The inspection bill which recently passed the Virginia legislature, provides that any vessel whatever, owned in whole or in part, or commanded by any citizen or resident of the state of New York, or any vessel bound to any port in New York from Virginia, shall be subject to inspection—foreign and national vessels excepted.

The design of the inspection thus ordered is "to see that no slave or person held to service in Virginia, or person charged with the commission of any crime, shall be concealed on board said vessel."

The captain or owner of any such vessel departing without inspection is subject to a penalty, for the benefit of any person who will sue for the same. Every vessel as above described that enters within the limits of Virginia is to be taken under the eye of the inspector, and to be held by him until a bond with two sureties is given by the captain or owner to secure the payment of any judgment rendered on violation of the act. If the captain or owner cannot procure such a bond, then his promise, under oath, not to violate any of the conditions of the act, shall be sufficient. Every vessel is liable for the expenses of her inspection.

The act is not to go into force until May, 1842. The governor is also authorized to suspend its operation if the governor of New York should comply with the requisitions of Virginia for the surrender of three persons demanded as fugitives from justice, and if the New York law entitled "an act to extend the right of trial by jury," shall be repealed.

"It is not eight words of the bill that speak against the bill, believing that it involved an infraction of the constitution. It is certainly to be regretted that some means could not be found for setting the difficulty through the judicial tribunals of the country. Mr. Robertson, of the house of delegates, spoke of the bill, during the debate, in these terms:

"I believe it to be in conflict with the constitution of the United States—country to sound policy—doing violence to the friendly—nay, fraternal feelings which should prevail, which I am fully convinced do at this moment prevail, between the great body of the people of New York and Virginia—and as tending to loosen, and it may be, finally to sunder the bonds of our glorious and now happy union. I repeat, sir, with respect to state it, as my firm conviction, that the strongest feelings of regard towards one another, as well as of attachment to the union, pervades the great mass of the people of these two states. I look with confidence to that feeling to afford us that redress which is due alike to our rights and our safety. That feeling, that feeling will doubtless be wounded, bruised, by the passage of this bill; but I confide in the strength of it to overcome the tendencies of this measure, that are adverse to an amicable adjustment, and to render on justice in spite of the insinuations it is calculated to create."

House of delegates of Virginia. On the 19th, the following resolution was submitted to the house of delegates, by Mr. May:

"Whereas it appears, that the governor of New York has demanded of the governor of Virginia, a fugitive from justice, legally charged with crime in that state, and now confined in this; and that such demand hath been made in conformity with the constitution and laws of the United States; but that the governor of this state considering that the governor of New York, has very recently refused to comply with a similar demand upon him, made by this state, he deemed it proper to decline for the present to surrender the said fugitive. And while the general assembly both fully and lawfully, and the course adopted by the governor in his present refusal, to comply with a similar demand upon him, made by this state, and patriotic desire to induce the state of New York to comply with the constitutional obligations to this state; yet as the general assembly hath solemnly protested against the conduct of that state on the

occasion alluded to, as a palpable violation of those obligations; and has maintained and still maintains that it is the duty of the executive of each state to surrender fugitives legally charged with crime, when properly demanded by any other state, is our imperative duty to reject the demand, and issue a resolution to that effect by the general assembly. That in its opinion, any fugitive legally charged with crime and demanded by the governor of New York, according to the constitution and laws of the U. S. ought to be surrendered notwithstanding the refusal of the governor of that state to act in a similar case."

On Mr. Bly's motion, the resolution was laid upon the table.

"This resolution was followed by another on the motion of Mr. Taylor, of King George, which was adopted. It directed the governor to endeavor to communicate the late executive order respecting a demand made by the governor of New York for the surrender of a fugitive from justice; and the reasons for his refusal to comply with such demand, and a copy of the demand."

In the course of the morning's session, the following communication was received from the governor: "Executive department, March 19, 1841."

"Sir: I have just received a copy of a resolution adopted this day by the house of delegates, requesting me to communicate the late executive order respecting a demand made by the governor of New York for the surrender of a fugitive from justice, and the reasons for my refusal to comply with such demand, and a copy of the demand."

"I accordingly transmit a copy of the order of this department, of the 10th inst, and of the demand of the governor of New York, from which it will be perceived that I have deemed it my duty to suspend a compliance with the demand of the governor of New York, until the governor of New York shall recede from his refusal to comply with a previous similar demand on behalf of this state."

"It is presumed that the origin and progress of this controversy with the state of New York are familiar to the house of delegates; and it is therefore hoped that the documents now communicated will satisfactorily respond to their resolution. Should the house of delegates or the general assembly, however, deem it their duty to take any further action in reference to the course of this department, it may be consistent with their sense of justice to direct the governor of Virginia to assign reasons in detail the reasons and responsibilities which have influenced my conduct. Your obedient servant,

THOMAS W. GILMER.

To the speaker of the house of delegates. The accompanying documents are forwarded to the following demand of the governor of New York:

"William H. Seward, governor of the state of N. York, to his excellency the governor of Virginia:

"It appears by the annexed papers, duly authenticated, and in the presence of Robert F. Curry, a delegate charged in this state with the crime of forgery—and it has been represented to me, that he has fled from the justice of this state and has taken refuge within the state of Virginia—"

"Now, therefore, pursuant to the provisions of the constitution and laws of the United States, in such cases made and provided, I do hereby require, that the said Robert F. Curry be apprehended and delivered to John D. Dix, of Illinois, who is hereby duly authorized to receive him, and convey him to the state of N. York, there to be dealt with according to law."

"In testimony whereof, I have hereunto affixed my name, and the privy seal of the state, this 14th day of February, in the year of our Lord 1841."

By the governor: Samuel Blatchford, private secretary.

The other document, accompanying the governor's letter, was the executive order declining the surrender of the fugitive.

In relation to this subject the Richmond Enquirer of the 10th inst. says:

"There is some diversity of opinion—much was said in the house of delegates yesterday (both morning and evening)—about the course of the governor of Virginia in relation to Curry. There seems, however, to be but one opinion as to the high and mainly motives by which he has been actuated—Those who differ most with the governor, are among the first to adore his spirit and his patriotism—Many sincerely regret his course, and approve none harshly condemn him. A decided majority of the house of delegates seem to regret his decision, and will probably pass some resolution to that effect. But not a friend of the inspection bill ventures into the hall to question the propriety of its provisions, and vindicate our constitutional rights."

Resignation of the governor of Virginia. We were somewhat astonished to perceive by Richmond papers received yesterday, that the action of

the legislature of Virginia in reference to the controversy with New York, had led to the resignation of the governor of that commonwealth. The reason of the adoption of this course may be stated in a very few words.—New York in the first place refused to give up fugitives from justice, when demanded by Virginia, and when a similar demand was made by New York, gov. Gilmer, of Virginia, applied the "lex talionis," and refused to give up an indicted forger. The legislature of Virginia, upon reviewing the circumstances of the refusal of gov. Gilmer, came to a resolution, which the governor acted upon, and so expressed it in a resolution, adopted with singular unanimity. The governor, therefore, finding that he could not conscientiously reflect the views of the legislature, in this very important matter, immediately resigned his place. This took place on Saturday, and the legislature were to meet on Monday to choose a successor. We shall be disappointed if this event does not occasion a deeper sense of the injustice of the conduct of the authorities of New York, not only towards Virginia, but to the whole south. It will awaken a feeling which it will not be easy to repress. The south, under the national compact, has rights which should not be invaded without danger. To use a common axiom, "the last drop will overflow the bucket," and here is cause for apprehension that the last drop is coming on apach—May heaven avert the consequences!

The legislature of this state, on Monday, adjourned *sine die*, without going into the election of a chief magistrate, and without appointing a new without a commander. Scenes of considerable excitement took place previous to the adjournment, which, says the Compiler, "were unworthy the members of the Virginia legislature."

ILLINOIS AND MISSOURI DIFFICULTIES. The Alto Telegraph, in speaking of the prohibition by the citizens of Illinois, of any further work on the pier, north of Bloody Island, says: We learn that two pieces of ordnance left this place for Illinois last opposite St. Louis, where they are now assembled for the purpose of raising any encroachment which may be attempted against the rights and sovereignty of this state, or the property of her citizens. The hope is induced that steps will be promptly taken to prevent a refusal to force. [St. Louis Republican.]

STATE CREDIT. Joel Crawford, esq. of Georgia, who a year or two since, visited England for the purpose of negotiating a loan on the bonds of Georgia, wrote to the Georgia Enquirer, that the legislature of that state on the 14th of Nov. 1840:

"The leading object at which the legislature of Georgia should now aim, with a view to carry on her public works, is the establishment of a high state credit; and it is the least to assure you, that much intercourse with capitalists on both sides of the Atlantic, that adequate and stable revenue laws are absolutely indispensable. They have not, or ought not to have any confidence in pledges of bank dividends or bank capital. They apprehend that the state governments do not tax the people to raise the means of maintaining the public faith, and therefore they will not rely on it. But let the state of Georgia impose the requisite tax, and such an earnest is given, as will at once dispel all doubts."

NEW HAMPSHIRE.

Fast day. Governor Page has appointed the 15th of April, to be observed throughout the state as a day of humiliation and prayer.

MARSHFIELD.

Boston punctuality. Mr. Bancroft, the present collector of the port of Boston, will retire from his office March 31, that is at the close of the present year. It is reported that he has received from Mr. Bancroft has collected more than ten millions of dollars of revenue, every bond which has been taken by him and has fallen due, is discharged.—There is not now a single instance of default on the part of any merchant during his official term. Such a result, it is believed, has never occurred for any other period of the same length of time. It is most honorable testimony to the character of the Boston merchants now on the stage.

Legislature. In the house, on Tuesday morning, a resolution was passed by a vote of 100 to 70, that \$20,000, in anticipation of the revenue, passed to be engrossed. A bill to give the Commonwealth a bank further time to close its concerns, passed to the third reading; and a resolve from the senate to pay the clerk of the two branches \$10 per diem, was rejected after its third reading.

At 11 A. M. the two branches met in convention for the purpose of choosing four directors of the Western rail road. The choice fell upon Parker

L. Hall, of Pittsfield, John W. Lincoln, of Worcester, John Howard, of Springfield, Wm. Jackson, of Newton.

The bill from the house to abolish imprisonment for debt in this commonwealth, was on Monday afternoon postponed to the next session.

The legislature were to adjourn on Wednesday last.

In the house, this morning, a motion to reconsider the vote which related to the bill from the senate, relating to intermarriage between persons of different races, was lost, 124 to 108. *(Boston Tran.)*

The tariff. In the house of representatives at the 9th inst. the following preamble and resolution were reported by Mr. Higelow, of Boston, from the committee on commerce.

Whereas, a crisis has arrived, which seems to demand a careful revision of the various measures of public policy heretofore pursued by the federal government; among which the laws regulating trade and imposing duties upon imports are of great importance, involving as they do, the interests of the industrious and laboring classes of the country; and whereas, certain resolutions of the legislature of the state of Connecticut and Alabama have been submitted to this legislature, for the purpose of obtaining an expression of the opinions of the representatives of the people of this commonwealth, upon a subject of this importance to their interests and prosperity, therefore,

Resolved, That a sound and wise policy seems to require of the federal government, in raising a revenue by the assessment of duties upon imports, to discriminate between those articles which come in competition with the products and manufactures of this country, and those which are the products and manufactures of foreign countries; in order that these duties may be so levied as to encourage domestic productions and aid the laboring classes of our own country.

Resolved, That just discrimination in the assessment of duties, by favoring all the great interests which are promoted by a division of labor, and without raising unnecessary or extravagant revenues or resorting to high duties, will be of universal benefit to all sections of this great country, and to all classes of its laboring and industrious citizens; and is the only system which can harmonize public opinion, and at the same time, secure to the people that encouragement and protection in the diversified pursuits of labor which they have a right to ask of the general government.

Resolved, That his excellency the governor be requested to transmit a copy of these resolves to the governors of the several states, and also to each of the senators and representatives of this commonwealth in congress.

NEW YORK.

A singular divorce case. The records of the proceedings of the legislatures of some of the states present frequent cases of the dissolution of the marriage contract by legislative enactment, and, more rarely, when that mode is resorted to, without strict adherence to any general principle or well settled judicial rule. In this state, the practice has wisely been to confine such applications to the court of chancery, where they are decided upon a uniform and rigid construction of the statute.

A case is now pending before the New York senate, however, which is quite peculiar in its features. The common law fixes the "age of consent," as it is termed, at 12 years for a female.—Some years since the statute law of this state varied that age of consent to 14 years, and at the same time declared it a felonious offence to marry a female under that age, without the consent of her parents or guardians. Subsequently, the statute was amended, so as to restore the common law, and 12 years of age as the period when a female becomes legally marriageable; but the penalty against elopemently marrying a female less than 14 years of age was inadvertently left in force.

During the autumn of 1838, a daughter of a citizen of Stephentown, Kentucky, named Catherine, aged about 12 years, attended the common school of the district in which he resided, and when going and returning was in the habit of calling at a neighbor's house on the way. The mistress of this house seems to have been an inveterate match maker, and she so filled the simple girl's mind with notions of matrimony, having reference to a particular young man of her acquaintance, as to prepare her to take that important step at the first convenient opportunity.

At the course of even's, the common law, neither of the girl were absent from their residence, at a funeral, which would detain them for nearly a day, and this occasion was improved by the husband of the officious match maker, and others, to persuade the victim, (though not a party to the persuasion on her part), to ride to a clergyman's in the vicinity, and be married to the young man—who would

seem, from the statements before the senate, to have played but a secondary part in the affair.

Resulting from these proceedings was the indictment of the conspirators, and the sentence of the court in the prison. Meanwhile the wife is such, in the eyes of the law; although the punishment of the husband pronounces her still under the control of her parents. To put an end to this double and incompatible relation, legislative action seems to be necessary.

A bill for this purpose was reported by Mr. Strong, from the judiciary committee, and was before the committee of the whole on Tuesday, but was re-committed on Friday, for the purpose of having the facts spread upon the journals in a formal report, lest the case should be drawn into a precedent.

ALBANY ARMS.

J. Phillips Phenix, esq. on Monday evening received the intimation of the whig convention, as the candidate of that party for mayor of New York at the next election.

A letter from New York, March 17, says: An express arrived in the city last night from Albany, bringing news of the return of gov. Seward, and of his signature to the bill abolishing all preferences in cases of protested notes upon the free banks. All bill holders are to be treated alike, and there is now no inducement now to break down the banks by panics and purchase of bills. The legislative proceedings are not of any additional importance.

PENNSYLVANIA.

Another anthracite furnace. The *Miners' Journal* states that one of the largest class of anthracite furnaces, recently erected at Danville, by Messrs. Biddle, Chambers & Co. was blown in a few days since under the superintendence of a Pennsylvania charcoal furnace man, and is now doing well—with a fair prospect of running out from eighty to one hundred tons of metal weekly. This is the third anthracite furnace in operation in Danville.

Banks. The following tabular statement, as prepared by the Harrisburg reporter, from the authorized returns to the auditor general of Pennsylvania, exhibits an aggregate view of the resources and liabilities of all the banks in this state, exclusive of the U. S. bank. The returns from which it was taken, are made up to the first discount day in October, 1840:

Resources.	
Notes and bills discounted,	\$28,076,283 66
Specie,	4,163,512 38
Notes and checks of other banks,	8,502,766 51
Due by other banks,	7,794,185 35
Due to state, &c. &c.	2,501,845 93
Expenses,	155,996 09
Bills of exchange,	614,413 93
Stocks,	3,173,945 80
Loans to commonwealth,	1,274,004 42
Miscellaneous,	2,803,603 98
Total resources,	\$58,994,363 80
Liabilities.	
Capital stock paid in,	\$24,614,259 49
Notes in circulation,	8,832,227 47
Due to other banks,	8,830,867 28
Due depositors,	12,609,817 60
Dividends on hand,	125,485 69
Contingent fund,	1,723,880 51
Profit and loss,	414,692 90
Discounts, exchange, &c.	687,175 82
Due to commonwealth,	291,752 40
Loans and bonds—none.	
Miscellaneous,	1,412,027 11
Total liabilities,	\$58,994,363 80

In the lower house of the legislature, on Friday the 12th inst. the bill for the relief of the banks, reported by Mr. Hinckman, was lost. On the question of the adoption of the 1st section,—which suspends the penalties of the resumption resolutions of 1810 for a refusal to pay specie, until the 15th day of May 1841,—the vote stood 42 yeas and 42 nays. A motion to reconsider this vote was afterwards made, and lost, by yeas 46, nays 47. In the senate, Mr. Spackman's bill for the relief of the banks has passed to a second reading.

Tavern licenses. The *temperance bill*. The vote on this bill, which was lost in the house a day or two since, was reconsidered yesterday with trifling amendments which were concurred in by the senate. The bill requires that all application for licenses, with the names of who petition for the same, shall be published in the public papers; and if increased the tax on licenses considerably. The bill will be likely to thin off tippling shops very materially but will not effect, in the least the interests of respectable houses. Though the *may* have to pay a much heavier tax, their business will be great in proportion which will more than compensate them for the increase of tax. The bill is a

good one, and will give the cause of temperance aid and decency an impetus not easily overcome.

Mr. Penrose's resignation. In the senate on Saturday the 13th inst. Mr. Penrose, in pursuance of a purpose some days since announced, resigned the office of speaker of that body. His address on the occasion was touching and appropriate. On Mr. Penrose retiring from the chair, the senate proceeded to elect a successor, when John H. Ewing, (whig) of Washington county, was chosen speaker on the first ballot. The vote was for Ewing 18, Coplan, (V. B.) 7. *Scattering 9.*

Finances. In the senate on Saturday the 13th inst. Mr. Reed, from the committee on finance, made a report embracing among other matters an estimate of the probable receipts, from various sources of revenue, together with the amount of interest that will be payable, during the coming year.

It appears from this report that, the amount received last year, pledged to the interest fund, was as follows:

Auction duties	\$77,925
Collateral inheritance tax	13,549
Dividends on turnpike, bridge and navigation stock	38,850
Canal and rail road tolls	\$59,265

—\$191,989

which in most particulars the committee believe to be justified by reasonable calculation, is as follows:

Auction duties	\$73,000
Collateral inheritance tax	24,000
Dividends on turnpike, bridge and navigation stock	37,000
Canal and rail road tolls	\$55,000
State tax under act 11th June, 1840	\$60,000

—\$1,489,000

The amount of interest which will be payable during the year ending Feb. 1, 1842, will be

—\$1,660,000

To which must be added, premium on specie at 7 per cent. assumed to be a fair average

—116,200

—\$1,776,200

Deduct amount appropriated to interest fund

—1,499,000

Deficiency at end of fiscal year

—\$287,200

To meet this deficiency, the committee propose to add to the interest fund, the following revenue:

Tax on retailers' licenses, (estimated)

\$20,000

License commissions

25,000

Tax on writs

55,000

Tavern licenses

25,000

Land office fees

\$222,900

Leaving a deficiency of but \$54,700 in the interest fund. It is believed by the committee that the receipt from taxes under the act of 1840, even with the present very defective system of assessment, will exceed the amount above stated. From the best judgment they can form, they are of opinion that the receipts from that source during the year will be \$500,000, which would leave a surplus of \$245,300 to be applied to the sinking fund. If a change be effected in the assessments throughout the state, the receipts may be for the next year increased at \$1,000,000, giving a surplus of 445,300 dollars.

The following abstract of the bill for the better securing of the payment of the interest on the public debt, and for the creation of a sinking fund," as reported by Mr. Reed, from the committee on finance, is given in the *Telegraph* of yesterday. The bill passed the committee of the whole on Monday.

Sec. 1. That the state treasurer on the receipt of income specifically set apart from this fund, shall deposit it in the Bank of Pennsylvania.

Sec. 2. That the interest of state debt to be paid in specie, semi-annually, and the excess to be applied to the purchase of \$200,000 per year of state stock.

Sec. 3. An act to be laid before the legislature annually.

Sec. 4. The banks to pay drafts of commissioners in specie or current funds.

Sec. 5. How commissioners shall act in cases of vacancy.

Sec. 6. Every description of revenue set apart for the use of this fund, except the portions necessary to carry on the governmental functions.

DELAWARE.
Surplus. The state of Delaware has a surplus of one million and a half of dollars.

MARYLAND.

Extra session. The legislature re-assembled on the 24th inst. in virtue of the governor's proclamation.

Congressional candidates. Mr. Jenifer's declaration. To the voters of the seventh congressional district of Maryland: My object in addressing you is to announce my intention of declining to be a candidate for re-election.

Having been honored by your confidence four terms in the house of representatives of the United States, I cannot permit the political relations which have so long existed between us to be severed without tendering my sincere acknowledgments for the kindness you have repeatedly bestowed, and the indulgence I have always received at your hands.

To my political friends I owe much, which can only be repaid by a deep sense of gratitude, which I shall ever entertain.

That my political course should have been approved, and the sentiments I have expressed should have met your approbation, is an ample reward for any sacrifices I may have made or difficulties encountered.

By your efforts, in common with those of the whigs generally, a great revolution has been effected, a new era commenced, which bids fair for the future honor and prosperity of the country.

Believing that the present condition of affairs is such as to require that congress should be convened before the usual period of its meeting, I have deemed it proper thus early to advise you of my intention, so that an opportunity may be afforded of selecting a successor.

In taking leave of you, as a representative, I should do injustice to my own feelings were I to omit this expression of my sincere thanks for the very many evidences of kind personal regard I have received from my political opponents generally.

March 10, 1841. DANIEL JENIFER.

To the voters of the 4th congressional district. The president of the United States having issued his proclamation, convening congress on the 4th of May next, an election of representatives from the state of Maryland must be held previous to that day. It is to be presumed, therefore, that your attention will be immediately directed to the selection of candidates for this district; and as many of my partial friends have expressed to me a desire for my continuance in congress, I feel it to be my duty publicly to announce that I have long since determined not to be a candidate for re-election.

With the most profound gratitude for the honor you have already conferred in electing me one of your representatives in the 26th congress, I remain your fellow citizen, JAMES CARROLL.

Baltimore, March 18, 1841.

VIRGINIA.

The Richmond Enquirer, has the following letter addressed to the editor, dated Tappanborough, March 16th.

I forward the enclosed letter from Mr. R. M. T. Hunter, with a request that it may be published in the Enquirer.

Mr. Hunter and Mr. Bixton were at our court yesterday, and both addressed the people at length. Mr. H. during his address, declined the contest, as he did at Caroline; but during the evening, he accepted a nomination tendered him by a meeting composed of both parties, so that he is again fairly in the field, and pledged, as I understand him, to go through the canvass.

"The nationals will scarcely carry for Cobin more than one-half of the whigs in this county, and Hunter will get all the balance, viz. the vote right portion, together with a decided majority of the republicans.

"After the nomination of Mr. H. by the meeting yesterday, it was insisted on by the republicans, that at the meeting held on the 14th inst. in the nomination of a candidate for congress, it was equally proper that they should all unite on principle for a candidate for the county; and accordingly, col. James Wright was selected, who has accepted the nomination. Col. Wright is fully and warmly with us, and it is thought will be very troublesome to his opponent, Mr. James Seemple, a national whig, who took the field in December last, and has been working over the course ever since."

Long's Enquirer, March 15th, 1841.
To Messrs. B. F. Telford, William A. Wright, L. Hines and R. M. Davis:

Gentlemen: I received your letter announcing the high honor which the convention at Croxton's springs had offered on a few days before the last Circuit court. I replied to it then in a public address at the Bowling Green, but to avoid misrepresentation, I beg leave also to respond to it also in writing.

My sole object in presenting myself to the district had been to endeavor to effect a union between

those republicans of both parties who agree on principle with each other and with myself. I found upon seeing friends of both parties that an acceptance of the nomination which was tendered me would, under the circumstances, be considered by many as a departure from the position which I had taken in the letter announcing myself as a candidate. That I might not therefore produce division among friends of both parties, whom I had sought to unite, and also to prevent my name from producing further embarrassment amongst those who had generously nominated me, I felt bound to withdraw from the canvass. This determination I announced on that day, and while I felt bound to make no effort to obtain office at the expense of my friends of either party, I retired with the most grateful consideration of the high honor which you and those whom you represent had conferred. With warm thanks both to you and to them, I am most respectfully, your obedient servant, R. M. T. HUNTER.

TENNESSEE.

Congressional candidates. 2d district. Wm. T. Seaton, esq. has been nominated for congress by the whigs in convention.

3d district. Hon. Joseph L. Williams, the present representative, it is understood, will be the candidate of the whigs for re-election.

4th district. Col. Thomas J. Crenshaw, late whig elector, has been unanimously nominated by the whig convention to be the candidate for congress against the present incumbent, J. W. Blackwell.

6th district. The hon. Wm. B. Campbell is a candidate for re-election; so is also the hon. Meredith Gentry.

12th district. Milton Brown, esq. has received the unanimous vote of the whig convention for congress.

13th district. The hon. C. H. Williams is announced as a candidate for re-election.

Zebulon Payne, the murderer of Coltrant, arrived here day before yesterday, on the steamboat Rio, from New Orleans, in custody of the gentleman who had arrested him in Galveston, Texas, who immediately proceeded with him to Winchester, where he will remain in duress until trial. Too much praise cannot be awarded to the energy and perseverance of those who have thus succeeded in bringing this fugitive back where he will be made to answer the outraged laws for his crime hereafter. [Nashville Banner.]

ILLINOIS.

The Legislature adjourned sine die on the 1st inst. Among its acts was one, for legalizing the suspension of the writ of *habeas corpus*.

Another of the laws passed, was one authorizing a company to construct a rail road from Springfield, via Berlin to Alton. Another law, requires their completion of the rail road between Springfield and the Illinois river.

INDIANA.

The state debt is upwards of fourteen millions of dollars. It has been increased more than one million dollars by the payment of interest.

INVENTIONS—IMPROVEMENTS.

PEARSON'S CANNON. The Newburyport Herald says that Michael Pearson of that town, has recently invented a very ingenious cannon, capable of being discharged with three times the speed of the common cannon, and by half the number of men usually required. It is his intention to present it to the department at Washington.

GREAT IRON STEAMER. The great iron steam ship now being built at Bristol, will probably combine a greater number and variety of untired principles than ever before united in any one enterprise of the same magnitude and importance. The vessel herself—her enormous magnitude—(about 3,600 tons it is said)—her material—(plate iron)—her engines, nearly twelve hundred horse nominal power—cylinders one hundred and twenty inches in diameter!—no piston rods!—no beams!—the connecting rod lying bold immediately on the piston, and the piston being carried by a single shaft, and a stuffing box in top of the piston, to give play to the said connecting rod!—an unlimited application of the expansive principle!—and to crown all no paddle wheels, no paddle boxes projecting from the sides, no apparent propelling power, but an endless agent revolving under her keel and enabling her to move.

Walk the water like a thing of life. Verily, verily, we live in an age of wonders, and if the mechanical genius of the era give safe birth to the principles of its conception, and foster her vigorous maturity, it will be difficult hereafter to set any bounds to locomotion over the waters of the deep.

One and one only obvious improvement remains, to give grace and beauty as well as speed and power to

the steam ship. Remove the funnel—annihilate the smoke. This is far from being impracticable. The chief use of the funnel is to produce the necessary draft in the furnaces. This draft may be produced by a fan and a variety of other expedients well known to engineers and the products of combustion may be blown into the sea.

Do this and you will restore to the ship that wondrous divinity and grace, all those picturesque qualities which have rendered her the favorite theme of the poet and the artist, and you will at the same time remove one of those parts of the machinery (if the classic can be so called) which is most vulnerable in war steamers. [Phil. Gaz.]

NEW PROCESS OF COPYING STONES. An ingenious instrument, ascribed to M. Collas, has been invented in France, which professes to copy, without the assistance of an artist, and with extreme correctness, any medal, bas-relief, or statue, whether of wax, plaster, wood, marble, or metal; to reduce or enlarge its dimensions without impairing the harmony of its proportions and to copy it on wood, stone, ivory or marble, with an accuracy such that the artist could not detect the difference from the original from the copy. All this the Collas process is stated to accomplish easily and at an inconsiderable cost. "We have already admired," says a Paris journal, "the bas-reliefs of the Parthenon, the originals of which are the most perfect that Greece still so beautiful, despite of her mutilation; and several other precious models, reduced to proportions of two-fifths or a half, with a truth scarcely conceivable. The Parthenon metopes, those venerable monuments which have been the study of the artist, with their parts worn by time and their mutilated projections. We have also remarked several large bas-reliefs reduced upon steatite the proportions of a cameo. Nothing is wanting in them. The most fugitive details of the most are seen with a lens in those charming copies."

RAILWAYS. The British parliaments has, in the session just commenced, taken the first steps towards bringing the great lines of railways in that country under legislative control. It is difficult, by any analogy supplied by our railways, for an American to estimate the magnitude of the system; the great arteries of British intercourse are formed and maintained in operation. The capital invested in the first construction, the floating capital necessary to work them, the quantity of traffic transported over them, and the speed with which the traffic is effected, are severally elements, so different from what we are accustomed to contemplate, that the mere statement of a few of them must excite both interest and surprise.

The railway connecting Liverpool and Manchester involved an outlay of capital amounting to about six millions of dollars. It is thirty-one miles in length, and cost therefore at the rate of above two hundred thousand dollars per mile. The current traffic on this line is very nearly as follows: Of passenger trains there are twenty daily, and from fifteen to twenty trains of merchandise. The average number of passengers carried daily from terminus to terminus, is 1,650, and the number of tons of merchandise daily is about 1,000. To afford space and time for the passenger trains, most of the merchandise is carried at night. The fastest passenger trains have recently made the trip in the average time of seventy minutes, including a stoppage of about four minutes half way. The rate was at one time on several of the line is generally about thirty miles an hour.

The railway between Liverpool and London is about 210 miles in length, and exclusive of the stoppage half way, at Birmingham, the trip is performed by the first class passenger trains in ten hours. This includes a vast number of stoppages at intermediate stations; not less probably than twenty five in the above journey. The speed when moving is generally about thirty miles an hour.

The railway connecting London and Birmingham is not yet completed, though the rails are all laid, and the line throughout has been for some time at work. It is computed that this line, when the depots have been completed, will cost about thirty millions of dollars, and its total length being 112 miles, the cost will be nearly \$260,000 per mile! The daily receipts for traffic at present upon the line amount to about \$10,000. The depot of this line at London is not yet completed, but its estimated cost was above a million of dollars.

The railway connecting London with Bristol is not yet completed. The expenditure of capital upon it already has been so lavish, and the methods of road structure have been subjected to such capricious changes, that it is difficult to say what will be its ultimate cost. Its length is about the same as

that leading to Birmingham, and its cost per mile will probably be much more. The width of the rail on this line is seven feet, the common standard being four feet eight inches. This augmented gauge necessarily infers a proportionally increased scale in all the works, and a proportionally increased expense.

The numerous accidents and great loss of life which occur on the English railways, are owing to the vast amount of the traffic carried on upon them, and the enormous speed with which it is transported. These accidents do not arise from the explosion of engines, or from any other cause immediately connected with steam power, but are due, almost exclusively, to the collision of trains. The railways being all without exception, in the same direction, there is no contrary directions on the same rails, and consequently, collision never occurs from trains unexpectedly meeting each other. Such accidents always arise from one train overlooking and running into another. When this occurs, the most terrific consequences ensue, the carriages being generally smashed to pieces, and their unfortunate occupants maimed or killed.

One of the most curious and interesting results of the establishment of railways in Europe, is the enormous increase of intercourse they have produced, as compared with the intercourse which was previously maintained between the same places on common roads. This increase has been never less than three fold, and in some instances, four or eight fold. In some localities, the intercourse has attained an amount which borders on the incredible. Since the completion of the railway between Paris and St. Germain, the daily intercourse between these places is said to be equal to about the same quantity and it appears, by evidence given before the house of commons, that the intercourse between the city of Dublin (population under 30,000) and the town of Kingston, amounts to 3,500 daily.

[*Phil. Gaz.*]

REMARKS OF MR. EVERETT, OF VT.

In house of representatives, Saturday, Feb. 13, 1841, ON THE REPORT OF THE COMMITTEE ON FOREIGN AFFAIRS.

Mr. PICKENS having moved that the report be laid on the table and printed—

Mr. EVERETT said that, as the report embraced the case of the Caroline as well as that of McLeod, (which alone had been submitted to the committee) to print all the documents relating to both cases—They had been heretofore published, from time to time, as communicated to the house. He desired to bring them together on this occasion, to enable the house and the country to judge of the merits of the report, and the measures taken by the executive to preserve our neutrality. He thought that, since the onset of the Caroline, every thing had been done which the means within the control of the executive enabled it to do. He then read a list of the documents, (house doc. 25th cong. 2d sess. Nos. 64, 73, 74, from page 23 to the end, 76, 302, and of 26th cong. 2d sess. No. 33, of 25th Dec. 1840, and 4th Jan. 1841; the neutrality act of March 10, 1838, and the president's proclamations of 5th Jan. and 21st Nov. 1839), which he moved to have printed with the report.

[Mr. GRANGER, Mr. PICKENS, and Mr. ADAMS, took part in the debate on the report.]

Mr. EVERETT said that, for the remarks of the hon. chairman of the committee on foreign affairs, he should not have taken part in the debate. He now felt it due to himself, as a dissenting member of that committee, to state, in part, the grounds of his dissent.

The report relates to matters of the gravest import, and which are now the subject of diplomatic discussion between the two governments—a discussion conducted by the constitution to the executive. He felt great embarrassment in debating subjects of this character and importance with open doors. It was difficult, if not impossible, to do full justice to the subject, or to ourselves, without danger of saying things that should not be heard beyond these walls. I yield, said he, to the restraints imposed by the time and the place. I shall endeavor to say nothing that should not be heard by all. In the committee room there was no restraint. I said things there that I shall not say here. Perhaps I might have tried to congratulate myself on being now thus restrained, than to complain of it, as in some of my views I stood alone in the committee.

Sir, in my judgment the report is unequalled for its boldness—and a more direct interference with the duties of the executive. The discussion is now pending between the two governments. The documents were communicated merely in answer to a call of the house. The executive has not asked opinion for its opinion or action. At this time, why should either be desired? And what is the true

chosen to put forth the gratuitous opinions of the majority—and, as the honorable chairman has said, of a bare majority—of a political majority of the committee? One administration is about going out of power. In twenty days it will expire, and another succeed. Without intending any disparagement to the majority of the committee, I ask, is it proper, is it decorous, thus to attempt to embarrass the incoming administration—to compromise its course on subjects so delicate—so important? The report is little short of an official endorsement of one administration with things that belong to another.

But, sir, without regard to a change of administration, is this interference proper or useful? Our foreign relations are committed to the executive. No discussion can be conducted solely by the executive. When they are at the end, this house—both houses must act. Congress alone can dictate the ulterior measures. I do not mean to say there are not cases in which either house may, pending a negotiation, express its opinions. If the executive be remiss in his duty—if he pursue a course deemed wrong in principle, or dangerous in its consequences—or if the executive seek its opinion, with a view to give effect to its measures, it may be of some use to the country to express its views. But the report has none of these grounds for its support. It is entirely uncalled for, and its effect may be to compromise the executive to a course that its better judgment would decline; and to produce an executive policy that may be attended with the embarrassments, and new obstacles to the final adjustment of our controversies with Great Britain.

I pass the discursive character of the report—its references to subjects not referred—to (to me) the committee. I cannot say so largely of the matter referred, the case of Alexander McLeod. That case, and that alone, was referred to the committee, and to that alone should the report have been confined. That case, though connected with the destruction of the Caroline, rests on different principles. The case of Mr. McLeod, as presented in the documents, is entirely separate and distinct from the question, whether the destruction of the Caroline was or was not justifiable.

It is true that no report should be made while the negotiations were pending between the two countries. In my opinion, no opinion or action of this house, at this time required. I will now read to the house a statement of the negotiations to which I have alluded, and so far as respects the case of McLeod—and to show that his case as well as the Caroline are now the subjects of diplomatic discussion between the two governments. Before I sit down I will also submit to the house any other light that may be thrown upon the committee. I will here take leave to say that I have given this subject the most careful consideration, without party views or party feeling. It is above and beyond all party considerations: I have endeavored to state the facts material to the subject submitted to the committee are, that, on the night of the 25th December, 1837, a detachment of the British forces stationed at Chippewa, in the province of Upper Canada, crossed the Niagara to Schiester, in the state of New York, and there made a hostile attack on the steamboat Caroline, the property of an American citizen, killed and wounded a number of American citizens, captured the boat, towed her into the current, set her on fire, and sent her in flames over the falls.

"On the 5th January, 1838, the secretary of state communicated to Mr. Fox, the British minister, a copy of the evidence furnished to the department of the destruction of the steamboat Caroline, and British majesty's province of Upper Canada, on the person and property of citizens of the U. States within the jurisdiction of the state of New York; and stating that it would necessarily turn the subject of a demand for redress upon her majesty's government."

"On the 6th February, Mr. Fox communicated to the secretary of state a despatch from Sir Francis Head, lieutenant governor of Upper Canada, containing the details of the destruction of the Caroline, and stating that it was destroyed by order of Sir MacNab, commanding the militia in her majesty's service, and that Sir Francis Head approved the act."

"On the 22d May, Mr. Stevenson presented the subject to the consideration of her majesty's government. After referring to those accounts he said, that, 'under such circumstances, it was not to be expected that the whole proceeding could be regarded by the government of the United States in any other light than as an interference with the rights and wrong aggression upon its rights and sovereignty utterly inconsistent with all the principles of national law, and wholly irreconcilable with the friendly and peaceful relations of the two countries; that the case, then, is one of open, undenied and un-

avertable hostility.' He concludes by expressing the confident expectation of the president of the U. States that the whole proceeding will not only be disavowed and disapproved, but that such redress as the nature of the case obviously requires will be promptly made. To this opinion Sir MacNab was the final answer of the British government."

"On the 13th November last, Alexander McLeod, a British subject, was arrested and imprisoned by the authorities of the state of New York, on a charge of arson and murder, as having been engaged in the capture and destruction of the Caroline."

"On the 12th December, the British minister made a demand on the president for the release of Mr. McLeod, on the ground that the destruction of the Caroline was a public act, and that her majesty's service, obeying the order of their superior authorities, and that the act, according to the usages of nations, can only be the subject of discussion between the two national governments."

"To this demand the secretary of state has replied that the president has no power under the constitution and laws of the union to interpose between Mr. McLeod and the constituted authorities of the state of New York—and that the president is not aware of any principle of international law, or indeed of reason or justice, which entitles such offenders to impunity before the legal tribunals, when coming voluntarily within their independent and undoubted jurisdiction, because they acted in obedience to their superior authorities, or because they have become the subject of diplomatic discussion between the two governments.' And that, 'if the destruction of the Caroline was a public act of persons in her majesty's service, obeying the orders of their superior authorities, it has not been before communicated to the government of the U. States, by a person authorized to make the admission; and it will be for the count which has cognizance of the offence with which Mr. McLeod is charged, to decide on its validity when legally established before it.'"

"The British minister, expressing his regret at the decision, had referred the subject to his government."

This statement, I repeat, is limited to the case of McLeod."

The points in difference, in this case, are—1. Whether McLeod, having, in the destruction of the Caroline, acted in obedience to the orders of the superior authorities of the government of Upper Canada, is or is not amenable to the laws of New York, as for the crimes of murder and arson; and, 2. If not, whether the executive has any power to interpose between him and the laws of New York.

On the first of these questions, I have given any opinion in accordance with the view that now is required for the justification of the ground I have taken, that these questions are now the subjects of diplomatic discussion between the two governments. The impropriety of the report is the more manifest from the consideration that the discussion is but just commenced. And it is not unreasonable to suppose that, on questions of such limited extent, the government in the wrong way may, by the further discussion, be convinced of its error. At least, we should wait the reply of the British government, to which the subject is referred, and the issue finally tendered by its executive."

The consequences of an error on either side may compromise the peace of the country. In case of reprisals, executed to the extreme point, the intervention of all the powers of Europe could not prevent a war. In view of these consequences it may be proper to suspend the correspondence, to ascertain the positions taken on both sides that bear on the case of McLeod."

Mr. Forsyth, in his note of the 5th January, carefully and properly avoids giving any national character to the destruction of the Caroline. He calls it an outrage "committed from her Britannic majesty's province of Upper Canada." He leaves it to Mr. Fox to determine whether it was a public or a private wrong, or to assume or disclaim for his government the responsibility. Mr. Fox, in his reply, (6th Feb.) gives a public character to the act, by communicating the fact that it was destroyed by the order of the commander of the militia in her majesty's service, and that the act was approved by the governor of the province."

And here I must express my surprise that Mr. Forsyth should deem the late note to Mr. Fox to be the first avowal of the fact by a person authorized to make it. In the note of the 6th February, 1838, the fact is fully and communicated by Mr. Fox. His late note is only the repeated re-statement of the fact. The fact then and now avowed is, that the Caroline was destroyed by persons obeying the order of their superior authorities; and Mr. Fox contends that those obeying were justified by the

ORDER. It remains to be seen whether the British government will justify that order. McLeod's case is put on the first, and the case of the *Caroline* on the last.

[Mr. PRECKENS. Does the gentleman from Vermont intend to say that the British minister had ever before his late note, avowed that the *Caroline* was destroyed by the order of the constituted authorities of Canada?]

Mr. EVERETT. I do say that Mr. Fox, in his note of the 6th February, did so. In the despatch of Sir Francis Head, then communicated, it is expressly stated that col. Mac Nab commanded a body of militia stationed on the frontier; that in the night of the 29th, "he sent a party of militia in boats, with orders to take or destroy her. They proceeded to execute the order," &c. &c. It is not possible for himself with the mere communication of the fact, but even attempted to justify the destruction of the *Caroline* as an act of self-defence. Mr. Fox, in reference to the communication of Sir Francis Head, says:

"The piratical character of the steamboat *Caroline*, and the necessity of self-defence and self-preservation, under which her majesty's subjects acted in destroying that vessel, seems to be sufficiently established."

"At the time when the event happened, the ordinary laws of the United States were not enforced within the frontier district of the state of N. York. The authority of the law was overborne, publicly, by piratical violence. Through such violence, her majesty's subjects in Upper Canada had already severally suffered; and they were threatened with still further injury and outrage. This extraordinary state of things appears, naturally and necessarily, to have impelled the British government to security, by pursuing and destroying the vessel of their practical enemy, wheresoever they might find her."

Mr. Stevenson presents the act, in connexion with these avowals, as an act of "open, unqualified, unambiguous hostility," "wholly irreconcilable with the friendly and peaceful relations of the two countries." He calls upon the British government to disavow it. It is thus, by our minister, characterized as an act of war, and for participating in this act that McLeod is arrested; and on this act, thus avowed and thus characterised, the question is made by the two governments. Sir, I repeat, let negotiation be exhausted before congress is called upon to interfere. It is expedient to take a final ground, from which, when taken, there can be no retreat. Whether right or wrong, Great Britain may choose to put this controversy in advance of the others. Let us then be certain that it is not her strongest ground. If it much more is not right at first, then let her get right at last. We should also look to the possible consequences of even the *errors* of our adversary. Is it not among the possibilities that she may design herself bound to protect those who obeyed the orders of their superior authorities in her service, and that, under the spirit attributed to her in the report, she may resort to retaliation? And I repeat, if pushed to the extreme, war is inevitable. Is it not then, the safest course to leave the case in the hands of the executive, without, at least, adding to the excitement, which, from recent evidence, is sufficiently rife?

But, sir, the report also embraces the case of the *Caroline*, which was not submitted to the committee. To re-bill the point in controversy, only one addition to the statement I have read is necessary, viz: That the destruction of the *Caroline* is attempted to be justified in the dispatch of Sir Francis Head on the ground of self-defence. He alleges, in substance, that the force on Navy Island proceeded from the American shore, and was aggressive, through the agency of the *Caroline*, unrestricted by the authorities of the state of New York, or of the United States.

This is the only ground taken by the British government as a justification of the destruction of the *Caroline*; and, being taken, a report on the case of the *Caroline* should have met it directly, by a denial either of the fact or of the consequence.

I complain that the case is not met. No, sir, it is not met. It is evaded. Mr. Fox says, "the place where the vessel was destroyed was, nominally, it is true, within the territory of a friendly power; but the friendly power had been deprived, through overhearing piratical violence, of the use of its proper authority over that portion of territory." And what is the reply in the report? "Now, the inclination of the British minister that Schomberg was 'nominally' within the territory of the U. S.," may well be retorted, as we can, with equal truth, say that Navy Island was 'nominally' within the 'territory' of the British government; for, at the period to which we allude, the people collected there had as effectually defied Canadian authorities

as any portion of our people had ours." What is this, sir, but an admission that Schomberg and Navy Island were equally in the power of the patriots, in equal defiance of the power of the government to which they respectively belonged? What but an admission, if not an admission of the ground taken by Mr. Fox? Is this the position on which we are willing to rest our cause—to place the issue of peace or war? No, sir, no. I hope we can make a better case. In order to make our case, I think the facts should be re-examined. I am not satisfied to rest the case on the evidence taken. We should be in the right—we should be certain we are right, before we take our final stand. In my judgment, the evidence should be retaken. I desire that a person of the highest respectability should be constituted to re-examine the whole case, with a view to arrive at the truth, whether for or against us. Perhaps, too, it might be advisable to ask the British minister to join in the investigation. Let the testimony be taken on both sides of the line. For our, I desire to know how far the proper authority of the United States was overthrown by the violence of the patriots. I desire further information of the character of the *Caroline*. In both respects, I think the evidence is defective. I repeat, that I desire the truth, and nothing but the truth. It is beneath the character of a nation to attempt evasion. I am not satisfied with the depositions that speak of the *Caroline* having landed certain passengers and certain freight. I desire to know the character of these passengers, and the nature and quantity of the quality of the freight—whether merchandise or military stores.

I do not desire to fault the present executive, or that it should be faulted by the next administration.

The executive should be left in the hands of whoever hands it is placed. What I desire is, that the evidence should be fully taken. If it sustain the course taken, as I hope it may, then that course will be sustained. If it do not sustain it, then the executive will be at liberty to pursue such course as the new case shall require, and that, without imputing any fault for the past. We must in the end deny the fact or its consequence. As the evidence now stands, I am not willing to make up the real issue. This controversy should be conducted as honest men conduct their controversies, with a mutual and earnest desire to ascertain what is true. I have fears that this report will encourage an excitement which should have received a severe rebuke. Whatever may be our result, let us be the men who live under a government less free than our own, we ought not to forget the duties imposed on us as a neutral nation. In the case of the attempts of our citizens in Upper Canada, there was but one cause for their sympathy, and one justification for their conduct. The people of Upper Canada were well satisfied with their government. They have shown no desire for revolution. But our citizens have volunteered to make a revolution for them. Their conduct cannot be too strongly reprobated.

At the present time, no useful purpose can be attained by the report. It proposes no action. Its effect will be only to excite on the one side, and irritate on the other. The report which I send to the chair is that which I proposed as a substitute:

"It appearing, that the reciprocal complaints referred to in the correspondence submitted are the subjects of diplomatic discussion between the governments of the two countries, the committee, having full confidence that the rights and honor of the United States will be sustained by the executive, and entertaining the hope that the controversy will be brought to a satisfactory termination, are of the opinion that no action of this house is, at this time, necessary. They, therefore, ask to be discharged from the further consideration of the subject."

REPORT OF THE CLERK OF THE HOUSE OF REPRESENTATIVES U. STATES.

In compliance with the "act to authorize the appointment of additional paymasters and for other purposes," passed July 4, 1836.

Office of the house of representatives, March 4, 1841. In obedience to the 8th section of the "act to authorize the appointment of additional paymasters and for other purposes," passed July 4, 1836, which requires "the secretary of the senate and the clerk of the house of representatives, as soon as may be after the close of each session of congress, to publish a statement of all appropriations made during the session; and also a statement of the new offices created, and the salaries of each; and also a statement of the officers the salaries of which are increased, and the amount of such increase;" I have the honor to submit a statement of the appropriations made during the session, and also a statement of the new offices created, and the salaries of each; and also a statement of the officers the salaries of which are increased, and the amount of such increase.

H. A. GARLAND,

Clerk house of representatives.

Statement of appropriations made during the 24th session of the 26th congress of the United States of America, specifying the amount and object of each.

2d session 26th congress.	
H. R. No. 325. For the support of the government, in part, for the year 1841.	
For pay and mileage of members of congress and delegates	\$350,000
For pay of the officers and clerks of the senate and house of representatives	25,000
For stationery, fuel, printing and all other incidental and contingent expenses of the senate	23,000
For stationery, fuel, printing and all other incidental and contingent expenses of the house of representatives	100,000
For the payment of the sums due by law to the several messengers of the respective states, as compensation for conveying to the seat of government the vote of the electors of the said states for president and vice president of the United States	12,000
H. R. 601. For the civil and diplomatic expenses of the government for the year 1841	
For pay and mileage of the members of congress and delegates	111,408
For pay of the officers and clerks of the senate and house of representatives	19,900
For stationery, fuel, printing, and all other contingent expenses of the senate	35,000
For stationery, fuel, printing and all other contingent expenses of the house of representatives	13,000
For compensation to the president and vice president of the United States, the secretary of state, the secretary of the treasury, the secretary of war, the secretary of the navy, and the postmaster general	60,000
For salary of the secretary to sign patents for public lands, per act of July fourth, eighteen hundred and thirty	1,500
For clerks and messengers in the office of the secretary of state	20,300
For the contingent expenses of the department of state, including publishing the laws and reports of the government	25,000
For compiling, printing, &c. the Biennial Register	1,000
For the superintendent and watchmen of the northeast executive building	1,300
For the contingent expenses of said building, including fuel, labor, oil and repairs	3,350
For compensation to the clerks and messengers in the office of the secretary of the treasury	16,450
For compensation to the clerks in said office, per act of the twenty-third June, eighteen hundred and thirty-six, entitled "an act to regulate the deposits of the public money"	3,600
For compensation to the first comptroller of the treasury	3,500
For compensation to the clerks and messengers in the office of the first comptroller of the treasury	19,300
For compensation to the second comptroller	3,000
For compensation to the clerks and messengers in the office of the second comptroller, including the compensation of two clerks transferred from the office of the fourth auditor	12,350
For compensation to the first auditor of the treasury	3,000
For compensation to the clerks and messengers in the office of the first auditor	15,900
For compensation to the second auditor of the treasury	3,000
For compensation to the clerks and messengers in the office of the second auditor	16,700
For compensation to the third auditor	3,000
For compensation to the clerks and messengers in the office of the third auditor	29,650
For compensation to two clerks employed on claims, under the act of the eighteenth January, eighteen hundred and thirty-seven	2,400
For compensation to the fourth auditor for compensation to the clerks and messengers in the office of the fourth auditor	16,950

For compensation to the fifth auditor	3,000	of war to the office of the commissioner of pensions	2,793 40	and a clerk to keep the appropriation account	11,600
For compensation to the clerks and messengers in the office of the fifth auditor	9,800	For compensation of one clerk transferred from the navy department, per act March fourth, eighteen hundred and forty	1,600	For contingent expenses of said office, including fuel for the auditor's office, and four thousand dollars for rent of building occupied by the department	10,500
For compensation of two clerks to the office of the fifth auditor, according to the act of the seventh July, eighteen hundred and thirty-eight	2,000	For compensation of clerks and messenger in the office of the commanding general	1,500	For compensation to the auditor of the post office	3,000
For compensation of the treasurer of the United States	3,000	For contingent expenses of said office	300	For compensation to clerks and messengers in said office	53,500
For compensation of the clerks and messengers in the office of the treasurer of the United States	10,750	For compensation to clerks and messenger in the office of the assistant general	7,650	For clerks and clerks in said office, per act of July seven, one thousand eight hundred and thirty-eight	13,200
For compensation to the register of the treasury	3,000	For contingent expenses of said office	1,600	For contingent expenses of said office, including the expense of quarterly books, stationery, printing and pay of laborers	4,700
For compensation to the clerks and messengers in the office of the register of the treasury	24,200	For compensation of clerks and messenger in the office of the quartermaster general	7,200	For compensation of the surveyor general northwest of the Ohio	2,000
For compensation of the commissioner of the general land office, per act of fourth July, eighteen hundred and thirty-six	3,000	For contingent expenses of said office	1,000	For compensation to clerks in his office, per act of ninth May, one thousand eight hundred thirty-six	6,300
For compensation of the recorder, solicitor, draughtsman and assistant draughtman, clerks, messengers and packers in the office of the commissioner of the general land office	95,500	For compensation of clerks and messenger in the office of the commissary general of purchases	4,200	For compensation of the surveyor general of Illinois and Missouri	2,000
For compensation to the solicitor of the treasury	3,500	For contingent expenses of said office	800	For compensation to clerks in his office, per act of ninth May, one thousand eight hundred and thirty-six	3,820
For compensation to the clerks and messenger in the office of the solicitor of the treasury	3,950	For compensation of clerks and messenger in the office of the chief engineer	8,650	For compensation to the surveyor general of Arkansas	2,000
For translating foreign languages and transmitting messages and seal letters in the office of the secretary of the treasury	300	For contingent expenses of said office	1,500	For compensation to his clerks, per act of ninth May, one thousand eight hundred and thirty-six	2,800
For salarizing and printing the public accounts, including a deficiency in former appropriations	1,500	For compensation to clerk and messenger in the office of surgeon general	1,650	For compensation of the surveyor general of Louisiana	2,000
For stationery, printing and all other contingent expenses of the treasury department, viz:		For contingent expenses of said office	850	For compensation to his clerks, per act of ninth May, one thousand eight hundred and thirty-six	2,500
For the office of the first comptroller	2,000	For compensation of a clerk, at one thousand dollars, under the act of April twenty, eighteen hundred and eighteen, transferred from the office of the secretary of war to the said office of surgeon general	1,000	For compensation to the surveyor general of Mississippi	2,000
For the office of the second comptroller	1,500	For compensation to clerks and messenger in the ordnance office	8,650	For compensation to his clerks, per act of ninth May, one thousand eight hundred and thirty-six	1,000
For the office of the first auditor	1,000	For contingent expenses of said office	1,500	For compensation to the surveyor general of Alabama	2,000
For the office of the second auditor	1,000	For compensation to clerks and messenger in the office of topographical bureau	2,500	For compensation to his clerks, per act of ninth May, one thousand eight hundred and thirty-six	2,200
For the office of the third auditor	1,000	For compensation of a clerk, at one thousand four hundred dollars, transferred from the office of the secretary of war to the pension office, to be transferred from that office on the first of March, eighteen hundred forty one	1,170 50	For compensation to the surveyor general of Florida	2,000
For the office of the fourth auditor	1,346 43	For contingent expenses of said office	1,735	For compensation to his clerk, per act of ninth May, one thousand eight hundred and thirty-six	500
For the office of the fifth auditor	1,600	For compensation of the superintendent and watchmen of the northwest executive building	2,250	For compensation of the surveyor general of Wisconsin and Iowa, per act of June twelve, one thousand eight hundred and thirty-eight	1,500
For the office of the treasurer of the United States	2,000	For contingent expenses of said building, including rent of bounty land office, for labor, fuel, oil and repairs, and for the contingencies of the fire engines and apparatus	4,700	For compensation to his clerks, per act of June twelve, one thousand eight hundred and thirty-eight	1,600
For the office of the register of the treasury	3,000	For compensation of the clerks and messengers in the office of the secretary of the navy, after deducting one clerk transferred to the pension office, per act of March four, eighteen hundred and forty, at sixteen hundred dollars		For extra clerks and draughtsmen in the offices of the surveyors general, in addition to the unexpended balances of former appropriations to be apportioned to them according to the exigencies of the public service	7,200
For the office of the solicitor of the treasury	1,300	For contingent expenses of said office	11,250	For extra clerks in the offices of the surveyors general to transcribe field notes of survey, for the purpose of preserving them at the seat of government, in addition to the unexpended balances of former appropriations, viz:	
For eighty-three thousand pieces of parchment and printing, books and stationery, advertising and contingent expenses of the general land office, and for books and blanks for district land offices	24,670	For compensation of the commissioners of the navy board	10,500	Office of the surveyor general northwest of the Ohio	4,500
For compensation of the superintendent and watchmen of the southeast executive building	2,100	For compensation of the secretary of the navy	2,000	Office of the surveyor general of Illinois and Missouri	3,000
For contingent expenses of the building occupied by the treasury, including fuel, labor, oil, carrying the department masts, and sealing ship's registers	12,000	For compensation to the clerks and messenger of the navy board	8,450	Office of the surveyor general of Arkansas	1,500
For compensation to the clerks and messengers in the office of the secretary of war, including the messenger in the bounty land bureau, and the clerkship under the act of April twelfth, eighteen hundred and eighteen, transferred back from pension office on the first of March, eighteen hundred and forty	13,154 10	For contingent expenses of said building, including fuel, labor, oil, repairs of building, engine and improvements of the grounds	3,350	Office of the surveyor general of Louisiana	1,000
For contingent expenses of the office of the secretary of war	3,000	For compensation to three assistant postmasters general, per act July three, one thousand eight hundred and thirty-six	7,000	For compensation to the commissioner of the public buildings in Washington, per act of the twenty-first of July, one thousand eight hundred and forty	3,000
For books, maps and plans for the war department	1,000	For compensation to clerks and messenger in the general post office	48,600	For compensation in commissioner, from the twenty-first July to the thirty-first December, one thousand eight hundred and forty	812
For compensation of extra clerks when employed in said offices	3,000	For salaries of two watchmen	600	For compensation to two assistants to the commissioner, as superintendents of the Potomac bridge, of one dollar and fifty cents per day, including oil for lamps, fuel and repairs	31,260
For compensation of the commissioner of Indian affairs	3,000	For topographer and additional clerks in said office, per acts March three, one thousand eight hundred and thirty-nine, and May eight, one thousand eight hundred and forty,		For compensation to the officers and clerks of the mint	18,900
For compensation of the clerks and messenger in the office of the commissioner of Indian affairs	16,400				
For contingent expenses of said office	2,000				
For compensation of the commissioner of pensions	2,300				
For compensation to clerks and messengers for the office of the commissioner of pensions, authorized by the act of ninth May, eighteen hundred and thirty-six	12,400				
For compensation of clerks transferred from the office of the secretary					

For pay of laborers in the various departments of the mint	24,000	For survey of the coast of the United States, including the compensation of the superintendent and assistants	100,000	For payment to the stone cutters and the other workmen on the treasury building and the new patent office building of the sums allowed them by the commissioners appointed by the president of the United States, to superintend the preparation of the work in the construction of said buildings, in fulfillment of a resolution of congress of the twentieth of July, eighteen hundred and forty	12,928 31
For incidental and contingent expenses, including the wastage of gold and silver, fuel, materials, stationery, water rent and taxes, in addition to the unexpended balance of the appropriation of eighteen hundred and forty	800	For compensation of the two keepers of the public archives in Florida	1,000	For surveying districts, in addition to the unexpended balances of former appropriations, to be apportioned to the several surveying districts according to the exigencies of the public service, including office rent and fuel, for the year eighteen hundred and forty-one	55,000
For specimens of ores and coins to be reserved at the mint	1,000	For salaries of registers and receivers of land offices where there are no sales	3,500	For retracting certain old surveys in the state of Alabama, at a rate not exceeding four dollars a mile	15,000
For compensation to the officers and clerk of the branch mint at Charlotte, North Carolina	6,000	For expenses in relation to the relief of certain insolvent debtors of the United States	8,000	For surveys in Missouri, in the towns named in the act of twenty-sixth May, eighteen hundred and twenty-four, in addition to the sum of six thousand dollars appropriated in the same object by the act of eighth April, eighteen hundred and thirty-eight	2,000
For pay of laborers in the various departments of the same	3,500	For allowance to the law agent, assistant counsel and district attorney, under the acts providing for the settlement of private land claims in Florida	5,000	For surveying five hundred miles of detached and unadjoined lines in Illinois and Missouri, principally in the military district, Illinois, at a rate not exceeding six dollars a mile	3,000
For wastage of gold, and for contingent expenses of the same	2,500	For the support and maintenance of light houses, floating lights, beacons, buoys and stakeways, including the purchase of lamps, oil, wicks, bufloats, whiting and cotton cloth, transporting oil, keepers' salaries, repairs, improvements and contingent expenses	484,072	For salaries of ministers of the United States to Great Britain, Prussia, Russia, Prussia, Austria and Mexico	54,000
For compensation to the officers and clerk of the branch mint at Ballone, Georgia	6,000	For the payment of Luigi Persico and Horace Greenough for statues to adorn the two blockings, east front of the capitol	8,000	For salaries of the secretaries of legation in the same places	12,000
For payment of laborers in the various departments of the same	2,850	For payments to the artists engaged in executing four historical paintings for the vacant panels of the rotunda of the capitol	8,000	For salary of the minister resident of the United States to Turkey	6,000
For wastage of gold, and for contingent expenses of the same	1,000	For the support and maintenance of the penitentiary of the District of Columbia	8,281	For salaries of the charges des affaires in Portugal, Spain, Denmark, Sweden, Holland, Belgium, Brazil, Chile, Peru, New Grenada, Venezuela, Texas, Naples and Sardania	65,000
For compensation to the officers and clerks of the branch mint at New Orleans	12,900	To make good a deficiency in the year eighteen hundred and thirty-nine and eighteen hundred and forty, in the fund for the relief of sick and disabled seamen, as established by the act of third May, eighteen hundred and two	97,000	For salary of a dragoman to the legation to Turkey	2,500
For pay of laborers in the various departments of the same	22,000	For balance due the commissioner for ascertaining and marking the southern boundary of Iowa territory, under the act of eighteenth June, eighteen hundred and thirty-eight	414 86	For contingent expenses of all the missions abroad	30,000
For wastage of gold and silver, and for contingent expenses of the same	17,100	For carrying on the work of the new custom house building at Boston	100,000	For outfit of ministers to Austria and Great Britain, and of charges des affaires to Venezuela	22,500
For compensation of the governor, judges and secretary of Wisconsin territory	9,100	For defraying the cost of extra work on the public warehouse at Baltimore	3,000	For salaries of the consuls of the United States at London and Paris	4,000
For contingent expenses of said territory	350	For payment of arrearses for completing the custom house N. York	34,321 21	For the relief and protection of American seamen in foreign countries	30,000
For pay and mileage of the members of the legislative assembly, pay of officers, printing, furniture, stationery, fuel and all incidental expenses	20,000	For the payment of expenses incurred by the collector of New York, under the act of seventh July, eighteen hundred and thirty-eight, to remit the duties upon certain goods destroyed by fire at the late conflagration in the city of New York	700	For clerk hire, office rent, stationery and other expenses in the office of the American consul at London, per act of January nineteenth, eighteen hundred and thirty-six	2,800
For compensation to the governor, judges and secretary of the territory of Iowa	9,100	For the payment of certain certificates, being the balance of a former appropriation carried to the surplus fund on the thirty-first December, one thousand eight hundred and thirty-eight	500	For expenses of intercourse with the Barbary powers	17,400
For contingent expenses of said territory	350	For furniture for the president's house, of American manufacture, so far as may be practicable and expedient, to be expended under the direction of the president, in addition to the value of the sales of decayed furniture, the sum of	6,000	For contingent expenses of foreign intercourse	30,000
For pay and mileage to the legislative assembly, pay of officers, printing, stationery, fuel and all other incidental expenses	20,175	For annual repairs of the capitol, attending furnaces, water closets, lamp lighting, oil, laborers on capitol grounds, loads, keeping iron pipes and wooden fences in order, attending at gates, gardener's salary, and for top-dressing delicate and valuable plants	7,552 50	For salary of the principal and two assistant librarians, pay of the messenger and for contingent expenses of the library	3,950
For compensation of the governor, judges and secretary of the territory of Florida	13,800	For annual repairs of the president's house, gardener's salary, horse and cart, laborers and tools, and for amount due F. Masi and company for repairs on furniture	2,628	For the purchase of books for the library of congress	5,000
For contingent expenses of said territory	350	For compelling back buildings, grading grounds, and cutting balance of stone for west portico of the new treasury building, and paying for materials delivered	11,188 41	For the payment of arrearses incurred in enforcing the neutrality laws on the northern and northwestern frontier	5,000
For pay and mileage of the members of the legislative council of said territory, pay to the officers of the council, printing, furniture, rent, stationery, fuel and all other incidental expenses	27,125	For floating columns of portico of new patent office, finishing roof, and the cut stone work of said building, and paying for materials delivered	7,550	And for the continuance of the survey of the coast of the Gulf of Mexico to procure the archives of Florida, and to transmit them to this country, and in full execution of the laws upon this subject	20,000
For compensation of the chief justice, the associate judges and district judges of the United States	93,900	For enclosing the new jail yard, in the city of Washington	5,000	For compensation to Wm. W. Chew, late acting charge d'affaires at Russia, from the twenty-third of July, eighteen hundred and thirty-nine till the twenty-first of September, eighteen hundred and forty, the difference between his salary as secretary of legation and the pay of a charge d'affaires during that period	2,900
For compensation of the chief justice and associate judges of the District of Columbia, and of the judges of the criminal and orphan's courts of said district	12,700	For completing the court house in the city of Alexandria	3,000	For the pay and mileage of the members of the senate for the extra session of that body, to be conveyed in its executive capacity on the fourth day of March of the present year	13,424
For carrying into effect the provisions of the act approved on the second of February instant, "making temporary provision for the militia in the District of Columbia"	3,000			For the contingent expenses of the senate for the extra session, includ-	
For compensation of the attorney general of the United States	4,000				
For compensation of clerk and messenger in the office of the attorney general	1,500				
For contingent expenses of said office	500				
For compensation to the reporter of decisions of the supreme court	1,000				
For compensation to the district attorneys and marshals, including those in the several territories	14,450				
For defraying the expenses of the supreme, circuit and district courts of the United States, including the District of Columbia, also, for jurors and witnesses, in and of the funds arising from fines, penalties and forfeitures incurred in the year eighteen hundred and forty-one and preceding years, and likewise for defraying the expenses of suits in which the U. States are concerned, and of prosecutions for offences committed against the U. S. and for the safe-keeping of prisoners	325,000				
For the payment of annuities and grants by special acts of congress	900				

For keeping barracks in repair, and for rent of temporary barracks at New York	6,000	For pay of adjutant's and disbursing officer's clerks	950	For the Delaware	10,344
For transportation of officers, non-commissioned officers, musicians, and privates, and expenses of recruiting	8,000	For increase and expenses of the library	1,000	For the Florida Indians	9,610
For medicines, hospital supplies, surgical instruments, pay of matron and hospital stewards	4,140	For progress with binding books injured at the fire in February, eighteen hundred and thirty-eight, and imperiled stitches	300	For the Iowa	2,875
For military stores, pay of armorer, keeping arms in repair, accoutrements, ordnance stores, flags, drums, fife, and other instruments	2,300	For miscellaneous items and incidental expenses	726 23	For the Kickapoos	5,500
For contingent expenses of said corps, viz: for freight, ferrage, toll, wharfage and cartage; for per diem allowance for attending courts martial and courts of inquiry, compensation to judge advocates, house rent where there are no public quarters assigned, per diem allowance to enlisted men on constant labor, expenses of burying deceased marines, printing, stationery, forage, postage on public letters, expenses in pursuit of deserters, candles and oil, straw, barrack furniture, bad sacks, spades, axes, shovels, picks, carpenter's tools, and for keeping a horse for the messenger	17,980	For the department of engineering	800	For the Kaskaskians and Peorias	3,000
For the purpose of making a satisfactory experiment of lieutenant Hunter's invention to propel steamers by horizontal wheels that will be safe from the balls of an enemy	1,000	For the department of philosophy	857 33	For the Kanzas	6,040
For defraying the expense of transporting to the city of Washington, and arranging and preserving the collections made by the exploring expedition	5,000	For the department of chemistry	525	For the Miami	52,878
	\$9,926,837	For the department of drawing	775	For the Red Rivers	1,100
H. R. 612. For certain fortifications of the United States for the year 1841.		For the department of mathematics	25	For the Menomonees	31,839
For repairs of Fort Independence and sea wall at Castle island	25,000	For the department of artillery	310	For the Omahas	1,440
For Fort Warren	45,000	For completing the reconstruction of the buildings for the library, engineering, chemical and philosophical departments, commenced under the act of July seven, eighteen hundred and thirty-eight	7,381 37	For the Ottawas and Chippewas	62,365
For Fort Adams	35,000	For military and geographical surveys west of the Mississippi river	20,000	For the Ottos and Missourias	5,640
For fortifications at New London harbor	15,000	To pay a balance certified by the topographical bureau to be due to Lyon and Howard as the balance upon a contract for building two steam-dredging machines upon Lake Michigan	4,369	For the Osages	31,406
For Fort Schuyler	30,000		\$165,842 90	For the Pottawatomies of Indiana	7,400
For permanent wharves for Fort Columbus, Castle Williams, and South battery, Governor's island	10,000	H. R. 529. For the payment of the revolutionary and other pensioners of the United States, for the year 1841	\$314,000	For the Piankees	800
For repairs of sea wall of Castle Williams, and other parts of Governor's island	10,000	For payment of invalid pensions	107,000	For the Pawnees	8,600
For repairs of Fort Gibson, N. York harbor	5,000	For pensions to widows and orphans, under the act of the fourth of July, one thousand eight hundred and thirty-six	448,241	For the Quapaws	4,660
For repairs of Fort Washington	15,000	For five years' pensions to widows, under the act of the seventh of July, one thousand eight hundred and thirty-eight	168,314	For the Six Nations of New York	4,500
For Fort Monroe	35,000	For half year pensions, payable through the offices of the second and third auditors	5,000	For the Seneca of New York	6,000
For Fort Calhoun	10,000	For arrangements, payable through the second auditor's office	600	For the Sioux of the Mississippi	40,510
For repairs of Fort Mazon	15,000	For arrangements, payable through the third auditor's office	1,000	For the Yanceton and Sautie Sioux	1,840
For the preservation of the site of Fort Mazon, North Carolina	25,000		\$1,044,153	For the Sacs and Foxes of the Missouri	7,570
For Fort Sumter	60,000	H. R. 543. For the current and contingent expenses of the Indian department, and for fulfilling treaty stipulations with the various Indian tribes for the year 1841, viz:		For the Sacs and Foxes of the Mississippi	48,840
For repairs of Castle Pinckney	2,000	For the pay of the superintendent of Indian affairs at St. Louis, and the several Indian agents, as provided by the acts of June thirtieth, eighteen hundred and thirty-four, and of March third, eighteen hundred and thirty-seven	16,500	For the Shawnees	7,100
For Fort Pickens	10,000	For the pay of sub-agents authorised by the act of June thirtieth, eighteen hundred and thirty-four	13,000	For the Senecas and Shawnees	2,060
For Fort Harpers	30,000	For the pay of interpreters, as authorised by the same act	11,800	For the Senecas	2,600
For Fort Livingston	30,000	For the purchase of provisions for Indians at the distribution of annuities while on visits of business with the superintendents and agents, and when assembled on public business	11,800	For the Wyandots	6,340
For repairs of Fort Mifflin	5,000	For the necessary buildings required at the several agencies, and repairs thereof	2,000	For the Weas	3,000
For contingencies of fortifications	5,000	For postage, rent, stationery, fuel for offices and other contingencies of the Indian department, and for transportation and incidental expenses	36,500	For the Wyandots, Munsees and Delaware	1,000
For incidental expenses attending repair of fortifications	10,000	For the salary of one clerk in the office of the superintendent of Indian affairs south of the Mississippi river	1,000	For the Winnebagoes	82,860
For repairs of sea wall on Deer island, Boston harbor	1,500	For carrying into effect the stipulations of certain Indian treaties, and the laws connected therewith, viz:		Sec. 2. And be further enacted, That the following sums of money be appropriated for the expense of extinguishing the Indian title, namely:	
For repairs of sea wall on Rainsford island, Boston harbor	1,000	For the Christian Indians	400	To defray the expenses of holding a treaty with the Wyandot Indians in the state of Ohio	3,000
For continuing sea wall at St. Augustine	15,000	For the Chippewas of the Mississippi	35,000	To defray the expenses of holding treaties with the Indian tribes for the extinguishment of their titles to their lands within the limits of the state of Michigan	5,000
For the preservation of the site of Fort Johnson	16,000	For the Chippewas of Saginaw	5,800	To defray the expenses of holding a treaty with the Sacs and Fox, Winnebago and Sioux tribes of Indians for their title of their land in the territory of Iowa	5,000
	\$485,540	For the Chippewas, Menomonees, Winnebagoes and N. York Indians	1,500	For the expenses of making the treaty of twenty-eighth November, eighteen hundred and forty, with the Miami, and of obtaining their assent to the amendments of the senate by its resolution of the twenty-fifth February eighteen hundred and forty-one	5,000
H. R. 676. For the support of the military academy for the year 1841.		For the Chippewas, Ottawas and Pottawatomies	34,200	H. R. 634. For defraying the expense of a delegation of the Seminole Indians west of the Mississippi, and other agents engaged in an attempt to effect a pacification with the hostile portion of that tribe in Florida	15,000
For the pay of officers, cadets, and musicians	60,524	For the Choctaws	49,950	H. R. 685. For the temporary support of certain destitute Kickapoo Indians	22,800
For the subsistence of officers and cadets	40,077	For the Creeks	63,940	H. R. 529. For the removal, subsistence and benefit of such of the Seminole Indian chief and warriors as may surrender for emigration	100,000
For forage of officers' horses	5,154	For the Chickasaws	6,000		\$1,000,968
For clothing of officers' servants	420	For the Cherokeees	7,610		
For defraying the expenses of the board of visitors at West Point	2,000				
For repairs, improvements, and expenses of buildings, grounds, roads, wharves, boats and fences	7,737 50				
For fuel, forage, stationery, printing, transportation and postage	12,591 45				

RECAPITULATION	
Civil and diplomatic list	\$5,517,079 35
Army	6,641,919 00
Navy	8,926,237 00
Fortifications	455,500 00
Military academy	165,842 90
Revolutionary and other pensioners	1,044,153 00
Indian department, treaties, &c.	1,000,968 00
Private	10,055 66
	\$23,191,856 91

NOTE.—No new officers created or salaries increased.

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FOREIGN ARTICLES.

ENGLAND.

American manufactures. A correspondent of the London Courier alludes to the fact that the Birmingham and Gloucester railway company have "actually bought ten locomotive engines made in the United States." They cost upwards of £1,500 each; but it is "the stigma and reflection" cast upon the manufacturers of England that is complained of. The writer adds:

"It is a fact that iron, cotton, woolen and other manufactures are extending in America, France, Germany, Switzerland and other countries; still let us hope the day is far distant when our manufacturers shall feel the distillation of foreign demand for the immense quantity of goods manufactured to this country. It is to be hoped the introduction of foreign machinery will raise our mechanical men to greater application, which will tend to further and more important inventions and improvements in engines and other articles of machinery, so necessary to maintain our commercial supremacy and so indispensable for the support of our vast population."

Statistics of the London post office. We gather the following from a report recently made to our government by Mr. Pitt, who was sent out sometime ago to Europe, by the direction of Mr. Van Buren, for the purpose of collecting information relative to the post office and mail arrangement of the old world:

The average number of letters received daily, for delivery in the London post office, is 75,350.

The average number of newspapers received daily, for delivery in the London post office, is 11,460.

The average number of letters sent, daily posted in London, is 50,370.

The average number of letters daily distributed and forwarded, is 22,310.

The average number of newspapers daily posted in London, is 53,510.

The average number of newspapers daily distributed and forwarded, is 3,000.

In the London district post, the average number of letters received and delivered daily, is 65,000; number of newspapers, 3,500.

Besides the letter carriers there are also attached to the general post, ninety-five bellmen, who call at every house in their walk for letters to go by the evening despatch. They carry a locked bag, with an aperture large enough to drop in a letter, which can only be opened at the post office. Any person having letters to go by the mail may drop

them into the bag himself, pay the bellman his fee of one penny for each letter, and then may rest assured that they will be despatched by the mail of the same evening.

The number of post towns in the United Kingdom, 2,585; the number of miles upon which the mail to the United Kingdom is annually carried, by mail coaches, horse and foot posts, is 7,461,250; by railways, 936,590. The annual cost of which, for the former, is £392,650; for the railway, is £19,940.

Each mail is accompanied with a guard, armed with a blunderbuss and pistols. The business has increased immensely, since the introduction of the penny post system.

FRANCE.

M. Guizot. The American in Paris has noticed in soliciting M. Guizot to sit for his portrait to an American artist, Mr. H. L. L. L., testifying liberally the high estimation in which they hold the distinguished French statesman, for an admirable essay on the character of Washington. The London Quarterly, we may add, speaks of this book of Guizot's, as the ablest of his works. The letter from the American committee concludes by saying:

"Our ulterior purpose is to transmit the portrait to the speaker of our congress, and to request for it a place in the library of that body, as a permanent memorial of the profound respect which we entertain for your personal character and intellectual trophies, and, in particular, of the gratitude which all Americans should feel, for your liberal agency in exhibiting anew to Europe the true nature of their revolution, and the distinctive pre-eminence of it there."

To this communication M. Guizot replied in the following manner:

"*Department of foreign affairs, Paris, Feb. 12.*
"Gentlemen—I am profoundly sensible to your proceeding. I accept with gratitude the honor you are pleased to confer. As soon as I shall be disposed from the imperious occupation which I have just quitted, leave no moment at my own disposal, I will cheerfully give to the American artist, whom you designate, the sittings requisite for my portrait. It gratifies me exceedingly that the United States of America, have found my homage to Washington worthy of the great man. I shall rejoice, if my place be assigned to be in the library of congress, and I thank you for the conception. I pray you, gentlemen, to receive the sincere assurance of my most distinguished consideration."
—GUIZOT.

PORTUGAL.

Portuguese legation to U. S. 18th March, 1841.
The Libon "Diario do Governo" of the 17th December, 1840, contains the official publication of the amnesty granted, on the preceding day, by H. M. the queen of Portugal, and of which the following is a translation:

"Desiring to give a public testimony of my royal clemency towards my subjects who deceived and led into crime, were the instruments of the attempts, and revolutionary movements which occurred in the month of August, 1834, on the night of the 1st to the 12th of August last, on 27th of the said month in the city of Caselle Branco, and on the 1st of September in Portoalegre, I am pleased, after consulting my council of ministers, and availing of the power the political constitution of the monarchy confers upon me, in its article 82d and 11th, to decree as follows:

"Those Portuguese, who, deceived and led into crime, were the instruments of the attempts and revolutionary movements on the night of the 1st to the 12th of August last, on the night of the 1st to the 12th of the said month in Caselle Branco, and on the 1st of September in Portoalegre, are pardoned; they shall no longer be molested, all proceedings against them shall cease, and remain in oblivion."

"The military officers, who, in contempt of their most sacred duties, of honor and fidelity of the army and navy, headed the aforementioned attempts and revolutionary movements, or took part in them, are excepted from the aforesaid amnesty; legal proceedings shall remain in force, and for the instigation of the crimes of insubordination, military addition, and desertion."

"The ministers and secretaries of state of all the departments shall so understand it, and cause it to be executed. PUBLISHED BY THE QUEEN, under the

seal of the Legation, in the city of Rio Janeiro, on the 10th of February, 1841. *Am. Rodrigo da Fonseca Magalhães, Antonio, Bernardo da Costa Cabral, Floriano Rodrigues Pereira Ferraz.*

SOUTH AMERICA.

Latest from Rio Janeiro. The brig Mary, at this post, brings advices from Rio Janeiro to the 6th February. By her we have received files of papers of that city to the 6th of February, from which the following items are translated. We are also indebted to the kindness of a commercial friend for the annexed extract of a letter received by her:

Great disturbances had occurred at Bolivia at the election for members of the general legislature. Some lives were lost and much disorder prevailed. Mr. Pedro Rodriguez Fernandes Clavero, late Brazilian charge, in this country, had arrived a Rio in the Falmouth packet.

The confinement of Lavalle's defeat had been brought to Rio by the French steamer "Tonnerre." Even Lavalle's party gave his cause up as lost.

The rebels of Rio Grande had invaded the province of St. Catharines; fears were entertained that the province of St. Paul's might share the same fate, in consequence of which the government had called out the militia of the latter province to aid the regular force.

There were rumors of a revolution in Paraguay against the existing government, the object of which was to call a general congress.

General Hunter, the United States charge, had addressed a note to the imperial government, expressing his thanks for the ready and valuable exertions of the Brazilian navy in behalf of the United States ship *Narciso*. Mr. Hunter also requested that permission might be granted to captain Long to have the corvette *Isodon*, to erect a temporary observatory on Rat Island for astronomical observations, and correction of chronometers, which was granted.

The Montevideo government had convoked the legislature for the 15th February next, for the only purpose of taking into consideration the affairs which directly or indirectly concern "the defence and safety of the republic." This speaks volumes for the state of that country in its quarrels with general Rosas. This general had placed himself at the head of the Buenos Ayrenses and Philip Arana, the secretary of state, was acting as governor of the republic, and in that capacity had sent his message to the 28th legislature, which was in session.

Revolution in Vera Cruz. The New Orleans Bulletin of the 16th contains the following letter translated from a Yucatan paper, the Siglo XIX, of Merida, just received.

"Carmen, Feb. 8th, 1841.

"I beg to inform you of the arrival last night of the Texian war schooner *St. Bernard*, which left Galveston on the 24th of last month, bound to Vera Cruz for the purpose of delivering to the commander of the last British man of war he might fall in with, the despatches of Mr. Packenham, from the cabinet of St. James, respecting the recognition of the independence of Texas."

"The St. Bernard appeared off Vera Cruz on 27th of the said month, and its commander has informed us that on that day, about 6 P. M. he heard loud cannonading between the castle of San Juan de Ulloa and the city of Vera Cruz, and that there were also heavy discharges of musketry; that the firing lasted about two hours, and that there remained no doubt but that the firing from the city was made with balls, as some of them fell within half a mile of where the St. Bernard lay. After nightfall the St. Bernard left for this island for the purpose of replacing a mast she had carried away."

Her commander assures us, he will return again to Vera Cruz for the purpose of accomplishing the object above stated. It is also stated that the Texian steamship of war *Zavalla*, will arrive at this post in a few days. The preceding information was given by the commander of the St. Bernard to the military commandant of this island through the British vice council, Mr. George Sields.

Letters received at New Orleans from Matamoros and the city of Mexico, &c. state that general Arias has succeeded in two "pitched battles" in chasing the Camanche Indians beyond the frontiers, capturing all the horses, mules, &c. which they had robbed from the department of Coahuila, and

releasing forty-two captives the savages had carried away prisoners. Anita arrived at Matamoros on the 14th February, and was received by the inhabitants with every demonstration of joy.

TEXAS.

The Courier and Enquirer publishes a letter from general James Hamilton, the Texian commissioner in Europe, dated Paris, 14th February, in which that gentleman announces that on "that day he had concluded a contract with the bank of J. Lafitte & Co. for the Texian loan."

It is not stated of what amount, nor on what terms, this loan was obtained.

We have received a Texan paper to the 17th inst. brought by the steam packet New York.

[New Orleans Bulletin.]

The papers contain very little news of interest. The report from the frontiers is, that every thing went down a pacific slope.

A dinner given to gen. Houston in Galveston, the French consul gave the following toast:

"May the ties of friendship which unite the republic of France, and which found their first germ on the illustrious field of San Jacinto, be strengthened by a commercial intercourse, and may France soon see the single star wave in her commercial ports."

An unknown correspondent writes to us from Galveston, that news had just come in of a great flood in the Colorado, which had carried away five or six miles of the raft above Matagorda. We should be pleased to have this report confirmed, as would be all others interested in the navigation of that noble river.

A rumor was also affixed that the Texian ship St. Bernard had been captured by the Mexicans. This report perhaps has some connexion with the cannonading at Vera Cruz.

CANADA.

The papers continue to give accounts of the riots attendant upon the elections in Canada. In Berber county, according to the Montreal Herald, the scenes of violence and bloodshed were unparalleled. That paper states that about a thousand Canadians, armed with bludgeons, attacked a body of Irishmen, estimated at forty or fifty; and that the encounter resulted in the death of one Canadian and six Irishmen, and the wounding of a great number on both sides.

The union party, which excludes the Tories, will have, it is said, a considerable majority in the parliament of Canada under the new administration. In several places very serious disturbances and riots have grown out of the elections.

NATIONAL AFFAIRS.

PRESIDENT HARRISON, as we learn from the Washington papers, was taken ill on Saturday evening last, of a severe pneumonia, which, for several days assumed such character as to create the most serious apprehensions. He was happy in being able to state that letters have been received here, dated at Washington, 5 o'clock, yesterday morning, which represent that the president passed a quiet night, and every hope was entertained of his recovery.

THE SECRETARY OF STATE, Mr. WENTZEL, left Washington on Sunday, 28th ult. for New York, in consequence of the dangerous illness of Mrs. Webster's father, HERMAN LE ROY, a gentleman of advanced age, long known as an eminent merchant of that city. He is expected to see the seat of government on Thursday evening last.

THE ATTORNEY GENERAL OF THE U. S. Mr. CATTELLER, reached Washington on the 29th ult. from the western part of New York, to which he had been on official business.

APPOINTMENTS AND PROMOTIONS BY THE PRESIDENT, by and with the advice and consent of the senate.

Jacob De La Motte, to be receiver of public money at Charleston, in the state of South Carolina.

George Loyall, to be navy agent for the port of Norfolk, Va. reappointed.

John P. Henry, to be navy agent for the port of Savannah, Ga. reappointed.

Thomas Hayes, to be navy agent for the port of Philadelphia, in place of Michael W. Ash, resigned.

Promotions.

Commander W. A. Spencer, to be a captain in the navy from the 22d January, 1841.

Lieutenant A. Blackton, to be a commander in the navy from the 22d January, 1841.

Passed midshipman William L. Manry, to be a lieutenant in the navy from the 26th February, 1841.

APPOINTMENTS BY THE PRESIDENT.

Robert C. Wetmore, to be an agent for the port of New York, in place of John R. Livingston, jr. removed.

John Chambers, to be governor of the territory of Iowa.

Orville H. W. Still, to be secretary for said territory.

Thomas B. Johnson, to be marshal for said territory.

Corneilus Darragh, to be attorney for the western district of Pennsylvania, Walter Forward, who was appointed to said office, having declined its acceptance.

Return J. Meigs, to be attorney for the middle district of Tennessee.

Charles Hopkins, to be solicitor of the general land office.

John Hogan, to be register of the land office at Dixon, Illinois, vice Samuel Hackleton, removed.

James Watson Riley, register of the land office at Lima, Ohio.

Collectors of the customs.

Nathaniel F. Williams, Baltimore, Md. vice William Frick, removed.

Levi Litch, district of Boston and Charleston, vice George Bancroft, resigned.

Joseph Enoch, Alexandria, D. C. vice George Brent removed.

William P. Briggs, for the district of Vermont vice A. W. Hyde, removed.

William Coad, St. Mary's, Maryland, vice James W. Rhea, removed.

Robert W. Alston, St. Mark's, Florida, vice J. F. Kackler, removed.

Arnold Naudin, Delaware, vice Henry Whitely, removed.

Surgeon.

William Flynt, Town Creek, Maryland, vice James R. Thompson, removed.

Land office receiver.

Daniel G. Gurnsey, Dixon, Illinois, vice John Demest, removed.

Postmasters.

John C. Montgomery, at Philadelphia, in the place of James Page, removed.

James Rees, at Gueva, N. York, in the place of J. J. Grosvenor, removed.

David D. Hoyt, at Palmyra, Wayne county, N. York.

Enoch A. Hall, at West Bloomfield, Ontario county, N. York.

Matthew H. Stevens, at Shuan, Washington county, N. York.

Cowdell K. Horton, at Greenwich, Washington county, N. York.

Jerome D. Mosher, at White Creek, Washington county, N. York.

John Harris, at Charlestown, Middlesex county, Massachusetts.

David Brigham, Madison, Iowa county, Wisconsin.

Jared Lake, South Port, Racine county, Wisconsin territory.

Ernest Smith, Racine, Racine county, Wisconsin territory.

Horace Hall, Pike, Allegheny county, N. Y.

Asa-El Burlington, Burke, Caledonia county, Vermont.

Isaac Corington, Berlin, Worcester county, Maryland.

John C. Rouse, Argyle, Washington county, N. York.

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COL. JOHN CHAMBERS, of Kentucky, it will be perceived, is officially announced as being appointed by the president to be governor of the territory of Iowa. It is understood that the president tendered to him an office of greater emolument at the seat of the general government, but he preferred the station to which he is appointed. [Nat. Int.]

Our townsman, JOHN L. WILSON, esq. has declined the appointment of district attorney of the U. S. for the western district of Florida, recently conferred upon him by the government.

[Charleston Courier.]

DEPARTMENT OF STATE, MARCH 27, 1841. To Mr. St. Clair Clarke, William S. Murphy and Hudson G. Gales, esqs.

GENTLEMEN: It is the desire of the president to be fully acquainted with the state of progress in which the public works in this city now are, and with the degree of skill, fidelity and economy with which those works are carried on.

For this purpose he has appointed you a commission of examination and inquiry, and he wishes you to direct your attention to the following points:

1. What is the number of persons employed on the public buildings now in progress in the city, and the character of labor? This is the more necessary as many of these persons hold offices not created by specific provisions of law.

2. What is the respective duty of each of these persons?

3. What prices are paid to them for their services; and whether, in any case, the compensation is unreasonably large?

4. Whether there has been, or is, any just ground of complaint against those persons, or any of them, either in regard to their own diligence and skill, or in regard to their treatment of laborers employed by them?

If you have any reason to suppose that any one has been guilty of misconduct, you will state the charges in detail, and give him an opportunity to answer; and will report no evidence of which the party shall not have had notice.

You will inquire into no man's political opinions or preferences; but, if it be alleged that any person, having the power of employing and dismissing laborers, has used that power, either in employing or dismissing, with any reference to the political opinions of those who may have been employed or dismissed, or for any political or party object whatever, or in any other way violated his duty for party or election purposes, you will inquire into the truth of such suggestion; and if you find reason to think it well-founded, in any case you will state the particular facts and circumstances on which your opinion is formed.

It is intended that this commission shall be of long continuance, not be attended with any considerable expense. You will use as much despatch, therefore, as the nature of the case may allow, and make report to this department. A reasonable sum will be allowed to you for your time and service out of the appropriate fund.

By the president's order:

DANIEL WEBSTER, secretary of state.

TREASURY CIRCULAR. In pursuance of instructions from the secretary of the treasury, the following circular has been forwarded to all the disbursing officers and agents of the war, navy and Indian departments, whose accounts are subject to the revision of the second comptroller.

Circular. Treasury Department, second comptroller's office, March 22, 1841.

SIR: You are hereby requested to render your account of disbursements for the current quarter as soon after its close as practicable, and in so doing you will present and refer to in your account, current two abstracts, one referring to vouchers for payments made for demands which accrued prior to the 4th instant, the other to those subsequent thereto, unless you disbursements since that day have not exceeded in amount the funds then in hand. Should that be the fact, your account may be rendered as heretofore.

You will, however, in all cases, report the amount of funds in your hands on the 4th instant.

Subsequent quarterly accounts are to be rendered as required above, should they embrace payments for demands which accrued prior to the 4th instant. By direction of the secretary of the treasury:

ALBION K. PARRIS, comptroller.

THE EX-PRESIDENT. Mr. Van Buren has been received in New York, in the warmest and most cordial manner. The N. York Evening Post says: Though the day was unpropitious, the rain falling in torrents the greater part of the time, nothing could have exceeded the animation of the occasion. Not since the famous visit of gen. Jackson in 1835, have the people turned out in greater numbers or testified with more sincere and unequivocal expression their approbation of the services, and their esteem of the virtues, of a public servant.

When he landed a salute fired on him was sent by the shouts of the multitude who thronged to see him, and so great was the press of people, and so eager the desire of his friends to pay their respects to the distinguished statesman who had sustained their principles, under all circumstances, with a mainly steady and honest, that it was difficult a way was made for him to the coach designed to carry him in the procession.

The crowd preceded round the carriage, and hung upon its steps and wheels. Nothing less than a heavy shake of the hand, or personal recognition, seemed to satisfy their ardent wish to manifest their undiminished attachment to their intrepid leader, who had been so true to his and their convictions, during the great political struggles of the last twelve years, and their unwavering confidence in his patriotic and liberal intentions.

The procession, which was headed by captain Brown's corps of lanterns, beautifully dressed and equipped, and a numerous body of armed firemen, under the command of capt. Follen, moved in the direction of the city hall. But here the route was completely filled by the throngs of people, that the progress of the line towards the city hall was almost

obstructed. The entire space of the vast thoroughfare seemed covered with carriages and men, while the public buildings, dwelling houses and stores on each side, from every balcony, window and door, were animated by a living mass of human heads. The waving of handkerchiefs and hats, and the prolonged and deafening cheers greeted this procession wherever it passed.

MR. WEBSTER AND SLAVERY. It will be recollecting (say the Boston Transcript) that on the day Mr. Webster resigned his seat in the senate of the United States, he was furiously assailed by Mr. Cuthbert, of Georgia, who, in addressing Mr. Webster's untimely obituary reply, and charged him with being inimical to the interests of the south; in other words, charged with being an abolitionist, and favoring the views and principles of the abolitionists. Mr. Cuthbert has, also, since, made a second attack upon him; in both cases he was ably and eloquently defended by Mr. Clay, Mr. Preston and others. As Mr. Webster now occupies the highest post under the gift of the president, it will not be uninteresting to know what his principles in relation to the slave question are. In answer to the grounds Mr. Cuthbert had for attacking him, we copy the following letter which he addressed to the hon. Mr. Bolton, of Georgia, in answer to a request which his opinion upon this exciting subject:

MY DEAR SIR: I have received your letter of last evening, requesting me to state my opinion of the powers of congress on the subject of slaves and slavery; and of the existence of any wish or design, on the part of the northern states, to interfere with the security or regulation of the species of property.

My sentiments on this subject, my dear sir, have been often publicly expressed; but I can have no reluctance to repeat the declaration of them. It is thought by you that such a declaration might, in the smallest degree, aid the friends of union and the constitution in the south in dispelling prejudices which are so industriously fostered, and in quieting agitations so unnecessarily kept alive.

In my opinion, the domestic slavery of the southern states is a subject within the exclusive control of the states themselves; and, this, I am sure, is the opinion of the whole north. Congress has no authority to interfere in the emancipation of slaves, or in the treatment of the slave. The question was so resolved by the house of representatives, when congress sat in this city in 1790; in the report of a committee consisting almost entirely of northern members, and I do not know an instance of any expression of a different opinion, either by the house of congress, since. I cannot say that particular individuals might not possibly be found, who suppose that congress may possess some power over the subject, but I do not know any such persons, and I am sure they are few. The servitude of so great a portion of the population of the south is undoubtedly regarded at the north as a great evil, moral and political; and the discussions upon it, which have recently taken place in the legislatures of several of the slaveholding states, have been read with very deep interest. But it is regarded, nevertheless, as an evil, the remedy for which lies with those legislatures themselves, to be provided and applied according to their own sense of policy and duty. The imputations which you may say truly are constantly made against the north, are, in my opinion, entirely destitute of any just foundation. I have endeavored to repel them, so far as has been in my power, on all proper occasions; and for a fuller expression of my own opinion on this point, I refer you to the groundless charges against northern men. I beg leave to refer you to my remarks in the debate on Mr. Foot's resolution in 1830. I am, my dear sir, with much true regard, your obedient servant,

DANIEL WEBSTER

To John Bolton, esq.

UNITED STATES AND GREAT BRITAIN. The Madisonian states that the despatches received by our government, by the *Catadonia*, from Great Britain, are of entirely a pacific character, and although there had been some excitement in England on account of the arrest of McLeod, yet the public mind was becoming more quiet.

TREATY BETWEEN THE UNITED STATES AND PORTUGAL. The following remarks from a London paper refer to the commercial treaty recently made between the United States and Portugal. The principle of reciprocity is one which our government long since recognized, although of late years it has been overlooked in our great disadvantages.

"The ratification of a treaty of reciprocity between Portugal and the United States, imposes on

the British government the necessity of strongly urging on the constitutional advisers of queen Maria the conclusion of a commercial treaty with England, on principles equally liberal. The treaty just ratified will give to the commerce of the United States with Portugal, advantages over that of every other nation. By it the admission into Portuguese ports of American shipping is placed on the same footing as, Portuguese, the discriminating duties being revoked, and the Portuguese colonies are thrown open to United States' commerce. The republic in return abolishes the discriminative duties on Portuguese produce.

One effect of this treaty may be seriously felt in parts of the British North American colonies. The people of the United States have already deeply injured the prosperity of Newfoundland, by almost driving the British colonists out of their own fishing waters. Now, unless British vessels in Portuguese ports be placed on the same footing as United States' vessels, this treaty will give to the latter country a monopoly in supplying Portugal with salt fish, and thus afford to the crocheting fishermen of the republic the strongest motive for completing the conquest of the British fishing waters. The coarse and heavy articles of cotton manufacture, known as domestics, the treaty will also give to the Americans a superiority in the Portuguese market."

TRADE AND COMMERCE.

Trade between England and the United States. The following resolutions, passed unanimously by the American chamber of commerce in Liverpool, relate to a subject of great interest. It will be seen that the application of inclosure duties to the country on British manufactures is one of the reasons urged for a reduction of British imports upon our important staples. We take the resolutions from the Liverpool Mail of the 4th ult.

At a general meeting of the American chamber of commerce, held on the 2d March, 1841, Nicholas Roskett, esq. president, &c. &c. the following resolutions were unanimously passed on the subject of the duties on imports:

First—Resolved, That the evidence taken before a committee of the house of commons, during the last session of parliament, which was appointed "to inquire into the several duties levied on imports into the United Kingdom," has clearly established the necessity of a thorough revision of the whole of the present system of custom duties, and a view to the removal of injurious restrictions, and the reduction of imports which bear most grievously on the industry and success of the community, this chamber being convinced that such reduction, judiciously applied, will materially improve rather than diminish the revenue.

Secondly—That this chamber, being composed of members deeply interested in furthering the commercial relations between this country and the U. States of America, feels it incumbent on them to express their strongest conviction, that, unless some important modification of the existing duties takes place in respect to flour, rice, lumber, tobacco, cotton and other articles, the growth of that country, changes in the tariff of the United States will be introduced, in the course of this year, highly injurious to the British interests, and especially detrimental to its principal manufactures.

Thirdly—That the impolicy of taxing raw materials introduced into a country so dependent on its manufactures for its prosperity, has been so abundantly established, that it is incumbent on them to endeavor to induce the removal or lessening of the duty on cotton. That the enormous extent of the degrading practice of smuggling in tobacco, and the certainty that lowering the duty would lead to such an increase of consumption as to result in a loss to our government of more than the revenue, are convincing arguments in favor of such reduction. That sound policy calls for the admission of American grain, flour and rice, at a moderate fixed duty. And that the practical exclusion of American shipping interest, the manufacturer, and the community at large. (Signed)

N. ROSKETT, president.

Our trade with France. In 1830, says the Baltimore Sun, our exports to France amounted to \$18,336,851. The principal article which we send to France is cotton. Of the aggregate exports just named, \$13,323,112 was in cotton, \$500,036 in tobacco, and \$320,711 in rice. Our imports from France, during the same year, reached the sum of \$32,341,324, of which \$15,009,478 were in silk, \$1,376,976 in wine; worsted and worsted stuffs, \$1,500,000; linen, \$500,000; and manufactured cotton goods, less than one million of dollars. This statement, which we believe to be authentic, shows an excess of imports over exports of \$14,191,467 for the year above named. In a comparison of the imports from France, of 1839, with

those of the previous year, it appears that they were nearly doubled—the difference in silk alone being nearly \$10,000,000 in 1839, over the import of 1838, while the increase of exports, during the same period, was only \$2,414,449. The only favorable view to be taken of this excess of imports over exports, is in the fact that the trade with France is carried on principally in American bottoms. Of the imports in 1839, \$30,000,000 were in our own vessels; and of the exports, \$18,336,851.

DUTIES UPON ARTICLES OF LUXURY. One of the first duties of the new congress at its extra session will be to establish a moderate tariff of duties upon articles of luxury and upon other articles now admitted duty free. The necessities of the treasury require this.

The amount of the government debt now existing is not fully known. It consists of treasury notes outstanding, interest accruing on them, debts of the District cities, and of the government, and of the sum payable to Indian tribes—disbursements in the navy pension fund, deferred claims growing out of the Florida war, the fourth instalment under the deposit act of 1836 claimed by the states, and other claims, estimated to amount in the total aggregate to a sum between one and a half million of dollars. Mr. Bernard, of New York, in his able speech in the house of representatives, estimated the whole amount of government indebtedness and liabilities, on account of past transactions, at about thirty-six millions on the first of January, 1841.

If no debt existed on account of past transactions, there would yet be a necessity for an increase of revenue to meet the current expenses of the government and to provide the means of national defence adequate to the present exigencies of the country. The system of decreasing duties established by the compromise act is now operating to lessen the public revenues, while the growing responsibilities of the government demand an enlargement of supplies.

It appears from statements exhibiting the importations of 1840 that there were imported into the United States for the year ending September 30, 1840, silks, laces, worsted stuff goods, linens and various miscellaneous articles, all free of duty, to the amount of \$24,596,781.

For the same year tea and coffee were imported, free of duty, to the amount of \$12,945,633.

Wines bearing low duties, none higher than 12½ cents per gallon, and the wines of France only from one and a half to two and a half cents per gallon, were imported to the amount of \$1,000,000. The existing rates of duties the wines imported in 1840 yielded revenue to the amount of \$196,065 81; at the rate of 20 per cent. nearly three hundred thousand dollars would have accrued, without including the wines of France, which, if they were admitted at 20 per cent., cannot be taxed above present rates until July 1841. The largest importations of wines from any country into the United States are from France.

All articles here referred to, amounting for one year's importation to more than forty millions of dollars, are entirely free of duty except wines, upon which the duties are slight. Very few other articles there are bearing a less duty than 20 per cent. We have not now at hand the means of ascertaining.

Upon the policy of giving a twenty per cent. duty on articles now free, and of increasing the duties upon articles now admitted at a less rate than twenty per cent. there would seem to be no room for a difference of opinion. There is no denying that an increase of revenue is necessary, and it is equally plain that direct taxation should not be resorted to without the most solemn and careful consideration, with difficulty from import duties, which falling upon articles of luxury, will be paid mostly by the wealthiest portion of the community. Nor will the duties be so high as to cause oppression to any class.

The following passage from a report of the late secretary of the treasury, Mr. Woodbury, addressed to the house in compliance with a resolution of that body, and which we believe is the last official communication of that officer to congress, expresses views which will commend themselves to the consideration of all parties:

"In raising the sum needed, if it does not become necessary to subject all free articles to a duty, or to one as high as twenty per cent. and as a discrimination can therefore be indulged within the restriction of the compromise act, it is doubtless a sound axiom to subject the highest tax-paying articles of luxury, rather than of necessity. Under similar circumstances, it is also not only competent, but expedient to select such of the former as compete most with similar articles of American growth or manufacture. The excess of imports over exports above the limitation of twenty per cent. And another discrimination, sometimes useful, might be to

select those articles, in certain cases, for an increased import, not usually exceeding the same limitation, which may be proper for countervailing injurious imports, placed on our own productions by any foreign power. The broad and well settled ground on which these distinctions rest, cannot require on this occasion, much detailed illustration.—For the luxuries of life are enjoyed by the few, rather than the many—the rich instead of the poor—and their use tends rather to efficiency and pleasure, than to what is covetous or envious only.

This last congress adjourned without legislating on this important subject. That omission constitutes one of the chief reasons for the call of an extra session. The country will expect from those now in power a faithful exhibit of the real state of the national finances at the meeting of congress, and a well digested system to provide for the exigencies that all acknowledge to exist. *(Balt. Amer.)*

DISCHARGE OF TROOPS. The National Intelligencer says: "We learn that instructions have been promptly despatched (on the 11th ultimo), by the secretary of war, to discharge the brigade of Florida militia, ('sedentary') under gen. Kaul, although to be called into service by the U. S. States during the past summer. We are somewhat curious to learn what this force will have cost the country; and whether it is likely that the services of such a 'sedentary' mounted corps have been commensurate with the enormous expense for its maintenance."

INDIAN TROUBLES. The St. Louis papers of the 18th ult., contained a letter from Fort Leavenworth, giving an account of most cowardly and bloody massacre committed by some Kansas upon some Pawnees. The Kansas, 65 in number, took advantage of the absence of the Pawnee warriors from their encampment, and massacred all but eleven of the women and children found in it. One woman sold her life dearly. She sprang upon one of the Kansas warriors, like a tigress—clashed his throat and would have strangled him, if her arms had not been hewn from her body. The Pawnee prisoners were arrested by a detachment from the American force stationed at Fort Leavenworth, and had been brought into Bellevue.

ARMY.

General Scott, attended by captain Arnold, arrived at Rochester on Friday evening, and on Tuesday morning set off for the Niagara frontier.—Although recovered from its painful effects, the general bore upon his face the tokens of his severe fall upon the ice at Albany. *[N. Y. Com. Ad.]*

General orders, No. 18.

Head quarters of the army, 17th general's office, Washington, March 24, 1841.

1.—Promotions and appointments in the army of the United States, by the president, by and with the advice and consent of the senate, since the publication of the official register in Jan. 1841.

Second regiment of dragoons.

First lieut. Seth B. Thornton, to be captain 1st February, 1841, vice Macomb, resigned.

First lieut. Chas. A. May, to be captain 24 Feb. 1841, vice Bullock, resigned.

Second lieut. Ripley A. Arnold, to be 1st lieut. 1st Feb. 1841, vice Thornton, promoted.

Second lieut. Z. M. P. Inge, to be 1st lieut. 24 Feb. 1841, vice May, promoted.

Brevet 2d lieut. Wm. Robertson, to be 2d lieut. 1st Feb. 1841, vice Arnold, promoted.

Brevet 2d lieut. Wm. Steele, to be 2d lieut. 24 Feb. 1841, vice Inge, promoted.

Third regiment of artillery.

First lieut. R. D. A. W. Smith, to be captain 20th December, 1840, vice Davidson, deceased.

Second lieut. Henry B. Judd, to be 1st lieutenant 26th December, 1840, vice Wade, promoted.

Fourth regiment of infantry.

First lieut. Charles H. Latrod, to be captain 23th Feb. 1841, vice Collins, resigned.

Second lieut. Richard H. Graham, to be captain 23th Feb. 1841, vice Latrod, promoted.

Eighth regiment of infantry.

Second lieut. John A. Roll, to be 1st lieut. 8th January, 1841, vice Collins, resigned.

Brevet captain, John A. Roll, to be 2d lieut. 24 March, 1841, vice Roll, promoted. Company F.

Quartermaster's department.

First lieut. Wm. Wall, of the 3d artillery, to be assistant quartermaster, with the rank of captain, 9th January, 1841.

Promotions.

First lieut. A. C. W. Lawrence, of the 19th regiment of artillery, to be captain 1st Feb. 1841, December, 1839, for gallant and meritorious conduct in the battle near the White Sulphur, under gen. Clinch, and in the defence of Fort Mifflin, Florida.

Lieutenant colonel Wm. S. Harney, of the 2d regiment of dragoons, to be colonel by brevet 7th December, 1840, for gallant and meritorious conduct in several successful engagements with the hostile Indians in Florida.

Captain Gabriel J. Rains, of the 7th regiment of infantry, to be major by brevet 29th April, 1840, for gallant and meritorious conduct in the action with the Indians, near Fort King, Florida.

First lieut. W. K. Hanson, of the 7th regiment of infantry, to be captain by brevet 3d August, 1839, for meritorious conduct and gallantry in the war in Florida.

Cavalries—(71).

Resignations—(4).—Captain E. D. Bullock, 2d dragoons, 1st Feb. 1841.

Captain Alex. S. Macomb, 2d dragoons, 31st Jan. 1841.

Captain B. A. Terrett, as ass't. gr. master, 8th Jan. 1841.

Second lieut. B. I. Powell, 2d infantry, 12th Jan. 1841.

Deaths—(2).—Captain W. B. Davidson, 3d artillery, at Indian Key, Florida, 25th Dec. 1840.

First lieut. Lewis O'Brien, 8th infantry, at Fort Brooks, Florida, 7th January, 1841.

Dismissed—(1).—Captain R. D. C. Collins, 4th infantry, 24th Feb. 1841.

The officers promoted and appointed will join their respective stations and companies without delay, and on detached service, or acting under special orders and instructions, will report by letter to their respective colonels. By order of ALEXANDER MACOMB, major general commanding in chief.

Memoir—Re-appointed.

Callender Irvine, re-appointed commissary general of purchases, from the 3d March, 1841, when his former commission expired.

Adam B. Stewart, re-appointed paymaster in the army, from the 14th January, 1841, when his former commission expired.

Court of inquiry. A court of inquiry, lieut. Col. Riley, president, convened at Fort Mifflin, E. F. on the 15th of February, 1841, at the request of lieut. N. Hopper, 7th infantry, for the purpose of investigating his conduct as connected with the attack on the party commanded by the late lieutenant Slosswood, on the 25th of December, 1840.

The court, after duly examining all the testimony offered in the case, pronounced the following opinion:

"The court after a mature deliberation of the testimony adduced, is of the opinion that no censure or blame is to be attached to the conduct of lieut. Hopper as connected with the attack by the Indians on the party commanded by the late lieut. Slosswood, on the 25th of December, 1840, except neglecting to report the circumstances of the affair to the commanding officer of this post, when ordered here for assistance; but from his finding on his arrival here, that the troops were parading, preparing to march to the assistance of lieut. Slosswood, the court believes that the necessity of reporting to the commanding officer did not occur to lieut. Hopper."

THE NAVY.

Pensacola. We learn by the Gazette, that the French corvette Sabine, command'd by M. Cosmae Dumandiz, arrived there on the 4th instant from Havana.

The U. S. frigate Macedonian, bearing the broad pennant of commodore Wilkinson, and ship of war Levant, captain Fitzhugh, sailed thence on the 1st instant, on a cruise.

There was no ships of war left in the port of Pensacola. *[N. O. Bulletin.]*

The U. S. ship Warren was at Santa Martha on the 15th February, all well.

The Rio correspondent of the Exchange, under date of the 4th February, says:—In post U. S. ship Polmate, capt. Storck, bearing the broad pennant of the Rio; Constellation, bearing the broad pennant of com. Keayne; Boston, capt. Long; Decatur, capt. Ogden; Marion, capt. Bell, and U. S. schooner Enterprise, capt. Goldborough. The U. S. ships Yorktown, Dall and Relief, sailed for their separate destinations on the 5th instant.

Sparsity of English ships of war to America.—The officers of the United States ship Decatur, and the British brig of war Grecian, recently exchanged views in Rio Janeiro. These vessels are of the same size, the Decatur mounting fourteen thirty-two pounders, and the Grecian, nine twenty-four pounders, and two long eighteen.

Commodore Ridgely acknowledged the Grecian to be superior to the Decatur, in the building of her masts, greater height,

and more beam between decks; and in every way more commodious; together with the advantage of being able to sail round the Decatur at least once in every two miles distance. It will be recollected the Decatur is one of the new steam powered ships, and would have been of the same arrangement of the Grecian, except for the general adoption of the bomb-cannon in the British navy: which, shame to our government, is not more in use in our own.—The Grecian is one of the new steam powered ships, and has been sent to slavers on the coast of Africa.

Our naval defenses. The Norfolk Beacon cites from a report of the board of army officers the following instances, showing the great advantage which guns on land, even within slight embankments, have over ships, whether in ships of war or on floating batteries:

Gibraltar in 1782 is cited as an eminent instance of the inefficiency of floating battery, comprehending ships under this term, also, Algerais in 1801; and it is thus attempted to be proved that guns on shore are superior to guns afloat.

In the attack on Algerais, although the disparity was greatly in favor of the assaulting fleet, that a few guns in battery on shore, well located, and well manned, repulsed the enemy's fleet, and caused it a total failure.

The attack on Fort Moultrie, during our revolutionary war, is also cited, where thirty guns behind a palmetto rampart defeated vessels carrying more than thirty times as many guns.

Lord Nelson's famous attack on Copenhagen, which has been quoted as furnishing striking and conspicuous proof of the superiority of a fleet in operating against a strongly fortified place, is reversed, and it is maintained that the coup up to the time when Lord Nelson grounded the party, was between vessels and vessels, the struggle being altogether naval, and the victory being over the floating force, and that the batteries were unable to interfere, from remoteness or relative position, the British fleet being between the most important points, and the enemy until almost the last hour of combat, and that it therefore furnishes no argument either way.

Lord Exmouth's attack on Algiers is also reviewed, where English and Dutch fleets mounted about one thousand guns, and there was only a little upwards of three hundred guns on shore, and the whole of them could not be brought to operate in the action. The loss of killed and wounded by the combined fleets being between the most important points, and the struggle being between the most important points, and the victory being over the floating force, and that the batteries were unable to interfere, from remoteness or relative position, the British fleet being between the most important points, and the enemy until almost the last hour of combat, and that it therefore furnishes no argument either way.

The board este, as further evidence of the greater power of annoyance of guns on shore than in guns afloat, the account given by the British military writers of the attack made by sir Sidney Smith with an eighty gun ship and two frigates by firing successive broadsides at a two gun battery on cape Laena, until his ammunition was nearly expended; and when it turned him being unbalanced and d-structive, he had to land with a party; and when the commanding officer capitulated, it appeared that one of his two guns had been dismantled for some time. Another case is cited, where a single heavy gun, mounted on a martello tower, beat off one or two British ships.

STATES OF THE UNION.

NEW YORK AND VIRGINIA. On page 55 of the Register will be found the substance of the proceedings in this case up to Friday evening. The following is the order of the governor declining the surrender and the subsistence of the proceedings in the case.

Executive department, March 15, 1841.
A demand from the governor of New York, for the surrender of Robert F. Curry, charged with the crime of forgery under the laws of that state, was this day presented by John D. Dix, the accredited agent of the executive of New York, together with a duly certified copy of the indictment returned by the grand jury of Thompson county, in the state of New York, against the said Curry; and it being stated that the said Curry has been arrested, and is now in custody within the jurisdiction of this commonwealth, it is ordered, that the governor do send the said Robert F. Curry, in proper form, and will be complied with whenever a similar demand for the surrender of Peter Johnson, Edward Smith and Isaac Gansey, heretofore charged with felony under the laws of this state, shall be complied with by the governor or other authorities of the state of New York.

It is, further, ordered, to be certified to the governor of New York, that measures will be taken for the detention of the said Curry for six months from the time of his arrest, a period sufficient, it is hoped, to enable the authorities of that state to determine whether the constitution and laws under which this demand is made are of as binding force on the state of New York as in the state of Virginia. By order of the governor.

WM. H. RICHARD, secretary of the com.
Friday, evening session. Mr. May submitted the following resolution:

"Resolved, it appears that the governor of New York hath demanded of the governor of Virginia a fugitive from justice, legally charged with crime in that state, and now confined in this, and that such detention hath been made in conformity with the constitution and laws of the United States, but that the governor of this state, considering that the governor of New York has very recently refused to comply with a similar demand herein made by this state, has decided to proper refuse for the present to surrender the said fugitives; and while the general assembly hath full confidence that the course adopted by our governor hath proceeded from an anxious and patriotic desire to induce the state of New York to comply with her constitutional obligations to this state; yet, as the general assembly hath solemnly protested against the conduct of that state on the occasion alluded to, as a palpable violation of said obligation, and has maintained and still maintains, that the duty of the executive of each state to surrender fugitives legally charged with crime, when properly demanded by any other state, is an imperiously enjoined by the constitution and laws:

"Resolved therefore by the general assembly. That in its opinion the executive of this state, charged with crime, and demanded by the governor of New York according to the constitution and laws of the United States, ought to be surrendered, notwithstanding the refusal of the governor of that state so to act in a similar case."

After some discussion Mr. Holladay moved the following as a substitute:

"Resolved by the general assembly. That in their opinion the refusal of the governor of New York to surrender fugitives from justice legally charged with crime, and demanded by the governor of Virginia according to the constitution and laws of the United States, (though a palpable violation of that instrument, and highly injurious to the rights and interests of Virginia), does not suspend or release the constitutional obligation to make such surrenders, and that of a similar demand by the governor of New York on the governor of Virginia."

After considerable discussion upon these resolutions, the house adjourned, on order to decide couly upon the affair to-morrow.

Saturday, March 29. The resolution and the amendment which was under consideration when the house adjourned yesterday, was taken up, and Mr. Holladay having withdrawn his amendment, Mr. May submitted the following as the resolution to be passed.

"Resolved, therefore, by the general assembly. That in its opinion the said fugitive, if legally charged with crime committed in New York, and demanded by the governor of that state according to the constitution and laws of the United States, ought to be surrendered, notwithstanding the refusal of the governor of New York so to act in a similar case."

All the members present voted for this resolution, except Messrs. Cropper, Smith, of I. W. Worth, Babur, Taylor, of King George, Smith, of Gloucester and Mullin.

Some time after which, the speaker submitted the following communication from the governor:

Executive department, March 30, 1841.

To the general assembly of Virginia:
I have received and most respectfully considered the proceedings of the general assembly in reference to an order of this department, declining for the present to surrender a fugitive from justice on the demand of the governor of New York. While I have no modified regret to me that any difference of opinion should exist between the departments of our government on subjects of so much delicacy and importance as those involved in the present unfortunate relations between our own state and the state of New York, I am anxious to believe that the agents of the people of Virginia differ only as to the means of protecting rights which are, or ought to be, equally dear to all. Though the duties of the states, with regard to the surrender of fugitives from justice, have devolved, under the constitution and laws of the nation, on the executive departments of their government, and though, in the language of our state constitution, "the legislative, executive and judiciary departments, shall be separate and distinct, so that neither

exercise the powers properly belonging to either of the others," still the opinion of the general assembly of Virginia is entitled to the utmost respect and consideration by the executive, because the executive agents are here appointed by the legislature. Concerning thus much, it is maintained that, with the exceptions recited in our constitution, each department of our government is responsible within the sphere of its powers only to the people.

As I am unable to concur with the general assembly in their opinion as to the duties of this department in the present occasion, I may be excused, I trust, for assigning some of the reasons which have seemed to me to indicate the course of executive action. Before I had the honor to hold my present station, a resolution was adopted by the general assembly, in the following words:

"That the course pursued by the executive of New York (in reference to a demand for the surrender of three fugitives from justice) cannot be acquiesced in, and, if sanctioned by that state and persisted in, it will be deemed a gross duty of Virginia to adopt the most decisive and efficient measures for the protection of the property of her citizens, and the maintenance of rights which she cannot, and will not, under any circumstances, surrender or abandon."

"That the resolution I was requested to renew a correspondence with the governor of New York on the subject of a demand by my predecessor, with which the governor of New York had refused to comply, for the surrender of three persons charged with crime, and who were considered by the governor of a citizen of this commonwealth. I was further requested to invite the attention of the other slaveholding states to the subject, and to invoke their co-operation in redressing the wrongs to which our state is exposed by the refusal of the governor of the state of New York to surrender these fugitives from justice. The correspondence which ensued with the governor of New York and with the slaveholding states, and its results, have been communicated to the general assembly. The whole agency of this department in connection with this controversy since I have been charged with its high and honorable trust, has consisted in executing the request and pursuing the line of policy marked out by the legislature.

The executive of New York has persisted in that course of utter and wanton disregard of the obligations of the constitution, which the last legislature declared would not only justify but demand from this state the most decisive and efficient measures of self defence. While the governor of New York alone could be considered as responsible for this course, and while a hope remained that it would be repudiated by his state, I urged on your consideration the most pacific and conciliatory measures. But when it became apparent that the course which the governor of New York had thus persisted in, had been, in the language of the last general assembly, "sanctioned" by the legislature of his state at its present session, I concurred in the conclusion which had been anticipated and declared by our own legislature, that it became "the solemn duty of Virginia to adopt the most decisive and efficient measures for the protection of the property of her citizens, and the maintenance of rights which could not and would not, under any circumstances be surrendered or abandoned."

The executive of Virginia had been committed as to his course in this controversy, and by legislative authority, before I had the honor to be connected with the executive department. Events have occurred which, in the estimation of the general assembly, justified them in denying to the citizens of Virginia the privilege which they have claimed, and which are enjoyed by the citizens of every other state, and in imposing restrictions on the citizens of New York in their intercourse with Virginia which are imposed on the citizens of no other state. By the very course which you have undertaken, as one of the co-ordinate departments of this government, to interdict the commerce and intercourse of citizens of New York with this state, except under severe restrictions. You have applied these terms indiscriminately to the innocent and guilty, and proclaimed that every citizen of New York who persisted in his course, was held responsible to a certain extent for the refusal of the governor of that state to surrender fugitives from justice who had been constitutionally and legally demanded. The act of the present session, to prevent citizens of New York from carrying slaves out of this commonwealth, and to prevent the escape of persons charged with the commission of any crime," has been deemed, on your part, a measure of necessary defence or precaution warranted by the refusal of the governor of New York to acknowledge and perform his constitutional obligations to this state. You have thereby attempted to control the action of the legislative department

of the government of that state. Your authority as one of the co-ordinate departments of this government, and your duty to protect the commonwealth by all legitimate means, has not been questioned; and unless it is conceived that all the powers and all the responsibilities of our state governments have been entirely transferred to the legislative branch, it will not be denied that the executive also has duties to perform and responsibilities to meet with in the sphere of its powers, and that these may be employed for the public safety by this department, with as much propriety as they may be directed to the safety of which you are invested can be employed by yourselves. The act of congress of 1788 requires that a demand for fugitives from justice shall be made on the governor of a state. Our own constitution requires the government to request to conduct all intercourse with other and foreign states. The question then arises whether the executive of this state, in its intercourse with other states, has any discretion within the acknowledged sphere of its powers, or whether it is a mere passive instrument, bound absolutely and unconditionally to regard a mutual and reciprocal control, the total disregard of which, on the part of another state, has rendered such extreme measures of precaution necessary in your own estimation. Are the citizens of New York more entitled to the protection of the legislature of this state any more authority to retaliate on them for his delinquencies than this department has to require that he shall do justice before he exact it; that he shall obey the constitution and laws which he is bound to regard as his own? The course, before he insists on their fulfillment by this state? The federal constitution prescribes certain plain rules, which were intended to apply to all the states. New York has denied that these rules or remedies are applicable to the state of Virginia, that Virginia shall extend them to her. Her demand is made on the executive of Virginia, and on this department devolves the responsibility of deciding whether the burdens only of the federal compact as to this question are to be borne by Virginia, while the benefits are to be enjoyed exclusively by New York. The constitutional obligations of Virginia have not been denied. It has been assumed, however, that they are imposed by an authority as binding on New York as on Virginia; and that the executive of Virginia is bound to comply with on our part when they are acknowledged on hers. Is the executive department of Virginia alone to "acquiesce" where the legislature of the state has denounced acquiescence as treason?

The federal constitution is the only standard by which the rights of the states are to be controlled of that constitution, while its remedies are designed to be, and must of necessity be, mutual or unavailing. If the obligations of the constitution are set at defiance by one state to another, the injured state must either submit to the wrong, appeal to the constitutional arbiter, or seek, by its own independent power, to obtain redress. It is apprehended that few persons will be found in Virginia who will advocate submission to the wrong which has been perpetrated on this state by the governor of New York. This department has already communicated to the general assembly its views on the propriety of the federal government in reference to this controversy, but it is not within the scope of executive authority to appeal to that government, and the representatives of the people have not thought proper to do so. I have preferred to rely on the resources within the reach of your department; you have brought those resources into view, the whole state of New York, and this department has suspended its compliance with a demand of the governor of New York, acknowledging its validity, until that other shall think proper to comply with a precisely similar demand long since made on behalf of Virginia.

Are the representatives of the people of Virginia alone to complain of this? The governor of New York cannot complain, because he is informed that the rights of his state will be protected when he respects those of Virginia. The people of Virginia, to whom their governor is responsible, may ask how long justice shall be withheld from them, since it is in his power at any moment to entitle them to that which he has withheld from the people of Virginia. In all the relations of life, the rights of the people are mutual—and it is only in the intercourse of states that this rule is to be disregarded? If the aggression of one state on the rights of another are not to affect the claims of the offending state in precisely similar cases, and if the rights of the people of the state which has been injured, are to be enforced on our part will only encourage the perpetration of wrong and oppression on the part of others. If the instances of flagrant disregard of constitution, and obligations of the states which have occurred on the part of New York does not affect her demands on Virginia, it

may be inquired how often the office is to be repeated before we can be permitted to hesitate in our submission?

It is not the fault of Virginia that our relations with New York have been subjected to these embarrassments. Every expedient has been resorted to, in vain, by different departments of our government to avert this state of things. The state of New York has placed itself beyond the pale of the constitution, and it is compelled to have recourse to restore the relations which once existed, and which we desire to exist again, at its pleasure. As the chief magistrate of Virginia, I have not been willing to acknowledge any superiority in the demands of New York over those of this state, and, when I took this station, no demand of the governor of New York will be respected until it is covered by Virginia. I am entitled to at least an equal measure of justice and respect with New York. It would have been to me a source of inexorable satisfaction if, in this view of my official duty, I had been sustained by the legislature. I am very sensible of the ill consequences resulting from dissensions in the councils of our state on such subjects. It cannot be longer disguised that interests are involved in this controversy which have placed us in danger while Virginians are united in their defence, which, on the contrary, has exposed to extreme peril by our divisions. I may have formed an erroneous estimate of those interests, or entertained mistaken views as to the high responsibilities of my station. On questions of this kind, I am not willing to obstruct the action of the general assembly by my individual judgment. It is now apparent that, whatever of force the position of this department may have possessed, has been impaired, if not destroyed. The general assembly have done me no more than justice in believing that my course has been prompted by proper motives. I shall rejoice if the course which you have indicated will attain the ends which we mutually desire; and, while my own conscientious convictions of duty to the state will not allow me to conform the action of this department to the views you have expressed, I beg leave to resign to the general assembly, as I now do most respectfully, the office of governor or chief magistrate of Virginia, in order to afford you an opportunity of selecting an individual who will concur as the measure which you have recommended. In thus dissolving the official ties which have connected us, I cannot forbear to express to the general assembly, and through them to the people of Virginia, the profound sense of gratitude which I always cherish in remembrance of the unmarked distinction which their confidence bestowed on me. I am your fellow citizen,

THOMAS W. GILMER.

At the afternoon session, beginning at 4 o'clock this day, Mr. Crutcher submitted the following:

Resolved, That the message of the governor on this commonwealth of this day be respectfully referred to that officer, and that he be hereby informed of the wishes of the present general assembly that he would withdraw so much thereof as embraces the resignation of his said office.

After considerable debate, Mr. May moved the following:

That leave be given to bring in a bill to fix the time when the term of the governor of this state shall commence—and that the committee have leave to sit during the session of the house.

This proposition was agreed to, and Messrs. May, Goode, Holladay, Crutcher, Worthington, Fulton and Broderick, were appointed the committee.

Mr. May, after a short time, presented a bill fixing the commencement of the term of service of the governor of Virginia from the 1st day of April.

The bill was immediately read a third time, and after a few remarks, passed, and sent to the senate. In a short time a message was received from that body that it had passed there also.

Mr. May thereupon offered a resolution that the legislature proceed on the 25th (Monday) to the election of a governor.

Before the question on the adoption of the resolution was taken, on motion, the house adjourned; Mr. Crutcher having, however, first obtained leave to withdraw the resolution offered by him. On Monday having been previously adjourned upon as the day for the adjournment of the legislature of Virginia, a great number of members having departed for home before the resignation of the governor, and a few only having returned in consequence of hearing of it, the proposition to go into the election of a governor with so thin an attendance of members, under the act which passed on Saturday, gave rise to a debate so protracted as to make it certain that the time for adjournment would arrive without coming to a decision, if the disturbance persisted in. As the state is thus left without a governor, either actual or acting. Under these circumstances, a motion was made and carried to lay the whole subject on the table. A bill was then introduced to

repeat the act passed on Saturday; and the bill was forthwith passed into a law, *nem. con.* and the two houses adjourned without further action in the premises. The effect of this proceeding is, as we understand from the Legislature, that this district of the governor will now devolve upon John M. Patton, *ex. off.* until the 31st March and from that time upon the succeeding senior councillor, Col. John Rutherford, until the next legislature shall pass the necessary law, and elect a governor.

[*Nat. Int. March 25.*]

We understand that on Monday last, after the duties of governor devolved on him as lieutenant governor Mr. Patton issued his warrant for the surrender of Robert F. Curry, the fugitive from justice from New York; in compliance with the demand made by the governor of New York. He had previously, in his capacity of councillor, advised the surrender of the fugitive when the subject was submitted to the council for their advice by gov. Gilmer. His own sense of duty, therefore, required of him to pursue the course he has so promptly taken. He has, we understand, enclosed the warrant to gov. Seward in a brief letter, containing a strong and decided remonstrance against the conduct of the governor and legislature of New York as to fugitives from justice and fugitive slaves, with an earnest but respectful appeal to them to arrest the untoward and dangerous collisions which must ensue from a perseverance in their assaults upon the rights of the state of Virginia and the other southern states.

[*Richmond Whig.*]

MAINE.

David Bronson, the whig candidate for congress in the Kennebec district, (Me.) venerated by the election of the hon. G. Evans to the United States senate, has succeeded by a large majority.

Mr. Kent had been unanimously nominated as the whig candidate for governor of Maine.

MASSACHUSETTS.

The hon. Levi Lincoln, resigned on Tuesday last his trust of representative in congress from the Worcester district, to which he was re-elected some months ago.

By a minority report made to the house of representatives upon the finances of this state, it appears that the expenditures have for several successive years exceeded the income, and the committee have reported thereon with the following *ex. v.* slogan:

"We spend more money than we have income or resources; we employ more people in public offices than we have means to pay, without raising in debt; we must therefore either spend less, or reduce the pay of some of our public servants, and dismiss others, or without taxation the state treasury can never make the two ends meet."

It is supposed that it will be necessary to lay a direct tax of at least \$100,000 to cover the deficiency of this year.

NEW YORK.

McLeod's case. The Albany Argus of Monday contains a letter from Locustport, communicating intelligence that at the court of oyer and terminer at Locustport, on the 21st March, after the judge had given the judgment in announcing the verdict, that McLeod was arraigned and pleaded guilty. His counsel then applied for, and obtained two commissions; one for the examination of Mr. Webster, secretary of state, and Mr. Fox, British minister; another for the examination of the other officers in the department. The people of the state, as of course, joined in the commission.

The correspondent of the Argus thus proceeds:

An application was then made to the circuit judge, to allow a warrant to remove the case from Locustport to the supreme court, on an affidavit setting forth some of the circumstances of the offence charged to have been committed, and that difficult and complicated questions of law would arise on the trial. The petition was granted, allowing the petition upon that ground, but might be overruled by the county judges, and that it was proper in this case for that reason, that this cause should be tried in the circuit court rather than in the oyer and terminer. The circuit judge declined allowing the petition upon that ground, as there was no allegation of impropriety bias on the part of the county judges, and our statute has provided the means of correcting any error in the proceedings of the oyer and terminer by a bill of exception.

The counsel asked for time to add an affidavit in relation to the excitement which had existed in the county upon the subject and the reasons why it was believed a fair trial could not be had. This was granted, and the court adjourned over to the

afternoon, to give an opportunity to serve the writ if allowed.

During the intermission the affidavits were prepared, the court was allowed, and adjourned on the court on the going in, in the afternoon. Thus gives McLeod's counsel an opportunity to move the supreme court to change the venue to some other county.

Nomination. Ex-receiver Morris, of N. York, has been nominated by the N. York party of that city as a candidate for the mayoralty and has accepted the nomination.

The most important document which has made its appearance since the annual message of governor Seward, is a report from Mr. Verplanck in reference to the financial interests of New York. The report gives a picture of things based upon facts, and most favorable to the prospects of this great and growing state. Notwithstanding the heavy debt New York owes, she has abundant means to meet it. Any future deficiency is considered highly improbable in the report, even in the completion of all the important internal improvements which have been contemplated. The encouragement given Erie canal is spoken of as a work which may increase the revenue, upon the ground that it will diminish the rates of transportation very materially, and add much to the funds of the state to be derived from tolls. The report shows that ten millions of our dollars have been expended upon works of this character, but that the results are small. These works finished, and a cautious movement made in reference to others, of course we shall have clear and good sledding.

Internal improvements and state debts. Several bills in the legislature, appropriating money to works of internal improvement in this state, have been rejected. On one bill only thirty-nine members of the house voted affirmatively out of a total of one hundred and twenty-eight.

The situation of the finances of the state is reported as follows: The expenses for the coming year are estimated at \$82,700. The revenue at \$53,923 38; leaving about \$30,000 to be provided for by taxation or otherwise. The legislative expenditures are put down at \$23,000, the salaries of state officers at \$14,000. The cash on hand \$9,633 39. The amount of the school fund on the 1st of April will be \$30,500 35.

The New Bank. According to the Newark Daily Advertiser, the work of enlarging the locks on this canal, undertaken last winter, and then suspended, is to be immediately resumed and perfected, so that the navigation will be opened by 1st July.

The work is to be paid for in post notes, which, by a resolution of the directors of the bank, are to be receivable *par* in all debts due to the bank for the purchase of coal transported on the canal.

PENNSYLVANIA.

Bank bill. The bill for the relief of the banks has finally passed the legislature, the senate on Saturday having concurred in the amendments made in the house. It was to be presented to the governor yesterday, but whether he would approve or veto it was not known. The bill is in substance as follows:

Sec. 1. Provides that the banks of the commonwealth shall be liable for the payment of their debts as individuals are now by law liable, and that the extraordinary penalties shall be repealed.

Sec. 2. Gives the banks the privilege of issuing small bank notes, under the authority of the act upon their capital stocks, for a period of five years.

Sec. 3. The total amount of debts and liabilities, exclusive of deposits, not to exceed double the amount of the capital stock.

Sec. 4. That the stocks owned by the banks, (except of the commonwealth), not to exceed 10 per cent. of the amount of their capitals respectively; provided, that no investments already made shall be compelled to be reduced more rapidly than 12½ per cent. every six months.

Sec. 5. No stockholder, cashier or other officer of a bank to be permitted to loan its funds. Also, fixes a limit to the loans of directors, proportioned to the capitals of the banks.

Sec. 6. No loan to be made to the cashiers, tellers, clerks, &c. of the banks respectively.

Sec. 7. Abolishes the proxy system of voting for officers.

Sec. 8. Persons to be eligible as directors to own amounts of stock proportioned to the capitals of the banks respectively. No person to be a director in more than one bank at the same time.

Sec. 9. Frauds by directors and officers provided against.

Sec. 10. No dividend allowed greater than seven per cent. and no interest or loan contingent fund, one half of which is to be paid into the treasury.

Sec. 12. Dividend of five percent. allowed during a suspension.

Sec. 13. Returns of the condition of the banks provided for.

Sec. 14. Provides penalties in case said reports be not properly made.

Sec. 15. Makes it the duty of the secretary to forward a copy of the act to the banks for their acceptance, and the governor to issue a proclamation upon receiving the assent.

Sec. 16. Repeals former acts inconsistent with this one.

Sec. 17. Authorizes the capital of the U. States bank, if the stockholders desire it, to be reduced to 14 millions, and the bank to be released from part of her bonus.

DELAWARE.

Appointments. The Georgetown, (Del.) Republican state, that James Booth, esq. of New Castle county, has been appointed, by the governor, chief justice of the state of Delaware, in lieu of the hon. Richard H. Bayard resigned. In compliance with the requisitions of a law, passed at the late session of the legislature of the state, the governor has appointed ex-L. L. Lyons commissioner of wrecks, or wreck master for buncost county.

VIRGINIA.

Bank law. The Richmond Compiler furnishes the following abstract of the provisions of the law which was passed at the late session of the legislature in reference to the banks of Virginia:

It renials the forfeitures incurred by the banks for the non-payment of specie and restores their charters; suspends until the first of January next the provision which authorizes any person to recover the amount of notes or debts from the banks by action on two days collection so much as any act as subjects the banks to forfeiture of charter for failing to pay specie, reserving to the legislature the right to modify or repeal their charters at pleasure.

Suspends, until the first of April, 1842, such acts as subjects the banks to a ten per cent. damages, and fifteen per cent. interest for failing to pay specie, and subjects the banks, after the 1st of January next, to the payment of twelve per cent. interest for such failure; suspends until the 1st of April aforesaid, such acts as subjects the banks for issuing notes of a less denomination than twenty dollars, and from receiving in payment or on deposits the notes of banks out of the state below ten dollars; no bank however to issue or put in circulation any note of less denomination than five dollars, except as provided by the act of the present session.

Prohibits the banks whenever, after the 1st January next, the proportion of coin held by them shall, to the paper circulation, be less than as one to five, and shall so continue or ely, if any bank, from making any new loan or discount until, by amendment, or otherwise the said proportion shall be re-established. Authorizes the holders of notes, after suspension of specie payments by the banks, to present the notes for payment, and if payment be refused, requires the officer of the bank to endorse thereon the fact and date of such presentation, and declares that such note shall thereafter bear an interest of six per cent. per annum until paid; and upon refusal of the officer to make such endorsement, the holder or bearer of any note so presented shall be liable judgment for the same with twelve per cent. interest from the time of presentation; makes it felony, punishable by confinement in the penitentiary for a term not less than two nor more than ten years, for any officer or clerk of any bank, wilfully to make, or suffer to be made, any false entry, or to omit making any proper entry, or to alter any proper entry in any account kept in the bank, with intent to conceal the true state of the account; or to defraud the bank, or to enable any one to obtain money to which he is not entitled; makes the annual meetings of stockholders of the Bank of the Valley on the third Wednesday in May. Gives the legislature the right to alter or modify the charter of any bank accepting the benefit of the act or any part of it. Requires the banks to redeem their notes hereafter issued under the denomination of five dollars, whenever presented at such banks, or their branches, and whether omitted or issued by such bank or agency, where payment is demanded or not, and for failure to be subject to all the remedies and penalties prescribed by the act passed during the present session to allow the issue of small notes.

Divorce. The house of delegates, moved by the extraordinary number of applications for divorce brought before it, have passed a bill on the subject, giving to the circuit superior court jurisdiction in such cases, under the provisions of the bill of which the following is a part:

"And be it further enacted, That, after the lapse of seven years from the rendition of any decree of divorce a mensa et thoro, the same shall operate for every purpose for and may next, as a decree of divorce a vinculo matrimonii, and it shall be lawful for such party to marry again."

NORTH CAROLINA.

The governor of the state of North Carolina has, in pursuance of authority vested in him, fixed upon Thursday, the 13th day of May next, as a day of election, throughout that state, of representatives to congress.

ALABAMA.

State bank. The bad debts due to the bank of the state of Alabama and its branches, are officially reported by a committee of the legislature to amount to the very enormous sum of \$5,640,761 59! This bank belongs to the state, and has been governed by officers elected by the legislature. The loss will, of course, be suffered by the state.

Bank exhibit. The Planters' bank of Tennessee and its branches exhibited on the 1st of March, the following state of affairs:

Discounts 2,000,000; home bills 800,000; suspended debt \$40,000; property bought in 165,000; amount of other banks 200,000; specie 225,000; circulation 1,151,000; deposits 3,351,000. This she owes five dollars for every one she has in gold and silver. This is too great a disproportion.

The directors for the present year are M. Watson, H. E. Wheeler, J. W. Saunders, S. V. D. Stout, A. Hynes, J. Vaulx, H. Kirkham, R. H. McEwen, H. Petway, W. G. Dickinson.

OHIO.

Legislature. In the house of representatives, on Friday last, an important proposition, after a long debate, was adopted by a decisive vote, as stated in the journal, it was contained in an amendment to the appropriation bill for the public works, and provides in effect for an authorized suspension of the banks, for one or two years, as the suspension of specie payments may be deemed proper by the legislature, on condition that the banks shall make a temporary loan to the state of one and a half millions of dollars.

The bill to protect bank meetings passed a reading, in the senate, on Saturday, by a vote of 30 to 6. About the same time the representatives, on the bill making appropriations for the public works and repealing the 12 per cent. penalty upon banks suspending specie payments, was finally passed by the close vote of 33 to 32.

The senate had adopted a resolution to admit J. C. Wright esq. upon the day of that body, so as to make one speech, in support of his claims to the seat occupied by Mr. Holmes.

In the senate, the bank committee made their majority and minority reports, on Thursday. Mr. Austin, the majority, recommended a bill to re-incorporate the banks on the so called safety fund principle, adopting as the basis of his scheme, the bill some time since introduced by Mr. Russell, Mr. Vance, from the minority of the committee, submitted an able and interesting report upon the subject of banking generally, with reference to the present wants of the state, accompanied by the house bill with amendments. Both reports were ordered to be printed. (Half Pat.)

INDIANA.

Caleb B. Smith has been nominated by a county convention, as a candidate for congress in the district late represented by Mr. Burdett, who declines a re-election.

Fire. A new and extensive bagging factory in New Albany, was destroyed by fire on the 23rd inst. Loss about \$45,000.

MISSOURI.

California. An expedition is expected to leave Missouri in the course of a few months for Upper California. At a meeting held at Independence, on the 1st of May, fifty individuals volunteered for the expedition, nineteen of whom will take their families with them. A place of rendezvous is named which it is requested that all who wish to join in the expedition will assemble by the 10th of May. Among the resolutions adopted by the meeting was one to the following words:

Resolved, That our object in going there is that of peace and good will towards the people and government of California, and our principal inducement for emigrating to that country is, that we be able to procure, to be more comfortable in our travels and enjoyments than that of our present location.

State bank. This institution has resinded its order of the 13th of November, 1839, and resolved to receive the notes of the Illinois, Indiana and Kentucky banks.

The house of representatives passed a bill at its session making it an indictable offence to pass or receive a \$5 or \$10 note after January, 1842. It provides that all contracts the consideration of which, or any part thereof, should be in the prohibited bank notes, should be void, and that all payments made in that currency should be void; and that after a debt had been paid in such currency, the person to whom the payment was made might sue and make the debtor pay it over again! Fortunately, this oppressive bill failed in the senate.

WISCONSIN.

Bankrupt law. The legislative power of Wisconsin is a part of the legislative power of congress over the U. States. It extends "to all rightful subjects of legislation," and its exercise is to be respected and sustained in all courts and places as the action of the government of the United States.

An act of the territorial legislature takes effect from its date. On the first Monday of December, after its passage, it is submitted to congress, and if it is not disapproved by that body, it continues in force. By this silent action of congress, it becomes an act of congress. It may be repealed at any time by congress or the territorial legislature. But until it is so repealed it is in force with the assent of congress.

There is a single exception to this rule. By a special act of congress, all charters containing banking privileges granted by the legislatures of either of the territories must be actually approved of by congress before they can take effect. This is the only instance in which the territorial legislature is positively required to give effect to a territorial act. In every other, the combined power of the general and state government is fully delegated to the assembly of Wisconsin.

A bankrupt law passed by the legislature of Wisconsin is now pending in all courts, in every part of the United States, as a law of the territorial legislature of Florida was declared to be by the supreme court of the United States, establishing courts of admiralty in Florida. A decree of that court was effectual in every part of the United States, and so is a discharge under the bankrupt law of Wisconsin, a discharge under the bankrupt law of Wisconsin.

[N. Y. Star.]

FLORIDA.

Indians captured. The correspondent of the Savannah Republican under date of Pishtia, March 14, says:

"Captain Ker, 2d dragoons, a day or two since took twenty-one Indians with their chief, Koxa Tuskenogee."

Twenty old Indians came in a few days ago at Fort Fanning, and gave themselves up.

Wild Cat has been in at Tampa and gone out to bring in his people, and letters to night say that ninety men were sent out on the 11th to escort ninety old warriors on their way in.

About four hundred Indians are already at Tampa waiting to be shipped—so fact every one writes that the war is over.

Hallock Tuskenogee, with about 100 warriors, having been twice whipped by an lieutenant Alberts, of which I gave you an account, was trailed to his camp on the Ochlockonee, eight miles south of Fort Mieray, by captain Barnham, and again whipped and routed with considerable loss.

Private Bowser, was severely, the latter, fear, mortally wounded. Soon after the engagement he was followed by captain Smith, 2d infantry, and lieutenant Sibley, 2d dragoons, each with a company, and Indian Billy, a guide, and they all set off in pursuit. In the meantime, the Indians, who were in the company of dragoons, has taken the opposite side of the river, hoping to have the game flushed and driven into his hands.

Friendly memorials. In an Indian camp, in Florida, from which the savages were driven by captain Barnham, there were found no undress uniform coats, belonging to the late lieutenant Sherwood, and a lace collar which was the property of a fortunate Mrs. Montgomery. A quantity of clothing taken from the body of slain soldiers, was also discovered, and much plunder.

Second expedition of col. Harney in the everglades, Florida. The following letter, says the Charleston Courier, from a gentleman in Florida, to his friend in this city, dated Tampa Bay, March 10, comprises a journal of col. Harney's latest expedition to the everglades, in pursuit of Sam Jones, and is furnished by an officer who accompanied col. Harney. It will show the great enterprise and the difficulties are requisite on the part of those who exert themselves in the protracted and extraordinary contest with the savages of Florida.

On the 1st of January, 1841, lieutenant col. W. S. Harney started a second time for the everglades.

With a force of 20 dragoons, 70 of 34 artillery, with four officers of the line, and 140 mariners and sailors under the command of capt. McLaughlin and the officers of the Flirt, Wave and Otsego, U. States Schooners, and the gunboat, "Hull," the force could not, carrying from six to ten men each, the force was distributed in small canoes made expressly for the purpose, and carrying five men each. The orders of the day directed that each man should be armed with a musket, a cut-throat razor, a flint ball cartridge, and the necessary blankets, &c. The most perfect silence to be preserved by every one, orders to be communicated by signal whistles, with which the officers were supplied; the boats when moving to be kept in single file, and at regular paces apart, and every man ready to drop his paddle and seize his musket at a moment's notice.—The dragoons were armed with Colt's repeating rifle, and, being under the command of Col. H. Forman, they were kept in the rear, and were ready to move at half an hour after sunset, and during a shower of rain, the command left Fort Dallas, which is situated in the bay at the mouth of the Indian river, eight miles above Key Biscayne; Col. H. in advance, followed by the gunboat, the marines, the sailors, the army next, and the navy in the rear. After passing up the bay seven miles, we entered the mouth of Little river, a tortuous and extremely rapid outlet from the everglades, and struggled against the current until after midnight, when we arrived at the mouth of the river, and made a rapid ascent, landed, and landed. — January 2d. The guide says that by not stirring from here until towards evening, we will reach Claito, Tustenuggee's island, an hour or two before daybreak, to-morrow; we were then ordered to dig up the muskets, and to be concealed in the grass and thickets, until four P. M. when we again started, but in reverse order, the colonel in advance, the navy next, and the army in the rear. It may be as well to mention here, that the army and navy were ordered to be in the rear, as a matter of order of precedence, the colonel, however, always at the head of the column. After passing up a few miles of very swift rapids, we entered the everglades at sunset, and skirting along a very narrow channel, we proceeded until midnight, when we lay concealed behind the point of it until it was quite dark. We then moved forward swiftly and noiselessly, at one time following the course of serpentine channels, opening out occasionally into a very small bay, and at other times following the shore through barriers of tall saw grass. After several hours hard paddling, we came in sight of Claito's island, and the signal was passed "to close up." Approaching cautiously, we took our position in the saw grass, and when the signal was given, in obedience to the signal, "move up and effect a landing." An advance guard having been sent in to reconnoitre, after some time reported that the enemy had left the island, and, in a tone of bitter disappointment, the signal was given, "move up and land, the Indians have escaped."

January 34. Chitto Tustenuggee's or Snake Warrior's island is a most beautiful spot, containing from 18 to 20 acres; the soil is extremely rich—about two feet deep, lying on rotten lime stone.—The centre is cleared, but the circumference is well protected by immense live oak and wild fig trees, and an almost impenetrable thicket of mangroves. There are two towns, two dancing grounds and one council lodge, on this island; with a few expeditions to the neighboring grounds, the principal articles of commerce, such as tobacco, are grown in this place. The clearing is over-run with pumpkins, squash and melon vines, with occasionally Lima beans in great luxuriance and of a most excellent quality.

the beans in great abundance and of a most excellent quality. The Indians have been gone for at least two weeks, and have left behind them all useless articles, such as war dance masks, supernumerary baskets, kettles, fishing spears, bows, &c. At 11 A. M. the colonel dispatched a small force to reconnoitre Tusconee's island, which lies about three miles west of us; they returned at 4 P. M. and reported recent signs of a man, woman and child.—The only trophies they had obtained, were some ears of green corn and a few stalks of sugar cane.

January 4th. Started at 9 A. M. for Sam Jones' island. He is said to have 70 warriors with him, and to hold a strong position; the only fear, however, entertained either by the officers or men, is that he too may have seen fit to desert his island, and betake himself to the Big Cypress. After paddling until 3 P. M. we reached a small cluster of trees, from the tops of which the guide said that Sam's camp was visible; he was accordingly sent up aloft to make an observation, and soon pronounced the place deserted.

This information altered the colonel's plans, and instead of waiting until night should conceal his movements, he advanced immediately towards the island; at the same time, however, not omitting the precaution of sending off flanking parties, and an

advance guard to reconnoitre. Before sunset we had all landed, and were enjoying our bacon and biscuit in the midst of an Indian village. *January 30th.* Sam Jones's possessions consist of a group of islands, including in size, an area equal to a narrow sluice. Upon the largest of these, which is about one hundred and fifty yards in width and half a mile in length, are three villages and dancing grounds; the general features the same as those of the other islands, the only difference being that the village in the centre is planted with pumpkins, melons and corn, which were of course destroyed. Our greatest annoyance at this place, was the immense number of flies, cockroaches and insects, which were everywhere. The island which was alive with the former, which with the musquitos, attacked us, while the moches luxuriated on our provisions. The whole group of islands, (called the Army and Navy group), is nearly a mile and a half in length, and the only examination presented no recent Indian signs.

January 6th. A I. S. A. M. passed over three miles to the Pine Keys, and secured their whole extent; returned at night, hungry and fatigued, to Sam Jones' camp. *January 6th.* Started early for the "Prophet's island," which, according to him, is "two miles" from "A. I." At 11 o'clock, a "small boat" landed, and destroyed a flourishing crop of corn. A I. S. P. M. came to another island of small extent and uncleared; upon sending negro John up a tree to look out, he reported two Indians in canoes, two miles off, coming toward us. Orders were immediately given by Col. H. to lie close, as they were "about to be discovered." The boats were seen by John reported that they had seen us and were going back. The colonel gave chase, but finding there was not water enough for his large canoe, transferred the guide to captain McLaughlin's boat, and directed him to move on in pursuit—the light boats were ordered to follow. The boats were seen by the command. The colonel, with the large canoe, returned to the island, and sent up a look-out, who reported the Indians as out of sight, but our boats still going at speed, and rapidly nearing a small island about three miles off. Col. H. becoming impatient, ordered the boats to be sent on, and the passage across without any guide, started for the other island, and reached it just as some of the advance boats flushed a party consisting of four warriors, five squaws and two children; each warrior had a separate canoe, containing his family and himself. The women were in the rear, and the warriors and the women, and took to the grass water landing and firing as they ran; three of the warriors were soon shot, three squaws and one child taken; the other child was drowned by its mother to prevent its cries leading to her detection. Night coming on, one warrior and two squaws, favored by the darkness, escaped, and were not seen.

darkness, escaped. Only one soldier was slightly injured, and the rest of the party were safe. At 6 o'clock in the morning, Col. H. sent out a small force to follow the trail of the other warrior and endeavor, if possible, to take him alive, as he had learned from the squaw that he was Chin, one of the best guides in the whole Territory. The party consisted of three men, who came up with a squaw (Chin's wife) and took her; a few yards further on, upon hearing a rustling in the grass, several of the men leaped into the water, and the Chin, who was swimming, was captured from the boat, was shot by the Indian in the back. He then ran a few paces reloading his rifle, and as sergeant Sennels, of 3d artillery, rushed toward him, he turned and fired, only a few paces, wounding the sergeant in the arm. Chin then turned and shot him; Chin then struck at him with his rifle—poor Sennels sank for an instant under the blow, but blinced and twining as he was from loss of blood, he sprang up and shot Chin in the back, killing himself upon the Indian's neck crying, "I have him." Chin then drew his knife and was about to stab his captor, when a soldier arrested his murderous hand. Chin was then taken to the fort, and the sergeant was taken into a canoe and brought back to the fort, where his wounds were examined and dressed by the military surgeon.

deal officer. The bill was found to have passed through the right arm, entered the right side, breaking a rib, opening the right lung, and passing into the liver. The marine was not much hurt, the ball having only made a flesh wound. *January 8th*—The morning was calm, and the wind light. In addition to this discomfort, it rained hard, with a cold south wind, all last night. Chia says, that Sam Jones, immediately on hearing of Col. Harney's first expedition, had sent over to the Seminolas for powder and lead, and said that he would go into the Big Cypress, where, if he was pursued, he would fight. Chia says, that Col. Harney and his party were going to join him, and that he (with a pessimistic, should he prove false), promises to guide us faithfully to him. In consequence of this

information, we returned to Sam Jones' island which we reached at noon.

January 10th. The description given by Chis of Sam Jones' probable position, is such as would intimidate almost any one except Col. H. from attempting to dislodge him. At 8 A. M. we started for the head waters of New river, which we reached at sundown, and passed down the stream to Fort Landerdsale, where we arrived at midnight.

January 11th. Having disposed of our wounded men and the female prisoners, we left Lauderdale at sundown and ascended the New river, entering it by the right hand branch, an hour or two before the sun set. After a short rest of two hours rest, we moved on to a group of key, lying between the expanse of the everglades and the edge of the big Cypress. It was here that Chia-kei was killed by the deadly bite of the enemy; but upon examination of the signs of the attack, I found that his leg had gone on to the O kee-cho-be. With a heart swelling with disappointment, Col. Harney and his men, who were weary from the march, saw his schemes thwarted by the cowardice of the Chinese. Chia-kei's fate, and deserted their bitter and inaccessible retreats. At noon the navy left, taking with them Mico and negro John as guides to the island, in the direction taken by the first expedition. After a short rest, we moved on for Lauderdale, and aided by the swift current of the New river, reached our destination at 8 P. M. Jan. 13th. Col. Harney, this morning, started for the mouth of the river, to examine the passage from the New river into the Hillsborough inlet, the low state of the water proved an insurmountable obstacle, he returned at sundown, and orders were prepared to move homeward to Morrow.

Jan. 14th. Passing down the New river to its mouth, we coasted along the shore, until we reached the Haut-over and encamped for the night.

Jan. 15th. At early dawn the canoes were hauled over from the beach into the bay; and passing down to it, we reached Fort Dallas at noon.

The Payson-o-ke, grass-water or etregledges, comprises a large portion of southern Florida, lying south of the twenty-seventh degree of latitude, and separated from the Atlantic and Gulf of Mexico, by a narrow strip of land, not more than twenty miles. There are a number of outlets on the eastern or Atlantic coast, while on the western or gulf coast there is only one, now named, after its first navigator, *Hatney river*. The appearance presents a very singular aspect, the water being a vast immense prairie, stretching out farther than the eye can reach, covered by thick saw grass rising 6 feet above the surface of the water, which it conceals, the monotony varied by numerous snake-like channels, and small islands, some of which are from twelve; the average depth of water over the whole extent, is from 2 to 4 feet. The channels differ in width from ten to twenty feet, and in some places are so narrow, that a boat could not pass. The grass, the larger islands are about 200 feet above the usual water level, though no doubt, in very wet seasons occasionally overflowed. The water was clear and wholesome, and even where no current was perceptible, there was no appearance of stagnation.

The results of this expedition, although apparently not very brilliant, have only been surpassed in usefulness, by those of the first everglade expedition, undertaken and presented with such untiring energy and eminent success by col. Harvey. The knowledge acquired of the nature of the country, the facilities of the islands, and the strength of the various tribes, are of the most valuable character, and it is itself ample reward for the suffering and privations necessarily encountered during a movement in open boats, with no tents, a limited supply of blankets and provisions, exposed to the sun by day, and the dew by night, to the dreariest and most monotonous life, and rarely above the luxury of a fire, and living upon a fare which requires a strong appetite to relish.

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL

In senate. January, 15 and 16, 1841.
January 15. Mr. SOUTHWARD said that he wished to express the views which he entertained of the subject of the present bill. And though he could not but regret the late hour at which he was enabled to commence, yet, as he desired that no delay should be occasioned on his account, he would proceed.

I understand (said Mr. S.) the questions before the senate to be, first, on the amendment moved by the senator from South Carolina, (Mr. CALHOUN) which proposes a cession of all the public lands to the states in which they lie, with a partial grad-

tion of their price when in the hands of the states. This was offered in the form of an amendment to a previous amendment proposed by the senator from Kentucky, (Mr. CHITTENDEN), which provided for a distribution of the proceeds of the public domain among all the states in the Union, in a ratio of equal pre-emption granting to the settler, if his property was not worth over a thousand dollars, three hundred and twenty acres of land at the government price. It is possible that I might bring my consent to consent to this amendment in a modified form, might vote for something in the shape of pre-emption and graduation, provided they should be strictly limited and placed on safe principles—but for nothing, unless limited with a plan of distribution.

In approaching this question, permit me to remark, in the first place, that I cannot consent to let here under what I regard only as a threat, founded on the power which may in future be exerted, if we do not consent to yield up these lands now. The senator from Arkansas (Mr. SEVIER) was pleased to commence and to close his remarks, addressed as they were, or should have been, to the intelligence and judgment of the senate, with a distinct intimation that we must now do what was required of us, or, when there should be power in my vote to let us enforce their will on this subject, we should be compelled to yield to necessity. I do not understand that kind of argument as addressed to the intellect, and much less to the conscience of a senator. The discharge of his high duty. When a great question is to be discussed, I do not comprehend how my judgment is to be made to yield by having it said to me, give these lands now, or hereafter we will take them as soon as we shall have power to do so. I am to be convinced by an argument of that character. If the dictates of my judgment and a solemn sense of public duty lead me to refuse my assent to measures proposed here, no appeal to future power, no threat of future vengeance, will induce me to vote in any other way. Such questions should be decided without reference to threats of any kind, and, in my apprehension, they are very ill-applied to a body like this, consisting of the high representatives of states, and standing here under the shield of the constitution, for the protection of the rights of the people and the states which sent them.

Again. There has been introduced in the present argument much which relates to the catchword of party and the question of the majority employed in the time of the election, to obtain the benefit of the impression they might make amidst the excitement of such a scene. I ask, what have these to do with the grave questions, to whom belong the public lands and what is the duty of government in their management? These questions are very little connected with log cabins. What have they or other political emblems to do with the inquiry, what is now our duty? Was the word log cabin introduced both into the bill and the title, as reported from the land committee, by way of sneer? And can a sneer conquer the judgment or convince the conscience? Or are these things intended to forward electioneering and party purposes? The question before us is far higher than those connected with the temporary occupancy of the executive chair. It connects itself with the origin and foundation of our institutions—with all that has followed from that eventful moment to the present—and it presses on all that is hereafter to affect our children and our children's children. Such a question has no appropriate connexion with the electioneering emblems.

It is proper that I should thus notice these things, because I intend, as far as I can control my feelings, and speak entirely in the calmness of reflection. I find myself approaching, in the course of my argument, any point to which they have been directed, I will endeavor to prevent myself from turning aside to reply to the arguments derived from them. This is said to be a question of great excitement. It is so; but it ought to be so only because of the magnificent and profound interest which is inherent in the subject itself. It should not be a question of that species of excitement referred to in the debate, and which is found here, and in the state legislatures, and among politicians to a far greater degree than among the plain, laborious, unsophisticated portion of the community, either in the west or the east. It is easy to see why it is here made a question of great excitement, and the motives which excite the trouble-makers to make it so. It is exciting in the legislatures of some of the states because it is a question which addresses itself to the removal of the most painful of all the duties which the members of those bodies have to discharge. If a system of pre-emption and graduation and cession could be fully accomplished upon terms which they desire, they would be relieved from many onerous

duties. Taxation would give them no trouble, in-limited improvements become a light burden, our joint property be the easy remedy for such difficulties. There is no mystery in the reason why politicians and legislatures make this a question of excitement, and should be free from all considerations and influences. Here is an immense domain, the common property of the United States. It is admitted even now, and has been in this debate, to be the common property of the whole Union, and the property of the whole people, and the history of the revolution, the terms of cession, and the principles of the union, rests upon the management and disposal of this great common property.

The first plan is offered to us by the senator from South Carolina, (Mr. CALHOUN), and proposes a distribution of the whole domain, lying within nine of the states, to those states. It gives it to them, and they either take it, by cession, and obtain the legal title to it, and perfect control over it, or they are to be the agents for this government for its management. From the argument of the senator, I could not distinctly understand whether his amendment was intended to secure an absolute cession to those states, so that congress can no longer have any control over the states, or whether the states were to be regarded as the agents of the general government, to carry out its purposes, and to make return to it of the results of their agency. In the first case, that of an actual cession of the whole territory to the states, and the United States lose their title to the land, if they have one, and the states acquire it, and have the land as their own, absolute, indefeasible inheritance. When this shall be the case, if the doctrines which have been advanced by gentlemen from the United States, and all the calculations which those states may assume will be not parchment, but pack-thread, broken by the slightest effort of the weakest among them. If the principles which have been asserted here be sound, that must be the result. I understand the senator to say, that if he will let us who do, I point them and others to the consequence which I think must ensue when the states shall possess the lands in fee simple, and have the absolute control over them. They will take them—they will have the right of interference, and they will have any interest in them. Their state sovereignty over all lands within their limits will be the ready answer to all your claims and rights.

But suppose the states to be mere agents of the United States, and their duty with reference to the government has entrusted to them in discharge of its own high trust under the instrument of cession. Put them in that position, and then how stand we? With our present land system still to control them. If we do not officers to receive our portion of the money, we must keep up our registers and receivers, our land districts in the states, and our land department here. I mean that, so far as these states are concerned, all the characteristics and all the expense of the existing land system must still continue. We gain nothing, or so little, that it is not worth consideration in relieving ourselves from responsibility and expense. They are our agents, and as such, they must appoint agents of their own to sell the land. A citizen comes to pay for the land he has entered, and he offers to pay a part to the receiver of the general government and a part to the receiving officer of the state. Suppose the state, or its agent, shall say no. Or suppose an arrangement is made that the officer of the state shall receive the money, and the citizen pay the price of the land to the United States, and he is to do so, what is your remedy? He is not your officer, and where is your power to punish him? He is an officer of the state, and we have heard much of this government having no power to punish him, and the consequence is, that such. I ask, how will you enforce the payment of your money?

Look at it, then, in either aspect. You give the lands to the state in absolute inheritance, without retaining any efficient lien, or the states are your agents, and you are to enforce the obligation of the contract. It is wise—it is discreet to meet either alternative. Does either arrangement come within the faithful discharge of our trust over this property?

But suppose, that the states be not to be made to receive the land on the conditions proposed. It has already been announced to us by a senator that his own state is not likely to agree to such an arrangement, and that, if he be asked his opinion, he will advise us not to agree to it. Will the states admit that Ohio shall refuse, that Indiana shall refuse, and some two or three other states in nearly the same situation of these shall also refuse—in what condition shall we stand? In this we shall be reduced to the state of three or four states, with an immense amount of land, and they will take all the benefits of it, while the other states, with our lands

still within their limits, reject the proffered boon—demand of us the continuance of our obligations in regard to the whole territory, ceded and unceded, and their portion of the proceeds from the whole—Three or four states take a rich inheritance for themselves, and other people have their pride, I had almost said passions, gratified, by the exercise of their authority as to your own property, and still claim a participation of all the benefits of all the lands beyond their limits. The other states, in these respects, stand in inferior position. Is this right? Are we prepared to stand in the background?

The bill says that the cession shall not be operative unless the states receiving the cession shall pass "irrevocable laws" in conformity with it. What is the meaning of that? I admit, to my own judgment, and, in my opinion, utterly false; that a legislature can pass no irrevocable act—and has no power to bind its successors? Suppose such a doctrine shall prevail—the state legislature pass laws, which they declare to be irrevocable, giving the rate of allowance to the general government for the public land sold, and the very next legislature shall repeal the law, and declare it of no effect. Where are you then? Have they not power to revoke, according to this doctrine? That all I bargain, and they consent to the terms of it; but then there is a change of circumstances, and a change of public men, and a change of public opinion, and the legislature may say, take back your land—we revoke the bargain, and you are to be the agents of the government to obtain a right to break our promise. How then? I believe I have as much faith in the integrity and honor of the states, and in their devotion to constitutional principles, as any senator can have; but when I am called to do so, I am not a legislator, but a foreman, that great principles and interests are to interfere, and especially when I look at the ground some of these principles rest upon, I pause and wait before I yield my assent to the agreement proposed.

But suppose we agree that the nine western states shall assent to the offer of cession, what then? You have given them the entire public domain within their limits; you have distributed one hundred and sixty millions of acres among nine state of the union. Do you intend that this shall be equal among them? Are the benefits to Arkansas equal to those of Tennessee? Are the shares of Missouri and Ohio less? No man can look at the documents and not perceive that there is a high degree of benefit conferred on some states and a very moderate one on others.

Where do you rest your authority for this wide discrimination between state and state? Show me where, in the terms of union of these twenty six states, and in the terms of the constitution, you get your authority to make any such distinction. I have not read the constitution right, or you have not such power; and I hope you have not. If you commence to exercise it, where is to be the end? Your laws, I thought, were to be equal. The states are not to regard each other as inferiors or superiors—as favorites or exiles from favor. You have no right to make any such distinction, and the moment you do, the seeds of discord and dissolution are sown, and they will grow. If part of the states shall concur in the proposed arrangement, you will be in a condition to be launched. If all shall concur, you will have made a distinction which you have no right to make. I do not speak now of the distinction between these nine states collectively, and the remaining seventeen other states of the union, but of the distinction between the states themselves, with whom you deal, and with regard to whom you propose to take a step which is a violation of all equal justice and of the constitution.

If I comprehend the effect of this amendment, and especially its effect to land to the states—if the word *cede* is to be understood in its technical meaning, in that in which it is used in the instrument which gave us the land, or in any meaning in which it has ever been used, so far as I know, and the states shall refuse, or neglect, or omit, the payment of the debt which is due to the United States, the creditor and debtor between the general and the state governments. I ask you whether it is wise, whether it is prudent and discreet to put this government in the relation of creditor, and any one or more of the states in the relation of debtor, and such a relationship you will stand in a worse condition than the colonies in the revolution anterior to the confederation, and the states after the confederation. A state owes you a large sum of money; during the confederation it was not paid, and it could have been demanded, (poverty, I admit, was a great obstacle, and leading to a state of things which came much defeating the revolution), but it would have been commanded to make payment. It obeyed or not, at its pleasure, and it was not to be enforced by your arm. Arkansas owes you a million of dollars, and you say that she cannot make good, or speaking in the

spirit of her representative here, that she will not; where is your power to compel her? You would hear very different language then from what you hear now, and you would find that you had no constitutional power to coerce the payment but one, and that is the power to make war and suppress later rebellion. You might compel payment, but it must be by drawing the sword, and bathing it deeply in the blood of your fellow citizens. For such a spectacle I have no desire, and would avoid the cause of it. I would avoid it as a ruler and a legislator, and as a citizen, because, should any state refuse that which as trustees it is your duty to demand, your only remedy is to yield, or to spill the blood of your countrymen. You must make your calculation either for results like these, or to listen to appeals made to you by sovereign states, in terms of subservience and humiliation, invoking your molestation, and begging forbearance. Before I would see states of this union reduced to this, and begging at your hand that you will put off the day of execution, I would be almost ready to invoke the use of war itself. State degradation like that would be incompatible with the existence of the union, and I regard the dignity of the states too highly to place them, by any act of mine, in such a situation.

Something has been said in this respect of the subject as to the credit which is to be given to a state; and some of the arguments (such I suppose they were intended to be) sounded, in my ear, much like sneers at the credit system, and all that kind of party eloquence. I say little or nothing of it, being sure that such a question is not one of credit to the states, or of the states, or of the indebtedness of citizens to their own government, and of states to the union. This subject was referred to by the senator from South Carolina, (Mr. PASTOR), in relation to the lands sold prior to cash payments. He was right in his reference. The lands sold and unpaid for, previous to 1819-'20, amounted to \$21,775,327. It was a debt due from the people of the states, or, if you please, from the states themselves. It was not a debt due from Ohio, to Indiana, and, so far as the territories were implicated, in the territories. You had sold your land without receiving cash at the sales. The purchasers were then your debtors, but the state takes the title, and you pay, as it may be done, as an individual would in 1816, '17 and '18. What is the distinction? Then your debtors were a set of humble, faithful, industrious men, seattered over your new lands. They had bought the lands, but could not pay you; and it had been the duty of the state to get out at that day a noble man, that loved his country, who did not look at the condition of things with great alarm. How did you escape from such a condition? By relinquishing part of your debt; by giving time for the remainder; and by requiring for the future the wholesome system of cash payment. Now your condition is to be greatly changed. You are about to create a debt of immensely greater magnitude; and you take for your debtors, not citizens, upon whom you can set with directness and power, but states, over whom you have no control but that of force. You could not compel payment from citizens of the states, and yet you are to deal with the states of which they are citizens. You were afraid to bring the power of the government to enforce the public right, for you were told that all your power could not reach the case; and now you propose to make states your debtors. And can you better control them? You are not to act on scattered individuals, but on corporate masses of men—on states, proud and haughty, and, if necessary, ready to resist your demand. Be warned in time. Avoid that condition of things. Create not that necessity. Let us see if we cannot continue to manage this public domain, and shun such threatening slanders. I think we can, and so believing, I would not reuder such remarks as these.

Mr. SOUTHWELL here gave way to a motion to adjourn, which was carried and the senate adjourned.

January 16 Mr. SOUTHWELL returned. After recapitulating the grounds of objection he had given over, he proceeded: I have now a few more suggestions to address to the states themselves. The language of the bill is, "that the state shall be exclusively liable for all charges that may hereafter arise from the survey, and the necessary management of the public lands, and extinguishing of the Indian title within the limits of the said states respectively." How liable? How to be adjusted? What right does it give to the states? What to the general government? Upon demand, how are they to be adjusted? How claims enforced? How a most fruitful source of conflict, not even the ingenuity of the senator from South Carolina, (Mr. CALHOUN), could have devised. But this is not all. Are we to understand that, according to the provisions of this amendment, the states who receive these lands

are to relinquish the Indian title? Are they to take upon themselves the high relations in which the general government stands towards the Indian tribes? Is that the meaning, I protest against the doctrine. This government has no power to surrender this relation to any state or number of states. What right has Arkansas or Missouri to make a treaty with one of the Indian tribes? What right, if the treaty be violated, to punish or expel them from their territory? None whatever. It would be a direct infraction of the constitution, if any state or number of states surrender its power to deal with the Indian tribes. Has the union in any form assented to the surrender of this high constitutional power? Can the union assent to it? And if a state has no right even to make a treaty with Indians, can this government surrender the higher and better power of determining where and how the Indians are to be disposed of by force? Can they say to any state, we give you the land—you pay for the Indian title, and have therefore a right to demand that it be extinguished with and how can you do that, I mean you please? Yet such must be the result. If the purport of this amendment is, that the states are to be regarded as having the power to remove the Indians by force, or to enter into treaties with them, it is entirely against the constitution. How can the government say to Ohio, for example, here is the miserable remnant of the Leni Lenape, the remains of the once warlike and formidable Delaware, who held control over the northern confederacy of Indians, and who were driven out of their lands and reduced to a few hundreds. You make a treaty with them according to your own interests, or we will make it for you; and if they refuse to leave their ancient seats, you may remove them by any means within your force—by any means you choose. The constitution then, by this amendment, if there be provision in the constitution which justifies this, at least, have been unable to find it. These remarks have to do with the question of power.

Next comes the consideration of humanity and policy. Three states have, or fancy to have, a deep pecuniary interest in speedily expelling the aboriginal possessors of the soil. Is it right, just, humane to let them decide on their expulsion, and the times, circumstances and considerations which shall go to govern them, and which may be of great weight or appeal? Are they the only states and the only people who rise above the weaknesses and errors of our nature, and can calmly see the truth and the whole truth through all the interests and passions which bind and mislead the human mind? Are the principles of the union, have a recorded obligation, and in a record too which will not be erased or expunged, that they will regard these matters as a trust on their consciences and oaths, will they yield their duty to faith in others, and without the possibility of securing the performance of the trust, shall error be committed and wrong done, when and how can we make compensation—when and how relieve ourselves?

But I turn from this painful view of one of our easily inferior magnitude—yet one which has weight of its own in the scales of justice—the question of money. And in regard to this, I ask, are the states in whose favor the proposed cession is to be made, to bear the burden of the expense of our intercourse with the Indians and of removing them? If they are, then I entreat the senate and I entreat gentlemen from those states to look at the consequences. Are they to sustain the expense of the Indian wars which may arise from their treatment of the Indian tribes within their territories? Will the Indians consider themselves aggrieved, as they are very likely to do, was any grow out of their discontent, and the feeble remnants within these states may be connected with very powerful allies beyond their borders, and when oppression is perpetrated on the other side they are prompt to revenge and their history tells us there are civilized and Christian nations ready to give them encouragement. Are these states to bear the cost of the Indian wars which their own conduct may create, or are we not only to give them land, and give up our power to deal with the tribes, but in addition to carry on all the wars which may grow out of the management and settlement of these lands? Does the senator from South Carolina, (Mr. CALHOUN), mean that such shall be the result of this amendment or does he not? Such it must be, whether he designs it or not.

Is it a part of his plan that, while we cede all the land, we shall retain all the burden? How can we avoid it? Will any "irrevocable" act of a state legislation, which is not a treaty, and which when made shall have arisen. Let the Indian warlike and warlike, and one drop of American blood be shed by an Indian warrior, and what must be the result? This capital will quickly bear it, and no sooner will it be heard than the power of this nation will be called up to avenge the deed. Can we refuse? No, sir,

no. It would be impossible; and yet with such a liability upon us, we are asked to surrender to the states on the frontier this entire matter, to manage according to their own notions of justice or feelings of antipathy. As I understand the plan, the old states are not only to surrender their respective portions in the public domain, but they are still to bear the burden and cost of every frontier Indian war. I ask, again, can we avoid it? Can we, under the obligation of our constitutional duties, and in possession of the power to expel the Indians and plant in the bosom of every American citizen towards every other American citizen as such—can we, in the very nature of things, avoid it? New Jersey has not a single Indian left within her borders; or, if upon the here and there a miserable survivor of his race, he is a being so considered as to have neither power nor power, nor any capacity to influence the conduct of her people for either good or ill, but let the question arise whether Mississippi or Arkansas shall be protected from the incursions of a savage foe, and New Jersey will be called upon, in arms or money—the soldier's touch of the elbow, or the sinner's which give strength to resistance or security of protection. She could not if she would, and she would not if she could, escape her obligations in this regard. She takes all the states most exposed, and bears the full proportion of burdens in such a case. However you may frame your laws, and how solemnly soever you may declare that the expense of Indian wars and the burden of their own defense shall rest upon the states, and that you have received your grant, you never can carry such laws into effect. The heart, the head, the hand of every American citizen, rise up together and proclaim it impossible. I ask, then, is it wise or just to make surrender? And for what advantages to these states, so far as money, or any rational advantage, is thereby given? They are to make the expenditures for sales, &c. and to exhibit their accounts, and we to receive them. But if done wisely, discreetly, and according to the terms of this compact, how must that account be stated?—They are to take all the states most exposed, according to their notion of the expense, and I know no mode in which we can correct them. 2. Out of the net proceeds they are to pay over 65 per cent.—when and how they will—for your laws will give them the right to do so. 3. They are to pay over 35 per cent. in full of their rights. Let the account be justly stated, and the matter fairly administered, and they will find their reward to be the gratification of the craving of the possession of money and land, and the satisfaction of their vanity, or even profit. They now get 5 per cent. This is lost. The distribution bill would give 12 1/2 per cent. The balance is to meet their responsibilities and expenses. Will it do it? It may, but I submit it to the wisdom of the states to reflect on the results of this game which is offered them, and if they cannot rise above the mere question of the possession of money and land, to decide whether they may not find themselves losers by the contract, while the union also will be the loser. With me, however, this is, in comparison, but a small question. The question I propound and must decide is, what is our constitutional duty, and what are the rights of all the states?

But this amendment, give all the force you will, more than half of all the difficulties which now press upon us, and under which we are so restless and agitated on this subject of the public lands. What does it embrace? The lands within the limits of nine states of the union, containing one hundred and thirty million acres, and, if we take the census, in all, does this nation, according to the statement, an estimate of the report of the senator from Michigan, (Mr. NORVELL), now possess? More than a thousand millions. To get rid of this question, you are dealing with one hundred and sixty millions of acres, to get rid of this, you are giving up the care of a hundred millions more. Do gentlemen suppose they are dealing with a trifle, or with only the one hundred and sixty millions? They forget the obstacles which beset them. What is to be the progress of this thing? We have no power to prevent it, and we must continue to bear all its expenses. We have given notice, whether conditionally or not I shall not now discuss, to every American citizen, and even to every alien, that he has the right to go in on all the public lands, and to acquire the title to a portion of this territory, and, at his next demand, by some rash conduct they get into conflict with the Indians, and then the whole military power of the nation must be drawn out to protect them in their trespass. But is that all? It is not. There is another principle, which has been boldly maintained here,

that, whenever a territory can number sixty thousand inhabitants, it not only may be admitted into the union, but has a right to demand admission and equality with all the other states; and then, the argument is it admitted, all the land within its limits becomes theirs.

[Mr. LINN here interposed to explain. He had never heard it advocated—it certainly never had been said—himself—nor did he think it a right to go upon Indian land the title to which had not been extinguished; on the contrary, land of that description had always been excluded in every pre-emption law, nor had any amendment ever been proposed, so far as he was cognizant of.]

Mr. STUART. I must have presented my idea not so clearly as I intended, if the senator's explanation has been rendered necessary. What I say is this: on the border of all these new states lie vast bodies of vacant land which we claim. The people, or foremen, under the doctrine which has been here laid down, may cross over the line and settle upon it, for they may not know where the Indian title has been extinguished and where it has not.

Having multiplied in numbers, even if they be all citizens, they may come and seek redress and justice, and when admitted may, according to the provisions of this amendment, demand all the land upon the same terms. I do not say it is distinctly claimed that our citizens and foreigners can lawfully go on land to which the Indian title has not been extinguished, but they do in fact often go on such land, and there can be no argument against admitting them as soon as the Indian title shall have been relieved, for the language of the amendment, "whenever the Indian title has been extinguished," Here we maintain a principle which will authorize our citizens or aliens to go without the limits of a state into the lands of Iowa or Wisconsin. We assert and maintain their right to do so, and it being so we bring ourselves into collision with the Indian tribes.

And when a large number of these settlers shall send up their cry to our doors "you as our government are bound to protect us: the merciless savage is upon us: come speedily to our help!" how can we refuse them? I fear not to avoid it. I would not seek to avoid it. I admit, in its fullest latitude, the obligation of the government to extend protection over all its citizens.

I would have the name of an American citizen an impervious shield over every man who bears as in old times the name of an American citizen; the uplifted arm of tyranny and oppression was paralyzed and fell powerless at the sound. I would have it so here. At the cry "I am an American citizen" I would be ever ready to put forth all the energy of this government for protection and defense.

But, while I admit this, I insist that, when we are laying our plans for the future, and can plainly see that a certain arrangement will tempt the states into a situation which is likely to bring us into trouble, it is an argument why we should refrain from making the arrangement.

Settlers have no right, in bodies of fifty or sixty thousand, to go upon the public lands and bring upon the whole nation all the exultations and expense of an Indian war. Look at the consequences of this amendment. The nine new states take all the land within their limits. Presently the territory of Wisconsin comes and knocks at your door. We shall hear and admit her into the confederacy. According to some gentlemen, we must do so, because she has no land left to her—no territorial reserve to refuse. What Wisconsin is admitted; her territory contains millions of acres, and she then turns round and demands that you shall cede all these lands to her, as you have ceded to Arkansas and Missouri. Can you deny it now? You cannot.

The moment the territory of Wisconsin enters the union, if this bill passes, all the land within her limits is hers, and must be hers, and will be hers, if you consent to thecession which is proposed. What next? Presently Iowa comes and knocks, and she demands the same privilege as Wisconsin.

She tells you that her people have gone there on the public land; that they have increased and multiplied until they have attained the constitutional numbers, and now they have a right to be a state and to enjoy every prerogative which belongs to the states.

"Truce," say they, "there are Indian titles in the way, and there may be Indian wars, but give us all the land, and then put your hand into the treasury of all the old states, and foot up and pay the bill of all the expenses."

Your eighteen hundred millions of acres are daily being swallowed up by the progress of population. Territory after territory will apply, and the moment you admit them you have surrendered every foot of the public land which you contain. You have virtually surrendered it now, for how can you refuse, after having given the land to Arkansas, and refuse it to Wisconsin and to Iowa, and to every territory which may be formed to the Rocky mountains and

the mouth of the Columbia river? Thus you are to have the burden of the settlement of these territories, the exhaustion of all the Indian titles, and the expense of all the Indian wars, and then to surrender to them every acre of that inheritance which the old states purchased with blood, when the elements were unknown, when they were yet in the loins of our fathers.

There are various other objections which lie as well against the general character of this amendment as against its details, and which, some, appear to be insuperable. I had intended to suggest a number of them; but I fear it will be unwise to attempt this further, than to call attention to one or two.

On the question of price I have already commented, in showing how the states will be situated as to the profit they are to derive from the proposed arrangement. There is another feature in the plan to which I have already alluded under other aspects of the general subject. This compact, it is provided, is to be irrevocable. The states are to declare it perpetual, inviolable, now and forever, and the general government is to be equally bound.

Now, are we grown so wise, in our day and generation, to be prepared to bind both the general and state governments? In a manner irrevocable, for all future time, no matter what unknown events may arise hereafter? Gentlemen, to be sure, may flatter themselves that their intelligence can stretch its wings to reach all the contingencies of the future, and provide for every possible posture of affairs. Our fathers, however, had not equal intelligence.

Go back but a quarter of a century, and where do you find a single man who ever looked at the conditions which now exist? Yet they, I am inclined to suppose, were as wise as we are.

Ask those who are so very ready to enter into mutual obligations, which are to be irrevocable through all future time, whether in peace or in war, whether the property is the deepest distress, if they believe that they are so wise as to be able to foresee all that will happen, and how such an arrangement will certainly bear upon events not yet present! If they tell me they are, then I bow to them as prophets induced from above with knowledge and foresight such as do not fall to the ordinary lot of humanity.

For my humble self, who claim no such high prerogative, I must object to that feature of perpetuity. We are binding ourselves, blindfolded, without knowing what circumstances will arise or what will be the result of these conditions in our hands.

Let us contract their representatives are now so ready to make. Nor can we anticipate what may be our own necessities. I object to entering into an irrevocable bond of this description. Let us pass such laws in relation to this public land as may best reach it when justice, policy, necessity may demand. Let us place the subject so that we, or those who follow us, can lay our hands upon it—so that we and they may look round, may see what our condition may require, and may alter the obligations, and then decide according to the existing state of things at the moment of our or their action.

I object, again, to the want of power in this government to enforce the provisions of its own law, if this is to be the bargain. Look at the fifth clause of this amendment, and see how you are to enforce it. On the principles of this union and under the powers granted you by the constitution, you cannot do it.

Let me now notice another item, though it is a small one, in the details of the scheme. I refer to thecession here proposed to the state of Tennessee. I do not know enough of the circumstances of the case to judge for what reason this direct grant is to be made to that one state. Still it is not placed upon the same ground with other states, but stands as an exception among them. There may be good reasons for this; but I am, for the present, incompetent to conceive on what just ground a provision

of this kind is made.

But my chief objection to this amendment lies at the foundation of it. It has regard to the basis on which the whole rests. I oppose it as acession of the property of the nation. What is that property? It is the public land, the land, wider than the widest limits of the Roman empire; an inheritance almost equal to those far-spreading lands which British rapacity and power have been able to obtain for her in this the height of her glory, and which she has retained in her hands, and which she has made valuable. How came you possessors of it? Where did you get it from, that you have the right to give it away? How did you get it, that you may deal with it as a bounty to one class of states, and exclude another class from possession? With those who represent the American colonies, I would have been to be independent of the British crown, they looked, one and all, to the crown lands as being sufficient eventually to relieve them under the burden of

the struggle. These lands were to pay the revolutionary debt, so that the colonies might come out of the great contest free from poverty and suffering. There was not one of the colonies who did not look to this source for relief. Hear what Maryland has said, in answer to what New Jersey and when the articles of confederation were presented to her. She was not wandering in spirit or in love of liberty. She well knew that the colonies were in the hands of the British ground of the revolution; that her property was wrecked in the storm; and though she might come out victorious, and even rich in glory, she must be hopelessly poor in other respects. She therefore made her submission, and her colonies, demanding that, while the colonies became possessors of immense wealth in these lands, and while her blood mingled with theirs, and was poured out in streams on many a battle field fought in the common cause, she should not be left alone in poverty and distress, while they were proud and powerful. Her appeal was listened to, and one of the grounds of thecession of these lands to the United States was that very appeal.

As one of her representatives on this floor, I have not forgotten enough of all I have heard from my friends of the suffering and the distress, that I should be so willing here to surrender what, in the crisis of her trial, she demanded as her due, and what was freely yielded to the justice of her demand. The whole of these lands were relieved by the revolution from the sufferings which were to be theirs, because the common property of the nation by what has been called the "generous" surrender of Virginia and other states. I would rather call it their just surrender to the equal rights of an equal suffering and a suffering code, in that they came into our possession as a common fund, for the common use and benefit; and I stop not to inquire whether the transaction was financial or otherwise. Discuss that point as you may, it will come to this at last, that whatever thecession was made on grounds of financial expediency, it was made on grounds of financial expediency, with a view to the history of our war required and justice demanded, and to sustain our republican government, our civil liberties, and thereby to preserve the hope of human liberty, it will be found of little consequence. I care not for the details of thecession, but I care for the common property of the union for the common use and benefit of all the states. It has always been so managed, and so regarded. During the early history of the government, it was never looked at in any other light. Search our history from beginning to end, and you will find that all this doctrine about surrendering it to a few of the states is a notion of very modern growth. It is not a quarter of a century old, and I think we are becoming wise a little too fast, and that we are taught to see lessons of wisdom by signs then unknown and unborn.

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court of honor, in what heart, can such a doctrine find its sanction? You have been appointed a trustee, and without regard to your principles, you are to hand over your trust to another.—Such an act would be denounced in every court as a violation both of honesty and honor.

Disputants may debate about terms and expressions. They may quarrel about the changes of names from the old confederation and the old congress, to the new and existing government. But are we not, by these changes, which have been made by those for whom the trust is held, put in the place and stead of those who have entrusted the trust to the government representative, and by their will and their command, those in whom they first confided? Is it not, with a mere change of form and name, the same trustee? Do not all the original responsibilities and duties rest upon us, in all their force, and can we avoid them, without quibbling, cowardly of an advocate, in the humblest tribunal? No, Mr. President, we stand here, in possession of the trust properly, bound to execute it—to execute it faithfully, according to the original purposes for which it was devoted. There is not an honest and intelligent chicanery on earth, which, if it could reach us, would not compel us to discharge our duty.

But it may be asked, how, then, are you to divide the land? Will you divide it? Will you divide the money into a distribution of the proceeds, or will you divide the land? But will remark that the persons among whom we propose to divide the inheritance are the very persons from whom we have received the trust, who own and are competent to decide for themselves on these interests. They are competent to receive it. They are the owners; we are trustees. If they say to us, keep the title, but divide the proceeds among us, and we obey their mandate; is there any violation of justice or law in such a division? Is it the only mode by which we can divide the property of a common fund. Graduation and pre-emption apply the land only to a few of the owners—not equally among them all. But when you distribute the proceeds you can exact and equal justice to all and you can divide the property, can you nothing either in the law or in the terms of the contract, or the principle of justice, which forbids us to adopt the measure. So far from it, I think I see in it the only and last hope of those who made the purchase to receive their lands. If you divide the proceeds, you will not agree to distribute the proceeds, they must buy their account to lose the whole. What hope can New Jersey, or Connecticut, or Rhode Island entertain of receiving any return for the millions they have expended, if the lands they have bestowed to earn this rich inheritance? None; none. And if you go on with your pre-emption bills, and your graduation bills, and your session bills, till you have parted with the last acre out of your possession, then will have been accomplished before the civilized world a grand exhibition of the justice of republican communities. After the struggle has united in an odious and agonizing struggle for national independence, and poured out its blood like water, and secured for those to come after them a rich inheritance of free principles and social laws, prizes, one of the great prizes which they won is seized and ravished from the possession of those who gained it, and who suffered for it. Is this your republican justice?

But we are told that this domain is a subject of constant difficulty in the transaction of our public business—that it is a prize to be fought for—a stake for which political gamblers will always be contending—and that, if we would have any peace, it must be reserved for the use of the government. Lands will always be held out as a bribe by the ambitious where to obtain power; that we do not possess sufficient firmness and virtue to resist; and that such a bid will be made for votes, through the promise of this vast territory, as must disturb all the future regular action of the government. It may be so. But I think that, if there have been bids made, the bids of the senator from South Carolina (Mr. C.) for outstrip the whole of them—and I hope no future dealer in the commodity will be able to outstrip him. But it is so. The Congress cannot perform its regular legislative duty on account of the immense prize which the public domain holds out to ambitious men and to parties within its halls. I am reluctant to believe it. But if it be true, by the will of the bribe offerer, and the greediness of the bidder, it must be offered by the new states, or by those who court their favor. They have the lands within their hands. Their politicians can make bids, but those from the old states cannot so well do it, without the degrading and dishonouring ambition is, however, and enough to encounter.

When I hear gentlemen say that there is a political game to be played by means of the public lands, what am I to understand but that the new states hold a great prize, and that they can offer it

to unchastened ambition, if it gratify their wishes. A political game? Where? Where does it prosper? It prospers in the great case of the new states. I do not believe the public lands, if they were worth ten times as much, could bribe the American people to give their suffrages in any quarter which their judgments and their hearts do not approve. I know, I know, that the new states, in power or place can purchase the votes of New Jersey at any such price. How it may be with others, I can only judge by what I see of the virtue and consistency of those who represent them—and by their conduct.

In connexion with this idea of our corruptibility, by means of the public lands, it occurs to me that another suggestion is worthy of some notice. It comes, however, from a different quarter, and is subject to another consideration. It is that, such a political affair have been matter of such speculation on the exchange of London. The inference—if any inference is intended to be drawn—must be, that London stock-jobbers and London capitalists have gone common with the party opposed to the existing administration, and have had some influence in the recent election, and must have some in its future results and effects. And the administration—the executive—by its acknowledged organ, announces such to be their true opinion; an organ on which it is reasonable to rely, for it has other means and instruments of defence—pride themselves as these means and instruments may.—Now, to me, this is a marvellous idea; suited, indeed, to the sense of right and wrong of any editor, sold, soul and body, to his party, and reckless of every consequence save one—success. But, who offered on this floor, it should be sustained by evidence, which might at least afford an apology for asserting a fact which, if true, reflects unbecomingly on the character of the country. It is that, at the late election, I have said that I could not, here, and on this occasion, discuss it. I have proved that, at other times and other places, I was not slow, however, to seize and wield the weapons which I saw in the hands of my opponents. But other matters claim our attention—far higher, both to my own state and the union, than the temporary possession of executive power, or the triumphs of the hour to a party. But the character of the country, the virtue and integrity of the people, the interests of the nation, the suggestions, coming with the pomp of authority and the confidence of influence, and which must, however they may be intended, affect the future action of the nation, should demand at least an inquiry as to the reputation of the country.

I ask then for the evidence. What is it? So far as yet developed, a banking house in London has written a letter, and articles in newspapers and reviews, and perhaps some books, have been published in London. When, and in what year, has it been established that this was the proper evidence, which to try the character of our parties, or the character and motives of our people? Since when have opinions, emanating from that source, been so much in favor as to be considered decisive on such a point? Sir, we are changing rapidly; banks and banking houses abroad are now regarded as good guides in estimating the character of our parties and people.

But who is this banking-house? What opinions have they expressed? What gives to their opinions such weight? How were they induced to say any thing on such a subject? I understand them to be an ordinary banking house in London, (Huth & Co.)—dealers in stocks and money—one of the great houses in London, and in the Bank of England. They have no peculiar knowledge of us, no connexion with us; nor capacity to judge of us, or of our interests, characters, or motives. I do not know that they have the slightest connexion in relation or interest with the whig party—though it is said that they have with a portion, and that not an unimportant one, of the supporters of the present administration. What induced them to give an opinion? The state of Missouri chose to issue certain stock, or obligations, which rested upon the state. That state said, that a portion of which money was to be raised to be used in the state. She chose to send, or to permit to be sent, some of this stock—this state security—to London to pass it off and get the money which was needed. Her agent, I understand, was Huth & Co., and the company, and the company was induced to manage the securities for the state, and sell them or otherwise procure the money. In all this what had the whig party or the majority of the people to do?—What had the people to do? They had nothing to do. The state said that the agent was so commanding in his influence. They did not select the securities to London. They did not select the agent there. And if that agent—the agent of an administration state and administration interests, has expressed opinion, it does not seem

to accord very well with fairness and justice, to bind us or the people of the country by them. It would be to bind us fair and just to receive as binding the allegations and opinions of the representatives of that state, her senator here, as conclusive. I should hardly be willing to place the evidence of the agent in London above that of the selected representatives of the state in Washington. The latter hold a far more commanding position. But what opinion do Huth & Co. express that its influence is to be so controlling? It seems to me, in substance, to be nothing more than this: that state securities, and the state of Missouri among them, cannot be sold in the present condition of things; and that those who wish to invest their money in them are not willing to do so because they are fearful of the opinions, and principles, and conduct which prevail, and which are to be anticipated from the party in power in this country; but that they would be somewhat relieved, and more willing to buy, if this position should succeed. Now, if this opinion be ever so absurd and monstrous, I beg that we may not be assailed with it; that, if rebuke is to be given, if the appeal is to that state to its senator, agent, and that he be taught by his principals more justice and good sense, and courtesy towards them. It may be a difficult task to him to alter his convictions. He says and sells, not for himself, but for those who will purchase his securities, his securities. He does not buy to hold, but for sale to others. The London brokers and banking houses are not the agents through which the retired and quiet holder of money makes his investments. And it will be a very difficult task to him to alter his opinion of his buyers with safety? Was there not justice in the opinion expressed—proper grounds on which any man would hesitate to hazard his property.—Have not the general government and administration parties in this country, and the country, in general, man pause? Recollect the course of one state, and her want of punctuality in paying the interest; the avowed principles of the executive of another state; the doctrines promulgated in so many quarters of influence; and now, the position of the country, in general, unnecessary resolutions of this body about assuming state debts. If you had money to lend, would you lend it to those who avowed such principles? Would you not prefer to lend it to those who refused to avow such principles, and acknowledged the unchanging obligation of their bonds, in whatever hands they might be found?

But enough of this. I ought not to reason on such a question on the floor of this body. Before the representatives of what we proudly call sovereign states, shall it be said or suggested, with out rebuke, that the people of those states have been influenced in their highest act of sovereignty by the exchange of London? Is there money enough in London and Paris to bribe, or the combined wealth of Europe, to bribe the voters who decided the recent election—to govern their suffrages, when great principles of government and civil liberty are to be discussed and decided? Then have I miscalculated the virtue of my countrymen.

But if the gold of British banks did operate with such a deadly and resistless power, it must have been somewhere, and can be pointed out. I ask where? In what state of the union? Was it in Indiana? or Ohio? or Delaware? or Vermont? or Massachusetts? or Connecticut? or Rhode Island? or Georgia? or New Jersey? or was it in Missouri? or which of the states was brought to its vote by influence from the London exchange? Let us have some specification. And if no single state be named, then I put it to another question, one by one, to say whether it was their state which was "bought up by foreign capitalists"? Was it in your state? or yours? or yours? No; no stock-jobbing combinations could ever accomplish a political revolution such as has changed the face of this entire land. I have no belief in any such degrading of persons of my country. I plant myself upon the intelligence, the honor, the virtue, of the American people, and I believe them far above the reach of any such influence.

I do not believe the proposed scheme as to the lands will operate at all to remove from our deliberations here the struggle of party opinions. If things have reached that point, or if we are servile and money bought, we had better, I say, at once, give up the republic, and establish a monarchy, or a struggling for it, if it have become already so corrupt as such arguments assume. Let each senator apply that to his own state, and if he think them merited, let him be content. But as applied to me and to mine, I repeat them not.

I have now concluded what I have to say in regard to the amendment of the senator from S. Carolina.

The amendment proposed by the honorable senator from Kentucky, (Mr. CRITTENDEN), comes

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FOREIGN ARTICLES.

The steamship British Queen arrived at New York at an early hour on Saturday morning, the 4th inst. bringing London and Liverpool papers to her day of rating, the 10th March.

The Queen experienced a very rough and disagreeable run, and on the 30th ult. having been out 20 days, found herself obliged to put back for fuel. She left Halifax on the 1st, and made the passage to New York in three days.

GREAT BRITAIN.

The people of England appear to have been panic-struck at the intelligence which reached them respecting the packets George Washington, U. States and Westchester, from New York. The first named vessel took out the news of the stoppage of the United States bank—the second that of the indictment of McLeod, and the Westchester Mr. Pickens' report in congress on the McLeod affair. These three causes combined, created a sudden panic among all classes of persons, and the funds at the stock exchange were materially lowered in consequence.

We find it utterly impossible in our limited space, to give at this moment even a synopsis of the comments of the press upon this intelligence, but upon Mr. Pickens' report, which seems to have created the greatest shock, the Globe says—"the painful effect which this intelligence, 'party document' must otherwise produce on the strongly cherished hopes of the people of this country, of an amicable adjustment of the dispute, will be much relieved by the tone of the principal speakers in debate which ensued on the question of printing this report."

There are nothing in this manifesto of empty and unreasonable denunciations, qualified as they are by the strong expressions of dissent and reprobation with which it was received, to shake our belief that peace will be preserved."

The Morning Chronicle of the 9th says: "The publication of this report created considerable uneasiness. In this feeling, we confess, we do not altogether participate. The very men who drew up the document—it is plain upon the face of it—must have felt that they were putting their names to a case upon which no nation would venture to enter upon hostilities. The language of the report is not the language of men who either were convinced that they had a good cause, or were determined to go to extremities in a bad one."

The Times says: "We shall not quarrel from this offensive and unjust tirade, but we earnestly invoke our readers to study it in *extenuo* for themselves, and then judge themselves what chance exists of fair or just treatment for Great Britain from those authorities with which such a catalogue of merits could have originated."

"If the Harrison government be, as we believe it will be, against the report, it is then not ground to

fear that they may be too feeble to resist the war action."

From the money articles in the same papers, we find that this American news caused a panic in the markets.

The Dispatch says, "the stoppage of the United States bank will cause a great deal of misery here as well as in America. Shares which brought two years ago £24, are now anxiously sold at £4 10s."

The Morning Herald says, "the financial and political news from New York produced a considerable impression on the stock market, but the depth of this impression would be ill measured by the actual decline merely in quotations of stocks, for it must be remembered that the funds were on the rise, and with a firm tendency to a greater rise still."

The Globe of the 8th says—"The arrival of the Westchester from New York, whence she sailed on the 16th February, brings certain information that the congress of the United States, by the large majority of 103 against 65, had voted in favor of the report on the McLeod affair, which was calculated to excite hostilities with England. The subject being has taken up by congress, the government must of course act in conformity with the will of the majority, and therefore the chance of seeing the acts of the interior jurisdiction of the state of New York overruled by the general government no longer exists. It makes the danger of a collision more imminent than it was before. Our citizens, viewing it in this light, have shown a much greater degree of alarm regarding the question this morning, than they did on the receipt of the previous communication, and stocks fell 8 or 3 1/2 per cent. immediately after the opening of business."

Chp. 12 o'clock. The effect of the unfavorable news received yesterday from America is wearing off here; but we perceive that it is viewed in a serious light in Lancashire, where people have begun to purchase cotton largely, under the impression that some interruption to the trade with America may possibly take place, and that article has consequently advanced in price.

Two o'clock. Consols for America had reached 85 1/2, but they have again fallen to 85 1/4, and for the account 88 1/2; new 34 per cent. 96 7/8 to 97, and exchequer bills 75 to 75 1/2 premium.

[Globe of 9th, P. M.]

A squadron ordered to America! The Times and other papers state as a positive fact that some part of the squadron, believed to consist of ten sail of the line, which had been engaged on the coast of Syria, had been suddenly ordered off the coast of America, to support the remonstrance of the British minister, Mr. Fox, against the "judicial murder of McLeod."

Infantry for Halifax! The Times also states, that "three battalions had been put suddenly under orders for Halifax," and adds, "God knows how the home service of the realm could be furnished after the departure."

The Atlas says, "war with America must and will as surely follow upon the murder of McLeod, as the light of morning follows the darkness of night; but then this war will be a war without any definite object, except revenge for an injury which cannot be proved to no country."

The news from the continent was of very little interest.

In France every thing is as quiet as at our former state.

On the 5th of March, in the house of commons, while discussing the question that the house go into a committee of supply, to which the army estimates were to be referred—

Mr. S. O'Brien took the opportunity of advertising to state the relations between Great Britain and the United States. Two circumstances were stated in the newspapers to have occurred recently, which, if true, deserved the immediate notice of the house of commons. The first was that a true bill had been found in the United States against colonel McLeod for murder and arson, on the allegation that he had been present at a transaction ordered by the colonial authorities of Canada, and the second was, that the legislature of Maine had recently passed these two resolutions:

"That the government be authorized to take immediate measures to remove the troops of the queen of Great Britain now quartered on the territory called 'disputed' by the British government; that

the resources of this state be, and they are hereby placed at the disposal of the governor, and the specific sum of \$400,000 be, and the same hereby is appropriated out of any moneys in the treasury, for the purpose of carrying the said resolutions into effect." He did not know what authority there was for believing these resolutions to be genuine; but if they were authentic, they amounted to nothing less than a declaration of war against Great Britain. (Hear, hear) He was more adverse to war than any individual in that house. He looked upon a war with the United States as one more to be deprecated than any other, inasmuch as it must be of a fratricidal character. (Hear, hear) He likewise saw that the vast commercial interests of this country must be exposed to disasters by its continuance.

Still, if war did take place on the present occasion, it would be a war of necessity. Besides, we should lose our high character as a nation, if we did not defend our colonies when attacked, neither could we claim their allegiance if we did not give them protection when they were acting under our authority. (Hear, hear) He had seen a great number of our vigor under the auspices of the noble secretary for foreign affairs in another part of the globe, where it was of a more ambiguous character than it would be on the present occasion, and that he trusted that the noble lord would in this emergency display the same vigor which he had displayed elsewhere. His movements, however, were so secret—and he did not blame the noble lord for it—that the house had no opportunity of forming an opinion upon the efficacy of his directions. (Hear, hear) It was, however, his duty, as a member of parliament, to say that our interests would be better secured than they were at present in case we had a strong fleet in front of the harbors of the U. States and a strong army on the frontiers of British America. He left it to the government to say whether the naval and military estimates were on a sufficiently large scale to meet every contingency that might arise in that quarter of the globe. (Hear, hear) If they were not, ministers would be wanting in their duty if they did not come down to parliament and ask for such sums as would enable them to meet every contingency. (Hear, hear) He was sure that the house would willingly comply with any demand which would enable them to secure the honor and interests of the country. (Hear, hear)

Mr. Ewart did not see the necessity for participating differences between the two countries. He believed that the great body of Americans were inclined to peace with this country—they knew their own interest too well, he believed, to wish for war. He trusted that the unhappy discord which it appeared existed at present might pass off without evil results, and he was confident that, if it did, not only the interests, but the wisdom, of both nations would be satisfied.

Mr. Hume hoped that the noble lord would be able to satisfy the house and the country by some statement on this subject (cries of oh!) and remove any prejudice which might be occasioned by silence. He (Mr. Hume) was of opinion that there were no grounds for immediate interference, and thought that nothing had taken place in America, but what had been done under the civil law. It was manifestly too soon to appeal to war when they were not informed that any thing had taken place which was not in accordance with the laws of these countries in which they had taken place.

The house then went into committee, and there had nothing occurred of much interest in the house on the 9th of March. On the 5th, the following took place in the house of commons: The earl of Mountcashel, said, he rose to put a question to the noble vicar opposite respecting some information which had, it appeared, been just received from America, and which was of great importance to this country. That intelligence, he understood, had created a great sensation in the city, and had caused a fall in the price of the public funds. He alluded to a report from the committee of foreign relations, made on the 12th of last month, to congress, and he wished to know whether any confirmation was to be given to the statement which had been received by her majesty's ministers? It was not his intention, on the present occasion, to submit to their lordships any motion on the subject

as he was most desirous not to cause a greater division between the two governments than that which unfortunately now existed. But when a report, such as that to which he had referred, was promulgated, it was plain that they should receive information as to its authenticity. For his own part, he thought it could not be genuine. He believed that it must be an invention, and there were many persons who would be glad to purchase such a report for stock-jobbing objects. He felt very great doubts as to the authenticity of the report, and why—because, aware of the good understanding of the inhabitants of the United States, he could not think that they would maintain such doctrines.

He was convinced that if the inhabitants of the United States would but consider—if they would look around to the situation of their own finances—if they would recollect that there were 3,000,000 of negro slaves in their country, and a great body of Indians in the West, and that he had referred to the fact, in consequence of the wrongs they complained of, to take a part in the contest—if they cast their eyes towards Canada, where there was as loyal a set of men as any in the empire, and asked, "Had they not the power of getting into their hands individuals belonging to the United States?" and also if they recollect that the very large body of regular troops that we had in Canada, and the efficient naval force which was now at our disposal, in consequence of the western question being settled—they would, if they considered these points, anxiously abstain from hostilities. They were a calculating people, and they would see that they must sustain an immense loss by such an event. For these reasons he was of opinion that the document was not a true one. He therefore asked the noble viscount whether his majesty's ministers had received any official information respecting this report. Under all the circumstances, he felt that he was perfectly justified in putting this question. The report had appeared in the public papers, and it was necessary that some information should be afforded respecting it. At the present moment he did not think it right to make any observations on the subject; but if they were given to understand that the report was to be considered as official, he should feel it to be his duty, at a proper time, to bring it to the notice of the house, for a denunciation of the insult to this nation could not possibly be concealed.

Viscount Melbourne said, he was unable to give any other answer to the question of the noble earl than by stating, that he was not aware of whether communication had been made to the minister of his majesty's minister in the United States relative to the subject referred to. But he apprehended from the form in which the document appeared, that there could be no doubt of its authenticity.

House of commons, March 9. Mr. Hume moved for a return under different heads, or the manner in which the several sums voted for the insurance in Canada, viz: in 1838, £500,000; in 1839, £647,000; and in 1840, £353,000, amounting in the three years to £1,500,000, were expended. "A return of the number of muskets and other fire arms, of swords, and the quantity and kind of military stores, sent to and landed in Syria, since July, 1840." Also for the return of the number of English, Scotch and Irish non-commissioned officers and privates in the whole of the British army in each of the years on the first of January, 1830 and 1840, distinguishing the house-hold troops, the cavalry, the artillery and sappers and miners from regiments of the line." Ordered.

In the house of commons, on the same day, there was no allusion to the affairs of McLeod, or Mr. Picken's report: neither was there on the following day.

United States bank. The first impression of the news of the suspension of the United States bank, produced a panic among the stockholders, and the market generally. United States bank stock fell to £4 10s. but in a few days rallied to £5 10s. which is the price quoted at the latest dates.

The London Observer gives the amount of this stock held in Europe at about £4,000,000, or £15,000,000; and recommends that some mode be adopted, to ascertain whether the holders of that stock would not desire that the affairs of the bank be wound up. The paper of the 7th says:

"The shares to-day averaged about £5 10s. each. The more current price to-day of such an American state securities as have been actually dealt in were these:—New York redeemable in 1845 to 1860, 84; Pennsylvania redeemable in 1864 to 1865, 80; Ohio, redeemable in 1856 to 1860, 80 to 90; Massachusetts, redeemable in 1856, 100; Indiana, redeemable in 1861 to 1866, 84 to 86; Indiana re-

deemable in 1870, 75; South Carolina, redeemable in 1858 to 1862, 88 to 90; Louisiana, redeemable in 1845, 37, 38, 39 and 40, 92, 93, 94, 95, 96, 97, 98, 99, 100; Alabama, redeemable in 1858, 59 and 60, 78; New York city five per cents 83.

The United States bank. The fall of the United States bank, naturally draws attention to the loans contracted last year in Europe by that institution, as they show the very great extent of its liability to the market. The following are its existing engagements then, at the period referred to, the bank has received the following loans:—two in London, the first for £800,000, of which half will fall due in April, 1841, and the remainder in April, 1842; and one in Amsterdam, for £200,000 payable on the 1st of October, 1841, and October, 1842; also, the Dutch loan for £700,000, redeemable in five years. These engagements amount to £2,400,000, to which is to be added the £1,000,000 of credits on the agency establishment in Philadelphia; all entered into within the space of about 2 years, and thereby the whole has ultimately derived from English capital, employed too, be it remembered, to save a part of the loss which otherwise must have fallen upon the Americans themselves. It was a current remark in New England on the large credit in London in favor of the United States bank were made known, that they had served to realize for New York an equal amount of "suspended debt," and to throw the whole weight on England. Such a wreck of a great banking concern has probably never before occurred. The 100 dollar shares, which never fell to 25s. before, are now to the first suspension of specie payments, are now quoted at 4l. 10s. and that in almost a nominal quotation.

It seems to be the nearly universal opinion that something is well left but a liquidation, and that, therefore, it is delayed the worse it will be for the creditors.

Bank of the United States. From the London correspondence of the New York Courier and Enquirer, we extract the following gratifying information:

"The intelligence of the suspension of payment of the bank of the United States was altogether unexpected in England—the institution having been thought to be in a course of returning property—and which would be more confirmed when it was known in the U. S. that all the bills had been readily accepted by the house of Robert Moore & Co. Whatever renewal of difficulties this may lead to in the United States, appears difficult to be perceived in this country, as the circumstance had been entirely unforeseen—but in the interim it is gratifying to inform the friends of the bank that all the pause which it will a large margin in the margin of the London agents, it is only proper to be observed that so far as the suspension of payments at home, has occurred at a time when its affairs were re-established in England, it is a consideration probably of some importance in the event of its resumption of business, or winding up its affairs. The firm and liberal conduct of the London agents has created a marked reaction in favor of the shares of the bank, and although every other American security is now totally unobtainable, there is not only this afternoon a ready market for the shares at 13s. and 6d. but there is one broker who is in possession of orders for the purchase of £200,000 shares, if to be obtained at the rate of 50 per share.

Of the state securities it is needless to enclose a list, no transactions being ventured upon by any person in London, nor is there expectation in the London market until the arrival of intelligence from the new administration of the United States.

Liverpool, March 9. The duty on flour remains at 17s. 6d. and the article is offering to day at 25s. per bbl. in bond, without finding buyers. The corn market very dull and on the decline. Turkeys 11s. 6d. to 14s. 10d. per pair. Live geese, 10s. to 12s. 6d. at higher prices, and some few fowls have been made at an advance of 1/2d. per lb.

Liverpool cotton market, March 9. Of the transactions this week, Saturday and Monday embraced about 16,000 bags, of which the greater number were made being stored amongst the following four days, in about equal portions; and we have found, as we have noticed on Wednesday last, that in the rates of demand, so has been the steadiness of prices, which elude the same as on Friday last. It is very evident that since the receipt of the last account from the United States, and the lack of encouragement from the Manchester market, that a greater degree of caution actuates buyers, whilst the account of short crops still has its influence with the holders. Speculators have received 7,000 bags of American and 500 Super 1,250 bales of American and 110 Surat were forwarded into the country last month unsold. The sales to-day are about 4,000 bales of all kinds.

Cotton market, March 9. The sales of cotton to-day embraced 1,000 bags, of which speculators have purchased 700 Americans and 1,000 Surats; the rest is to the trade.

The market has been very brisk, and prices are 2 to 4d. higher than on Friday last. The advance is attributable to the warlike intelligence received from the United States, which has induced speculators to withdraw their stocks from the market.

TURKEY, EGYPT AND SYRIA. The Austrian Observer of the 26th ult. states that intelligence from Constantinople of the 15th ult. informs us, that the sultan's firm granting to Mehemet Ali and his family the pasha of Egypt hereditarily, had just been prepared."

The firmans had been forwarded to Alexandria on the 14th ult. The first contained the order to invite Mehemet Ali with the pasha of Egypt, as viceroy of Syria, and to allow him to withdraw the pasha of Egypt are to be subjected. The second firman invites Mehemet Ali to send the arrears of tribute due for Arabia, Candia and Syria to Constantinople. The third firman places the provinces of Senaar, Nubia and Ethiopia, provisionally under the orders of the "general" of the Egyptian army. It would appear, says the London Times, that the Turkish government anticipate a refusal on the part of Mehemet Ali to accept the terms with which his recognition by the sultan was accompanied.

The Ottoman government desires to see the ambassadors, announcing to them that the Egyptian affair being concluded, the blockade of the coast of Egypt was raised, and the liberty of commerce re-established.

The London Times states that a protocol has been signed by all the powers, parties to the treaty of July, in which it is declared that the provisions of that convention are brought to their natural close in consequence of the fulfilment of the purpose which it was intended to accomplish; and that a definitive arrangement has been made, in which France will be a party, may be speedily and appropriately consequence of the expiration of the late treaty.

CHINA, INDIA AND EGYPT. By an extraordinary express from Marsabit, in anticipation of the overland mail from India, late intelligence from China, from the several presidencies of India, from Alexandria, and from most of the ports in the Mediterranean, was received in London on the morning of the 10th, and was brought by express to Liverpool by our agent at London, in answer to be despatched by the British Queen.

The great object of interest in the intelligence received by this express is the state of the British relations with the Chinese government. The negotiations up to the 18th of December, which is the latest date of the news from Macao, appear to have been successful, for the Chinese seem desirous of shuffling and delay.

On the 6th of November admiral Elliot issued a notice at Chusan to the British there, stating that a truce had been concluded with the Chinese, binding them within certain limits, the British boundaries being Chusan and the small island adjacent. This notice was accompanied with a recommendation to endeavor to conciliate the Chinese. The other plenipotentiary, captain Elliot, issued a circular declaring that the interests of the British at Chusan should be secured during the negotiations. In answer to the same, a dreadful mortality diminished the troops there.

The admiral, with a considerable portion of the squadron, arrived on the 20th of November at Tientsin. On the 21st captain Elliot proceeded in the Queen to the forts at Bogu-fort, in order to deliver a letter for Keesen, the boat was accompanied with a flag of truce flying, but it was fired at by the Chinese from the fort. The boat returned; and several shots were fired at the steamer, one of which struck her. Two shells were thrown into the hut from the steamer, for the purpose of the capture. Captain Elliot went subsequently to Macao, and by some secret means contrived to send the letter.

An apology was demanded for the insult to the flag of truce, which, after some delay, was assented to by Keshen.

On the 26th of November preparations were made for an attack on the English works, as Keshen was suspected of producing unnecessary delay. However, he made his public entry into Canton, having taken care to give previous notice of his arrival to the admiral. On the 29th of November the admiral, on the ground of serious indisposition from palpitation of the heart, resigned the command of the expedition to com. sir J. Gordon Bremer, and sailed for England on board the Volage.

The proceedings at Canton have since been strange. Keshen, on the ground that the people were supposed to be desirous to communicate in person with the outside barbarians, is said to have declared that he would not interview with them at Peiho, and sent two subordinate mandarins to confer with captain Elliot. Some efforts were made to liberate Mr. Stanton, which were successful. Nothing is known of the other prisoners.

Threats are stated to have been used by the commander, whose nomination to the command has been hailed by all the British at Macao, that unless Keshen would begin the negotiations in reality, recourse would be had to hostilities. The 14th and 17th of December had been named as the days of attack; but on the 13th captain Elliot went to Macao, and told the merchants that the negotiations were still open. Great anxiety is felt at Bombay about the result, for without success at Keshen, the sincere in his efforts to make peace, others devised the fact, and stated that hostilities would become imperative. A few days would decide.

The merchants at Bombay have addressed petitions on the subject to both the governments.

The admiral left Singapore for England on the 20th of December. Tranquillity prevailed in India, and the intelligence by the express brought nothing of importance from any of the presidencies.

The commander in chief of the Madras army, sir S. F. Whittingham, died of apoplexy on the 19th ult. He has been succeeded, ad interim, by major general Allen, during the absence of sir Robert Dick, the senior officer. Great apprehensions prevail respecting the Galeatas, a tribe of which 1000 soldiers for China from Madras in September; and has not been heard of since he passed Singapore.

In the month of November, sir Lionel Smith, the governor of the Mauritius, found himself obliged to resign the command of the island, and the province of Bourbon, to issue a proclamation, ordering all the French allies to prepare to leave that colony until the question of peace or war be better decided.

The French frigate Magicienne was lost near Palawan on the 27th of November. The crew was saved by two English vessels.

London, March 10, 12 o'clock. The greatest excitement prevails in the city, occasioned by the promulgation of the news by the overland mail from India and China. Tea has suddenly risen in price, and the stock market is very much depressed, and exhibits a downward tendency.

I have no time to add another word, am only enabled to write this with a pencil on my way to Southampton by an express train. A steamer will be ready to convey me to the British Queen, with all your despatches. Your humble servant, P. Q.

TEXAS.

Overland trade with Mexico. A late number of the Shreveport Intelligence states that two envoys arrived at the city of Mexico, from the provinces of Mexico, charged with power from the people of Chihuahua, Durango and Zacatecas, to make terms of amity and commerce, in order to open a communication between those provinces and some ports on the Rio Grande. The Shreveport Intelligence paper says that those provinces consume nearly one hundred millions of goods annually, and that they labor about \$5,000,000 worth of goods annually.

CANADA.

Elections. The Rochester A-brothers has a communication supposed to come from Wm. L. McKenzie giving the result of the recent elections to the legislature in Canada, as far as ascertained. The article says, that of thirty-two members who have been elected nineteen are reformers; and thirteen are classed as tories. The house consists of eighty-four members, forty-two from each province; until further returns are received the political character of the united parliament will remain in doubt. The Upper Canada returns are more republican than was expected; the Lower Canada more conservative.

A dreadful riot occurred at Toronto recently, between opposite political factions. One man named Jas. Dunn, a tailor, was killed on the spot. A second, a coachman of the receiver general, received a ball in his thigh, but we understand, is recovering. A son of Mr. Cathcart, was shot through the thigh,

and a constable named Davis was struck in the hand—the ball piercing his coat. An express started immediately for the military, and in a very short time, a company of the 34th was on the spot. The riot was repressed, and the soldiers returned to the barracks. The house was immediately forced, and eight men, one of them much wounded, were escorted by the sheriff and a party of the military to jail. More troops arrived, and order was soon restored.

George Arthur arrived at Boston on Monday, and taking passage in the Calcutta, the elections in Canada, so far, shows a return of 36 unionists and 19 of the opposition party.

New Brunswick. The provincial legislature of New Brunswick closed its session on the 25th inst. with a unanimous vote of satisfaction and the lieutenant-governor, sir John Harvey, took a final leave of each other, with strong expressions of mutual regard. The speaker of the assembly, in presenting the money bills for the lieutenant-governor's assent, addressed him as follows:

"In presenting the money bills, I may be permitted to observe, that since the arrival of your excellency in the province, six sessions of the legislature have been held, in all of which the best understanding existed, and continues to the present moment. The two deliberative branches are united in sustaining your excellency's enlightened and liberal administration of the government."

"The results of this happy state of affairs are contentment and tranquillity throughout the province, and a rapid increase of the number of our resources—and a great advancement of general prosperity."

"The useful and unremitting labors of the present session are not, therefore, particularly distinguished by any extraordinary proceeding, will, without doubt, prove highly beneficial."

"I cannot omit this opportunity of expressing my deep and painful regret that your excellency is shortly to leave our shores, and I am assured that my feelings on this occasion are in unison with those of the whole population of this colony."

Sir John Harvey, in his address to the assembly, announcing the close of the session, after thanking the house for the liberal supplies voted for the public service, and after some remarks complimentary to the loyal and enlightened course of the provincial assembly, and of the general conduct of the people of the province, closed his address as follows:—

"The queen having been pleased to terminate my official connection with New Brunswick, the painful task is imposed upon me of bidding you adieu which I know you will believe that I do with feelings of deep emotion—arising as well from gratitude for the confidence which you so frankly reposed in me from the first hour of our intercourse—confidence which has alleviated and facilitated the anxious duties attaching to my station, and rendered their performance satisfactory and delightful, and as I will hope, and as you have been pleased to assure me, beneficial to the province—from regret at my separation from a people among whom several of the happiest years of my life have been passed, and to whom I shall ever feel myself linked in sentiments of unceasing regard and affection—and lastly, from pride and satisfaction at the prosperous and happy state in which I leave you."

"In imploring for the people of this noble province the continuance of those blessings to which their many high-minded qualities so justly entitle them, I will add, that for myself it will constitute one of the chief consolations of my remaining exile, to be permitted to witness the progress which New Brunswick is destined to make in all that relates to her prosperity and improvement."

"England already looks with great interest to the progress which New Brunswick is to make, and to the barrier against the spread of ungodly and unconstitutional opinions on this continent; and I foresee, that in the course of events, that feeling will be elevated into one of just pride in the possession of so noble a heritage for her glorious institutions."

"I have yet one more observation to make, and if that observation should be deemed superfluous, I trust to your candor to impute it to its true motive—an anxious desire to perpetuate to you, as far as my advice or influence may be permitted to extend, the blessings which have resulted from the harmonious work of the machinery of which legislation and government are composed. Permit me, then, to impress upon you the advantage to the public interest which must result from according to the disinterested wishes of the people, who have placed in you the sovereign to represent her majesty in this province, the same degree of confidence which you were pleased to repose in me, and to which, I repeat, I mainly impute, under the blessing of Divine Providence, whatever of success may have attended my efforts to be useful."

NATIONAL AFFAIRS.

DEATH OF THE PRESIDENT OF THE U. STATES.

"I WISH YOU TO UNDERSTAND THE TRUE PRINCIPLES OF THE GOVERNMENT. I WISH THEM CARVED OUT. I ASK NOTHING MORE." Such were the dying words of WILLIAM HENRY HARRISON—the, upon whom but one brief month since, were reposed the confidence and affections, as well as the highest hopes of this whole people; has been suddenly, by the overruling dispensation of an ALL WISE PROVIDENCE, removed from the scene of mortal things, and a nation is in mourning. May we receive this chastening, with that true humility through which alone we are authorized to look beyond the deepest of gloom to the rainbow which is still hung in the Heaven.

Washington, April 4, 1841.

An all-wise Providence having suddenly removed from this life WILLIAM HENRY HARRISON, late president of the United States, we have thought fit to say a few words in relation to his death, and in the absence of the VICE PRESIDENT from the seat of government, to make this afflicting bereavement known to the country, by this declaration, under our hands.

He died at the president's house, in this city, this fourth day of April, on Monday, the 4th inst., at thirty minutes before one o'clock in the morning.

The people of the United States, overwhelmed, like ourselves, by an event so unexpected and so melancholy, will derive consolation from knowing that his death was calm and resigned, as his life has been patriotic, useful and distinguished; and that the last utterance of his lips expressed a fervent desire for the perpetuity of the constitution and the preservation of its true principles. In death, as in life, the happiness of his country was uppermost in his thoughts.

DANIEL WEBSTER,

Secretary of state.

THOMAS EWING,

Secretary of the treasury.

JOHN BELMONT,

Secretary of war.

J. J. CRITTENDEN,

Attorney general.

FRANCIS GRANGER,

Chief Justice.

The following announcement of the death is from the Madisonian of the 6th.

The national bereavement. A dark pall covers this community. The arrow of death, which always seems to love a shining mark, has reached our chief magistrate before he had completed the term of his office. The arm, which not long since wielded a sword in defence of the country, is palsied—the eye, which lately beamed so brightly and benignantly, is closed—the voice whose trumpet tones but a few weeks ago resounded through the halls of the capitol, is forever hushed and silent—and the venerable form of William Henry Harrison, lately animated and erect, has become but a cold and lifeless clod. The hopes of a nation are withered, and high and confident expectation has given place to grief and despondency.

Who shall measure the anguish of that afflicted family, from whose midst an all-wise Providence has removed the affectionate husband, father, relative, friend and benefactor? And although the tears of multitudes may be mingled with those of the relative, and the sympathies of a nation be excited, yet who can repair the loss? May God, in his Providence, sanctify the dispensation for the overruling good of the family and the nation. The great consolation to the bereaved is the hope of the eventful and patriotic life of the deceased, as there is also in the manner of his death. In the one, as in the other, he has manifested the goodness of his heart, the constancy of his patriotism, and the purity of his intentions. Short as has been his administration, none who have been friends to him will have cause to regret their efforts or their devotion.

The particulars. From the moment general Harrison was elected president to the day of his illness, his heart has been filled with gratitude to the people, to whom indeed he has always been affectionately devoted. In the generosity of that heart he has invariably opened his doors wide to the reception of his friends, and his house has been the abode of hospitality and kindness. His friends, his friends, alas, to his own destruction. From sunrise in the morning, till nearly midnight in the evening, he has incessantly devoted himself to his fellow citizens who visited him, with the exception of the few each night who were called to breakfast. It was his habit, after rising, first to pray, then to read the Bible and then to take a walk before breakfast. Frequently he would bring in with him persons he had met in his walk to breakfast with him. And afterwards, the whole day would be spent in receiving company and transacting business.

On Thursday morning week the porter, who found him reading the Bible, and even then complaining of indisposition, suggested to him the propriety of excluding visitors until 10 o'clock in the morning. "No, no," said the kind hearted president—"let them come in. Many of them have come from distant states to see me, and they wish to get home, and I will not refuse them." On Saturday morning, however, we saw him, and he was at that time complaining of a headache, and expressing his regret that he found so little time to attend to important business before him, alluding to a map of Florida which he desired to examine, as he wished to bring the war in that territory to a speedy close. The next letter he wrote, was on the subject of that war. The same afternoon he was taken with a chill, and retired to that bed, which has in eight days proved his last. We were not without hope of his recovery until the afternoon of last Sunday, when a severe diarrhoea came on, under which he soon sank. Religious services were performed by the rev. Mr. Hewley Saturday evening, and he did not seem to have become insensible until after 10 o'clock. At a quarter before 10 o'clock the president gave his last breath, which was taken down at the instant, by Dr. Worthington, and deserves to be remembered as reflecting glory upon his death. It was in the following words, and it may be supposed to be addressed to governor Tyler, who became general Harrison's successor under the constitution: "SIR, I WISH YOU TO UNDERSTAND THE TRUE PRINCIPLES OF THE GOVERNMENT. I WISH THEM CARRIED OUT. I ASK NOTHING MORE." At about 11 o'clock the general raised partially from his pillow and coughed. After this he was not the slightest indication of sensibility. He gradually sunk—until the pulse first departed from the left arm, and immediately after, viz: at half past 12 o'clock, the circulation entirely stopped, and general Harrison, without a struggle, went into the eternal sleep of death.

As his fame will be immortal on earth, so may his spirit rest in eternal happiness in heaven.

There were present at the closing scene, in addition to the medical attendance, such of the relatives of the family as were connected with the members of the cabinet, colonels Todd and Chambers, who were the aids of the general at the battle of the Thames, and a number of other personal friends.

Immediately after the demise, the members of the cabinet, (except the secretary of the navy, who is absent), withdrew and prepared the above announcement of the fact, which they deemed it their duty to make to the country, and despatched immediately an express for gov. Tyler, at Williamsburg in Virginia.

The National Intelligencer of the 8th inst. in publishing the announcement, by the secretaries of the departments, of the death of president HARRISON, accompanies it with the following remarks:

"The solemn event which has just occurred above, although the public will have been in some degree prepared for it, will be to the whole country an astounding blow. The uninterrupted health of the deceased patriot, his robust constitution and active strength, up to the last week of his life, had left his countrymen nothing to wish and nothing to fear in regard either to his bodily or mental capacity for the able discharge of the high trust to which he was called. The tens of thousands of citizens who assembled to witness the ceremony of his inauguration, felt in the presence of this trumpet voice, and assurance that he possessed health and strength equal to the arduous duties which lay before him. But this promise and this confidence were soon to suffer a reverse. The week before last, pursuing the practice of his usual life, and his habit of early rising and exercise, the president, in the course of a long walk before breakfast, was overtaken by a slight shower, and got wet. The following day he left symptoms of indisposition, which were followed by fever, and an increasing and ruinous illness, which afflicted all medical skill, and terminated his virtuous, useful and illustrious life, on Sunday morning, after an illness of eight days. He expired a little after midnight, surrounded by those members of his family, who were in the city, the members of his cabinet, and many personal friends. Immediately after his demise, the members of the cabinet retired and drew up and signed the above announcement, and caused it to be published. In the course of Saturday the president appeared so much better as to inspire hopes that his demise would be retarded, but at about four P. M. a sudden and very unfavorable change took place, and he continued to sink until death closed the scene.

"The last time the president spoke was at nine o'clock—a little more than an hour before his decease, and the words which he then uttered were so remarkable that they deserve to be recorded and

remembered. While Dr. WORTHINGTON and one or two other attendants were standing over him, having just administered to his comfort, he cleared his throat, as if desiring to speak aloud, and, as though he fancied himself addressing his successor or some official associate in the government, said: "SIR, I WISH YOU TO UNDERSTAND THE TRUE PRINCIPLES OF THE GOVERNMENT. I WISH THEM CARRIED OUT. I ASK NOTHING MORE."

"These his last words were uttered in a distinct voice, and as they were well calculated to do, impressed the gentlemen present so solemnly that Dr. Worthington immediately wrote them down for preservation. They present a brief but impressive record of the thoughts which occupied the last moments of the departed patriot, and are characteristic of him throughout his life, and shone forth even in the hour of death. Thus passed from life, and from the station on earth most worthy of a noble ambition, this good and wise and illustrious citizen. It is not for us to attempt to do justice to the solemnity of the occasion, or to the deep grief which pervades all hearts. As more fitting and adequate than any words of his could be, we quote the following expressive language uttered from one of our pulpits yesterday by an eloquent divine:

"The intelligence of this morning, my Christian friends, has filled thousands of hearts, and will fill thousands more, with sadness and anxiety. The chief magistrate of our union is no more. One short month since, amidst the breathless attention of an immense multitude, with clear and solemn voice, he called God to witness that he would faithfully discharge the duties of his high office—his solemn vow to appear in the presence of that God. The praises of his friends, the denunciations of his enemies, are alike awed into silence before this dispensation of mysterious Providence. Amid the busy schemings of man the Supreme Ruler has manifested his power, and we read with irrepressible awe his awful lesson, of the uncertainty of human life, the emptiness of earthly glory."

"You have seen—how recently and sadly seen—the summit of human power—affords no security to the shadow of death. The illustrious man, the lately solemn nation's idol now lies in the calm death slumber which knows no waking till the final day. Those deeds of service to his country which were so familiar to the lips of thousands, and that fidelity to his country's good, lately so fervently expressed, and as true as sincere, are no more. And all else that graced his character have followed him to the bar of the just and the merciful Judge. Before that bar, my friends, we also are to appear. We know not how soon. May we so use the present time as to prepare ourselves for that day?"

We extract the following announcement of the death of general Harrison from two of the leading opposition papers.

Office of the Globe, April 4, 2 o'clock, A. M.
It is with deep regret we announce that WILLIAM HENRY HARRISON is no more. He died at thirty minutes before one o'clock this morning. His disease was pleurisy, complicated with disordered liver and bowels, and from the first bore a serious aspect. All the efforts of the medical skill and most unremitted attention were unavailing. In announcing this melancholy event, all other reflections are absorbed in the thought of the nothingness of life, the emptiness of earthly grandeur. One brief month has witnessed the ascent to the summit of the duties of the exalted station of chief magistrate. "What shadows we are, and what shadows we pursue."

From the Baltimore Repository, April 3.

A NATION MOURNS ITS CHIEF: Death of Wm. Henry Harrison, president of the United States. In the words of the poet, and more than that, what we are called upon to announce to the American people, the melancholy intelligence of the demise of their chief magistrate, WILLIAM HENRY HARRISON, who had scarcely entered upon the high duties of his exalted station, and whose shadow of death has struck him to the earth, and his spirit is summoned to mingle with the illustrious dead. The whole nation must feel the shock, and millions of freemen mourn the deeply afflictive occurrence.

We have never before witnessed such a universal gloom thrown over a people, as was produced in this city yesterday morning upon the arrival of the melancholy intelligence from Washington, rendering it more unexpected as it was, in consequence of the ill health brought by the late attack on Saturday evening last, being of such a nature as to create a hope that the end would be more distant, and that there was good grounds to believe that the president might recover, but,

And bows to woe as the north wind's breath,

And stars to set—but all,
That shall not soon be thine own, oh death!"
Upon the receipt of the news, the flags of the shipping in port as well as other places, were placed at half-mast, and the different bells tolled throughout the day.

General Harrison's family. The connections of general Harrison present the following relations at the time of the decease of their beloved relative, were the following:

Mrs. WILLIAM HARRISON, (son's widow).
Mrs. TAYLOR, of Richmond, (niece).
Ma. D. O. GOULDING, (step-daughter).
HENRY HARRISON, of Va. (grand-nephew).
FINDLAY HARRISON, of Ohio, (grand-son).

The number of strangers in the city yesterday was very large. The corpse lay in state in the entry of the president's house during the day, and hundreds went with melancholy steps for the last time to view the mortal remains of the departed hero.

Colonels Chambers and Todd. An impressive and affecting feature of the closing scenes of Saturday night, was the presence of those two gentlemen at the death-bed of their long-loved general. In the battle of the Thames they were the chosen aids of a commander-in-chief. Col. Todd was aid, and acting adjutant general from 1812, until general Harrison resigned in 1814. Col. Chambers and Colonel Chambers were in the last of the war on the right hand fork of the Thames. They stood by general Harrison where the bullets flew thickest, and when he told them to prime their pistols—that he was determined not to be taken alive. They were steady by him during the day, and during the late political campaign, no two men were more zealous or active in repelling the assaults of the general's enemies, or in defending his fair fame, than they. They stood by him night and day during this, the general's last battle with the forces of terror, and saw that all was done that could be to resist his final conqueror, death. There has seldom occurred an instance of more enduring and devoted mutual attachment, confidence and friendship.

Before his death, general Harrison showed how highly he estimated Colonel Chambers, by appointing him governor of Iowa. He had also fully determined to manifest his confidence in Col. Todd, by nominating him to the senate for a mission abroad. The vice president, Mr. Tyler, arrived in Washington city on Tuesday morning about 4 o'clock. The special messengers who were sent to inform him of the death of the president found him at James Town, Virginia.

REPORT OF THE PHYSICIANS.
Washington, April 4, 1841.

DEAR SIR: In compliance with the request made to us by yourself and the other gentlemen of the cabinet, the attending and consulting physicians have drawn up the abstract of a report on the present state of the late president, and transmit to you.

Very respectfully, your obedient servants,
THO. MILLER, attending physician.

To the Hon. D. Webster, secretary of state.

On Saturday, March 27, 1841, president Harrison, after several days' protracted indisposition, was seized with a chill and other symptoms of fever. The next day pneumonia, with congestion of the liver and derangement of the stomach and bowels, was ascertained to exist. The age and debility of the patient, with the melancholy termination, forbade a resort to the bloodletting. Topical depletion, blistering and appropriate internal remedies, subjoined, in a great measure, the disease of the lungs and liver, but the stomach and intestines did not regain a healthy condition. Finally, on the 3d of April, at half past 12 o'clock, he expired, under which he sank, at 30 minutes to 1 o'clock, on the morning of the 4th.

The last words uttered by the president, as heard by Dr. Worthington, were these: "Sir, I wish you to understand the true principles of the government. I wish them carried out. I ask nothing more."

THO. MILLER, M. D.
Attending physician.
FRED. MAY, M. D.
N. W. WORTHINGTON, M. D.
C. HALL, M. D.
ASHTON ALEXANDER, M. D.
Consulting physicians.

Immediately after the decease of the president, Mr. WEBSTER, jr. chief clerk in the department of state, accompanied by Mr. BEARD, an officer of the senate, set out for the residence of the vice president, in Virginia, bearing to him the following letter:

"Washington, April 4, 1841.

"To JOHN TYLER, vice president of the U. S.
"Sir: It has become our most painful duty to inform you that WILLIAM HENRY HARRISON, late

president of the United States, has departed this life. This distressing event took place this day, at the president's mansion, in this city, at thirty minutes before one in the morning.

"We lost no time in despatching the chief clerk in the state department as a special messenger to bear you these melancholy tidings.

"We have the honor to be, with the highest regard, your obedient servants,

DANIEL WEBSTER,
Secretary of state.
THOMAS EWING,
Secretary of the treasury.
JOHN BELLS,
Secretary of war.
JOHN J. CRITTENDEN,
Attorney general.
FRANCIS GRANGER,
Postmaster general.

ARRANGEMENTS FOR THE FUNERAL.
Washington, April 8, 1841.

The circumstances to which we are placed by the death of the PRESIDENT render it indispensable for us, in the recess of CONGRESS and in the absence of the VICE PRESIDENT, to make arrangements for the funeral solemnities. Having consulted with the family and personal friends of the deceased, we have concluded that the funeral be solemnized on Wednesday, the 7th inst. at 12 o'clock. The religious services to be performed according to the usage of the Episcopal church, in a church in which the deceased most usually worshipped. The body to be taken from the president's house to the congress burying ground, accompanied by a military and a civic procession, and deposited in the receiving tomb.

The military arrangements will be under the direction of major general MACOMB, the general commanding in chief the army of the United States, and major general WALTER JONES, of the militia of the District of Columbia.

Commodore Morris, the master in plain in the navy now in the city, to have the direction of the naval arrangements.

The marshal of the District to have the direction of the civic procession, assisted by the mayors of Washington, Georgetown and Alexandria, the clerks of the supreme court of the United States, and other citizens as they may see fit to call to their aid.

JOHN QUINCY ADAMS, ex-president of the United States, members of congress now in the city or abroad, all the members of the diplomatic body resident in Washington, all officers of government, and citizens generally, are invited to attend.

And it is respectfully recommended to the officers of government that they wear the usual badge of mourning.

DANIEL WEBSTER,
Secretary of state.
THOMAS EWING,
Secretary of the treasury.
JOHN BELLS,
Secretary of war.
JOHN J. CRITTENDEN,
Attorney general.
FRANCIS GRANGER,
Postmaster general.

GENERAL ORDERS.

War department, Washington, April 8, 1841.

It is with feelings of the deepest sorrow, that the secretary of war announces to the army, the death of the president of the United States WILLIAM HENRY HARRISON is no more. His long and faithful services in many subordinate, but important stations, his recent elevation to the highest in honor and power, and the brief term allotted to him, in the enjoyment of the honors of government, and citizens generally, are invited to attend. And it is respectfully recommended to the officers of government that they wear the usual badge of mourning.

While the officers and soldiers of the army will share in the general grief which these considerations so naturally and irresistibly inspire, they will doubtless be preatened with increased sensibility, and feel a deeper concern in testifying, in the manner appropriate to them, the full measure of a nation's gratitude for the eminent services of the departed patriot, and in rendering just and adequate honors to his memory, because he was himself a soldier, and an approved one: receiving his earliest lessons in a camp, and when in ripe years called to the command of armies, illustrating the protection of arms by his personal qualities, and contributing largely by his successes, to the stock of his country's glory.

It is to be regretted that the suddenness of the emergency has made it necessary to announce this sad event in the absence of the vice president of the seat of government; but the greatest confidence is felt that he will cordially approve the sentiments expressed, and that he will, in due time, give directions for such further marks of respect, not prescribed by the existing regulations of the army, as may be demanded by the occasion.

JNO. BELL.

Navy department, April 5, 1841.

The department announces to the officers of the navy, and marine corps, the death of WILLIAM HENRY HARRISON, late president of the U. States, which occurred at the executive mansion, in the city of Washington, on the morning of the 4th inst. and directs, that, uniting with their fellow citizens, to the manifestation of their respect for the exalted character, and eminent public services of the illustrious deceased, and of their sense of the benevolence the country has sustained by this afflictive dispensation of Providence, they wear the usual badge of mourning for six months.

The department further directs, that funeral honors be paid him at each of the navy yards, and on board each of the public vessels in commission, by firing twenty-six minute guns, commencing at 12 o'clock, M. on the day after the receipt of this order, and by wearing their flags at half mast for one week.

J. D. SIMMS,

Acting secretary of the navy.

Navy department, March 5, 1841.

The acting secretary of the navy, requests the officers of the navy, in the city of Washington, or in its neighborhood, to appear in uniform, at the navy department, on Wednesday the 7th inst. at 10 o'clock, A. M. to receive the funeral honors to the late president of the United States.

Militia of the District of Columbia. The foregoing notice from the head of the executive department of the government informs you what a signal calamity has befallen us, in the death of the president of the United States, and the prominent part assigned you in those funeral honors which mark the death of a nation's respect to the memory of a departed patriot and statesman, whose virtues and talents as a citizen and soldier, had achieved illustrious services, and whose sudden death has disappointed the expectation of still more important benefits to his country.

With a view to carry into effect the views of these high officers of government, in a manner befitting the occasion, and honorable to the militia corps of this District, I request the general and field officers of the militia, to be present at my house (at 10 o'clock, A. M. on the 7th inst. at 10 o'clock, to report the strength and equipment of the several corps of the militia, and to receive final instructions for parade and arrangement in the military part of the funeral procession.

The commanders of such militia corps from the neighboring states as desire to unite in the procession, are respectfully invited to report to me as soon as practicable their intention, with a view to arrange them in due and uniform order, as a part of the general military escort.

The detail of them arrangements, to which all the military accessories, both of the army and militia, are expected to conform, will be published in due time for the information of all.

For the present it is deemed sufficient to say that the whole military part of the procession, including the regular troops of every arm and denomination, and all the militia corps, whether of this District or of the states, will be consolidated in one column of escort, whereof major general MACOMB, commander of the army of the United States, will take the general command, and brigadier gen. ROGER JONES, adjutant general of the army of the District of Columbia, will act as adjutant general and officer in command.

WALTER JONES, major general,
Commanding the militia of the District of Columbia.

GENERAL ORDERS.

Headquarters of the army,

Adj't gen's office, Washington, April 6, 1841.

The death of the president of the United States, having been officially announced from the war department, the major general, commanding-in-chief, communicates to the army the melancholy intelligence with feelings of the most profound sorrow. The long and faithful services of the deceased, in which president HARRISON has been engaged since the first settlement of the western country, from the rank of a subaltern to that of a commander-in-chief, are too well known to require a recital of them here. It is sufficient to direct the fields of Tippecanoe, the banks of the Miami, and the Thames, in Upper Canada, to recall to many of the soldiers of the present army the glorious results of some of his achievements against the foes of his country, both savage and civilized.

The army has on former occasions been called upon to mourn the loss of distinguished patriots, who have occupied the presidential chair, but this is the first time since the adoption of the constitution it has to lament the demise of a president while in the actual exercise of the high functions of the chief magistracy of the union.

The members of the army, in common with their fellow citizens of all classes, deplore this national bereavement; but although they have lost a friend, ever ready to protect their interests, his bright example in the paths of honor and glory still remains for their emulation.

The funeral honors directed to be paid by the troops in paragraph 523 of the general regulations will be duly observed, and the troops at the several stations will be paraded at 10 o'clock, A. M. when this order will be read; after which all labors for the day will cease; the national flag will be displayed at half staff; at dawn of day thirteen guns will be fired, besides the half hour gun as directed by the regulations; and, at the close of the day, a national salute. The standards, guidons, and colors of the several regiments will be put in mourning for the period of six months; and the officers will wear the usual badge of mourning on the left arm above the elbow, and on the bill of the sword for the same period.

By order of ALEXANDER MACOMB, major general, commanding-in-chief.

R. JONES, adjutant general.

ARRANGEMENTS FOR THE FUNERAL OF THE PRESIDENT.

Adjutant general's office, Washington, April 6, 1841.

The major general commanding the army of the United States, and the major general commanding the militia of the District of Columbia, have been charged by the executive officers of the government with the military arrangements for the funeral honors to be paid to the patriot and illustrious citizen, WILLIAM HENRY HARRISON, late president of the United States, direct the following order of arrangement:

ORDER OF PROCESSION.

MILITARY ESCORT

Major general Macomb, commanding-in-chief.

Aids-de-camp.

Major gen. Walter Jones, commanding the militia.

Aids-de-camp.

Division of United States light artillery.

Squadron of volunteer cavalry.

Battalion of United States militia.

Battalion of volunteer infantry.

Officers of the army, navy and marine corps—on foot.

Officers of the militia and volunteer corps of the District of Columbia—on foot.

Officers of the militia and volunteer corps of Baltimore, &c.

more, &c.

CIVIL EMSCORT.

United States marshal for the District of Columbia, and clerk of the supreme court.

The mayors of Washington, Georgetown and Alexandria.

clerk.

Gleery of the District of Columbia.

Physicians to the president.

Pall-bearers.

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hither. The steamboats brought crowds of people from Alexandria, and the individuals entering the city from the adjacent country on horseback and in vehicles of any description seemed to be more numerous than even on the occasion of the late inauguration. The great point of attraction was the president's mansion. Towards that all steps, all thoughts, were tending. There lay the body, closed in its leaden coffin, and covered with a more pall, seated in that deep repose which nothing shall break but the angelic trump. It lay on a bier in the east room, (an occupation how different from its wont!) and ladies were admitted all the morning to be healed by the contact with the flowers of the most beautiful flowers. The northern portico of the mansion was hung with long banners of black, extending from column to column. The iron gates of the enclosure in front were closed, save when the carriages of the foreign ministers, members of the cabinet, the attending physicians, the clergy and some other privileged persons, were admitted, preparatory to their taking the places assigned them in the funeral procession.

The military portion of it, constituting the funeral escort, began to form line on the New York avenue, immediately north of the president's house, and a most noble and imposing appearance it presented. Without undertaking to give the exact details of all the details of the military part of the procession, it must suffice us for the present to state that of volunteers, besides the Light Infantry, National Blues and Columbia artillery of this city, and squadron of Potomac Dragoons from Georgetown, were present the Eagle Artillery, Eastern Infantry, Invincibles, Independent Greys, National Guards, Maryland Cavalry and Military Association, of Baltimore, the Annapolis Greys, from the city of Annapolis, and a part of the York Rifle-men and Washington Blues from York, Pennsylvania. There was a battalion of United States Marines, and a division of United States light artillery, commanded by capt. RINGGOLD, from Fort Mifflin. But one of the most impressive portions of the military part of this procession consisted of the disarmed and mounted officers of the United States militia and volunteers. Scarcely has there been exhibited within a space so limited so many distinguished military men; the sight of whose well known figures left me such thoughts to many a brave and many an emulating soldier, on which the national honor has been well and nobly maintained.

The civic part of the procession was not less striking than the military. It embraced the municipal officers of the District, the clergy of all denominations, the judicial and executive officers of the government, including the president of the U. States and the heads of departments, the ex-members of the late cabinet now in the city, the comptroller, auditors and commissioners, treasurer, register, &c. with a number of officers from all the several departments. Such members of both houses of congress as are in the city also attended, and ex-president ADAMS in his place. Next followed officers and soldiers who had served under gen. HARRISON in the late war. Another division of this procession consisted of public societies and associations, preceded by their banners, and wearing their respective badges—among whom we noticed the society of Old Fellows, very richly attired, the Washington Catholic Temperance association, with their white banners, and the cross which is the symbol of their faith, the Typographical society, several schools and lycæums, and, to close all, the different fire companies of the city, in their showy and picturesque uniform of cloaks, hats, and accoutrements, and with appropriate ensigns.

The music was excellent; several fine bands playing mournful airs, giving place, from time to time, the muffled drums of the military, beating slow marches.

But the object of chief interest, and one which, as it passed, hushed every other sound, and caused many a tear to fall, was

THE FUNERAL CAR containing the body of the deceased president. It was of large dimensions, in form an oblong platform, on which was raised dead, the whole covered with black velvet. From the corners of the platform fell a black velvet curtain outside of the which, within a few feet, lay a new carpet. From the corners of the car a black crape festoon was drawn on all sides, looped in the centre by a funeral wreath. On the coffin lay the sword of justice and the scroll of state, surmounted by the scroll of the constitution. Both together by a funeral wreath formed of the yew and the rose, and the wreath drawn by six white horses, having at the head of each a colored groom, dressed in white, with white turban and sash, and supported by pall-bearers in

black. The effect was very fine. The contrast of this slowly-moving body of white and black, so opposite to the strong colors of the military around it, struck the eye even from the greatest distance, and gave a chilling warning beforehand that the corpse was drawing nigh.

The entire procession occupied two full miles in length, and was marshaled on its way by officers on horseback, and carried by the military band. The utmost order prevailed throughout; and, considering the very great concourse of people collected, the silence preserved during the whole course of the march was very impressive.

The funeral cortege was moved from the presidential mansion, religious services were conducted in presence of the PRESIDENT of the United States and ex-president ADAMS, the members of the late and present cabinet, the foreign ministers, and the mourning household, by the rev. Mr. HAWLEY. The reverend gentlemen declined making any address upon the occasion, but, pointing to a Bible and Episcopal prayer book which lay upon the table, stated that they had been purchased by the deceased president immediately after his arrival in the city, and had been in daily use by him since; then, the late president had declared to him (Mr. HAWLEY) personally his full belief in the truth of the Christian religion, and his purpose, had not disease intervened to prevent it, to have united himself to the church, and to have received the sacrament.

On the firing of the signal gun at the appointed hour, the procession, having received into its ranks the funeral car and the family mourners who followed the remains of their relative to the tomb, moved slowly on, passing on the south side of the city hall, and the principal avenue, under the first minute guns near the president's house, repeated at the city hall on the head of the column arriving opposite to it, and at the capitol on its reaching the western gate of the enclosure. Having reached the capitol, passing on the south side of it, the procession advanced over the plains eastward till it reached the space in front of the congressional burying ground. Here the car halted, while the line was formed by the military as they arrived, and then moved slowly on, being saluted as it passed with cannon lowered, the troops presenting arms, and the officers saluting it in military form. Having reached the principal entrance, the car was again halted; the coffin was taken down and placed on the shoulders of the bearers; the clergy advanced, and the Rev. Mr. HAWLEY, reading a solemn and a general service of the Episcopal liturgy, the procession advanced down the principal avenue of the cemetery until it reached the receiving vault, where a space had been kept open by sentries under arms, and where a hollow square being formed, the coffin was lowered into the vault. A signal being given to the troops outside, the battalion of light artillery, who were placed on an adjoining eminence, fired a salute, which was immediately followed by the several military bodies in line, which commenced firing from the left to the right, and continued the salute till it had thrice gone up the vault line.

The procession then resumed its march, and returned by the same route to the city, where the troops were disbanded, and the citizens retired to their several abodes. By five o'clock, nothing remained but empty streets and the emblems of mourning upon the houses, and the still deeper gloom, which oppressed the general mind with renewed thoughts of the late president, and the solemn and heroic bereavement alone was left to fill the thoughts.

The following gentlemen, as PALL-BEARERS, were designated to represent the several states and territories which were attached to their names at the funeral in such order as follows:

R. Curtis, esq., for Maine.	Hon. J. R. Moore, for N. H.
Hon. C. Cushing, Mass.	W. S. C. Clarke, esq., R. I.
W. B. Floyd, esq., Conn.	Hon. H. Hall, Vt.
Y. V. Brown, esq., N. Y.	John G. Livingston, Jr., N. J.
M. Waring, esq., Penn.	Hon. A. Naundin, Del.
David Hollister, esq., Md.	Major Camp, Va.
Hon. E. D. White, N. C.	John Carr, esq., S. C.
W. P. M. Church, Ga.	Gen. J. M. Smith, Miss.
K. Rogers, Tenn.	Mr. Graham, Ohio
Mr. Durak, Ind.	Gen. Robert Hanna, Ind.
Amos Miller, esq., Miss.	D. G. Garrison, esq., Ill.
Dr. John Granger, Ark.	Naphtali Lewis, Mo.
A. W. Lyon, esq., Ala.	Gen. Howard, Mich.
Hon. J. D. Carter, W. Va.	Col. D. Downing, Florida
Hon. W. B. Carter, Iowa	R. Smith, esq., D. C.

The ex-members of the cabinet of the late administration now in the city were invited, and all attended the funeral of gen. HARRISON.

From the legislature of PENNSYLVANIA, in session, a joint committee of both houses arrived in this city on Wednesday morning, and truly represented the feeling of that great state on this melancholy occasion.

There is something touching and morally beautiful in the merging of all party distinctions, in the

above instances, in the feeling of respect due to the memory of the honored dead.

THE NEW PRESIDENT.

By the extraordinary despatch used in sending the official intelligence to the VICE PRESIDENT, at Williamsburg, a similar despatch by him in replying to the seat of government, JOHN TYLER, new president of the United States, arrived in Washington on Tuesday morning the 6th inst. at 4 o'clock, and took lodgings at Brown's hotel.

At 12 o'clock, all the heads of departments, except the secretary of the navy, (who has not yet returned to the city from his visit to his family), waited upon him, to pay him their official and personal respects. They were received with all the politeness and kindness which characterize the new president. He signified his deep feeling of the public calamity sustained by the death of president HARRISON, and expressed his profound sensibility to the heavy responsibilities so suddenly devolved upon himself. He spoke of the present state of things with great concern and seriousness, and made known his wishes that the several heads of departments would continue to fill the places which they now respectively occupy, and his confidence that they would afford all the aid in their power to enable him to carry on the administration of the government successfully.

The VICE PRESIDENT then took and subscribed the following oath of office:

I do solemnly swear that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect, and defend the constitution of the U. States.

JOHN TYLER.
DISTRICT OF COLUMBIA,
City and county of Washington.

I, WILLIAM CRANCH, chief judge of the circuit court of the District of Columbia, do hereby certify the above named JOHN TYLER personally appeared before me this day, and, although he deems himself qualified to perform the duties and exercise the powers and office of president on the death of WILLIAM HENRY HARRISON, late president of the United States, without any other oath than that which he has taken as vice president, yet, as doubts may arise, and for greater caution, took and subscribed the foregoing oath before me.

WILLIAM CRANCH.
April 6, 1841. *The American Spectator.*

In consequence of the lamented death of the late president of the United States, the duties and responsibilities of that high office will devolve on the vice president, JOHN TYLER, for the residue of the term for which gen. HARRISON was elected, in pursuance of the first section of the second article of the constitution of the United States, which provides, that—

"In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice president, and the congress may by law provide for the ease of removal, death, resignation, or inability, both of the president and vice president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed or a president shall be elected."

To meet some inquiries which have been made of us, we subjoin the third and sixth sections of the second article of the first of our constitutions, which designate the person who shall perform the duties of president in a case of a vacancy in the office of president and vice president, and provide for the election of a president and vice president in such cases.

Sec. 9. In case of a removal, death, resignation, or inability both of the president and vice president of the United States, the president of the senate pro tempore, and, in case there shall be no president pro tempore, then the chief justice of the United States, or, if he shall be absent, then any one of the representatives for the time being, shall act as president of the United States, until the disability be removed, or a president shall be elected.

Sec. 10. Whenever the office of president and vice president shall be vacant, the electors of the electors of the United States shall be notified by the secretary of state shall forthwith cause a notification to be made to the executive of every state, and published in at least one of the newspapers printed in each state, specifying that electors of the president and vice president of the term for which gen. HARRISON was appointed be chosen in the several states, within thirty-four days preceding the first Wednesday in December next ensuing, if there shall be the space of two months between such date and such Wednesday, and in case there shall be less than two months, the electors shall be notified on the third day of March next ensuing, the shall specify in the notification that the electors shall be apportioned or chosen within thirty-four

says preceding the first Wednesday in December in the year next ensuing, within which time the electors shall be appointed or chosen; and they shall meet and give their votes on such Wednesday."

From the Pennsylvaniaian.

The death of the president will call into application certain parts of the constitution of the United States, and the first of these is, that "in case of the death, resignation, or removal of the president, the powers and duties of the office shall devolve upon the vice-president, until such time as another president shall be chosen." It is, therefore, the duty of the vice-president, in such a case, to exercise the powers and duties of the office, until such time as another president shall be chosen. It is, therefore, the duty of the vice-president, in such a case, to exercise the powers and duties of the office, until such time as another president shall be chosen.

"Article 2. Sec. 1. Clause 1. The executive power shall be vested in a president of the United States of America. He shall hold his office during the term of four years, and, together with the vice president, chosen for the same term, be elected as follows," &c.

Same article and section. "Clause 6. In case of the removal of the president from office, or of his death, resignation or inability to discharge the powers and duties of the said office, the same shall devolve on the vice president; and congress may, by law, provide for the case of removal, death, resignation or inability, both of the president and vice president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected."

Same article and section. "Clause 7. The president shall, at stated times, receive for his services a compensation which shall neither be increased nor diminished during the period for which he shall have been elected." Clause 8. Before he enters on the execution of his office, he shall take the following oath or affirmation: "I do solemnly swear (or affirm) that I will faithfully execute the office of president of the United States, and will, to the best of my ability, preserve, protect and defend the constitution of the United States."

Same article, section 3. "He (the president), shall take care that the laws be faithfully executed, and shall commission all the officers of the United States."

1st. The death of general Harrison devolves upon John Tyler, the vice president, the powers and duties of the presidency.

Mr. Tyler will continue to act as president during the *term of four years* for which General Harrison was elected. The constitution obviously contemplated no special election for a president, except when *both* the president and vice president died or became unable to hold. For this latter contingency, and in pursuance of the constitutional provision, congress legislated in 1792, designating the "president of the senate *pro tempore*, and there shall be a president of the senate, who shall be the speaker of the house of representatives, for the time being." This case has not arisen, and we hope no such crisis will arise.

4th. Clothed with "the powers and duties," Mr. Tyler is obviously entitled to the salary of a president.

dent, which by a law of the 18th of February, 1793 was fixed to be "at the rate of \$25,000 per annum with the use of the furniture and other effects belonging to the United States, to be paid quarter yearly at the treasury."

5th. As the constitution prescribes a special oath to be taken by a president, before he enters on the execution of his office, and as the taking of this oath constitutes an inauguration, Mr. Tyler should go through the form of inauguration, and may then, as is usual, communicate to his fellow citizens, by an address, the principles upon which he intends to administer the government.

6th. Acting as president, Mr. Tyler, must re-appoint and recommission the incumbents of those offices held at the pleasure of the executive, except where the law authorises them to continue for some unfinished term or until successors be appointed.

There is therefore, as we conceive, at this moment in strictness, NO CABINET; no heads of department holding by subsisting commissions;—their commissions expired with the president who gave them and the several secretaries, and postmaster general should forbear any official act of moment, until fully empowered. Mr. Tyler, has clearly the right to make his own cabinet, and the public exigencies

require him to do so promptly. But we think a very dangerous example may be set, if the secretaries of general Harrison attempt any measures of government, or if Mr. Tyler recognises them as officers for any purpose whatever, until he has re-appointed them. As to all political usurpations, we cannot too scrupulously regard the maxim, "*obstare principiis.*"

Mr. Tyler, although certainly not one whom the people of the United States ever intended to make their chief magistrate, has become so in conformity with the constitution. His position must be unelected and embarrassing; and he is fairly entitled to the sympathy and aid of his fellow-citizens, as well as the best assistance of his friends. As governor of Virginia, and as the representative of that commonwealth in the senate of the United States he has shown ability enough for any station. He has been called upon to perform a duty foreign to the emergency. Let him not be softly deluded by the insinuating suggestion that he may catch the mantle of *Elisha*; but put on his own vestments, take his own attitude, and steer his own course. He has no right to expect theocratic aid, which first made him popular in the ancient dominion. Let him not shrink from the herculean task which an act of Providence has called him to perform. Let him not yield to the dictates of indolence and roll into the bed that others have made for him.

From the New York American.
THE CABINET. Some intimations are made that the cabinet officers will resign. Not so. This is the practice in monarchies, where ministers are the king's servants. In our republic they are the servants of the people, and commissioned by the consent of the senate to offices created by law.

When J. Q. Adams succeeded Mr. Monroe, Mr. McLean, the postmaster general, Mr. Southard, secretary of the navy, and Mr. Wirt, the attorney general, retained their commissions without any new appointment, or intermediate resignation.

APPOINTMENT BY THE PRESIDENT. Walter Forward, esq. of Pittsburg, has been appointed, by the president, first comptroller of the treasury.—Mr. F. has accepted the appointment.

TREASURY CIRCULAR. To disbursing agents whose accounts are rendered to the first and fifth auditors.

*Treasury department,
Comptroller's office, March 30, 1841.*

SIR: You are hereby required to render your account of disbursements for the current quarter as soon after its close as practicable; and in so doing you will present with and refer to in your account two abstracts, one referring to vouchers for payments made for demands which accrued prior to the 4th instant, the other to those subsequent thereto. You will, in all cases, report the amount of funds in your hands on the 4th instant.

Subsequent quarterly accounts are to be rendered as required above, should they embrace payments for demands which accrued prior to the 4th instant.

You will be governed by the above, in lieu of the circular of the 22d inst. Very respectfully, yours,
J. N. BARKER, controller.

CHOCTAW RESERVATIONS. Notice to purchasers of reservations under the 19th article and supplies.

The office (at Columbus, Mississippi) of commissioner to examine and report on the above class of claims has been discontinued by direction of the secretary of war. Deeds, or other papers connected with them, which require the action of the executive, will be transmitted to the secretary of war or to the office of the commissioner of Indian affairs.

T. HARTLEY CRAWFORD.
Office Indian affairs, March 30, 1841.

ANOTHER OUTRAGE BY A BRITISH CAPTAIN

The Salem, Mass. Register says that "letters have been received from the brig *Trinidad*, of Salem, of this port, which state that the vessel had been overhauled by a British cruiser. The Richmond was taken on her passage from Salem to St. Helena, and sent on to Mozambique; and a few weeks before her arrival at St. Helena, when off the Island of St. Thomas at the coast of Africa, she was brought to by a British brig of war, (the *Persian*, our informant thinks) her invoices and other papers were demanded and examined, and she was finally suffered to proceed on her voyage, nothing being found to justify a seizure. This is the *A/A* Salem vessel that had been searched by English cruisers within a few months

McLeod. An attempt was lately made to enable McLeod to escape from jail. After the exit of a visitor, there was found concealed in the prisoner's bed, a small saw, two small files, two chisels, a watch main spring straightened, and teeth filed in it like a saw, and fitted with a string or bow, in order to enable the prisoner to cut the bars at his window without making a noise.

HISTORICAL REMINISCENCES.
COL. TODD. In reference to a rumor that col. Charles S. Todd, of Kentucky, has been designated by the president for a foreign mission, some of the newspapers have asked who col. Todd is. Those whose recollection of public affairs extend back to the war of 1812, and even to the later period of Mr. Monroe's administration, would need no one to tell them who this gentleman is; but, for the information of younger politicians, less familiar with the men and things of the periods to which we refer, we copy from the National Intelligencer of April 13, 1824, the following paragraph:

"Col. C. S. Todd, late charge d'affaires of the United States to the government of Colombia, arrived to this city yesterday, on his way to rejoin his family, having been detained at Charleston for several weeks by illness, from which he has almost entirely recovered. Mr. T. was appointed secretary of legation to the mission to that republic, but declined accepting the appointment. It is but just to say that colonel Todd has acquired great respect in the eyes of those who have had an opportunity of observing it, by the manner in which he has discharged his duties whilst abroad."

We have thought it due to a gentleman *who is at this moment spoken of* for a distinguished posthumous to revive the above notice of him, which has been so long buried in the oblivion of the public trash implied something more in the incumbent than mere party subserviency. In regard to Col. Todd, it may interest those unacquainted with his history to add that he was born in Kentucky; that he was a distinguished army officer in the United States; was a graduate of William and Mary college; was educated for the law at Litchfield, Connecticut; entered the late war as a volunteer subaltern from Kentucky, in 1812; in 1813 was promoted to the rank of captain, and sent to the camp to gen. Harrison at the battle of the Thames; in 1814, he was assistant inspector general and acting adjutant general to Harrison and McArthur; in 1815 he was inspector general of the eighth military district. "He was the most important services from the opening of the campaign, and was particularly distinguished in the pursuit of Proctor." He and Col. Wood pursued Proctor so closely that he abandoned his army, and fled to Canada, where he was captured. No more beautiful eulogium could have been pronounced upon an officer than gen. Harrison's declaration to a distinguished member of the congressional committee, (Col. Todd) as equal in bravery superior in intelligence to any officer of his rank in the army."

CAPTAIN CHARLES W. MORGAN. There was no braver or worthier man among the nine officers who were recently presented with swords of honor by the state of Virginia, than captain Charles W. Morgan, of the U. S. navy. We recollect an anecdote of his gallantry during the late war, related to us by a friend, and which we believe is not generally known.

I. N. Y. Times.

At the commencement of the war the now silver haired veteran was a gay young midshipman, attached to the Constitution, and was on board that ship in the celebrated action with the *Guerriere*. On that memorable occasion he performed an act of the most heroic daring. Soon after the commencement of the battle, both vessels became enveloped in a heavy cloud of smoke, from the incessant cannonade, so that it was impossible to distinguish either from the deck or overboard. At this juncture the hero, with respectfully saluting his commander Hull that a man should be sent aloft, where the smoke was not so densely packed, in order to ascertain the position of the *Guerriere*, and direct the men how to point the guns.

The cosmonauts declined to send any men on a service so desperate. Young Morgan immediately volunteered, ran up the shrouds, and in a few moments was directing the men, at the guns, from amidst a shower of balls. His clothes were cut in a half a dozen places, and he received one or two slight wounds while in this perilous position. When the British frigate surrendered, her commander inquired of commodore Hull, whether this was a man who had been in the service of the British in the Constitution. "Yes" was the reply, "why do you ask?" "because," said Dacres, "we have been firing at him for this half hour; he must have a charged life."

THE ARMY.

General Scott and one of his aids, captain Anderson, arrived in this city by the Sullivan coach on Monday evening. Their stay was at the Exchange hotel. On the next morning, when they took their departure for the Niagara frontier in the regular mail coach. The general's face is yet somewhat discolored by the bruises he received by falling on the ice, while crossing the Hudson at Albany—or, as they say, by the horse-drawable evidence of the necessity of a bridge at that place—testimony which would have been too dearly bought by the nation had it cost, as it came near doing, his valuable life. (Rockster Democrat.)

St. Augustine, April 1, 1841. A letter received here from an officer of the army at Tampa, expresses the opinion that there will not be another gun fired by the Indians in Florida. God grant that it may prove correct; but we can scarcely rely upon it as yet.

THE NAVY.

The New York American contains extracts from a letter, written by Maxwell Woodhull, acting master of the United States schooner Dolphin, speaking of the success of the expedition, against the native kings and pirates, on the coast of Africa. From this extract it appears that the Dolphin and Grampus, worked their way amidst very many obstacles, up to the narrow river Nunez to the town of Wilkes, the principal place or capital of the king of Schabari, a potentate, who some time since conceived he might plunder American vessels and abuse and ill-treat their crews with impunity.

To punish this worthy was the object of the expedition. When it situated about 80 miles up the river Nunez. Here the Dolphin and Grampus took a position in which they could soon have reduced the place to ashes. Satisfaction was demanded, and after some boasting and bragging on the part of his aid, Mr. Woodhull, complied with all the demands made on the part of our government, and the two vessels safely descended the Nunez, and arrived all well, at Sierra Leone. The river Nunez is so little known, that on the last maps we do not find the name of a single town last down.

The pirates on the river had, however, made themselves so notorious and offensive, that our government deemed it of importance to put an end to their depredations, and we are glad to say that our gallant Bells have so successfully and meritoriously effected the object of the expedition.

Steam frigate Mississippi. We find in the Philadelphia Gazette a description of the national steam frigate now building at the navy yard in this city. Her dimensions are, length 215 feet, breadth 40 feet, depth 25½ feet, mean immersion 18½ feet, and her tonnage about 2,000 tons. The cylinders of her engines are each 75 inches in diameter and 7 feet stroke. Her paddle wheels 30 feet diameter. She will have 4 copper boilers, with stowage for 800 tons of coal. The paddle wheels will be the divided split paddles generally used in American vessels. The boilers are tested to a pressure of 30 lbs. per square inch above the atmosphere, and intended to be worked to a pressure not exceeding 15 lbs. The vessel will be rigged and fitted as a frigate, and armed with 10 guns—two 10 inch long guns, and eight 24 pounders.

STATES OF THE UNION.

NEW YORK.

Undoubtedly the great question of the day for this state is, how far and how fast, she can carry out her great system of internal improvements. That the system should not, and will not, be abandoned is certain. The remaining question, then is—the sole one indeed—as to the degree of despatch with which we should proceed. Mr. Sibley is for the *fraternal love*, or make-hate slowly policy, but is decided as any man can be going about.

The Albany bridge question. The committee of the New York assembly on roads and bridges, after an elaborate hearing, on the petition for a bridge over the Hudson, at Albany, which has excited a very deep interest, reported. First, against the petition. The report was signed by four members of the committee, one member who was in favor of the petition being absent. In the house after an animated debate on a motion by Mr. Hoffman to recommend the report, with instructions to report the bill submitted by the petitioners for the information of the house, without intending to express any opinion on the merits of the application, the motion prevailed by a vote of 74 to 34.

Albany. The legislature of New York has passed a law to divide and equalize the wards in the city of Albany; and changing the time for holding the charter election in that city, to the second Tuesday in April.

Markets. The news from England has had little effect here. The holders of cotton are encouraged by the news from England, and the price of tea chose not to sell unless upon advanced rates. The stock market declined a little. U. States bank brought 18½. [Cor. Nat. Incl.]

NEW JERSEY.

The experiment of smelting native iron ore with anthracite coal, has been successfully practised at the Stanhope iron works in Sussex county.

PENNSYLVANIA.

The U. S. bank meeting. The Pennsylvania of the 6th inst. publishes the account of the meeting of the stockholders of the United States bank, held in Philadelphia on Monday last, and says: "The meeting was characterized by the most intense excitement. A degree of earnestness and determination was exhibited such as is rarely met with. Nothing would be listened to, but what was clearly to the main purpose."

The report of the committee alone was demanded, and previous efforts at speaking were not allowed to proceed even far enough to develop their purpose. The report was indeed an important document, and the community have abundant cause to look eagerly for its printed publication. It was ordered for Thursday, at the adjourned meeting. Its disclosures are startling—they lay open systems of operation well calculated to found, and the elucidations thus given, will probably not only throw light upon the management of the bank, but perhaps likewise furnish materials for the proper understanding of passages in political history. The report occupied about an hour in the reading, and was heard in deep silence—except when exclamations of indignation broke forth from the audience.

The Public Ledger also says: "It being an adjourned meeting, the chairman of the former meeting, Mr. Breck, occupied the chair, and called the assembly to order. Some considerable confidential notice was given to the motion to read the report, and on captain Scotland attempting to speak, the excitement broke forth in hisses and obstreperous clamor, so much so that he was compelled to desist. Without having concluded his remarks. The object, as we are now gathering it from what he did say, was that he desired, or that he hoped, the report would not be personal."

The indignation on change, after the reading of the report, towards those now and recently connected with the institution, and who were seen before the public, among them characterised as the friends of the bank, and as one of the consequences, it may be noted that the stock fell 20½ per cent.

The Gettysburg contractors. The Harrisburg Intelligence of Tuesday says:—We are truly gratified with the action of the house on yesterday, in relation to the bill granting relief to those contractors on the Gettysburg rail road, who have since 1839, been kept out of a large amount of money, which is honestly due them.

Cumberland, Perry and Juniata. A special election for a member of congress, is ordered in that district on the 4th of May, in the place of Mr. Ramsey.

MARYLAND.

Congressional election. The governor has issued his proclamation calling a special election, on the 17th of May next, for members of congress to represent the district at the extra session, which will convene on the 31st proximo.

Hon. Francis Thomas. This gentleman, who has for ten successive years done good service in the cause of the country and the great principles of democracy, declines being a candidate for congress at the next election.

The Frederick Citizens say:—"We part with him with regret, and in the name of his constituency, whose sentiments towards him are so well understood, return him our cordial thanks for his generous and noble services to his political friends, and his country at the expense of much personal loss and inconvenience."

We are pleased to see that although Mr. Thomas has withdrawn as a candidate, he still stands prepared to give his valuable aid to the good cause.

Frederick, March 24, 1841.

That my fellow citizens may not act under misapprehension as to my wishes, I feel called upon to declare this publicly, that I have declined becoming a candidate for re-election to legislative and constitutional offices, having existed without interruption, for ten years, between the people whom I have recently represented and myself, I cannot retire from their service without expressing the deep and abiding gratitude which I feel for the generous and unflinching manner in which my attempts to serve my country have been received by them.

I am not aware, that the expectations of those to whom I am indebted for repeated elections, have

been disappointed so far as a steady and inflexible adherence to democratic measures and aims was anticipated. And, when it is remembered, that during the long period that I have been in the public service, occasions have frequently occurred, to try the souls of those who maintain the political doctrine to which it is well understood I am forever devoted, it must be conceded, that I have a very good reason indeed, to feel the homage of a grateful heart to that patriotic and noble people, who have allowed me to escape without censure. With my whole heart I thank you.

From that retirement to which I go, I shall look, with anxious expectation, on the progress of that mighty contest for popular sovereignty, in which, I am honestly believed, my political associates are engaged, and stand prepared to give aid to the good cause, whenever called on by my fellow citizens, and, when that aid can be rendered, consistently with my desire to bestow more attention than I have heretofore done, to my own neglected personal concerns. With the highest respect, I am, your fellow citizen, FRANCIS THOMAS.

Hon. Solomon Hilen, jr. It will be seen by the following letter that this gentleman declines being a candidate.

To the voters of the 4th congressional district. Fellow citizens: In a few weeks you will be called upon to elect your representatives for the 27th congress. From the numerous flattering inquiries of friends as to my disposition to be a candidate at re-election, it becomes my duty, publicly, to announce, that my name will not be presented to the nominating convention. This determination was repeatedly avowed, immediately after the close of the last congressional contest; and, I hope, it will not be considered presumptuous, respectfully to decline the honor of a nomination, by anticipating a renewal of that kindness which I have already experienced. My object is to withdraw my name from public consideration, the result of which will be the selection of another more deserving of your favor, but with whom I shall claim, at least an equality in gratitude for the unmerited distinction of having occupied, by virtue of your suffrages, a seat in the councils of the nation. Respectfully, SOL. HILLEN, JR.

Baltimore, March 29th, 1841.

Cheapsake and Ohio canal. The provisions of the bill in favor of the Chesapeake and Ohio canal company, are as follows:

That the bonds of the state are not to be sold under par; that until they can be sold the company may issue its notes or order formed on the bonds, of any denomination not under one dollar, and payable by the treasurer out of the proceeds of the bonds; and that the law is not to operate until such amount shall have been made by the company and approved by the treasurer, by which the work will be secured to be performed for the two millions. There are two further conditions which are to be fulfilled before the law is to have effect. 1. The four mining companies of Jennings and Braddock's runs, are to give bond, with security to be approved by the treasurer, that they will have rail roads completed from their mines to the canal by the time the canal shall be completed to Cumberland. 2. The stockholders of the mining companies of Allegany county are to give bond with security to be approved by the treasurer to pay the state annually for five years after six months from the time of completing the canal to Cumberland, the sum of two hundred thousand dollars. They will be allowed in tolls that amount so paid—and if the tolls of their transportation shall exceed this amount they are, nevertheless to pay the excess.

The last provision of the bill directs proceedings for foreclosing the mortgage of the state on the canal.

General tax bill. We have received a copy of the tax bill as it has just passed the legislature. The following are two of the leading sections in it:

Sec. 1. Be it enacted by the general assembly of Maryland, That all real and personal property in this state, all churches, real and personal, all goods, wares and merchandises, and other stock, in trade at home, or not permanently located elsewhere, the interest or proportion in all ships and other vessels, whether in or out of port, owned by persons residing in this state, and all other property, as well as judgment, decrees, mortgage, bond, bill of exchange, promissory notes from solvent debtors, except debts due for goods sold and delivered after the passage of this act, and bank notes, all stocks or shares in any corporation, or in any state or national bank, institution or company, incorporated in any other state or territory, all debts due to residents of this state by solvent debtors residing out of this state, except debts due for goods sold and delivered after the passage of this act, all investments in ap-

estates, or stocks of other states, made or held by residents of this state, all public loans and stocks of any state, except those created or issued by the United States, owned or held by residents of this state, all stocks or shares in any bank, institution or company, incorporated by this state, and all other property of every description whatsoever, shall be valued agreeably to the directions of this act, and shall be chargeable according to such valuation with the public assessment; provided, that nothing herein contained shall be construed to authorize the assessment of or levy of any tax upon property belonging to the United States, to this state, or to any county or city in this state, or to any incorporated literary or charitable institution, county schools, houses for public worship, buying grounds, the crop and produce of lands in the hands of the producer, or his, her or their agent, provisions for the use and consumption of the person to whom the same shall belong and his or her family, plantation utensils, the working tools of mechanics and manufacturers moved or worked by hand, and the produce of their respective occupations whilst in their possession or the possession of their agents, wearing apparel, fish at the time fishermen may be employed in catching, salting and packing the same, or while they remain in their possession or that of their agents uncolled, household manufactures, judgments, bonds, mortgages, promissory notes, or other securities belonging to any bank or other incorporated institution, the capital stock whereof is made subject to taxation by the provisions of this act, nor to any goods, wares, merchandise or other property belonging to persons not residents of this state, in the hands of factors in this state for sale.

Sec. 9. *And be enacted*, That it shall be the duty of the said assessors in their several counties and districts respectively, to make diligent inquiry, and inform themselves by all lawful ways and means of all the property in their respective counties and districts, of every description whatsoever which shall be liable to assessment under the provisions of this act, and to value the same in the names of the owners thereof respectively, at the full cash value of the same, and all property owned by persons residents of this state, and not permanently located elsewhere within this state, shall be valued to the owner in the county, district and city where he or she may reside, and they shall specify in their returns made as hereinafter mentioned, as far as may be practicable—

1. The names of the tracts or parcels of land and other descriptions thereof owned by each individual, with the quantity of acres therein, and value thereof.
2. The negro slaves, classified in them according to their ages, as follows: the negro slaves under the age of fourteen years, their number and aggregate value; the male slaves from fourteen to thirty-five years of age, their number and aggregate value; the male slave from thirty-five upwards, their number and aggregate value; the female slaves from fourteen to thirty-six years of age, their number and aggregate value; the female slaves from thirty-six years of age upwards, their number and aggregate value.
3. Stock in trade, its general description and value.
4. Public securities liable to valuation, particularly specified, with their respective values.
5. Bank stocks and other stocks particularly specified, with their respective values.
6. Private securities.
7. Live stock.
8. Household furniture, and the aggregate value of each.
9. Plate.
10. Gold and silver watches.
11. Property of other descriptions.

CHIEF.

Legislature. This body adjourned on Monday last after a session of about four months and at an expense to the people, of some forty or fifty thousand dollars.

All the bank projects were postponed. The fund commissioners have been authorized to borrow money to continue the public improvements, restricting all loans to that extent, except that for the completion of the Wabash and Erie canal.

A law has passed reducing the salaries of engineers, &c. on the public works, allowing but one superintendent on the national road, as we learn. But 33 laws of a general nature were passed, a great number of local laws, and joint resolutions.

[Zanesville Rep.]

Catholic cathedral at Cincinnati. The Cincinnati Chronicle relates that bishop Purcell has purchased a large lot in that city, on which are to be erected a new Roman Catholic cathedral, orphan house and hospital. A church for the accommodation of German Catholics is also to be commenced this season at Cincinnati.

MISSISSIPPI. Rev. David C. Stuart has been nominated as the wing candidate for governor of Mississippi. We have the pleasure of a personal acquaintance with this gentleman. He was a few years ago a travelling Methodist minister, and belonged to the Virginia and North Carolina conference. He is a man of sterling integrity, strong mind, and possesses a great energy of character. He is a self-made man. He came to this state from New England a poor pedlar. While engaged in vending his wares, he applied himself studiously to his books. He communicated with the conference, and having established an enviable character for sound morality and piety, he presented himself as a candidate for the ministry, was received into the Methodist connection, and labored as a travelling preacher until this year 1839, when he removed to the west, and soon found his way to the bench in Mississippi, where he has distinguished himself as an able judge; and now he is about to be elevated to the chief magistracy of the state.

Judge Shuttleworth presents a brilliant example of individual effort and success, and of the beauty and excellence of our republican system, under which men may raise themselves by their own merits from the humblest walks of life to the highest stations in the government; and his success ought to stimulate and encourage the hundreds of our country who are eulizing upon life with no brighter prospects than those which dimly shone upon his early path way, to diligent, vigorous and persevering efforts. All may not attain to the highest position, but every one can do something for himself and his country; and his motto, at least ought to be "WILL TRY."

[Raleigh Star.]

Resolutions. The legislature of Mississippi, after stating the refusal by the governor of Maine to comply with the requisition of the governor of Georgia, for the surrender of fugitives, and the refusal of the governor of New York to comply with a similar requisition by the governor of Virginia, proceeded to say:

Whereas, The offences charged against all said fugitives from justice, was larceny feloniously committed, stealing, taking and carrying away certain slaves, and whereas, council and co-operation of that and all the other slaveholding states of the union have been asked in the premises, to the end that our common and peculiar interests may not be prejudicially affected, and our state and national interests, but opposed to the institution of domestic slavery; therefore,

Be it resolved by the legislature of the state of Mississippi, That the right of executive authority over the executive authority of another state, and the duty of the latter to surrender such fugitives upon the demand, is a right secured by the terms of the federal compact, a right which cannot be denied without a palpable violation of the said compact, and which no state legislature can annul, evade or impair.

Be it further resolved, That the attempt of the governor and legislature of the state of Maine and the governor of New York, to evade, impair and deny that right, is deemed by this legislature, an outrage upon the chartered rights of Virginia and Georgia and a precedent full of danger to all the slaveholding states.

Be it further resolved, That any state which makes compact with any of her sister states whose rights have been or may hereafter be invaded as aforesaid, in any mode or measure of existence or address necessary for their or our protection.

Be it further resolved, That the governor of this state be requested to transmit copies of the foregoing resolutions to the legislatures of the governors of the several states, and to each of our senators and representatives in congress.

Approved, February 6, 1841.

LOUISIANA.

Nomination. Henry Johnson, esq. has been nominated by the people of Louisiana, as a candidate or governor of that state.

MISSOURI.

Times. It is stated in the St. Louis Bulletin, on the authority of the Paris Sentinel, that meetings have been held in Cooper county, Missouri, for the purpose of petitioning the executive officers of the county to resign, so as to prevent the sacrifice of property at public sale for debts which may be owing by the citizen. The Bulletin says that probably the scarcity of money was never felt so seriously in that state as at present.

FLORIDA.

Later accounts from Florida have been received at Savannah. Fifty-eight more Indians have come in at Fort Fanning, and 100 more were deliberating upon taking the same step. Colonel Harney had

returned from his expedition to the everglades, and the prospect for peace seems once more encouraging. The Indians now in Florida are estimated at 8,000 Seminoles, Micкасукис, Tallahassee and Creeks, who are only prevented from quarrelling among themselves, by their deeper hatred to the whites than to each other.

The Savannah Republican of Monday says: The steamer General Taylor, capt. Peck, arrived yesterday from Florida. A letter states that there were about four hundred Indians at Tampa on the 21st inst., ready for emigration. Yards were also in readiness to receive them, and the houses in the west, but the commanding general was waiting orders from Washington.

We have been favored with the following extract of a letter, dated Fort Brooke, Tampa Bay, E. F. March 20, 1841.

"This afternoon I had the pleasure of seeing about 260 Indian friends, shipped for their new homes in Arkansas. We have left here now 70 or 80 who will follow soon. These devils have kept us in a ferment ever since we have had charge of them, expecting every night that some one would attempt to escape. Consequently our men have been on guard every other day, which has caused a great deal of sickness, as they have been up every other night and all night. It is not possible for man to bear it long. News arrived here yesterday that 300 Indians had come in at Santa Rosa, a port 30 miles from this. A few days since col. Worth went out with part of his regiment, (8th) and by some management or other got an interview with the celebrated chief Wild Cat, who has been heretofore the worst enemy of Florida, but has been induced the colonel to come in, which every one here believes, and that he will bring his people. The colonel has also had a talk with an Indian chief called Quak-Turcaneau, who has also promised to bring his people in—and another chief."

The editor of the Georgian has been favored with the following extract of a letter, dated Fort Armstrong, Saratoga, E. F. March 14th, 1841.

"A few days since an Indian and negro came in at this post with a white flag and said they were tired of the war, and desired that some one would send them to Florida for three days. To day about forty Indians came in from Peas creek,—making all now at this post 83. Hostipaka, with three of his warriors, have remained behind to hear from Sam Jones and other chiefs south. They will probably be ready in a few days."

Apalachicola, March 24. Indian emigration. The steamer J. A. Adams, in the government service, arrived at this port on Monday afternoon, having on board one hundred and five Indians, emigrating to Arkansas. Major Bellup, who has been charged with the duty of transporting the Indians, and a new board of officers, accompanied by lieut. Sprague, Mr. Capers, disbursing agents, Dr. Randall, and Mr. Cloud of the paymaster's department.

The party of Indians on board the Adams was made up of fragments of different tribes, Tallahassee, Micкасукис, Seminole, &c. Among them were thirty warriors, the remainder were women and children. The Spanish Indians captured by col. Harney, were also on board.

From a conversation had with the officers, we learned that a brig had sailed from Tampa, having on board one hundred and ten, embracing Echo Emathis, the chief of the Tallahassee, with ninety of his people; and also that one hundred and fifty were in with gen. Armstrong at the time the Adams departed. The aspect of affairs seems to be favorable to the success of the war. Wild Cat had gone to col. Worth, at Fort Cummings, also Coa-ta-nug-gue, one of the most warlike chiefs, who promised to go out and bring in all his party.

The Tallahassee were all except Tigertail, and the party headed by him consisted of only about forty, among whom were but eighteen warriors. Tiger had been frequently in at Tampa state, and said he was tired of fighting and wanted to be friends with the white folks." [Journal.]

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL.

[CONTINUED FROM PAGE 79.]

In *arrole*, Wednesday, January 29, 1841.

Mr. Havercruys, in a speech before the senate adjourned last evening, he had suggested that he wished to offer certain amendments to the bill; and as they were now in order, he would proceed to propose them. When, on a former day, he had made some remarks upon this general provisions of the bill, he had indicated it as his conviction that there was a majority of the senate in favor of a pre-emption system of some kind, and the votes given since the present bill had been under discussion showed that opinion to be correct; he had further observed

that, in his judgment, the bill as it had been reported from the committee on the public lands, was such a one as ought not to pass; and that he would, when the proper opportunity should present, make an effort to have it amended. The senate, as Mr. H. has stated, had now taken certain principles on the general subject, in the first place, that they would not adopt the plan of cession, as proposed by the senator from S. Carolina, (Mr. CALHOUN), and again that they would not adopt the amendment offered by the senator from Kentucky, (Mr. CALDWELL), attaching the principle of distribution to that of pre-emption; and in the third place, that they would not assent to the substitute proposed by the senator from Vermont, (Mr. PRENTISS), making pre-emption retrospective and non-exclusive. These points he considered as now settled; and the amendment Mr. H. wished to propose would not interfere at all with these decisions.

There were some provisions in the bill which he thought need not remain there, and some others which might, with advantage, be inserted, and some new ones which should be added, the better to secure the nation and honest settlers from fraud and imposition. The design of the amendments he should offer would be to carry out the professed object of the bill, which was to give the honest bona fide settler the prior right of purchase of a quarter section of land he had settled upon, and they went to carry out the spirit of the pre-emption law of 1830, a statute which has been introduced and the principal provisions of which have been adopted. This had not been particularly alluded to, but so is the fact. We are now under the pre-emption law of 1830; it is, with some alterations, at this hour, the law of the land; it was revived in 1840, and extended to 1842, and the present bill is a departure from that law, not merely by making the system prospective instead of retrospective in its operation, but by omitting important parts of that law, and altering essentially some of its provisions. On what grounds are pre-emption laws defended here, and in the nation? On the two principles of public policy and of private justice.

Is it not said to be justly due to the honest bona fide settler that he shall be protected in the enjoyment of the fruits of his industry? Are we not to say that if a foreigner leaves his country, and comes here, or one of our own citizens leaves his residence in an old state and goes on our public domain, and erects a log cabin on it, that justice requires he should be covered by a pre-emption law, and secured to the possession of his land? Is not this assumed every where, as the equity on which a pre-emption law is founded, so far as it respects the individual? And, with regard to its public policy, is it not said that such laws encourage the settlement and sale of the public lands; that they raise the price of the lands, and give an impulse to population, thus bringing strength to the country, and adding to the public wealth? Am I not justified in saying that these are the two principles on which the pre-emption system is made to rest? Gentlemen may differ as to the expediency of the system, but its friends put it on the two grounds I have stated. If these be indeed the principles on which alone the bill can be defended, I hope its advocates will support them, as they are assumed and embodied in the amendments I shall offer, which go to protect the bona fide settler, and him alone.

With these views I offer the following amendment to the bill, and ask the senate to compare it with the bill, and judge whether it is consistent with the principles on which any pre-emption law can rest, and ought not therefore to be adopted.

Mr. H. here read the amendment as follows:

"Sec. 3. After the word 'divided,' in the third line, strike out the words 'in the fourth line,' and insert 'equally between them; but neither shall have any claim, by virtue of this act, to any other land; and'

The bill now reads:

"Sec. 3. And he further enacted, That where two or more persons shall have settled on the same quarter section, the same shall be divided between them, and the deficiency made up to each out of the contiguous vacant ground; but no wilful intruder on the known claim of another shall be entitled to any benefit under this section."

If the amendment shall prevail, the section will read: "That where two or more persons shall have settled on the same quarter section, the same shall be divided equally between them, but neither shall have any claim, by virtue of this act, to any other land; and no wilful intruder on the known claim of another shall be entitled to any benefit under this section."

The bill in its present shape, declares that if two or more persons shall settle on the same quarter section, the land shall be divided between them,

and each settler shall be entitled to so much from the contiguous vacant land as shall be sufficient to make up to him the full quantity of a quarter section; but that no wilful intruder shall be entitled to the benefits of this provision of the law. It gives no preference to a particular settler, but says that each settler shall have an equal right in that land, and also a right of pre-emption to what is equivalent to a whole quarter section. He is not to be a bare interest in the quarter section with the rest who settle on it, in looking upon it, but enough is to be taken from the adjoining land to make a quarter section to each. Will not this prejudice the interests of the bona fide settler, and promote those of the speculator? It does not prohibit the settlement on a quarter section by more persons than one, but it requires any agree to associate and settle in fixing themselves on a single quarter section, and thence spread themselves over all the contiguous lands. Will half a dozen individuals settle on one quarter section of land, if they all intend to become permanent residents on the soil. If they enter on the land with a sincere desire of making themselves homes in the wilderness, they will each take his quarter section and begin to improve it; but, by this bill, a family may go on one, and improve it to the exclusion of the others, and the settlement of them embraced within the provisions of the bill will be entitled to a separate quarter section at the government price. Nor is this all. If it were only families that could do this, their taking a tract from the pre-emption law would seem to be a fair and just way to settle permanently on the property. But what is to prevent a company of speculators from going on the land and inhabiting it, and raising one log cabin, to furnish a shelter for them all, and, as soon as the pre-emption law is to be applied to the tract, each one, his separate tract of land, at a dollar a quarter, and immediately selling it at a great profit? I have no disposition to benefit settlers of this description; and the pre-emption right should be conferred on those who in good faith do settle themselves with a view of becoming permanent residents. And this amendment effects this object, and therein carries out the principles avowed by the friends of the bill. Such was the provision of the act of 1828, and such is the spirit of the present law. The second provision is, that if more than one person shall settle on a quarter section, each of the persons so settling shall have an equal share of the land, but shall have no claim to any other land whatsoever by virtue of that act; such a bill became a law in 1830, and was in force in 1839, and it was in force two years longer. I presume the clause was introduced expressly to guard against the evil I have mentioned. I am disposed to carry out this policy. I wish to insert the guards which our present law has, and I think they are necessary, but they must not put the rich man and the speculator, and below the bona fide settler, but bona fide improvers of the soil. I trust the amendment will not be objected to.

Mr. CLAY, of Alabama, said that there were two ways to destroy ability; one was to vote it down, and another was to talk it down. He regretted that the gentleman had not brought forward his amendment sooner, when the bill was in progress of amendment; but after the bill had been read and as perfect as it could be, a proposition had been brought forward to recommit it with instructions, then another amendment had been offered to that, and now the whole ground was to be gone over again. He was disposed to support the bill, but he thought the section of the bill as reported by the committee, if it was rather retroactive in its character, and intended to refer to cases where several individuals had settled on the same tract. There might be a very serious spring, a particular spot, and half a dozen persons might settle around it for the sake of the water, while they cultivated elsewhere. Did the senator desire to confine them all to the same quarter section? The section gave them no floating claim, but confined them to land immediately contiguous to the land on which they were settled. The act of 1830, for that allowed them such a floating claim. It had been said that great frauds had been perpetrated under cover of these laws, and the evil was not corrected by the most liberal law Congress had ever made. The gentleman apprehended a great danger from speculators uniting to settle on a single quarter section; but it would be most extraordinary should a man come all the way from the old states, settling woods and making improvements, for the sake of a quarter section, and then come to the quarter section of land. Mr. C. adverted to the small profit gained by the government from the auction system, and the advantage of parceling out the land among numerous settlers. He demanded the year and a half for the government to sell the land.

Mr. HENTINGTON repelled the idea of offering amendments for the sake of impeding final ac-

tion on the bill, and insisted that his amendment would be preventive of much fraud, and that it went no further than the law of 1830.

Mr. CLAY, of Alabama, said the gentleman was mistaken. He supposed the law of 1830 to be the last law of the senate, and that it was only revived in 1840; but the law of 1840 was supplemental, and was more liberal in its provisions than the law of 1830.

Mr. CLAY, of Kentucky, said that the honorable senator from Connecticut had called the attention of the senate to the fact that a general pre-emption law, retrospective in its character, had been passed in 1840, to continue for two years, thereby demonstrating that there was no pressing necessity at all for acting on the subject of pre-emption at the present session. He had risen to express his thanks to the senator for the amendment he had now proposed, and, unless gentlemen did actually intend that the bill should operate in a manner different from that which it professed on its face, he hoped the amendment would pass. Mr. C. said that the pre-emption laws were founded on the abuses to which they always gave rise. They became, for the most part, mere instruments of speculation; the poor man, for whom they were professedly passed, was excluded, and a most ruinous prospect was opened to the speculator alone. How would this bill work in practice? A new and fertile tract of land had just been purchased from some Indian tribe. From the fertility of its soil and the advantages of its situation, it had become a most interesting prospect for settlement. The Indian title had been extinguished, but the land had not yet been surveyed. What would be the effect? A company of speculators would employ a number of men to go on this fresh tract of land, and erect a few log cabins in the spring, and thus obtain pre-emption rights to each section. The company would immediately purchase from them for a trifling sum, and distributing their rights on the adjacent land, would thus possess themselves of a choice tract of land at a very low price. The senator from Alabama, however, insisted on the limitation that the settlers must take their rights only from contiguous land; but could any thing be more vague than that? Suppose a hundred men should go on the land, and settle, and it should be found that they could not get their hundred quarters on land immediately adjoining that on which they set themselves down, would they not spread themselves through the township, or over into a contiguous township, for the provision of the law must be interpreted as to the nearest land, and the right of the party claiming under it; and if they could not lay their pre-emption on lands immediately contiguous, they must do the next best thing to comply with the law, and take their lands somewhere in the neighborhood. Such he very candidly would be found to be the practical result of this bill, and Mr. C. would here predict, in regard to the present law, as in regard to all other laws, so far as they departed from our old, venerable and excellent land system, that it would redound to the benefit of speculators. As the amendment offered by the honorable senator from Connecticut, was in the very spirit of the arguments advanced by the friends of the bill, he trusted they would now demonstrate that they were not insincere in the grounds they had taken.

Mr. CLAY, of Alabama, now withdrew the call for the yeas and nays; but

Mr. CLAY, of Kentucky, insisted on the call.

Mr. CLAY, of Alabama, read to the senate a section of the law of 1840.

Mr. HENTINGTON observed that the section of a law just read had no reference to his amendment. His design was to provide that, if a number of persons should agree to settle on one small tract, they should not thereby be entitled to pre-emption on the quarter section of land. There was land enough which might be embraced by the term "contiguous," to extend this privilege to a thousand individuals.

HUGHESMAN briefly opposed the amendment, and could not conceive why gentlemen should be opposed to a provision, the sole object of which was to get the land settled.

Mr. KING, of Alabama, said he was prepared to go so far as any gentleman in favor of the pre-emption system, but he could not approve of that section in the bill now proposed to be amended. It was going back too much to the old system of "floas," under which frauds innumerable had been perpetrated and proved. The amendment was proper in principle, but it could not be adopted without insisting on the yeas and nays.

The call for the yeas and nays was thereupon withdrawn, and the amendment was agreed to.

Mr. HENTINGTON now offered an amendment, which provided that the yeas and nays should be insisted on, and inserted "twenty-one," thereby confining the benefits of the bill to heads of families, widows, and

single man over the age of twenty-one years. He said he thought the bill in its present form, with the provision for minors, would be highly objectionable. It was likely to produce one of two evils, and perhaps both. It would either encourage minors who were under parental government, and who had not the capacity in law to enter into a valid contract, prematurely to enter into the purchase of public lands, or, if an individual who went upon the land was the head of a family, and had sons over eighteen years, instead of obtaining a single quarter-section—which was the benefit the bill conferred—his wife and children would be obliged to go with him—he might though his sons obtain two or perhaps three quarter sections more. He believed that it had never before been proposed to grant tracts of the public lands to any but adults, unless they were heads of families. The last time, in 1838, when its provisions, as to single persons, as such as were over twenty-one years of age, and Mr. H. was for following in the same path.

Mr. NORVELL said that he could not see any great necessity for the amendment, or any great ground for the bill as it stood, because there could not be many minors in the same family, between the ages of 18 and 21. Every body acquainted with western habits, knew that nothing was more common than for young men to leave their homes before they were of age.

Mr. HUNTINGTON demanded the yeas and nays on the amendment.

Mr. CLAY, of Alabama, suggested that young men at the south were in the habit of marrying earlier than in the colonies, and that some of them, in Connecticut. They often married before they were 21, or at least had a contract on hand.

Mr. HUNTINGTON said that undoubtedly the gentleman was correct; but, if his object was to provide for young gentlemen who were of legal age, this, why was not the clause of the bill confined expressly to such cases.

Mr. PRATT said that he was in favor of the amendment, and hoped it would be adopted; for, although he was opposed to the principle of the bill, he wished to render it as unobjectionable as possible. In the remarks he had taken occasion to make in the commencement of the debate, he had expressed his opinion upon the policy of pre-emption laws in general, and especially upon the policy of this particular bill, as it stood. He had seen it, in fact, new and unprecedented in its character, and most extensive in its operation. While all former laws upon the subject had been retrospective and temporary, this was to be prospective and permanent. It not only granted, without any limitation of time, the full benefit in upon the relation of parent and child, and invited minors, young men under age, to desert the family roof before their maturity, and seek their fortunes in the wilderness of the west.—If the bill must pass, it was to be hoped, at least, that it would be directed to this very objectionable feature.

The bill, Mr. P. said, proposed a new and untried experiment, and he feared that it would be as mischievous in its consequences, as he deemed it unwise in its principle, and objectionable in its tendency. An honorable senator had yesterday, in justice to and support of the bill, referred to certain laws which existed in some of the states of New-England. The honorable member seemed to think that between the laws and the constitution there was a striking analogy, and that both rested essentially upon the same principle. Nothing, in the opinion of Mr. P., could be more erroneous. The laws to which reference had been made were not of a mere arbitrary character, as was supposed, but were the result of an ancient and approved principle—a principle as old as the system of equity itself—as old as the code of the civil law. They were little more in substance, than the enactment into the form of law of a well known rule of equity, namely, that "legis which was before essentially an equitable right, and providing for it a simple, cheap and expeditious remedy. They allowed a party entering upon land under color of title, supposing himself to have a valid right, but whose title, on the trial of an ejectment, turned out to be defective, to recover compensation for his improvements, or rather for what he had made the land better. But, to entitle himself to compensation, the party was obliged to show that he had entered under a good faith, under a claim of title apparently good. The laws gave relief, without any favor to mere naked, wild intruders, nor did they hold out any incitement or encouragement to lawless invasion or wrongful intrusions upon the property of another. They were never prospective but always

retrospective, applying only to past cases, and were enacted from time to time, as the purposes of justice seemed to require. Nothing could be more just than that, if the legal owner would lay by, without asserting his title, and suffer a purchaser, for a valuable consideration, under a supposed but mistaken right, to expend money and labor upon his land, and thereby increase its value, he should not be allowed to turn the innocent party out of possession without remunerating him to the extent of the real worth of his improvements. Such was, in substance and effect, the law which had been referred to, and in the question of justice and value, he should not be allowed any intemperance or support to pre-emption laws, and especially to a law like the one proposed by this bill.

If, said Mr. P., there was no other objection to the bill than the powerful temptation it held out to emigration, that objection alone would be sufficient with him. It might be well to look into the statistics of some of the old states, and see what had been the progress, and what was the present state of their population. That would enable them to judge whether it was wise or just, by acts of legislation, to create motives and inducements which could not fail to give a new and active impulse to emigration. He would ask attention to the condition of his own state. In 1820, the population of Vermont was over two hundred and eighty thousand; in 1830, over two hundred and eighty thousand; and now, a little short of two hundred and ninety-two thousand. It would thus be seen, that from 1820 to 1830 the increase was about forty-five thousand, while from 1830 to 1840 the increase was full twenty-five thousand. In 1820, the population of that state was two hundred and forty thousand; in 1830, two hundred and sixty-nine thousand; and in 1840, two hundred and eighty-eight thousand. From 1820 to 1830 the increase was full twenty-five thousand, while from 1830 to 1840 it was only fourteen thousand. In some of the towns in Vermont, the population had diminished in the last five years, and there was reason to presume that such would be the case in Hampshire. Had it not been for the manufacturing business, which, though greatly depressed of late, had built up considerable villages in different parts, it was probable that the aggregate of population would not have been augmented in either state, but might have been diminished.

In view of these startling facts, Mr. P. said it was quite impossible for him, representing as he did, an old state, to give his support to a measure which would take a family, and its most precious bounty, to emigration. While he would make no personal restraints upon emigration, but leave every one to go where he pleased, he would give it no extraordinary facilities or encouragement, and especially such encouragement as this bill held out, and which he could not fail to see must operate to the great detriment upon the old states. Emigration to the new states was rapid enough, and one would think that they ought to be satisfied with the surprising and almost incredible accumulations their populations was annually receiving, without exacting new facilities and new encouragement at the expense of the old states. This was what their true interests did not require, and what they had no right to demand.—At any rate, it was what, coming as Mr. P. did from an old state, and meaning to perform his duty faithfully in the station he had chosen to occupy, he was not willing to yield.

Public attention (Mr. P. said) was awakened to the great and momentous subject of the public lands, and the country was beginning to feel the importance, and the necessity, of adjusting the question, and that speedily too. It was not difficult to see that the public lands, if not made use of as a bribe for votes, would, more or less, be a source of jealousy and collision of interest between the old and new states, tending not only to conflict of opinion, but to alienation of feeling. Every one knew, and well knew, that the question had already entered, more or less, into the politics of the country, and carried a powerful, if not a corrupting, influence in election, and unless the question was soon disposed of, it would not only create a combination of interest, attended with concert of action, of a nature and aspect at once alarming and threatening, but engender a sectional spirit, so strong, as to be felt as it might be by interested and ambitious politicians, as a dangerous and most dangerous tendency. The senator from South Carolina, (Mr. CALHOUN), had been so deeply impressed with the nature and extent of the question, that he had felt it his duty to rise to the source, that he had felt it his duty to a public man, to bring forward a proposition for settling the question by ceding away and disposing at once the lands themselves. While Mr. P. agreed with the bona-

fide senator as to the necessity of a speedy adjustment of the question, he would not agree with him as to the mode of doing it. He did not think that the proposition to cede the lands to the states in which they were situated would remove any of the evils they had reason to apprehend from suffering the question to remain open and undecided. Passing by all other objections to the proposition, it was enough that the cession proposed would create the relation of debtor and creditor between the new states and the general government; a relation, above all others, to be deprecated, and standing against the interests of the new states, without a cession, would insist, as had been said, without even a plausible pretence of right, upon having all the lands to themselves to the exclusion of the old states, they would be quite as likely, after a cession, to insist, against right, upon keeping to themselves all the money which the lands produced.

In the opinion of Mr. P. the only plan which seemed to be at the same time practicable, constitutional, and likely to settle the question finally and satisfactorily, was a distribution of the proceeds of the lands among the states, in proportion to their just proportions among all the states could not fail to command general acquiescence, to secure general approbation, and give general satisfaction. It would put an end at once and forever to a dangerously disturbing element in the new states, and would be used by all states, as a motive for agitation on the subject. It was moreover the only conservative measure—the only measure which would preserve the public domain, save this great interest of the country, from being alienated, once permanently, and for generations to come, its benefits to all the states.

It had been said, among other things, in opposition to the measure, that if they took from the treasury the revenue arising from the public lands, for the purpose of distributing it, they would be obliged to provide in some way for the deficiency it would occasion; and that it would be idle and foolish to distribute the money among the states, and then impose taxes to supply its place. Mr. P. would frankly admit that the reasoning of gentlemen would be unanswerable, and he should feel himself bound to vote against distribution, if, in his opinion, congress had the right either to distribute or retain the proceeds of the lands at its discretion, and the question was simply, whether the lands, so much as they should be retained or distributed, and nothing more. In his view, the question went far beyond that, and involved other and higher considerations. It was a question which agitated and distracted the councils of the nation, and which, if not speedily and harmoniously settled, would be a source of high considerations of public policy, for the sake of settling the question, and at the same time giving to the states what rightfully belonged to them, that he was in favor of distribution. It was his deliberate opinion, that the lands, so much as they should be fairly and justly entitled to the proceeds of all the public lands embraced in the compact of cession. He had given the reasons for this opinion on a former occasion, and he did not know that he could add anything, either new or material to what he then said. He then considered as he now considered, that the question depended upon the terms of the deeds of cession, connected with certain provisions of the constitution.

The question, in his opinion, the leading and most important deed, was the only one material to be noticed, declared that the lands ceded "shall be considered as a common fund, for the use and benefit of all of the United States as have become, or shall become, members of the confederation or federal alliance of the United States, and shall be distributed to the several States, in proportion to the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatsoever."

It was, according to the leading and most important and legitimate sense, to make this clause any thing more or less than a declaration of trust in behalf of the respective states composing the confederation. Such was its obvious import and meaning. The words "to be distributed to the several States of the United States, *ex Virginia inclusive*," could be regarded as nothing else than a declaration in terms that the cession was a grant to the use of the several states. But not only was the use declared to the states at once, in proportion in which the states had a share in the use was also declared. A rule was given for apportioning the fund among the states; and the insertion of a rule of apportionment, of itself, necessarily implied a several, separate interest in the states in the common fund. They were to share in it "according to the usual respecter proportion in the general charge and expenditure," that is, they were to share *respectively* in the fund, each state having its proportion, its distributive share, according

to the ratio presented. This was the plain Import of the language used, and there was nothing in the words "common fund" which at all varied or in any way qualified the meaning. In the case of a grant, to A, in trust for the use and benefit of B, C and D, the fund would be a common fund, whether so declared or not, but the beneficial interest would be several. Nor was the meaning at all affected, as some had contended it was, by the words in the concluding clause, "and the said lands shall be sold, and the proceeds thereof shall be divided and apportioned among the parties entitled thereto, in proportion to their respective shares in the said common fund." Disposed of for what purpose? The words referred to an antecedent member of the sentence, and supposed the substitution of the grant to the use and benefit of B, C and D, and stated. And what was it? Why, to form a common fund for the use and benefit of such of the United States, &c. Virginia included, &c. That was the declared purpose of the grant, and that was the purpose for which the lands were required to be sold. The words "according to the usual respective proportions in the general charge and expenditure" were used, not to designate the object or purpose of the grant, but to give a measure of apportionment, and limit and fix the respective interests of the states in the land. The true reading of the deed then was, that the cession was a grant to the confederation by one member of it, for the use and benefit of itself and the several other members of it, respectively, to be shared by them in the proportions specified. The short and true reading of the deed then was, that the cession was a grant to the confederation by one member of it, for the use and benefit of itself and the several other members of it, respectively, to be shared by them in the proportions specified. The short and true reading of the deed then was, that the cession was a grant to the confederation by one member of it, for the use and benefit of itself and the several other members of it, respectively, to be shared by them in the proportions specified. The short and true reading of the deed then was, that the cession was a grant to the confederation by one member of it, for the use and benefit of itself and the several other members of it, respectively, to be shared by them in the proportions specified.

"The congress shall have power to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States; and nothing in this Constitution shall be construed as to prejudice any claim of the United States or of any particular state."

"All debts contracted, and engagements entered into, before the adoption of this constitution, shall be and remain the debt of the United States under this constitution as under the confederation."

These provisions of the constitution, which were the only ones having any bearing upon the question, instead of extinguishing or impairing, in any degree, the obligation of the compact of cession, saved and confirmed all the rights of the parties to the cession. The new constitution superseded the old confederation, but the trust continued a subsisting and binding trust, and the beneficial interest in the lands remained, as before, in the states. If it had been apprehended that the trust could not now be executed in the precise manner designated and directed by the deeds of cession, then, according to well known and established principles, it was to be executed as nearly in that manner as was practicable.

Such, Mr. P. said, was his reasoning upon the question at the last session, and what he had now said upon it was little else than repetition, in substance, of what he then said. Distribution, he would repeat, was, in his judgment, the right of the states. Justice not only required it, but it was demanded by considerations of the highest and most weighty nature. He thought the thanks of the country were due to the honorable senator who originally brought forward the proposition. It was a wise, just and conciliatory measure; and Mr. P. ventured to say that no one could deny the sagacity which the honorable senator from Kentucky had originated, and which had rendered, and would, in future history, render his name signally conspicuous, the measure of distribution, above all others, worthy of regard and approval. He thought the strongest evidence of his wisdom, his sagacity, his enlarged and enlightened patriotism.

Mr. P. said there was one other topic, not very intimately connected, it was true, with the subject before the senate, upon which he wished to say a word or two. It was a topic which had arisen rather incidentally in the course of the discussion, and he noticed it, not because it had any immediate bearing upon the merits of the main question, but on account of its general importance, and for the purpose of expressing his dissent from the doctrines which gentlemen had taken occasion to advance upon it.

It had been said that the states had the unqualified and exclusive right to determine and fix the qualifications of electors, and might by their constitutions or laws admit whomsoever they pleased, whether citizens or aliens, to vote in elections either of state

or federal officers. To that doctrine Mr. P. could, by no means agree. It was not only, in his opinion, repugnant to sound, acknowledged principles of national policy, but it was incompatible with the express provision and plain object and intention of the constitution of the United States.

The constitution gave to congress the power to establish a uniform rule of naturalization. The power thus given was, from its very nature, national policy; and that made so it was not, of course exclusive, as much so as the power to regulate commerce, or the power to declare war. The states being one nation under the constitution, and these powers being all equally and strictly national in their character, and therefore they could be exercised only by the national government. It would be inconsistent with the nature of the union, and the objects of the general government, to allow either of the powers to be exercised by the states. Congress was empowered to establish a uniform rule of naturalization, and for the purpose of securing uniformity on a subject of such high national concern, the power was surrendered by the states and vested in the general government.

It had been contended that no one could be a citizen of any state without being a citizen of the United States. The constitution declares that "the citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states." A citizen of any one state, therefore, must be a citizen of all the states, and therefore of the United States; and this consideration alone, if nothing else would do it, demonstrated the utter repugnancy and incompatibility of the exercise of the power by the states. It was true that it was once supposed, and long has been held by the judiciary, that the states possessed a concurrent authority in the matter of naturalization; but, considering the nature and purpose of the power, and that such concurrent authority would render the power entirely nugatory, and wholly nullify the policy, the error was never allowed for a time laid at length given way to sound reasoning and more comprehensive and enlightened views upon the subject, so that it might now be considered as settled and established that the power was exclusively vested in congress.

The power of naturalization given in the constitution, Mr. P. said, necessarily implied that no one could be a citizen, or enjoy the full rights of a citizen, who was not such by nativity of birth, except by naturalization. Every one, therefore, was an alien, until he became a citizen, either by birth or by naturalization. The question was, could the elective franchise be given to aliens, to persons who owed no allegiance to the country, but were bound by allegiance to a foreign country, which was the legal conclusion of every alien. If the states could not give the power of naturalization, could they confer all the essential civil and political rights and privileges which naturalization gave? If they could not directly, and in a legal and constitutional sense, make an alien citizen, could they give him all the rights which belonged to a citizen, and thus indirectly, but substantially, exercise the power of naturalization? It appeared to Mr. P. to be very plain that they could not. The constitution of the United States was the supreme law of the land, and it was hardly necessary to say that every state constitution or law which was repugnant to any of its provisions was of no validity and could confer no rights. If, in addition, without naturalization, could have and enjoy civil, rights, civil and political, which properly and necessarily belonged to a citizen, for what purpose, and for what purpose, a citizen in every thing but in name? There would be nothing left of his alienism but a mere abstraction.

Mr. P. said it was very clear to him that the right to elect and be elected could only be bestowed upon citizens, native or naturalized. The supreme power, according to the theory of the American governments, rested wholly in the citizens, or, in the language of the constitution, in the people—a word which was as synonymous as the word citizens. It might be assumed, as an elementary principle in our political institutions, that the exercise of the powers of government could be delegated by none but citizens, and only to citizens. Citizenship, on the other hand, was a question of law and reason, not of sentiment. The individual, of course, was not a citizen until he had been admitted to the rights of a citizen. If he was not a citizen, no one could be an elector who was not a citizen. It was true, the states might superadd, or dispense with, other qualifications, but they could not, or dispense with, the fundamental one of citizenship. They might, perhaps, repeal the common law, which disabled an alien to hold lands, and give him all the rights of property; they might, perhaps, remove other disabilities, and allow him to be a juror, or to exercise the rights of citizenship, depending upon the relation and of mere municipal concern. But when they added to these civil rights the political privi-

leges which belonged only to a citizen, such as the exercise of the elective franchise, which was the highest function of a citizen, and was of general and national concern, the constituency of the state government was limited to the constituency of the general government, they did that in substance, if not in form, which was palpably at variance with the meaning, spirit and policy of the federal constitution.

Mr. BUCHANAN said that, as he was very desirous to rally around the doctrine, he could not vote for the amendment; and, indeed, on a little reflection, he was persuaded the senator from Connecticut would never find it in his heart to deprive a young fellow who was under 21, and had an affectionate wife, of his right of getting a pre-emption right and settling down in life. As to our western boys, he believed many of them were disposed to marry early, and he thought that those who did so, ought not to be discouraged from going into the new country. Give them a fair chance; and even those who were not married, let them go and erect a log cabin and get it ready to accommodate a wife immediately after they should be 21. He thought it would be rather a reflection on the senate should they refuse so small a boon. The provision in the bill could do no harm, and would be of great benefit.

Mr. SMITH, of Connecticut, was opposed to the amendment as unnecessary. It was his belief that the inhabitants of the old states were quite as much, if not more benefited by pre-emption laws than those of the new states. He stated that he had been settled that the population were crowding each other out, and he was for holding out inducements for them to go to the west, where land was cheap. A young man, by hiring himself out for a year or two, could earn money enough to buy a farm, and settle himself for life; and it was no uncommon thing to see those who had begun in this manner eventually become prosperous and wealthy. There were men in the western country now worth \$50,000 and 100 thousand dollars, who had entered that country with an axe, and had not been worth the clothes on their backs. By hiring out at \$10 and \$15 a month, they had earned themselves a piece of land, and by industry and integrity had become among the most respectable and wealthy of their citizens. A man in the eastern states who had a family which he found it difficult to maintain, would remove to the west, carrying with him sons between the ages of eighteen and twenty one. It was an every-day occurrence. When he got there, he would hire himself out for a year or two, and then they would hire out, and, in a little while, earn themselves each a farm. Thus neighborhoods were formed, and there were entire towns in the western country which had been settled by persons originally moving from the same neighborhood in the eastern states. The young people would establish themselves somewhere in the vicinity of their parent, and would thus avail themselves of their advice and friendly aid. This appeared to Mr. S. a very desirable state of things, and he would do nothing to prevent it.

Mr. HUNTINGTON said that he wished the honorable senator from Pennsylvania (Mr. BUCHANAN) had finished a more practical commentary, than he had done on his own defective early marriages. Mr. H. had no desire to prevent the prosperity of enterprising young men, who chose to marry early; and they were embraced in that provision of the bill which gives the right of pre-emption to a young man, being the head of a family. He could not understand it, however, to give to minors who were very single, as this bill does, under the description of a "single man over the age of eighteen years." In regard to the latter class, he was inclined to "follow in the footsteps" of the "predecessors," entrusting their policy on this subject to a wise one.

Mr. MANGEN said that, after the last votes which had been given in favor of this bill, he presumed it was to pass, and was desirous to make it as perfect as possible. He thought that a young man, under 18 and under 21 should have a pre-emption right, provided he was married, and the head of a family; but, if a similar provision was to be extended to other minors, he appealed to gentlemen to consider what was the effect of giving them a pre-emption right on the domestic relations of life. Inviting young men from the household of their fathers, conferring property on them before they were of age, and settling them in matters in a new country—what must be the effect on themselves, as well as on the community into the midst of which they were thrown, without being bound to it by any of the ordinary social ties? It went to break up family relations, and tempt young men to a breach of the duty they owed their parents. What it was to do to the community, he could not say, but he thought it was to tempt boys into circumstances where they would be exposed to all manner of imposition? What

right had such young men to enter on our public domain and erect themselves a log cabin or other building without the consent of their parents? By the laws, he believed, of every state in the Union, their personal services, until they were of age, belonged to their fathers. It would be a cruel thing to desert their duty—to deprive their parents of the aid on which they leaned, and to which by the laws of the country, they were entitled, and which they might claim under a law of far higher origin and far more sacred obligation.

Mr. NORVELL suggested that, by the laws of the general government, young men of 18 could become purchasers of the public land. There was no law to prevent it; and why, if he went on a piece of wild land with the intention of settling, if he cultivated the soil and erected on it a dwelling, ought he to be placed on a worse footing than others?

The question was now taken on the proposed amendment to strike out 19 and insert 21, and decided in the negative, as follows:

YEAS—Messrs. Bayard, Clay, of Kentucky, Criffenden, Crittenden, Dixon, Graham, Henderson, Huntington, Kerr, Knight, Mangum, Merrick, Nicholas, Phelps, Pierpont, Pickett, Rogers, Ruggles, Smith, of Indiana, Southard, Webster, White, Williams—24.

NAYS—Messrs. Allee, Anderson, Benton, Buchanan, Clay, of Alabama, Fulton, Hubbard, Kerr, Linn, Lumpkin, McKim, Newland, H. Smith, Fort, Robinson, Sevier, Smith, of Connecticut, Sturgeon, Tallmadge, Tappan, Walker, Wall, Wright, Young—21.

The Senate being equally divided, the president gave his casting vote in the negative. So the amendment was rejected.

Mr. HUNTINGTON now offered another amendment, proposing to strike out from section first the words "has been or shall be extinguished," and insert "shall have been extinguished at the time of such settlement." So that if the amendment be adopted, it will read, "on any of the public lands which the Indian title shall have been extinguished at the time of such settlement."

He said that he proposed it merely with the view of making the bill more explicit, and of preventing misconception, especially as the registers and receivers were to have power to decide in a summary manner and definitively all questions arising under the act.

As the bill stood, it might be so construed as to apply to land to which the Indian title had not been extinguished. The object of the amendment was to prevent this. Instead, therefore, of the words in the bill, "the title to which has been or may be extinguished," he proposed to substitute the words, "shall have been extinguished at the time of such settlement."

Mr. CLAY, of Alabama, said he concurred in the amendment.

Mr. HUNTINGTON. I am glad there is one amendment which the gentlemen can approve.

Mr. CLAY. And I am glad there is one of the gentlemen's measures which I can approve.

Mr. HUNTINGTON rejoined that, although he was

pleased to have the support of the senator from Alabama in this amendment, he thought it more important to have a majority of the senate to concur in this, as they already had done in another amendment which he had proposed, and to which the gentlemen from Alabama had objected.

The amendment was agreed to.

Mr. HUNTINGTON said he would propose to the senate another amendment, the object of which, as in the last case, was to render the provisions of the bill more explicit. He could not suppose it was his intention that the pre-emption right granted by the bill should be extended to any other land than the quarter section on the pre-emptor settled; but, as the bill was drawn, it must be manifest that a person who settled on a quarter section, and brought himself within the scope of the bill by making improvements, &c., might be entitled to a pre-emption right to any other quarter section on pre-emption. To prevent this, Mr. H. proposed to insert in the 12th line of the 4th section, after the words "land," the words "so settled upon;" so that, if amended, it will read "what was settled upon on pre-emption in the purchase of a quantity of the public land so settled upon, not exceeding one quarter section."

Mr. LINN inquired whether his friend from Connecticut would exclude a man who had settled on a fraction containing 17 or 20 acres. The senator was aware that in the survey there were some fractional sections, one quarter of which would not always be 40 acres. This had produced some difference of opinion in Missouri. At some land office a man was allowed to settle on a fraction, and at others not. In consequence, no appeal had been made to the land department at Washington, and

there it had been decided that the settler must confine himself to the exact amount of 40 acres. This was productive of great inconvenience. Part of a man's farm might have been on such a fraction, and he was thus prevented from entering it. Such cases could possibly occur in this bill, and he should be sorry to see it prevented.

Mr. HUNTINGTON said that the case supposed was already provided for in the bill, and his amendment did not in his opinion interfere with it.

The question being put, the amendment was agreed to.

Mr. HUNTINGTON now offered as a further amendment a new section to the bill as follows:

"Sec. 10. *And be it further enacted*, That before any person shall be admitted to the purchase of any patent for the land which he may claim by having complied with its provisions, he shall make oath before some person authorized by law to administer the same, which oath, with the certificate of the person administering it, shall be filed with the register of the proper land office when the land is applied for, and by said register sent to the office of the commissioner of public lands, that he entered upon the land which he claims in his own right, and exclusively for his own use and benefit; and that he has not, directly or indirectly, entered into any agreement or contract, in any way or manner, with any person or persons whatever, by which the title which he might acquire from the government of the United States should inure to the use or benefit of any person, himself, or to convey or transfer the said land, or the title which he may acquire to the same, to any other person or persons whatever, at any subsequent time; and if such person claiming the benefit of this law as aforesaid shall swear falsely, he is, in addition to the penalty of perjury, to be fined and punished for perjury, forfeit the money which he may have paid for the land, and all right and title to the said land; and any grant or conveyance which he may have made in pursuance of such agreement or contract as aforesaid shall be void, except in the hands of a purchaser in good faith, for valuable consideration without notice. And the certificate, which shall be filed with the commissioner as aforesaid, shall be taken to be conclusive evidence that the oath was legally administered."

Mr. H. said that his intention to this amendment, is in the others, was to carry out the professed object of the law, by preventing frauds and securing the honest, bona fide settler in the possession of his land.

By the bill, in its present form, any individual was not only not prohibited, but was permitted to enter on land for the benefit of others, instead of himself. Now, if the design of the law was to grant a pre-emption right to the bona fide settler only, was it not reasonable to require his affidavit that he was not a speculator, but a bona fide settler? This was the security which government had against frauds, and, however fair, it was no security. Did western gentlemen want others to get the bonus? Did they desire individuals to go upon the land for the benefit of speculators? As the bill now is, a man might openly and professedly enter on a quarter section for the benefit of some rich speculator, and obtain for him the right of pre-emption. Mr. H. said that he followed, in this amendment, the law of 1836; and though he admitted that it would prove a very inadequate security, still it would be some. Good citizens would not refuse to take the oath.

Mr. CLAY, of Alabama, said that the friends of the bill had no wish to allow men to enter on the lands for the benefit of others, and, hoping that the amendment, if adopted, might produce the effect of reconciling some gentlemen to the bill, he should not oppose it.

The amendment was agreed to.

Mr. HUNTINGTON now said that, as the gentlemen from Alabama had gone thus far, he would have his concurrence in the amendment not proposed to propose. The law was not only prospective but permanent. He desired so to amend it as would expire by its own limitation; and it would be found to be productive of evil. He wished, therefore, to provide, as in former pre-emption laws, that the law should continue in force for a limited time only; and with that view he offered the following:

"Sec. 11. *And be it further enacted*, That this act shall be and continue in force two years, and no longer."

On this amendment Mr. HUNTINGTON demanded the yeas and nays.

Mr. LINN said he wished to offer a few words on this amendment. If, said Mr. L., we are to open a pre-emption discussion every two years, he predicted that it would cost this government ten times as much to administer the law, as the present of the pre-emption system altogether, and, without doubt, to the highest bidder, which, as has been conclusively

shown, amounts only to the difference of a few cents. He did not entertain a doubt of it. Why, said he, have we not seen, from time to time, congresses engaged, day by day, gravely discussing, at an enormous expense to the people, the question whether you would pass laws to permit the earliest settlers of the wilderness to purchase their lands at one dollar and twenty-five cents the acre? He considered the money thus spent as absolutely squandered—the bill would avoid all such a waste of money. Mr. LINN (continued) requiring an oath to prevent fraud; that he must be permitted to say that there have been almost infinity of charges of fraud brought against the settlers on our western lands which were nearly destitute of foundation. There was scarcely ground enough of truth to sustain the sale of this land upon while lightning the thunders of denunciation and abuse which have been heard here and elsewhere.

I believe (said he) there is more false swearing in the custom house of one of our large cities, in one day, than would be sufficient to damn the whole world; certainly a thousand times more than exists on the whole line of our frontier, in relation to pre-emption rights, in a year. It has become almost proverbial to charge the people of the new states with want of moral sense. At Kingbeck's charge, on those who make it. I know it to be unfounded. I stand here openly to deny it, and I aver that, save in a very few cases, the charge of fraud in wholly without foundation. I know this system of accusation employed against Louisiana? It was said that the speculators there had seized upon the richest and most beautiful land in all the country, and by fraudulent practices had appropriated it to themselves. Well, the government employed an agent to clear up the matter, and he has been searching and searching into the truth of the charge. He did so; and what does he report to you? That he always heard reports in relation to some other neighborhood, but never was able to light on a spot where the existence of such a crime could be proved. Louisiana, on the ground, the charge received before him, it vanished, it evaporated, and never proved to be tangible, except in a very few cases; and he would venture to say, that if similar charges, which have been made elsewhere, shall be subjected to a thorough investigation, the gentlemen will almost feel ashamed that they ever entertained even a suspicion of their truth.

I do not deny that fraud may have been perpetrated, but I do say that it has occurred as seldom as ever will be possible under a merely human law. The system of the law is to admit of no fraud, no wrong to the United States, and the government, by that means, lost some of its best lands; and yet it was not fraud, but all originated from a construction given to the law by the land department here. It is said that he was opposed to the construction of the law, and should be still. The object of the pre-emption system is, that the new states may get an accession of good, moral, industrious settlers. And here I must be permitted to say, on the subject of the land speculation, that some little land has been committed against the general government, the United States have been guilty of a small amount of it, as regards some of the United States. By the treaty of Paris of 1803, you acquired possession of the magnificent territory of Louisiana, stretching from the Gulf of Mexico to the sources of the Mississippi, and by contiguity to the great western ocean. With the country was transferred into the bosom of the American family many thousand souls, mostly ignorant of our laws, customs and manners. They were ignorant of the value of the land, and of the respect that property. But did we not see that they refused for many years to confirm any tract over one league square, or any tract containing a lead mine or salt spring. Was this their right? And, sir, have we not seen that some large lands and tracts were pocketed by the government, and title was refused to the claimant; and, when taken from him and afterwards confirmed, you force him to take the same amount from your pocket and refuse public lands in respect to it, and give it to him?

This you call carrying out a solemn treaty in the spirit in which it was made. But, sir, I do not charge this government with intentional wrong in this matter, notwithstanding it did steal some of these strangers' lands. But I say that more rank injustice has been committed by the government, and by gentlemen who stood here and saw it done before their eyes, than has ever been committed by the people of the whole state in relation to your public domain.

When the state, during the last war with Great Britain, between the Missouri and the Mississippi rivers, was left to defend itself by a population who had settled on the lands in defiance of your laws, these very quarters proposed to be your benefactors, and they were the benefactors. And when the old state shall be sunk in folios and

63-POSTSCRIPT—ARRIVAL OF THE ACADIA. We stop the press to announce the arrival of the *Acadia* at Boston, with Liverpool advices to the 19th ultimo, inclusive.

The war panic excited by the publication of Mr. Pickens' report, and the position of McLeod's affair, had somewhat subsided. Whilst some of the public journals were endeavoring lustily to blow up a flame, the tone in the official circles is calm and pacific.

A conclusive proof of confidence in the continuance of peace is found in the turn which the cotton market had taken. Demand became active and prices advanced upon receipt of Pickens' report, but on the day the *Acadia* left, the extra demand had ceased and prices had settled down to previous rates.

The Hampshire Telegraph has the following: "A thousand of our warships, we have this day learned that our government, in order to prepare for any emergency that may spring out of the case of McLeod (and if the republic execute him, we do not think there is a man in the kingdom but will demand justice), have directed a regular fleet to hold themselves in readiness to embark for North America—two of which are the 19th and 84th regiments, now in Ireland.

It is also stated in private letters from the first circles in Paris, that Lord Palmerston, the 27th ult. officially announced to Mr. Guizot that the English government would find it necessary to send ten sail of the line to the same quarter. Of course a fleet of steamers will form part of such an expedition.

The London Spectator issued prior to the sailing of the *Acadia*, remarks worthy of the report of Mr. Pickens. We copy, however, from the Spectator the following sensible remarks:

"Every thing seems to conspire to aggravate ill feelings and to neutralize better dispositions. Which is Lord Palmerston's case. He has just been sent out pre-emptory demands for Mr. McLeod's discharge, and orders for ships of the line to back these demands on the American coast. To what end has that been done? on what ground? in what foolishness? Has Lord Palmerston considered the law officers of the crown, and made quite sure that the United States can be called upon to give up Mr. McLeod, before he has made appearance before the tribunals, on a charge which, being formally, however grossly made, must be legally disposed of? Has Lord Palmerston considered the proper time and mode of urging the demand to secure success? The most reasonable demand may be so put as to make it impossible to accede; the country would be glad to know how Lord Palmerston has managed."

London, March 18, (receiving). Upon mature reflection, the tenor of the dispatches received yesterday from New York, is considered decidedly more satisfactory than the previous accounts, and consequently the alarm which prevailed here, on the subject of peace or war, has in some degree subsided. The proof of this is the fact that the advance in the prices of all securities, both English and foreign yesterday and to day; those who had speculated for a fall having shown a disposition to change their accounts and go for a rise.

It is said that four ships of war were fitting out with despatch—two at Sheerness, and two at Portsmouth. Their destination was supposed to be trans-Atlantic.

"Two o'clock.—Consols are steady at 88 1/4 to 4-8 for money, and 88 1/2 to 1/2 for account; new 3 1/2 per cent. 96 1/2 to 97, and exchequer bills at 8s. per cent. The money market, London, March 19, is in a favorable impression produced by the news received by the Columbia from America, has led to a further improvement in the funds to-day. Consols for the account having advanced at 88 1/2 to 3/4, being 1 per cent. advance there yesterday. Exchequer bills were at 8s. per cent.

CHRONICLE.

AMERICAN COAL. The *Pottsville Miners' Journal* states that the quantity of foreign coal imported into the United States last year was valued at about \$20,000,000. There is at present a duty on this article of \$1 66 per ton; yet on account of the difficulties of internal navigation, foreign coal may be brought from Pecos, Nova Scotia, and sold in New York and Boston at a profit.

Great Britain imposes a duty of seven dollars a ton on foreign coal, thus protecting her own commodity against competition. The miners of this island, however, it is said has not been, on the average, profitable to those engaged in it. If the importation of foreign coal from Nova Scotia should be restricted by a heavier duty, so as to render the protection to the British article, the competition between home producers, so much as the business was fairly established, would bring down the price to a minimum standard.

AMERICAN COPIER. A late number of the *Wisconsin Enquirer* says that Messrs. W. Alfred and P. W.

Thomas, of New Baltimore, in that territory, have met with complete success in their experiments on smelting copper ore. They constructed a very simple furnace, which cost only ten dollars, in which they smelted, on the 28th of September last, 2,500 pounds of ore, from which they obtained nearly 700 lbs. of pure copper, pronounced by competent judges to be superior to the South American pig copper. The time occupied in procuring from the ore the above amount of copper, was within five hours. Neither Mr. Alfred or Mr. Thomas had any experience in the business of smelting, and the result is justly deemed a matter of great importance to that territory, which abounds in great quantities of copper ore.

ANTONIO, the slave of capt. Ferrer, of the Armistad, was, according to the decree of the district court, to have been delivered up to the Spanish authorities, with a few days being among the most of Mr. Haven. It is understood that he gave leg bail, with two sureties for his appearance, and that the sureties have probably before this time delivered him up.

BANKS. The banks of New Orleans reported on the 18th ult. that they had received, in gold and silver, \$3,377,123 in specie, and that their circulation of notes, deducting the notes held by banks amounted 6,613,557 dollars.

Boston bank dividends. The following are the dividends recently declared by the Boston banks, and payable on Monday next. The gross amount is \$495,750 on an aggregate capital of \$71,680,000. Atlas, 23; Bank of the City, 23; City bank, 23; City and Sav. bank, 23; Eagle & Freeman's; 31; Globe & Granite, 31; Hamilton & Massachusetts; 31; Market; Mechanics; 31; Merchants; 31; New England; 31; North; 21; Shaw and Sons; 21; Slater; 21; Slater and Sons; 21; South; 21; Tremont; 21; Traders; 31; Union; 31; Washington; 31.

Milken bank of Clyde. The Albany Evening Journal says, the mortgages deposited with the comptroller by the Milken bank of New York, were sold on Friday at the Merchants' Exchange. The amount of the bank's debt, as an interest, was \$35,752. The value for \$64,705 in cash. The dividend to the bill-holders is about 90 per cent.

The banks of Richmond suspended specie payments on the 6th instant, having sustained heavy drains for some time past. They resolve that they will be ready to resume specie payments contemporaneously with the banks of Philadelphia or Baltimore, or whenever the balance of trade between this state and the northern states will render such a measure prudent and wise, and to this end it will be the fixed policy to observe the utmost prudence in their discounts, and to proceed to the favor of a change of the same, when circumstances should render such a measure prudent and wise.

The other banks of the state had previously suspended.

THE U. S. OF PENNSYLVANIA. THOMAS DEVLIN, esq. has resigned the office of president of the bank—col. DRAYTON, formerly of South Carolina, has been elected in his place. The committee report in favor of a change of the name and charter of the institution—capital to be reduced to fourteen millions of dollars and proxy voting prohibited—special security to be given—the directors to inquire into the obligations incurred by the bank—any various resolutions, and it is possible to proceed by legal means to enforce the fulfilment of them—the clerks of the bank absolved from oaths to keep secret the transactions of the bank from its directors and committee of stockholders, &c. &c.

CONNECTICUT—election. The general election terminated, a suit to have resulted in favor of the whigs transients throughout.

DEATHS. James Ronaldson, expired in Philadelphia on Monday last, in the 73d year of his age.

He will long be remembered for his public spirit and his various and successful exertions, which he has contributed to build up Philadelphia. The beautiful cemetery, which was laid out and planned under his immediate supervision, remains as a monument of his love for his industry. When asked by a friend, who was a benefactor, and his circle of friends salute him which is honorable.

In the *Register*, American of the 1st inst. we find the following announcement of the death of *Herman Le Roy*, esq. the father in law of the hon. Daniel Webster. The venerable *Herman Le Roy*, died last evening in the 84th year of his age.

For nearly two-thirds of that long term of life, Mr. Le Roy was honorably connected with the commerce of our city, which he has seen rising from a petty village into a metropolis, and it has become the commercial capital.

LEGAL DECISIONS. The admissibility of printed copies of English acts of parliament, as evidence in the United States courts, was determined last week in a case where the United States claimed that the acts were proper against certain imported glass ware.

The district attorney offering to read certain acts of parliament, procured from the official printer to the United States, and presented to by Mr. Parsons, one of the claimants, and insisted that such acts could only be received in evidence when authenticated by the signature of the secretary of state for foreign affairs.

The court decided that convenience, and a beneficial relaxation of the ancient strict rules of practice—was an analogy derived from the custom of a universal

in our courts, of reading statutes from printed books—warranted the district attorney in using those printed acts, as evidence.

Exception was taken in this decision by the counsel for the claimants.

SHIPLEY CASES. Baltimore county court, at its late session, decided the class of cases known under the above significant title. The judgments rendered by the magistrates in favor of the plaintiffs have been sustained by the court. The cases are rendered responsible by the deliberate opinion of the court, judges Magruder and Furvance, before whom the above causes were argued. We congratulate the plaintiffs upon the result, and now some check will be put to these issues, which parties have been in the habit of imposing upon the public, and when called upon to answer, take, if they will, the consequences. It seems the most unaccountable defense, that these issues are contrary to law.

[Dalt. Sun.

MONEY MARKET. It is a singular state of the money market when the banks of our city, which are generally supposed to derive strength from deposits and continually upon the result, now some check with new accounts with citizens; and yet this is, we understand, the course which most of the banks of our city are compelled to adopt.

[N. Y. paper.

MITCHELL, C. F. Attending witness. We state with pain that several forged drafts on New York state bank at Albany, amounting to several thousand dollars, have just been returned to brokers of this city and Philadelphia, and there is no reason to doubt that their forgery is the work of C. F. Mitchell, a member of congress from Niagara & Orleans counties. Mitchell has fled, and the officers of justice are now in hot pursuit of him. In a letter to the *Courier and Enquirer* Mitchell estimates that he will not be taken alive. He does not pretend to deny his guilt.

Mitchell has been one of the most determined and determined applicants for office the past winter. By his intrigues, importunities, and bargaining, he had continued a large influence in favor of his application; but it was promptly overruled by general Harrison and his cabinet, who appointed a better man to the place he solicited. Mitchell had already been left out of the next congress by his constituents. We congratulate them and the administration that they are so well rid of a scoundrel.

He has probably gone to England in the *Calcedonia*, though he tries to give the impression that he has started for Texas. He has left wife, children and friends at the last moment in the work of C. F. Mitchell, we believe, wholly unopposed for.

[N. Y. Log Cabin.

RODGERS & SONS. Most of our readers have heard of Messrs. Joseph Rodgers & Sons, the famous Sheffield cutlers. Rodgers' penknives, scissors, &c. have long been celebrated for their excellence on this side of the Atlantic. We have lately seen a statement, however, to the effect that the various works of Messrs. Rodgers have been in the service of that firm—and the result is the highest credit to both the employers and the workmen. The number of workmen is 5,000 and the aggregate of the time employed, is 4,600 years, viz:

55 years	1
45	1
35 to 40	3
30 to 35	3
25 to 30	1
20 to 25	1
15 to 20	53
10 to 15	134
5 to 10	143
2 to 5	66
Under 2 years	66

Sometime since, the workmen in the employment of Messrs. Rodgers, invited those gentlemen to a dinner—and presented them with a list, which cost 90 guineas, as a testimony of the esteem in which they were held, for their liberality in giving the best prices and wages to the men, and the moral general improvement to those in their employ.

[Boston Post.

JAMES WATT. A truly great man. The Philadelphia National Gazette says: A London newspaper states that the university of Edinburgh has ordered a statue to be erected in honor of James Watt, which will be the first erected to the memory of that great man. And the editor remarks that "even the statue to the duke of Wellington are fewer in number than the statues erected to James Watt, with all becoming respect and reverence for the illustrious soldier, says something for the intellectual and moral advancement of the age." If we err not, (says the Gazette) the greatest of the great men of the nineteenth century is surely though gradually removing the passion for war and rancors. As the arts of destruction and the physical culture of men, which once constituted the highest merit of Christian civilization—the knights of the days of chivalry—it is not wonderful that this age will foster in a great degree the spirit of the bloody

The advance for peace—some heroes only who have periled their own lives for the cause of humanity, but those who have urged millions on to self-sacrifice to achieve fruitless victories or gratify the vain conceits of a few despots. The climate of giving place to sentiments of respect for the true benefactors of humanity, the ingenious and laborious in the arts of peace. There is less to be won by noble reflections in the thunder of the cannon, than by the single stroke of a piston. Between the Wellingtons and the Watts, the future will discriminate.

seeds to the vice presidency. At the late extra session of the senate, SAMUEL L. SOUTHWARD, ex-governor of New Jersey, was chosen president *pro tem.* of that body, and is now therefore vice president of the United States. Immediately on hearing of the death of president Harrison he left home for Washington, but was taken ill on the road, and is now confined at Tretout.

We find the following on the subject of the offices of president and vice president of the U. States in the National Intelligencer, of Thursday the 15th inst.

An erroneous conception of the quality and designation of the office devolving on the vice president, in case of the president's removal from office, or of his death, resignation, or inability, seems to prevail in some of the public papers, in which Mr. Tyler is styled as acting president, as if he were still, *ex officio*, vice president, merely acting *ad interim* as president; the office proper of president being vacant, and he performing the duties of that office in his quality of vice president. Whereas he is, to all intents and purposes, by the appointment of the constitution and by election, president of the United States; invested with the office proper of president, with as pleasurable right and authority as his predecessor, gen. Harrison; and exercises the powers of the office, not in his quality of vice president, but of president, the office of vice president being vacated by his accession to the office of president, or entirely merged in the superior office. By the terms of the constitution, the office of president "devolves on the vice president." By his original election as vice president, he is consequently elected president; that is, elected to the office of president upon the happening of any one of the conditions provided in the constitution.

The constitution uses very different terms when it comes to provide for the removal, death, &c. both of president and vice president. For such a case congress is empowered to provide, by "declaring *whom* officer shall then act as president; and such officer shall act accordingly, until the disability be removed, or a president shall be elected." The office of president devolves not on him; he still retains his original office and official designation; as, for example, president *pro tem.* of the senate, speaker of the house of representatives &c. and in quality of that office performs, *ad interim*, the duties of another office; he becomes, indeed, with respect to official capacities at the same time; *ex officio*, he is merely president *pro tempore* of the senate, &c. and by that designation acts as president. Such an officer might properly enough, in common parlance, be styled acting president, though we conceive distinctly official designations to be, "president *pro tempore* of the senate, (as the case may be), acting as president of the United States." Not so the vice president when the office of president devolves on him. He is no longer vice president, but becomes president *ex officio*, and fills up the vacancy for the residue of the original term: the office of vice president is vacated by his accession to the office of president; he can neither perform the duties nor receive the salary appropriated to the office of vice president. Nor does there seem any constitutional provision for filling the office of vice president, though all its active duties are to be performed by a president *pro tempore* of the senate, chosen by the senate, in the absence of the vice president, or when the office of president devolves on him. The person, so chosen, takes not the office proper of vice president, but a new office under the designation of "president *pro tempore* of the senate."

RESPECT FOR THE MEMORY OF PRESIDENT HARRISON.

At every city, town and village in the union as the annals of the tidings of the death of the president arrives, it is received with every demonstration of mourning and regret, and followed immediately by such marks of respect and regard as the various local communities have it in their power to offer. Such legislative bodies as happen to be in session, are amongst the foremost to demonstrate their sympathy with the general impulse. That exhibited by the legislature of Maryland, in leaving the seat of the state government, and attending the funeral of an organized body, is amongst the most touching evidences of the kind.

The appropriate course of governor Porter, of Pennsylvania, in the solemn conjuncture, and of the legislature of that state, is worthy of record. The message of the governor, announcing to both houses, the demise of president HARRISON, bore strong and emphatic testimony to the "public service and private worth of the distinguished citizen" whose death, the authorities and people of the Commonwealth were then called upon to notice and deplore. To the same end, a circular was addressed by the secretary of the commonwealth, to the heads of departments and other chief officers of the state,

announcing the melancholy event, and directing that, as a testimony of deep felt sorrow, under the afflictive visitation, the public offices should be closed, and the transaction of public business suspended for the day.

The deputations of members from each branch of the legislature of that state, were also appointed to proceed from Harrisburg to Washington, for the purpose of representing that body at the funeral. The legislature of New York adopted such measures as the occasion enabled them to do, to testify their feeling. The respective courts, wherever they were in session, have officially united in the general expression—generally—indeed we may say with but a single exception so far as we have noticed, the municipalities of all the principal cities in the union took immediate measures to evidence their respect for the deceased—unless, indeed the measure was anticipated by a general meeting of the community. The whole land may be literally said to be lustrated with the sad and emblem of woe, and the mournful tone of the funeral bell—or muffled drum—or the sad sound of the hour gun is heard from valley to valley, or from hill top to hill top, over the wide expanse of these United States—telling the tidings of bereavement.

To attempt even an abbreviation of what spontaneously bursts forth from millions of people and from thousands of communities, on this occasion, would be a fruitless attempt. Still more so, any effort to give the breathings of the public press. We can but call a few brief pages from the mast-head columns that now crowd every paper in the union.

The whole people upon this solemn occasion have felt alike. Not a shadow of party distinction is felt. The wildest elements have been as struck as by a solemn injunction, "PEACE—AS STILL," and the turbulent spirits of the former subsided. And but one family of Americans at the tomb of WM. HENRY HARRISON.

General Harrison's family. Most sincerely do we mingle our condolences with this bereaved family. We know well, as all must, that the blow that has lighted down upon them from the hand of the Almighty, is heavy and severe. But it must be our extending consolation to them, that a nation will be proud to remember, and that a nation will revere the character, and cherish the memory, of one they loved so much and so worthily.

The following relatives of gen. Harrison were present in the city on the day of the funeral, viz: John H. Harrison, of Ohio, [son's widow] and two sons.

Mrs. Taylor, of Virginia, [niece] a daughter and two sons.

Pike Harrison, [grandson] son of J. C. S. Harrison and grandson of Gen. Pike.

Mr. O. Q. Harrison, [nephew].

Mr. Benjamin Harrison, of Beskeley, [nephew].

Henry Harrison, [grand-nephew] son of the preceding, who has acted as confidential secretary of the president.

Dr. John Minge, of Charles city, Virginia, [nephew].

We may also add the name of Mrs. Findlay, of Ohio, who adopted Mrs. Jane Harrison as a daughter, and who almost invariably occupied the right hand of the president at his table.

The following are the surviving relations who were absent.

Mrs. Harrison, the general's bereaved wife.

John Scott Harrison, the only living son.

Mrs. Judge Short, eldest daughter.

Mr. J. O. Thornton, daughter.

Mrs. Taylor, daughter. All these are living at or near North Bend.

Mr. Taylor and his wife and family were expected to become members of the president's family for the residue of his term of service.

The following are the names of the deceased members of the family.

Lucy Harrison, a daughter, married Judge Este. J. C. S. Harrison, a son, married Miss Pike. Both dead.

William H. Harrison, jr. married Miss Jane Irwin. His widow presided at the president's table, and her personal graces have commended her to the affections of all who have had the pleasure to know her.

Dr. Benjamin Harrison, a son. Died the last summer.

Carter B. Harrison, a son, who was a lawyer of fine talents, and accompanied gen. Harrison to Columbia. Died two years ago. All of the sons left children. [Mediation.]

On the night of Thursday before last, general Harrison's death, he repeated the following verse from Isaiah to one of his relations, at his side, remarking that it had made an impression on his mind,

which he had never been able to efface, nor fully to comprehend:

Isaiah 21 chap. 11 and 12, verses.
"He called to me out of Seir, watchman, what of the night? Watchman, what of the night?"
"The watchman said, the night cometh, and also the night: if ye will tarry, inquire ye: return, come." [Ab.]

Among the many appropriate and touching announcements of our national bereavement, made in our churches on Sunday last, none could have been more so than that of the reverend rector of Christ church, Dr. John. He alluded most becomingly to general HARRISON's character as a Christian—to his having deviated from the usual and customary track of all former presidents in his inaugural address, in his acknowledging his belief in the religion of Jesus Christ, which, as a minister of the gospel, had particularly attracted his attention—of his habit of respectfully prostrating himself, and of strictly conforming to the services of the sanctuary while shipwreck—and that, since Divine Providence, by the mysterious workings of his omnipotence, (whether for weal or woe, he could not undertake to say), had on that day spoken to our whole country in tones sufficiently loud and deep, his pulpit should not be silent. He said, it not becoming in him to add any thing thereunto, and recommended his hearers to retire to their homes and in their prayers to commend our country, its rulers and its glorious constitution confidently to an all-wise Providence. No American could have left the church, be his politics what they may, without having been made to feel, if he did not before, the grievous loss we had sustained by the death of our illustrious chief magistrate. [Bell. Feb.]

Religious men feel so unusual degree of sympathy in the sudden demise of president Harrison. His religious character touches a sympathetic cord in their hearts. The Third Presbytery in New York, now in session, suspended its proceedings on Wednesday, and they determined to take a part in the solemn services of this day. The Protestant Episcopal church in New York also, is about to take the lead in adopting some appropriate religious exercise expressive of their grief in this national bereavement. It is expected a special day of communion and prayer will be kept apart, or they will act in conjunction with the arrangements made by the civil authorities. In some of the churches, the "prayer for a person under affliction," has been varied, so as to read a prayer for a people under affliction, and in Trinity church the reading of it melted the tears of many. We believe that Revelation gives to the death of a great man, when it knows he has sustained a religious character. [Phil. North Amer.]

One of the first duties devolving upon congress, at the coming session, will be to provide in a manner worthy of the occasion, for the national sympathy of general HARRISON. His life was sacrificed in the service of the country—the cares and anxieties of public business, from some of which he would shrink, having in all possibility accelerated his death. If he had known the sacrifice from the first, he was patient enough to have met it without swearing a step—for the consciousness that his name and service would unite the great reforming party in harmony for the achievement of the country's deliverance would have been indecently sufficient to impel him to any personal risk. As the action of congress on the subject will constitute a precedent for the future, we hope it will proceed upon a liberal and generous principle.

The following senators and representatives in congress, being present in the city, attended the funeral of the late president of the United States.

[Not. Ind.]

Senators. Mr. Tallmadge, of New York. Mr. Benton, of Missouri. Mr. Merrick, of Maryland. Mr. Prentiss, of Vermont. Mr. Walker, of Mississippi. Mr. Culbert of Georgia.

Representatives. Mr. Adams, of Massachusetts. Mr. Saltonstall, of Massachusetts. Mr. White, of Louisiana. Mr. Cubing, of Massachusetts. Mr. Carter, of Tennessee. Mr. Sherrod Williams, of Kentucky. Mr. Johnson, of Maryland. Mr. Peck, of New York. Mr. Kemble, of New York. Mr. Hall, of Vermont; also, Mr. Downing, delegate from Florida, and Mr. Doty, delegate from Wisconsin.

TRIBUTE TO THE MEMORY OF GENERAL HARRISON BY STATE LEGISLATURES.

MARYLAND.
Proceedings of the general assembly of Maryland on the death of the president:

Annapolis, April 5th, 1841.

In the senate—The hon. Richard Potts, of Frederick, announced the death of president Harrison, in the following words:

MR. PRESIDENT: We have taken our usual place in this chamber, to-day, with feelings that unfit us

for legislative action. An all-wise Providence has been prior to visit our country with an awful desolation in removing from a place of highest earthly honor, to that of far more excellent glory, the lately installed hero of our nation. It is one short month, only, since at the capital, we witnessed the imposing spectacle of the quinquennial inauguration of President, in the person of Mr. L. L. HARRISON, hallowed by invocations throughout the land, for the blessings of Heaven, upon the scene, which was there transacting.

Although far advanced in life, his constitution rendered by toil his country's service, and rendered his measures, from usage, and by habits of virtue and temperance, seemed to justify the assurance that a generous people had not tasked him beyond his strength, nor overcalculated his probable life. In the council of the Most High, however, there was other judgment in these matters. It was there determined, that this blow of heavy bereavement should fall upon our country, and at the close of a single month, his spirit should return to him who gave it, at an instant, and under circumstances which will not permit ourselves to doubt, has made him "immortal in both worlds."

Let us then, Mr. President, at once tender the assurance of our deepest sympathy, with the wounded spirits of his afflicted family, and the mourning tribes, wherever they may be, from his attached and severely stricken fellow citizens. This event is the first of its kind, in our history; let us indulge the hope, and offer the fervent prayer, that it may also be the last.

Immediately upon the conclusion of this address, the clerk of the house of delegates delivered a message proposing the appointment of a joint committee, to report "the proper mode of testifying the regret of the general assembly at the decease of the president."

Mr. Potts submitted a message in response, which was adopted. The joint committee on the part of the house of Messrs. Brent, E. A. Lynch, Causin, Bowie and Prestman, and on the part of the senate of Messrs. Potts, Howard, of Baltimore city, and Ritchie, proposed to the senate and house of delegates, respectively, the following preamble and resolutions, which were adopted, whereupon the general assembly adjourned.

WHEREAS, the general assembly of Maryland feel most united sorrow for the demise of WILLIAM H. HARRISON, president of the United States, and are over anxious to testify their respect for the memory of the illustrious dead: Therefore,

Be it unanimously resolved by the senate and house of delegates of the state of Maryland, That they sincerely condole with the nation at large for the affliction calamity with which it has pleased Providence to visit them, in the death of their much loved president.

And be it further unanimously resolved, That the chairs of the president of the senate and of the speaker of the house of delegates be shrouded in black, and that the members and officers wear crape on the left arm for sixty days.

And be it further unanimously resolved, That each branch of the legislature, accompanied by its respective officers, will proceed to the city of Washington, and attend the funeral of the late president, which it is understood, will take place on Wednesday next, and that the governor and secretary of state be hereto with the legislature.

Resolved, That a copy of these resolutions be furnished to the governor by the clerk of the senate.

And be it further resolved, That the president of the senate and the speaker of the house of delegates, address a joint letter to the secretary of state, expressing a condolence of the disposition of the senate to unite in paying a tribute of respect to the memory of the late president as expressed in the above resolutions.

And be it further unanimously resolved, That the governor of the state of Maryland be requested to direct a copy of these resolutions to be transmitted to the respected Mrs. Harrison, assuring her of the profound respect this legislature will ever bear for her person and character, and of their deep sympathies in her late afflictive bereavement.

And be it further unanimously resolved, That both houses of the legislature do now adjourn.

In the house of delegates. Mr. Edward A. Lynch, of Frederick county, arose and addressed the chair: Mr. Speaker, While we are here, we are anxiously and laboriously engaged in promoting the interests of our own beloved state, and tidings of bereavement have been heard, and it becomes my painful duty to announce to you, and through you to this honorable house, that the great family of the union, without a head, in this present hour, is, whether, this nation without a ruler. The melancholy task devolves upon me of announcing the death of the chief magistrats of this confederacy, general

WILLIAM HENRY HARRISON. Sir, if my lips had been touched with the prophet of old, would I have said, I might attempt a fitting eulogy of the character of the illustrious deceased; but speaking as I do with "uncircumcised lips," I have not the power to express, and oppressed as I am with painful emotions, I cannot commend the utterance of the benefit grief.

Yet, sir, I feel that the occasion demands some mention of his services, and that this house expects and will require some tribute to his memory.

Sir, gathered to his fathers, as you lauded proposed first, in the fulness of the year, and of his honors, which had filled up the measure of his own and of his country's glory, it would seem that at the moment when a grateful people had lifted him to the proudest elevation upon earth, Heaven had interposed the blood and carnage of a civil fought field, he won his early laurels in his boyhood. Disaster and defeat had attended all our Indian wars, until under the auspices of this gallant soldier, the red man was taught the efficiency of our soldiery.

And before he had time to breathe, he was hurled to battle by a sudden onset. Like the chivalrous Lancelot, his youth was devoted to the cause of humanity on the western frontier, and like the father of your country, his mature years were spent at the head of your armies, or in the calm retirement of domestic life. Engaged in the pursuit of a liberal profession, his sword had caught the sound of arms upon the frontiers of the great west, and the cries of suffering families exposed to Indian massacre, awakened all his sympathies. Discarding all private interests, he flew to the camp, and amidst blood and carnage, he met his fate in a fought field, he won his early laurels in his boyhood. Disaster and defeat had attended all our Indian wars, until under the auspices of this gallant soldier, the red man was taught the efficiency of our soldiery.

After having repelled the savage tribes from your border and protected your frontier from the tomahawk and scalping knife, he became the governor of that vast region which had been conquered by his prowess. Valiant in battle, he was equally firm at the council fires, where he negotiated common treaties which secured to us, upon equitable terms, an almost unlimited domain. And after his election to congress, by a single act, requiring the public lands to be sold in small parcels, he opened the forest and the early settlers. He gave to the vast resources of the wilderness. He placed within the reach of the poor man a home and a freehold. The tide of emigration poured its fullness upon these once inhospitable regions, and where but a few years before he had nothing but the cry of the rifle, and the yell of the savage, the oppressed of the sons of the children of men from every quarter of the globe, sought a refuge and an asylum. The forest fell before the axe of the frontiersman, and that axe, which has brought with it the civilization a larger field than ever paled beneath the sword of a Caesar or the sceptre of a Justianus. In this wild waste, within one generation, empires have sprung up as if under the potent influence of a magician's wand, and cities now stand the margin of those waters which had rolled their tributary streams into the bosom of the king of waters from the creation of the world.

At a later period of his life, when our arms had been dishonored and the nation filled with shame and sorrow by the surrender of the city of Maysville to the enemy, he was called upon to lead the northern column, the hopes of the country were fixed upon him, and in a few short years he won back the trophies which had been lost, and added fresh laurels to the wreath which had already encircled his brow. The spirit of the nation was infused into the bosoms of those who surrounded him, and a Croghan, a Johnson, and a Selby caught and reflected the high beams of glory which emanated from the commander-in-chief of this army of heroes. Yes, sir, another illustrious battle of Canas, and Thyrasene, he was called upon to retrieve the losses of more inexperienced leaders. And under all exigencies, in every emergency, he has fulfilled his high destiny.

After years of retirement he has of late been called, like other Cincinnati, and like your own immortal Washington, whose severe virtues he so well imitated, from the plough to the first dignity of the republic.

But to the hero and the statesman he super added the ornaments of the scholar; and the lighter tones of the bay were intermingled with the darker hues of the laurel. He delighted to tread that classic land which had been consecrated to perpetual fame by the stern virtues of the patriots, heretofore, and to see the succeeding generations still propose as models.

To this department of literature he directed much of his attention, not for the indulgence of literary

curiosity or for purposes of display, but because he could not elsewhere find higher examples of generous self-devotion and pure patriotism, than among the Greeks and Latins. Like the Iliac priests of old, who sought amid the ashes of their altars some divination of coming events, he looked among the ruins and ruins of the past, for light to guide him through the future.

Mr. Speaker, virtues like his cast the odour of their sanctity around him, wherever he went in his earthly pilgrimage; and that ardent love of liberty which animated him in the land of his nativity, was equally displayed in distant climes. While prosecuting our commerce and commerce of Columbia, he became missionary of Anglo Saxon freedom to the descendants of the proud Castilian in the new world, and by precept and example subdued the ambition of the liberator Bolivar, who meditated the usurpation of absolute power. But sir, he so faithfully depicted the great wrong which was smitten by celestial fire among those ancient people, whose virtues he so much admired, he has been consecrated in the heart and affections of his countrymen by the suddenness and severity of the blow by which he has fallen.

Mr. Speaker, our own beautiful institutions, like the temple of the children of Israel, were erected amid the dangers and confusion of battle, and with sword in hand, by generations of patriots; and it is for this reason perhaps that our people delight so much to honor those who, to the qualities of a statesman superadd those of military greatness. So we let cherish the memory of our dead. When we cease to reverence the glorious and the pure forgetful of the benefactors of the nation, the period will have arrived when the historian will commence the narrative of the decline and fall of our republic.

All that remains of WILLIAM HENRY HARRISON the city cold tancment from which the spirit hath departed forever; and, sir, when he shall have been gathered to the receptacle of things which have been and are not, "goodness and greatness, and he, will fill one monument."

Mr. Howard, in response, on seconding the resolutions offered by Mr. Brent, made some very affecting and appropriate remarks.

VIRGINIA.

The following are the proceedings adopted by the executive of Virginia:

Executive department, April 5, 1841.

"The executive having received the melancholy intelligence of the death of William Henry Harrison, late president of the United States, and deeming it proper that measures should be adopted to pay all due honor to his memory, and to manifest a deep sense of the calamity which has befallen the people of the American people of their chief magistrate—it is therefore ordered

"1st. That the Guard-house bell be tolled during the day, and that the flag of the United States be displayed at the capital and at the state army, at half mast.

"2nd. That one hundred guns be fired on the capitol square in the course of the day, at equal intervals of time commencing at sunrise and ending at sunset.

"3rd. That the principal entrances of the capitol be hung with mourning drapery.

"4th. That the members of the executive will wear crape for thirty days, and that it be recommended to all the executive officers of the government to wear the same badge for the same period.

"That the executive will unite with their fellow citizens in whatever further demonstrations of respect for our distinguished fellow citizen and chief magistrate, they may deem proper to make."

"Captain Richardson, of the public guard, is charged with the execution of the first and third of the orders, and the duty required by the second, is assigned to captain Hyde of the Richmond Payette artillery."

In consequence of the above order from the executive the bell tolled during the day, and one hundred guns were fired from the square. The capitol was hung in mourning. [Richmond Exp.]

PENNSYLVANIA.

To the senate and house of representatives of the commonwealth of Pennsylvania.

Intelligence has been received that WILLIAM HENRY HARRISON, president of the United States, has paid the debt of nature. He departed this life at the president's house in the city of Washington on yesterday morning.

The public reveres and prize worth of the distinguished citizen who had just been elevated to the highest station in the republic, call upon the general assembly of this commonwealth, on behalf of our common constituents, for the appropriate tes-

monials of public feeling which are inspired by the melancholy event.

DAVID R. PORTER.

Executive chamber, April 5, 1841.

When the movers were met, Mr. Reed rose and addressed the chair as follows:

MR. SPEAKER: The senate no doubt anticipates the object of the motion I am about to make. It is to place among its archives the recorded expression of the deep sorrow with which the intelligence of the death of the president of the United States has been received amongst us. A long life of public service has been suddenly terminated, and at the outset of a new career, which every American patriot hoped would be a career of usefulness the power to render further and greater services has been arrested, and the mysterious dispensations of Providence have interposed to disappoint the nation's hopes. At three dispensations we must not repine. Under this dispensation we should not mourn. But it is entirely consistent with submission, to testify our respect for the memory of the dead—our sincere sympathy with the sorrows of the living. The public services of gen. HARRISON are new part of the unquestioned history of the country. They are placed by the hand of death beyond all party controversy which might exaggerate or depreciate them—and to his virtues a grateful people may now without dissenting assent give tribute. He was a long—an active—and an honored life. He lived without reproach. He died without an enemy to speak a word of invidiousness or disparagement over his grave.

Fifty years ago, the president of the United States passed through the village where we are now sitting, on his way to his first campaign. The ancient building where the young soldiers then lodged, is yet standing. At that period the institutions of our country were in their infancy, and the certain—their efficacy untried. He has lived to see those institutions survive their hours of trial, and in those hours of trial he always stood faithfully by them. He has lived to receive the highest honors of his country; but no house did he ever in life receive more worthy of his virtues than that spontaneous tribute which, now that he has neither power nor patronage to bestow, the whole people pay to his memory.

Mr. Reed then submitted the following resolutions, which, after a few appropriate remarks by Mr. Brown, were unanimously agreed to.

Resolved, That the senate of Pennsylvania, having been informed of the death of the president of the United States, considers it a duty to the memory of the dead, his public services, unsullied character, and the station which he occupied, and to the deep sorrow which will pervade the nation, to express the mournful sentiment with which the intelligence has been received.

Resolved, That a committee of four senators be appointed, to act with a committee of the house, should the house appoint such committee, to report what measures should be adopted to testify the sense of the legislature on this mournful occasion; and that the message received this morning from the executive be received to the committee.

Resolved, That the senate do now adjourn. The speaker named Messrs. Reed, Brown, Pearson and Gibbons, as the committee, and the senate adjourned.

In the house of representatives, when called to order, the message (given in the senate report) was presented, after which Mr. Law rose and addressed the chair as follows:

MR. SPEAKER: The event just announced in the communication from the executive, is one of the most solemn nature that has ever fallen under the consideration of the house. It is an event unprecedented in the history of our country. Other presidents have paid the debt of nature, but it was after their career of usefulness had terminated. We have now announced to us, for the first time, the death of one, who, as we all hoped, was about to set out on a career of glory and of usefulness. Sir, it is an event which appeals to the sympathies of all of us, and before which all party considerations sink and dissolve into insignificance. It is an occasion on which all of us feel only as American citizens, and not as members of this sect or that party, but as common children of our common country. Over the grave of departed excellence, envy, ambition, the prejudices of party, the feelings of religious and the animosities of faction, are hushed into silence, and leave us time to look back upon a long life of misdeeds.

This is not the time or the place to speak of the late president as he deserves. Sir, I do not mean to enter upon his eulogy. I believe we all unite in the most profound regard for his virtues. As a brave soldier—as an enlightened statesman—as an upright honest man, he is entitled to the admiration

of this age, as he will obtain that of posterity. I hope the house on the present occasion will adopt without delay, some mode of testifying their respect for this illustrious man. There can be no doubt in regard to the present occasion. It is the offspring of truth, and it comes in such a shape that it cannot be questioned. It demands the immediate action of the house.

Mr. Lusk, of Susquehanna, then submitted the following preamble and resolution, which were unanimously adopted.

Whereas the melancholy information has reached this body by official announcement that an all-wise Providence has suddenly removed from this life, WILLIAM HENRY HARRISON, president of the United States. And whereas, the members of this house feeling deeply impressed with the solemnity of this unexpected and painful intelligence, as a testimonial of suitable respect for the memory of the illustrious deceased, be it

Resolved, That a committee of four be appointed to act in conjunction with a similar committee of the senate (should the senate appoint such committee) to report what further measures should be adopted to signify the sense of this legislature under so afflicting a bereavement, and that this house do now adjourn.

The speaker named Messrs. Lusk, Smyser, Flenniken and Cox, the committee, when the house adjourned.

The joint committee, appointed to report the order to be observed in relation to the death and funeral of WILLIAM HENRY HARRISON, late president of the United States, made report:—That a committee, to consist of four senator and six representatives, proceed to Washington for the purpose of attending the funeral of the late president, in behalf of the people of the commonwealth of Pennsylvania; that Thomas Harrison, president of the United States, proceed to deliver an eulogy upon the character and public services of general Harrison, on Saturday, the 17th inst. in the hall of the house of representatives; that the members of both houses wear the usual badge of mourning; that the remainder of the session; and that the governor be requested to forward a copy of the proceedings to the family of the president.

The joint committee, consisting of Messrs. Pearson, Kinsbury, Stron and Healdy, of the senate, and Messrs. Cox, Broadhead, of Northampton, Smyser, Lusk, Christmas and Hill, of the house, proceeded to Washington and attended the funeral of the president.

All the bells in Harrisonburg were tolled on the 8th, as a manifestation of the sorrow felt by the citizens, without regard to party distinction.

NEW YORK.
Legislative honor to the cause of the late president.
The legislature of the state convened on Tuesday at 9 o'clock, A. M. to receive the official announcement of the national bereavement, and shortly after the prayer had been pronounced in the senate, a message was received from the governor, communicating in appropriate terms, the mournful intelligence. A similar message was received by the assembly. In the senate, Mr. Taylor responded, in touching and eloquent language, to the melancholy announcement. In a house, Mr. Hoffman presented the same sorrowful duty.

The following concurrent resolution was unanimously adopted in both branches of the legislature. *Resolved,* That the message of his excellency, the governor, communicating intelligence of the lamented death of William Henry Harrison, president of the United States, be referred to a joint committee, to consist of 3 members of the senate, and 5 members of the assembly, to take such measures as they may deem proper.

The two houses adjourned immediately after the passage of the above resolution, to meet at 10 o'clock, on the following morning.

The adjutant general of the state of New York has issued an order from the commander-in-chief of that state, that the usual badge of mourning be worn by all the commissioned officers of the state, as a manifestation of respect for the memory of the late president of the United States. He also directed that the flag be lowered by all the military posts of the state from sunrise to sunset on the day after the reception of the order.

BY THE CITY OF NEW YORK.
The New York Courier & Enquirer of Tuesday, says: "I will be very glad to see the resolutions, proposed as they were, politically, to the late president, have done themselves honor in promptly responding to the general feelings of the people, without regard to party."

The following is the message of the acting mayor of New York, (Mr. Varian, the mayor, being sick.)

Mayor's office, April 5, 1841.
Gentlemen: It becomes my painful duty to announce to you the melancholy intelligence of the

death of gen. WILLIAM HENRY HARRISON, president of the United States—an event, sudden, solemn and afflicting to the nation. Of his services, civil and military, it is unnecessary for me to speak—they are identified with the history of our country.

I should do injustice to my own feelings, and to the station I temporarily fill, were I not to partake of the general grief that pervades the community, which mourns the loss of a chief magistrate, recently called from peace and retirement to preside over a nation of freemen.

I respectfully suggest that such measures be taken as will evince the respect and affection due to one who has occupied so exalted a station, and shared so largely in the public confidence.

I am, gentlemen, very respectfully,
Your obedient servant,
ELIJAH F. PURDY, acting mayor.

As there was not sufficient time to make the necessary preparations by Wednesday, the public procession was postponed until Saturday.

The Express of Wednesday, 3, P. M. has the following paragraph:

"At we go to press, solemnity reigns in our midst. We hear the solemn notes of the funeral bell and the deep toned roar of the minute guns, which come booming over our city. The flags upon our shipping are at half mast, and the bells are rung every place in the city. Nearly all the stores are closed, and more than the silence of the Sabbath reigns around us. Our places of public amusement will be closed to-night, and the remainder of the day devoted to a general reflection upon the nation's loss. May God, in his wisdom, bless the land he has afflicted, in the dispensation of his Providence."

The New York Historical society have resolved to wear the usual badge of mourning, and the president of the society has ordered the members to wear an eulogium on the death of gen. Harrison on some day to be fixed hereafter.

The students of Columbia college also resolved to wear the customary mourning for the late president.

A similar resolution was adopted by the N. York chamber of commerce.

On Wednesday, being the day set apart for the funeral solemnities of the late president, the stock exchange boards of both Philadelphia and New York decided it improper to do business, and immediately adjourned.

New York and Brooklyn cities. At a meeting on Tuesday of the joint committee of the common council of the city of New York and Brooklyn on the occasion of the decease of WILLIAM HENRY HARRISON, late president of the United States, the following preamble and resolutions were adopted:

Whereas, it is announced that the funeral of the late president of the United States will take place on Wednesday, the 7th instant, at 12 o'clock at noon. It is resolved, by the joint committees of the common council of the cities of New York and Brooklyn, that our fellow citizens of said cities are requested to close their stores and places of business to-morrow, from the hour of 12 at noon until sunset, and also all places of public amusement to the respective cities to-morrow; that the bells of the several churches and the fire alarm bells in the two cities, be tolled from noon till 2 o'clock, P. M. and that 68 minute guns (being the number of years of the late president's life) be fired in honor of him; and also from such places in the city of Brooklyn as the committee know that city may designate—that the owners and masters of vessels in the harbor, and the proprietors of all public places in said cities, be requested to display their flags at half mast during the whole day, and that our fellow citizens are requested to wear the usual badge of mourning for sixty days: *

Resolved, That the common councils of the cities of New York and Brooklyn will solemnize the death of the late president of the United States by a civic and military procession, to be composed of the military and different societies and citizens of our respective cities—and that such procession take place on Saturday next.

Resolved, That the different societies, trades and associations, and fire departments of our cities, are requested to send delegates to meet a committee of this body on Thursday next, at 12 o'clock, at the common council chamber, to make the necessary arrangements to occur on the day of the procession, the common council in an appropriate manner.

Resolved, That the army and navy of the United States on this station, are requested to co-operate with us in making the necessary arrangements, and that they are requested to send officers to represent them at the meeting to be held at the common council chamber, Thursday at 12 o'clock.

ELIAS L. SMITH, chairman.
JOHN A. UNDERWOOD, secretary.

On Saturday the funeral obsequies of president B. H. H. took place at the city of New York. All business was suspended, and all places of business closed. A procession was formed, comprising all the civil associations of the city, the teachers and pupils of the public schools and seminaries of learning, the various benevolent societies, the officers of the state and city governments, and of the courts, &c. &c.

Nine regiments of infantry and cavalry, with banners and uniforms trimmed with mourning emblems, constituted the military part of the procession. The ex-president of the United States, the governor, lieutenant governor, senate and house of assembly of New York, the society of Cincinnati, gen. Scott, commodore Renshaw and other officers of the army and navy, members of congress, clergymen, and civilians, had appropriate places allotted to them.

The conclusion of these imposing ceremonies, at which many thousands were present, was as follows: prayer by the rev. Dr. Cox, of the city of Brooklyn; funeral oration by the hon. Frederick Frelichshuyzen, chancellor of the university of the city of New York; a requiem written by general George P. Morris; and a benediction by the right rev. bishop Onderdonk—the ceremonies to conclude with the firing of a volley by the U. States troops on duty.

Protestant Episcopal church.—The N. York 'American' of Tuesday afternoon says—We are happy to learn from an official source, that the Protestant Episcopal church in this state is taking the lead in appropriate religious services expressive of the sense of national bereavement, in the death of the supreme executive of the nation. The first affliction of the kind that has befallen us since we have been a nation.

The following is the pastoral letter of bishop Onderdonk, appointing Friday the 23d inst. a day of humiliation and prayer, to be observed in the Episcopal church in the state of New York, in token of reverential submission to the chastening and which has fallen so heavily on the nation, in the death of its chief magistrate.

To the clergy and laity of the diocese of New York.
Brethren: The mournful dispensation of Divine Providence, hitherto without precedent, which has deprived our country by death of its chief magistrate, and its trust, failed to produce in our hearts impressions of a deeply solemn nature. The more whose faith embraces the wise ordering, in all things, of the High and Mighty Ruler of the universe, an event of such moment to a nation cannot, consistently with the dictates of sound reason, be referred to as without leading to reflections on the most serious kind. Nor can we, as Christians, regard any impressions resulting from it, as at all adequate to the demands of our religion, which do not embrace a full recognition of the hand of God therein visible, and a deep conviction, in a spirit of the true faith and devotion of the people, have it overruled to the best interests of our beloved country, and to the spiritual and eternal welfare of its citizens. Therefore, brethren, I affectionately commend the mournful subject to your heartfelt religious consideration. Ponder it well as a dispensation of Divine Providence, which, rightly received, may be availed to be, by His blessing, fruitful of good; but neglected, or lightly treated, or profanely used, may increase our personal and national guilt and punishment. Let, therefore, we wish to consider your way, as individuals, as members of the church, and as citizens of the commonwealth. Let it lead you to increased prayer that God would open the hearts of all orders of men among us to a sense of the responsibility which we are laid under in every department of duty and obligation which may rest upon them; and a personal realizing, each one for himself, of the solemn suddenness with which the call may come to the great account, and the all-mighty power of Him "unto whom all hearts are open, all desires are known, and no secrets are hid." Nor let me forget to commend to your affectionate intercessions with that Merciful God and Heavenly Father, who has taught us in His holy word that He does not willingly afflict or grieve the children of men, and from whose hand the venerated individual for whose loss our nation mourns.

In the humble hope of contributing, by the Divine blessing, to our upholding and receiving this unequalled dispensation, and to the promotion of both public and personal improvement, that the diocese should observe on occasion of it, a solemn day of humiliation and prayer. Appropriate services will be seasonably set forth for its observance, and my revered brethren the clergy are affectionately requested to endeavor, and from whose help to direct their several portions of the flock committed to our charge, to such a practical religious

view of the occasion as befit its high and solemn import.

The day which I recommend for this purpose, is Friday, the 23d of the present month of April, unless some other day should be appointed for similar observance by the civil authority; in which event, the laity will sin substituted.

Selecting the station of your prayers with mine that this and all our doings may be blessed to the advancement of God's glory, the good of His church, the welfare of the nation, and the spiritual and eternal benefit of its citizens, I remain, dear brethren, your affectionate director.

BENJ. T. ONDERDONK,
Bishop of the diocese of New York.
New York, April 6, 1841.

Third Presbytery. The subjoined proceedings of the Third Presbytery of New York in reference to the death of the late president WILLIAM HENRY HARRISON, have been handed us for publication. The feelings manifested in these proceedings and the course recommended to the churches, we know, will meet the hearty approbation of the people.

At the stated meeting of the Third Presbytery of New York, April 7th, 1841, the committee to whom was referred the consideration of the course proper to be pursued by this Presbytery, in view of the death of the chief magistrate of the United States, and the recommendation of the consideration of the city of New York, made a report which was adopted and is as follows, viz:

"Resolved, 1. That this Presbytery deeply sympathize with their fellow citizens in the recent afflictive dispensation of Divine Providence in the unexpected removal, by death, of William Henry Harrison, the president of the United States, which event occurred on the 4th of April, at about one o'clock, A. M.

"2. That this Presbytery distinctly recognize the hand of God in this solemn Providence, by which He emphatically teaches us that He is the ruler among the nations, and giveth the kingdom to whomsoever He pleases. Whilst at the same time they are constrained to regard this event as a marked rebuke, in view of which of our national sins, we are called upon as a people to humble ourselves before God.

"3. Having received intelligence that the public authorities of this state have requested that, as a token of respect for the deceased, all ordinary business be suspended on and after 12 o'clock that day, therefore resolved, That this Presbytery will adjourn their regular sessions at 12 o'clock until 9 o'clock to-morrow morning.

"4. Having also received information that the council of this city have designated Saturday of this week for special services in reference to the death of the president of the United States, therefore resolved, That this Presbytery will cordially accede to the recommendations made by the civil authorities, and will be so united in our efforts in any expressions of humiliation which may be recommended by the authorities of the NATIONAL GOVERNMENT.

"5. That it be recommended to the respective pastors of the churches under our care to make an improvement of this solemn dispensation on the next Sabbath, in such manner as to them may appear proper."

A true extract from the minutes.

EDWIN F. HATFIELD, stated clerk.

AT THE CITY OF PHILADELPHIA.
There was a general suspension of business in Philadelphia on Wednesday. The U. S. Gazette says:

The window shutters of the dwelling houses in this city were bowed, as it is customary when there has been a recent death in the family. At an early hour, the stores and places of business were closed, and the doors hung with grape, and at many of the hotels and large stores black drapery was fastened on the windows and doors. At the navy yard, a national salute of twenty-six guns was fired—first a single gun being at twelve o'clock, noon, and continuing at intervals of one minute. The bells of the churches and that of the state house were muffled and tolled, and people passed in the street with an appearance of gloom, as if each had lost a relative or a personal friend.

All feeling of party was merged in the sense of the national calamity, and it was a sublime spectacle to behold the thousands of people gathering together to pay a tribute of respect to the illustrious dead. The meeting at the state house yard was conducted in solemn silence, and as the impressive words of the speaker fell upon the ear, no voice was heard, but the effect might be seen in the countenances of all.

We learn that the third presbytery of Philadelphia was now in session in this city, resolved to suspend

the regular business of that body between the hours of twelve and one to-day, (7th inst.) in consequence of the funeral of the late president, gen. HARRISON, and to spend the time in religious exercises.

The Pennsylvania says:
We understand that on Tuesday next, a disconcert in reference to the melancholy event which so painfully affects the American people, will be delivered at Christ church, by bishop Onderdonk.

At a public meeting of the citizens of Philadelphia, over which the mayor presided, appropriate resolutions of regret at the death of the president of the United States were adopted, and a committee appointed to co-operate with the committees of the councils of that city and of the several contiguous corporations in making arrangements to express the sense of the community on the loss the nation has sustained. The meeting was addressed by the hon. John Sergeant and J. K. Kane, &c.

The commissioners of the township of Moyamensing adopted resolutions of regret at the death of the chief magistrate of the union, and determined to participate in the ceremonies about to be performed by the inhabitants of the city and county of Philadelphia.

Similar resolutions were adopted by the commissioners of the Northern Liberties.

The annual conference of the Methodist Episcopal church, meeting at New York, on Wednesday adopted a resolution expressive of their sense of the national affliction, and immediately adjourned.

The class of the medical institute of Philadelphia resolved to wear mourning, and suspended the duties of the institute on Thursday.

BY THE CITY OF BOSTON.
On receipt of the melancholy news of yesterday, the collector of this port issued the following:

DISTRICT OF MASSACHUSETTS.
Port of Boston and Charlestown, April 6, 1841.

It having pleased Almighty God, to remove the president of the United States, by death, and in this sudden and impressive act of his inscrutable Providence, to fill the nation with sorrow and mourning, it will be the spontaneous dictate of his heart to give utterance to the feelings which it is oppressed by the event; and to testify the sentiments of respect and affection, in which his memory will be cherished by a people, just to his character, and grateful for his eminent public services.

To give to the outward manifestations of mourning appropriate to the occasion, a becoming uniformity of expression, I recommend to masters of merchant vessels, within the port of Boston and Charlestown, to wear mourning, and to keep at half mast, their flags through the day to-morrow.

Capt. Sturgis, of the revenue cutter, will fire minute guns, at 12 o'clock, for one hour, with his colors at half mast, in solemn and melancholy recognition of the loss, which the country has so great an occasion to deplore.

LEVI LINCOLN, collector.
In compliance with the above, the flags of the shipping in the harbor were hung at half mast, and minute guns were fired from the cutter.

The April term of the court of common pleas commenced in this city yesterday morning, chief justice Williams presiding.

At the opening of the court, S. D. Parker, esq., rose and remarked that in consequence of the melancholy event which the bells were even now announcing, it was not deemed that a proper tribute of respect to the memory of the chief magistrate of this union, that the court should adjourn for a day, as those of Philadelphia and New York had done.

AT THE CITY OF BATHONE.
The meeting called together by the citizens of Baltimore on the 12th inst. for the purpose of manifesting their deep concern and sympathy for the great bereavement which our country and his family have sustained in the death of late president, WILLIAM HENRY HARRISON, was unusually attended, and the spacious hall was being filled to overflowing, notwithstanding the prevalence of a furious northerly storm.

The vast assemblage was called to order by Col. Samuel O'Donnell, esq., who nominated Col. Samuel Moore, to act as president of the meeting, and the nomination was unanimously concurred in. On his nomination the chair, Col. Samuel Moore appropriately remarked in reference to the mournful dispensation of Providence which had deprived the country of its venerable chief magistrate, and the duty which now devolved upon the citizens of Baltimore, as a people, to manifest a most solemn and public manner, their sense of the public services and private virtues of the illustrious deceased.

On motion, Robert Gilmer, esq., and Col. Solomon Hildreth, were unanimously appointed vice presidents, and Samuel T. Thompson and William H. Cole, Jr., secretaries.

On motion of Z. Collins Lee, esq. it was resolved unanimously that a committee, consisting of one from each ward, be appointed to retire and draft resolutions expressive of the feelings of the citizens of Baltimore for the melancholy bereavement sustained by the death of the late illustrious president.—Whereupon the chair appointed the following gentlemen to compose the committee:—1st Ward, capt. James Frazier; 2nd do. capt. William H. Watson; 3d do. capt. Richard Lilly; 4th do. gen. S. C. Lea; 5th do. Isaac M. Denison; 6th do. Wm. G. Bellingham; 7th do. Robert M. Welch; 8th do. gen. C. O'Donnell; 9th do. col. Samuel Lucas; 10th do. Daniel A. Piper; 11th do. Z. Collins Lee, chairman; 12th do. Levi Fahnestock; 13th do. Wm. P. Stewart; 14th do. Henry Snider.

The committee then retired, and on its return to the meeting, the chairman, Mr. Lee, read the following preamble and resolutions, prefacing them with a few brief and eloquent remarks. They were unanimously adopted.

Whereas, the people of Baltimore, participating deeply to the general sorrow which the death of their late beloved and lamented chief magistrate, Wm. H. Harrison, has produced—have assembled in town meeting this day to express their keen sense of the bereavement the country has sustained, at a time when the sage experience, tried patriotism, and unselfish virtues of the illustrious deceased were most needed to conduct the administration of public affairs. And also to adopt such measures as are proper for the expression of their feelings at this mournful event—therefore

Resolved, That as the long life of our late honored and venerated president has been distinguished by the most signal services to his country, the field of battle, and the public councils, a period which "tried men's souls" and his career in private life, illustrated by the exercise of the kindest affections and purest principles of the heart—we now realize more truly his loss, for independent of all official rank and worldly honor, he will be remembered as a good man, whose bosom overflowed with benevolence and charity, and from whose bright example, future generations may derive instruction and encouragement.

Resolved, That after a faithful devotion to his country, in many arduous military and civil capacities, we behold him called by the voice of that country, to preside over her destinies and witnessed the spontaneous and heartfelt applause, which beamed him to that exalted station—as so earnest of the attachment and respect of all classes of the people to his character and person.

Resolved, That but one short month had elapsed since that elevation—alas! too brief; but long enough for his own glory and rewards, already complete and consecrated by a nation's highest honors—when, by an all-wise and inscrutable Providence, he is snatched from the affections of a whole people, and the hearts of a returning circle of kindred to receive yet higher honors and more imperishable glory, among the band of patriots, and saviors of our land, who, like him, having been first in war and first in peace, will ever remain first in the hearts of their countrymen.

Resolved, That we most sincerely condole with the bereaved widow and afflicted family, who now deplore the death of a husband, father, benefactor and friend, and whose tears are mingling in the cup of a nation's grief.

Resolved, That in testimony of our regard for the illustrious dead, the citizens of Baltimore, and the state of Maryland, be requested to wear the usual badge of mourning for ninety days; and that in this office, the ladies of our city and state be also requested to unite.

Resolved, That a committee be appointed by the chair, consisting of two from each ward, to prepare the programme of a public civic and military procession—bearing all the insignia of mourning, and commemorative of the death of gen. Wm. H. Harrison; and to invite all societies and other bodies who may desire to unite in this solemn ceremony; and that the procession and funeral ceremonies shall take place on Monday, 20th inst.

Resolved, That a copy of these proceedings be enclosed to the family of the late president of the United States, accompanied by a letter from the committee expressive of the feeling of condolence and sorrow which the citizens of Baltimore and state of Maryland entertain on the occasion, of this their melancholy bereavement and affliction.

On motion it was

Resolved, That the committee who reported the resolutions and the officers of this meeting, co-operate with the committee appointed to make arrangements, and that the president of this meeting act as chairman of the committee of arrangements.

Resolved, That the proceedings of this meeting be published in all the papers of the city and state.

SAMUEL MOORE, president.

ROBERT GILMORE, } vice presidents.

THOMAS HILLEN, }

Samuel T. Solomon, } secretaries.

Wm. H. Cole, } secretaries.

BY THE CITY OF CINCINNATI.

The news of the death of president HARRISON reached Cincinnati on the 8th, and forthwith business was generally suspended in the city by common consent. In addition to the large spontaneous meeting of the citizens on Third street, a special meeting of the city council was held in the afternoon. In the evening, the theatre and other places of amusement were closed, and the whole city seemed to be absorbed in the most unaffected grief.

From the Cincinnati Republican, April 8.

Meeting of the people. An immense meeting assembled yesterday afternoon, to do honor to the dead. Public notice was given, calling upon the citizens to assemble in front of the Heurich house, at 3 P. M. for the purpose of testifying their respect to the memory of WILLIAM HENRY HARRISON, Judge Burnett was called to the chair, and J. C. Vaughan appointed secretary. The following resolutions were unanimously adopted:

Whereas, it has pleased Almighty God to remove, by death, our neighbor and friend, WILLIAM HENRY HARRISON, the chief magistrate of the nation, a great and good man, whose whole life has been devoted to the service of the country; therefore,

Be it resolved by the citizens of Cincinnati, in solemn meeting held, That in testimony of our respect for his memory, we suspend all business on tomorrow, and observe it as a day consecrated to the remembrance of the lamented dead.

Resolved, That the mayor of the city be requested to issue a proclamation in accordance with the foregoing resolution.

Resolved, That we unite in tendering to the bereaved family of our illustrious chief, the expression of our deepest sympathy in the melancholy dispensation of Providence, which has taken from them the venerable and beloved head, who was endeared to them and his fellow citizens by his social virtues, his benevolent nature, and the sterling manliness of his heart and character.

On motion, it was further **Resolved**, That a committee of twenty-six be appointed to co-operate with any committee of the city council, as to any further proceedings on the subject.

Resolved, That the chairman of this meeting, Judge Burnett, be one of that committee, and J. C. Vaughan act as secretary.

On motion, the meeting adjourned.

JACOB BURNETT, chairman.

John C. Vaughan, secretary.

BY THE CITY OF COLUMBUS.

In pursuance of a notice given by a number of the citizens of Columbus, a meeting was held at the state house in said city, at 7 o'clock, on the evening of the 7th inst. for the purpose of testifying their deep regret at the death of the president of the United States; to offer their condolence to his afflicted family, and to deplore the loss the country has sustained by the decease of one of the most illustrious of its statesmen and patriots.

Alfred Kelley was called upon to preside at the meeting, and Joseph Bidgway, sen. and Noah H. Swayze, were appointed vice presidents. John Sloane and A. S. Chew were appointed secretaries.

On motion of Mr. Hubbard, a committee of three members was appointed to draft resolutions expressive of the sense of this meeting. Whereupon, Wm. B. Hubbard, Dr. Robert T. Townsend, and John Sloane were appointed said committee.

With the committee were absent, the hon. Jas. T. Morehead, United States senator from Kentucky, addressed the meeting.

The committee appointed to draft resolutions reported the following, which were unanimously adopted:

Resolved, That, with feelings of deep and heartfelt grief, we have heard of the death of our beloved and esteemed fellow citizen, gen. Wm. HENRY HARRISON, late president of the United States.

Resolved, That we sincerely condole with the widow and relatives of the deceased in this rude and afflicting dispensation of an inscrutable but all-wise Providence, which has caused a whole people to mourn.

Resolved, That while we view the death of president HARRISON as a great national calamity, we have reason to be thankful to the Almighty Disposer of events that his life was spared until the peerage with our United States and expressed their gratitude for his services, and the confidence in his integrity and patriotism; until he had been enabled to

prove by his official acts the sincerity of his professions; and until he had been permitted to point out, and commence the course leading to the restoration of the vital principles of the constitution, and to national prosperity.

Resolved, That though we deeply deplore the loss of the patriot and statesman whom the American people had chosen as their president—while veneration for his character and memory, as well as love for our country, equally demand of us to assist in carrying out the great principles which he had prescribed as the basis of his administration—still we feel entire reliance in the virtue, ability and patriotism of the distinguished individual on whom the administration of the government is now, by the constitution, devolved; and that in the character of the vice president of our country has a pure guaranty for the faithful and constitutional administration of the government during his term of office.

Resolved, That as a testimony of the high regard which the members of this meeting entertain for the character of the deceased, and of the sincere grief which they feel for his loss, they will each wear a badge on the left arm for thirty days.

Resolved, That copies of the foregoing resolutions be sent to the widow of the late gen. HARRISON, to the VICE PRESIDENT of the United States, to the acting president of the senate, to each of the heads of departments, and be published in the newspapers of this city.

On motion of Mr. Lizzell, it was

Resolved, That the different clergymen of this city be requested, on an early Sabbath, to deliver a funeral sermon on the subject of the death of the president of the United States.

On motion of Mr. Ware, it was

Resolved, That a committee of six members be appointed to select a suitable person to deliver at the capitol a funeral eulogy on the character of general HARRISON, at such time as they may appoint.

JOHN McELVIN, Dr. N. M. Miller, Wm. Neill, N. H. Swayne, Joseph Ridgway, sen. and Robert Ware, were appointed this committee. The meeting then adjourned.

ALFRED KELLEY, president.

JOSEPH RIDGWAY, } vice presidents.

NOAH H. SWAYNE, }

JOHN SLOANE, } secretaries.

A. S. CHEW, }

BY THE PUBLIC PRESS.

The public mind has been agitated by a few exceptions—sympathizes with the people under the heavy dispensation with which it has pleased God to afflict the nation, and we have a melancholy satisfaction in transferring to our columns the evidences of a common sorrow.

From the Globe.

All other reflections are absorbed in the thought of the nothingness of life, and the emptiness of earthly grandeur. One brief moment has witnessed gen. Harrison's ascent to the summit of human ambition—and his passage to the tomb. "What shadows we are, and what shadows we pursue."

From the Albany Argus.

The death of president Harrison. We announced to our readers in an extra this morning, the event which has shrouded all classes and parties in mourning; and we anticipate our publication of to-morrow, for the purpose of adding such particulars from the various newspaper publications, and the proceedings of the legislature, as the event has called forth.

Towards the distinguished individual who has been thus suddenly removed from the high station to which he had attained, we feel that we stand at the threshold of his administration, every feeling of political hostility is buried in the depth and solemnity of the tread of death.

From the Albany Evening Journal.

The president's death. The most painful apprehensions of yesterday are realized. President Harrison is no more. The shadow of death has passed over the glory and gladness of the nation. The hopes of an exulting people are crushed by the inexorable decree of an overruling Providence. The hand of the Almighty chaster has been made visible to all eyes.

His sudden and untimely death, rebuked in the presence of his dark messenger—death. We shall attempt no eulogy upon the departed. The virtues and services of his life praise him. The sympathies of a grateful people that joyously thronged around his funeral stand hand in hand with him. Ambition may envy such a death. Without a stain upon the purity of his public or private fame, he passes to an immortality where temptation, sin and error cannot reach him. Our regrets at this national bereavement are all for the living. To them we dedicate our sympathy—with them we mourn this irreparable loss.

Reform. The Pittsburgh Gazette of April 3, contains the following:

We publish the following for general information. About one thousand dollars a year was, we believe, paid to an individual who held an office which is now declared to be entirely unnecessary.

War department, March 29th, 1841.

SIR: As you have applied for the appointment of military storekeeper in the quarter master's department at Pittsburgh, I deem it proper to inform you that finding the office to be entirely unnecessary, and as a just regard to the public interests requiring its discontinuance, it has been abolished. Very respectfully your obedient servant,

JOHN BELL.

Samuel Hubley, Pitt.burgh, Pa.

MR. CUTHBERT AND MR. WEBSTER. The Globe publishes the following notes which have recently passed between MR. CUTHBERT of the U. S. senate and MR. WEBSTER, secretary of state.

Mr. Cuthbert to Mr. Webster.

March 6, 1841.

SIR: Your friends have declared that you would promptly reply to the inquiry I am now proposing to you, and have invited to its being made. I ask you, then, respectfully, whether in your opinion congress has any authority under the constitution of the United States to prohibit the transfer of slaves from one state to another. As your nomination to the cabinet has been decided upon by the senate, there can be now no indecision in making the inquiry. Your obedient servant,

A. CUTHBERT.

Hon. Daniel Webster.

Up to the 13th March, Mr. Cuthbert had received no answer to this communication. He then addressed to Mr. Webster a note, of which a copy was taken, but which had been nearly in the following words:

Mr. Cuthbert's compliments to Mr. Webster. Mr. C. has received no answer to the written communication which he addressed to Mr. W. on the 6th inst. Mr. W. supposes that his communication may have miscarried, and he therefore directs the bearer of this to know that it is placed in Mr. Webster's hands.

March 16, 1841.

Mr. Webster to Mr. Cuthbert.

Mr. Webster received Mr. Cuthbert's communication of the 6th inst.

Desirous of treating Mr. Cuthbert with the respect due to his public character and station, Mr. Webster thinks nevertheless, that Mr. Cuthbert, upon request, see him under present circumstances. Mr. Webster could not enter into correspondence with him upon the subject to which his communication refers.

Mr. Cuthbert is referred to Mr. Webster's speech at Richmond, in October 1840, a copy of which is herewith transmitted; to the correspondence between John Botton, of Georgia, and himself, dated 17th and 19th May, 1833; published in the newspapers of the day and which will be found in Niles' Register of the 29th June, 1833; and also to his speech in reply to Mr. Hayne of the 21st January, 1839.

March 15, 1841.

Mr. Cuthbert to Mr. Webster.

March 29, 1841.

SIR: Yours of the 15th did not reach me until several days after it date. I have suffered it to lie some days by me, and my reflections still suggest to no sufficient reason why the plain question proposed to you in mine of the 6th, should not be answered.

On the 22d of February, in open senate, Mr. Rives in the character of your public friend and a zealous advocate and defender, voluntarily declared that he entertained no doubt that it should address to you a written communication, proposing the inquiry conveyed in my note of the 6th inst. you would return to that inquiry a prompt and satisfactory answer, and he plainly proposed me to that confidence. On the 1st March, in open senate, Mr. Rives demanded of me whether I had made the inquiry, and in the form which he had suggested, and again intimated me to do so. On both occasions, I pledged myself to address to you such a letter of inquiry as he suggested. I have redeemed my pledge, addressing you in such respectful terms, as your public station and character made proper. You decline to answer, and our correspondence here ends. The world must determine on your manner in declining to answer. Your obedient servant,

A. CUTHBERT.

Hon. Daniel Webster.

THE SENATE. On receiving the resolutions of the legislature of the state of Maine, appealing to the several state governments to support the claim of that state upon the government of the union "to establish the line which that government

has solemnly declared to be the true boundary" between the territory of the United States and that of Great Britain, the senate of the state of Maryland referred these resolutions to a select committee, of which gen. B. C. Howard was the chairman. By the committee's report was made, elaborate and able, accompanied by three maps reviewing the whole ground of the controversy with a precision as well as acuteness which could hardly be expected of any one who was less familiar with the subject than the distinguished chairman of the committee, who enjoyed the best opportunity of examining himself acquainted with it during his late service in congress at the head of the committee of foreign relations in the house of representatives. The reasoning of the report is entirely favorable to the claim, heretofore asserted by the executive of the United States, and sustained by the unanimous votes of both houses of congress. It is to the subjoined conclusions, however, (and not to the reasoning of the committee), that we now propose to invite the attention of our readers; conclusions which are entitled to their most serious consideration.

"With regard to the course which ought to be pursued in obtaining a settlement of this controversy, the committee do not feel themselves qualified to express an opinion. The constitution of our government wisely placed our long and arduous the exclusive guardianship of the federal government, whose dignity and power are commensurate to the duty it has to perform. It is clear that all reasonable efforts should be exhausted to accomplish a peace and speedy adjustment of the controversy; and it is also clear that, if they should unfortunately fail, it would be the duty of the states of the union to rally around the federal government and carry it successfully through the struggle that must then ensue.

The following resolutions are submitted to the consideration of the senate:

"Resolved, That the legislature of Maryland entertains a perfect conviction of the justice and validity of the title of the United States, and state of Maine, to the full extent of all the territory in dispute, and that it is the duty of the legislature of Maryland to place herself in the support of the federal government in what will then become its duty to itself and the state of Maine.

"Resolved, That after expressing the above opinion, and transmitting a copy of this report to the request the state of Maine to contribute, by all the means in its power, towards an amicable settlement of the dispute upon honorable terms.

"Resolved, That if the British government would transmit to the title of the state of Maine to the territory in dispute, and offer a fair equivalent for the passage through it of a military road, it would be a reasonable mode of adjusting the dispute, and ought to be satisfactory to the state of Maine.

"Resolved, That the governor be and he is hereby requested to transmit a copy of this report and these resolutions to each of the governors of the several states, and to each of the senators and representatives in congress from the state of Maryland."

These resolutions were unanimously adopted by the senate, and the legislature of the state of Maryland, and must be regarded, therefore, as a deliberate expression of the opinion of that state, as well in regard to what is due to the rights of Maine, as to what the other states of the union have to expect from Maine herself. The part of these resolutions which have attracted the most attention, and especially in France. A report is current among the best informed people, that the British cabinet, wishing to terrify "those republican pirates, as they say, who assume a lofty tone, better to disfigure their fronts," have sent a question to compel the government at Washington, by the mouth of the cannon, to make itself more pliant and accommodating.

The news of this insolence on the part of Britain, caused every French patriot's heart to beat high. He says, "the difficulties between England and the United States attract a great deal of attention in Europe, and especially in France. A report is current among the best informed people, that the British cabinet, wishing to terrify "those republican pirates, as they say, who assume a lofty tone, better to disfigure their fronts," have sent a question to compel the government at Washington, by the mouth of the cannon, to make itself more pliant and accommodating.

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FRANCE AND THE UNITED STATES. The correspondent of the *Courier des Etats Unis*, writing from Paris the 7th March, gives the following account of the state of opinion in France in regard to a war between England and the United States. He says, "the difficulties between England and the United States attract a great deal of attention in Europe, and especially in France. A report is current among the best informed people, that the British cabinet, wishing to terrify "those republican pirates, as they say, who assume a lofty tone, better to disfigure their fronts," have sent a question to compel the government at Washington, by the mouth of the cannon, to make itself more pliant and accommodating.

the British lion, the first will not long have flapped its powerful wings, before the French flag will be seen floating by its side. This is our proud conviction. War would not have waged a month between the two nations, before our government would be forced to leave the contest. However, sensuous its disposition towards peace, it would be hurried along by the torrent of public opinion."

THE ARMY.

Harper's Ferry army. The Winchester Republican states that the army at Harper's Ferry will shortly be placed under the control of an officer of the U. S. army with instructions to examine into all its concerns. The administration having determined that every department of the government should undergo the most rigid scrutiny, in order that abuses, wherever they exist, may be corrected, it is proper that the army at Harper's Ferry should not be an exception, more especially as it has been asserted that the mutinies of the late army there has cost the government considerably more than the same kind of arms cost at Springfield; and certainly no one will be better able to obtain the desired information than an experienced officer of the ordnance department.

THE NAVY.

The Norfolk Beacon says:—The following is the armament determined upon for the ship of the line Pennsylvania, at Portsmouth, Va. and which is now taking on board.

Lower gun deck, 28 long 32 pounders and 4 Paixhan guns, and Paixhan shot are thrown from 80 pounder.

Middle gun deck, 30 long 32 pounders and 4 Paixhan guns.

Upper gun deck 32 32 pound medium guns and 4 Paixhan guns.

Spar deck 32 32 pound cannonades and 4 medium 32 pound guns. Total 138.

Weight of metal of one broadside near 2,400 lbs. The U. S. ship *Leverett*, commanded by Fitz was of Krys West 1st inst. to sail in a few days for Mobile. Officers and crew well.

The National Intelligencer contradicts, on official authority, the report that the U. S. sloop of war *Marion* had received any material injury by the accident which happened to her some months since at Rio.

The U. S. schooner *Porpoise* was spoken 29th ult. lat. 33, 10, lon. 75, on a cruise. All well.

The U. S. ship *Warren*, commander Jamieson, arrived at New York the 29th ult. All well.

The Norfolk Beacon says:—"We learn by a letter from the purser of the U. S. sloop of war *Concord*, that Lieut. Algeron S. Worth, died at sea on the 3d of February, 1841. He has left a wife in Portsmouth, to mourn his loss."

The Norfolk Beacon speaks thus of a new application of steam power, invented by Lieut. Hunter, of the navy.

A desideratum in the application of steam power to national vessels and to the navigation of canals has been effected and practically proven by the actual and entirely successful operation in our harbor of a small vessel constructed by private enterprise and at individual cost. We have seen a plan in detail of the arrangement of the machinery and the construction of the vessel designed for national purposes, which in our opinion properly withheld by Lieut. Hunter from the general public in order that our government may peculiarly receive all the benefits derivable from its use, and we feel that we hazard nothing in declaring that it will be found to have achieved the object for which it was the creation of a war steamer for harbor defense or as a cruiser, as the moving power by the ingenious construction of the vessel is protected from the effect of Paixhan or any other shot.

Sandwich Islands. The N. York Journal of Commerce has received a file of the *Sandwich Island Polytechnic* to the 19th December, from which it makes the following extracts:

Honolulu, Dec. 3. The exploring squadron has now left our harbor to cruise in various directions.

The *Porpoise* has sailed (so it is said) for the Southern groups, to return here in four months.

The *Peacock* and *Flying-Fish* to Ascension, King's Mill group, and the *Caroline*, Archipelago, thence to the Columbia river, in spring, when a store ship will sail from here for that place, with all necessary supplies, which will probably obviate the necessity of their returning here.

The *Vincennes* has gone to Hawaii, for the purpose of making a thorough survey of the volcano and Mauna Loa, and all the interesting points in that vicinity. She will also go to the Sandwichs in a few weeks.

Honolulu, Nov. 28. By the *Julia*, from Sydney, we learn that two French frigates, with an emigrant

we learn that two French frigates, with an emigrant

ship, had arrived at the Bay of Islands, New Zealand. Gov. Hobson had called upon the commodore, who refused to recognize his authority, which circumstance would probably lead to a difficulty, as the French, like the English, claim large tracts of land on the right of possession from the natives.

Passengers in the ship *Lausanne*, sailed from Honolulu, Dec. 2, for New York: rev. I. Diell, lady and three children; Dr. White, lady and two children, and servant; Miss Mary Smith; lieutenant R. Pinckney, U. S. navy; passagist; J. Lawrence, U. S. navy; and a midshipman J. Lewis, U. S. navy.

From Rio Janeiro. The ship *Hibernia* arrived at New York on Friday morning from Rio Janeiro, which port she left on the 26th of February. At that date the following United States ships were in port: the *Constitution*, captain Kearney, retreating for China, to sail in ten days; *Potomac*, captain Ridgely; *Deatur*, captain Ogden; *Concord*, captain Boerum; *Marion*, capt. Bell, and *Enterprise*, lieutenant Goldborough, destination unknown.

The brig *Male Adhel* was to sail for Baltimore on the 27th in charge of lieutenant Ogden, of the *Potomac*. Among the passengers on board the *Hibernia* are Messrs. Clary, Mix and Humphries, U. S. N. and thirty-three disabled seamen from the East India and Brazilian squadrons.

STATES OF THE UNION.

CONNECTICUT.

Election. The particulars have not yet reached us. The general election is postponed—the whig candidates are elected throughout.

NEW YORK.

City election. The charter election, held on the 13th, is spoken of as having been one of the most order and quiet elections held in that city for many years. Mr. Morris, the Van Buren candidate is elected mayor, by a majority of between five and six hundred votes. Last April the Van Buren majority was 1,621. At least 10 of the 17 wards have elected Van Buren councillors.

Brooklyn. The charter election has resulted in a sweeping triumph to the whigs. Mr. Smith, the whig candidate for mayor, who was elected last April by a majority of 187, has now a majority of 725 votes.

PENNSYLVANIA.

Governor Porter has vetoed and returned the bill lately passed by the legislature for the relief of the banks of the state. His veto message is in type and will be inserted in our next number.

Upon submitting the bill to the council, notwithstanding the veto, there was not a sufficient majority for it.

Another bill, proposed by Mr. Johnson, was under discussion in the house, when our latest advices left Harrisburg.

An application was also made on behalf of the Bank of the U. States of Pa. for an act to carry out the suggestions made in the report of the stockholders of that institution.

Good old Adams county. It is with no slight degree of pleasure that I commend a fact, which I know will be to the citizens of our county a subject of much gratification. Other counties may boast of their wealth and their population—their furnaces and their coal mines—their finished rail roads and canals—their rapidly increasing power and importance—let them. They cannot boast as we can—that there is not a solitary prisoner in our jail. Not one who awaits his trial for offence against the law of the land—not one, who is expiating the just sentence of that law—not even one who languishes in bondage because he is poor, in debt and friendless. Their boast of their wealth, their motto may be that in which the Roman poet said his countrymen rejoiced—"Virtus post numma." Let them vaunt their power and the number of their population—we cannot; our glory and our being is in virtue and integrity of our people. They are the only true elements of happiness in society—the only firm foundation upon which a nation's greatness can be reared. They constitute true wealth, real power, and genuine importance.

MARYLAND.

The extra session closed. The constitution of the state was so altered during the two last years, as to compel the legislature to close its annual session at the first of March. The very first application of this rule, found the most important business of the session unfinished, and the expedient was resorted to of requesting the governor in council an extra session, in order to complete what was in progress. Ten days were being required, the state has to endure the itinerant expenses of the members going home and returning. The governor summoned them to reassemble on the 24th March, and they closed their session after attending the funeral of president Harrison, on the 7th inst, having elected 34 jurors in addition to those

passed at the regular session; amongst them was an act to assess all the taxable property in the several counties and cities of the state, and levying a tax of twenty cents in every hundred dollars of the valuation, for the support of the state treasury and to maintain inviolate the credit of the state. It is expected that this will realize about half a million of dollars annually.

Another important bill passed was the one appropriating two millions of dollars to complete the Chesapeake and Ohio canal to Cumberland.

The congressional election is to take place, according to governor Graesson's proclamation, on the 17th May. Of the late members, Messrs. CARROLL and HILLMAN, (V. B.) who represented the 4th district, Mr. F. T. TOWNE, (V. B.) who represented the 5th district, and Mr. JENIFER, (W.) who represented the 7th district, severally decline being candidates for re-election. WILLIAM COST JOHNSON, esq. is again a candidate for re-election in the 6th district. The parties are making their dispositions for a regular contest, and many candidates are spoken of on both sides.

VIRGINIA.

The governor. Certain grave doubts have been expressed in Virginia, since the retirement from the executive chair of the state by governor Gilmer, as to the person on whom the charge devolved by the constitution. It was contended on the one side that the lieutenant governor, Patton, must be considered the actual governor of the commonwealth during the absence of the duties of governor Gilmer. On the other it was said that the senior counselor, Mr. Rutherford, was the officer on whom it constitutionally devolved, and the attorney general having so decided, Mr. Rutherford has entered upon the duties of the duties of the office, and will continue acting governor of Virginia, until the 31st of March, 1842.

Election. The general election takes place on the 23d instant, and the papers of the state are of executive chair occupied state by governor Gilmer, as to the person on whom the charge devolved by the constitution. It was contended on the one side that the lieutenant governor, Patton, must be considered the actual governor of the commonwealth during the absence of the duties of governor Gilmer. On the other it was said that the senior counselor, Mr. Rutherford, was the officer on whom it constitutionally devolved, and the attorney general having so decided, Mr. Rutherford has entered upon the duties of the duties of the office, and will continue acting governor of Virginia, until the 31st of March, 1842.

TENNESSEE.

Congressional election. Gov. Polk has issued his proclamation for the election of members of congress in Tennessee on the 6th day of May, 1841.

KENTUCKY.

Congressional election. The election for members of congress is to take place on the 4th of May, in the present month.

OHIO.

The wheat crops of this state appear to be very large. The crop of 1839 is estimated at eighteen millions of bushels. Estimating the home consumption at seven bushels to each person, which is a fair allowance, considering the quantity of Indian corn consumed in the state, and eight millions remain for exportation. The production of wheat there yields to the state, not less than six millions of dollars per annum, exclusive of its entire bread consumption. The production of Indian corn is hardly less than thirty millions of bushels. An amount which may give an idea of the vast number of hogs, cattle and horses which are raised in the west.

INDIANA.

Congressional election. The governor of Indiana has ordered the election of members of congress in that state to be held on the 3d day of May, proximo.

At the St. Louis city election, held on the 5th inst, the whig candidates for mayor, recorder, marshal, &c. and a majority of the city council were elected.

The legislature adjourned on the 21st ult. *ad vic.* A bill has passed the house of representatives prohibiting the circulation of notes of a smaller denomination than five dollars, after July 1841, with a penalty of ten dollars for each infraction. After July 1842, the prohibition will extend to notes under two dollars.

An issue of state bonds, to the amount of \$258,261, at 10 per cent. and \$12,000 at seven per cent. has been authorized for specific purposes.

Mention is made of the existence of counterfeit Indiana scrip, said to be very well executed.

MICHIGAN.

The legislature of this state, at its present session, passed a relief or stop-law containing the following provisions:

"That no real or personal property shall hereafter be sold by foreclosure of mortgage, on execution, or upon process of any court, until the same shall be appraised by disinterested freeholders.

"That no real or personal property shall be sold by any officer under the name shall be sold at two-thirds the appraised cash value or more.

"That the creditor, his agent or attorney, and the debtor, his agent or attorney, may each select one appraiser; if those appraisers cannot agree, they may select a third, and if they cannot agree in this, the officer having the process is to select the third.

"That there shall be no redemption of any property sold under the provisions of the act.

"That the act shall take effect from and after its passage."

FLORIDA.

The U. S. steamer *Brusard*, capt. Peck, arrived yesterday from Pliska. We learn from a passenger that on Monday last an express had arrived from Fort King, and stated that while two soldiers were hunting on the 4th inst, about 15 miles from the fort, they were fired upon by a party of seven Indians, and one of the soldiers killed. The other escaped.

Capt. Davidson, with a detachment of troops, on hearing of the murder, immediately started in pursuit of the Indians, but they had vanished. The body of the murdered soldier was recovered.

Dates to the 1st instant, have been received from St. Augustine. The same tale is told of Indians coming in and surrendering. The News of the 1st, says—"A letter received here, from an officer of the army at Tampa bay, expresses the opinion that there will not be another gun fired by the Indians in Florida. God grant that it may prove correct, but we can scarcely rely upon it as yet. The shipment of from two to three hundred Indians is continued at work among the state, several, perhaps 600 Indians of all sorts, have surrendered or been captured, and among them near 100 warriors. It adds—"No impression appears to have been made on the Creeks, and but little upon the Seminole people, of whom *Hogachie* (not coming in) is the chief. Much, very much, therefore, remains to be accomplished before (after being so often cheated) we can be assured that our troubles are over."

Belt Sun.

The National Intelligencer of the 1st instant, says, "We have read with much pain the published information, showing that the spirit of evil is not yet entirely either quelled or propitiated among the Indians in Florida. Our information, we are sorry to say, lends us to the belief that there is a mischievous influence at work among the state, several, perhaps 600 Indians of all sorts, have surrendered or been captured, and among them near 100 warriors. It adds—"No impression appears to have been made on the Creeks, and but little upon the Seminole people, of whom *Hogachie* (not coming in) is the chief. Much, very much, therefore, remains to be accomplished before (after being so often cheated) we can be assured that our troubles are over."

The correspondent of the Savannah Republican writes as follows from Florida, under date of the 4th instant:

"An express has this morning arrived at Pliska from Fort King, stating that the Indians have exhibited a hostile attitude this day within one mile of Fort King. A party of seven warriors, suddenly emerging from the hammock, attacked a small party of soldiers who were out hunting, fired upon them, and killed private Thompson, company H, 24th regiment infantry, and another individual, a private citizen. This occurrence took place at 12 M. A detachment of the command at Fort King immediately left in pursuit of the Indians, and the pleasing prospect of closing the war. These Indians are supposed to be of the same party which left Fort Clinch yesterday about the time the express started from that station for Fort King. It is now the full and the moon, and you may expect shortly to insert in your columns an article headed 'bloody massacre.'"

BANK OF THE UNITED STATES.

Report of the committee of investigation, appointed at the meeting of stockholders.

The committee appointed at the meeting of the stockholders of the Bank of the United States, held January 4, 1841, to examine the details of the state and affairs of the bank, by the president, respectfully submit the following report:

The committee originally appointed, consisted of Joshua Lippincott, Moses Kempton, Charles Massey, Thomas P. Cope, Richard Willing and David Kirkpatrick. The three last named gentlemen declined to act. Edwin Cole, James S. Newbold and John Bacon having been selected to fill the vacancies, the committee were finally organized, by the election of Joshua Lippincott as chairman, and George Sharswood as secretary; and on the twentieth of February, 1841, commenced the performance of the duties assigned them.

The committee were accommodated by the board of directors, with an apartment in the bank, and were from time to time, attended by a committee of that body, as well as by the officers and clerks of the bank. Every facility was afforded to them in the prosecution of their labors, as far as was practicable, by submitting to their examination, the books of the bank, and by giving such verbal explanations, and furnishing such extracts and copies, as were requested. At an early stage of their proceedings, they were officially notified by the president, that a resolution had been adopted by the board of directors, "that the committee of stockholders be informed, that the board is ready to afford them every facility, in the prosecution of their investigation, which they may be willing to make, of the affairs and transactions of this bank, and the causes of its actual situation, and that it is the wish of this board, that the committee should make such investigation, in order that the results may be laid before the meeting of the stockholders in April next." Conceiving it to be their duty, under the terms of their original appointment, as well as under the invitation thus extended to them by the board, the committee accordingly commenced an examination of "the state and transactions of the bank," and "the causes of its actual situation."

The committee proceeded in the first instance, to verify in detail, the statement of the assets and liabilities of December 31, 1841. The securities in the evidences in the possession of the bank at Philadelphia, were accordingly produced, and on comparison therewith, the same was found to be correct. The cash was counted, on the second of March, and corresponded with the ledger balance of that day. The returns furnished by the several agencies, were read and found to agree with the printed statement. The accounts of the circulation and issues, of the late and present bank, were also examined.

The committee have prepared and herewith submit a still more detailed statement of the assets and liabilities of the bank, on the twenty-first day of December, 1840, than that heretofore presented; exhibiting the particulars of each item of the original statement, in the same order as given, and is therein paraded; omitting, however, the item "Bank United States stock, balance unpaid," and the amount credited as "bonus for charter."

The next object proposed was to make a valuation of the assets. With this view they proceeded to re-examine the items of active and passive debt, stocks, real estate, bonds and mortgages, foreign bills of exchange, and amounts due by state banks. The president of the bank was also requested to obtain an estimate of the probable loss, on the assets at the different offices and agencies; returns from all of which have accordingly been received. The estimates thus made are presented in a column, added to the detailed statement, now submitted and before referred to, (appendix A).

The attempt to make an estimate of probable losses, was found to be attended with considerable difficulty and embarrassment. To adopt the present depressed market value of the several stocks and loans held by the bank, would not be a fair criterion of their actual worth, which, rather than their present availability, was that at which the committee endeavored to arrive. Still they have been necessarily guided, in a great measure, by the price current of the day. Of the real estate and bonds and mortgages, a very imperfect judgment could be formed, without requiring a more diligent and incumbered, from which the committee had not time to make. Many of the securities are of a character to render it almost impracticable to form even a reasonable conjecture of their value. While therefore the committee bespeak for this portion of their labors that regard, which is due to an honest effort, from the best means within their reach, to arrive at the truth, they must be permitted to qualify it with the remark, that it is necessarily only an approximation, in which they cannot ask the stockholders to place entire confidence. The ability of the institution to realize any thing like a fair equivalent for its assets, will depend much upon the course of policy it may in future pursue, and upon circumstances which no one can be expected to foresee. The estimate is presented, however with less reluctance, as from the details now given, each stockholder will be able to form a judgment for himself.

It may be proper here to remark, that it has been thought best by a majority of the committee, not to submit the list in detail of the actual and suspended debt. The injury which would result to the credit of individuals by such an exposition, might ultimately be detrimental to the interests of the stockholders, while no benefit of sufficient importance to counterbalance such a mischief, appeared

to present itself. In regard to these two lines, the committee will content themselves with remarking, that but a small proportion consists of regular mercantile discounts. On the active debt, December 31, 1840, are loans to seven incorporated or other companies of 1,311,192 dollars 22 cents, including ones of 602,222 dollars 22 cents, to the Philadelphia, Wilmington and Baltimore rail road company. The sum of 740,056 dollars 33 cents, is on obligations having on that day more than six months to run, and of this sum 487,028 dollars 5 cents, had more than twelve months to run. The sum of 279,888 dollars 41 cents, a part of this line entered as "bills receivable," being nominally payable on demand, though really composed of present account conditions, is not included in either of these amounts. Nor is the sum of 66,890 dollars 86 cents, "bills receivable for sale of offices." A considerable part of it is in large amounts, as will sufficiently appear from the fact, that forty-eight individuals, firms and companies, have discounts exceeding 20,000 dollars each, of whom twenty-seven have discounts exceeding 50,000 dollars each, and nine exceeding 100,000 each.

A similar examination of the suspended debt exhibits as the result fifty-two individuals, firms and companies, standing charged on the books of that department, with more than 20,000 dollars each, twenty-nine with more than 50,000 dollars each, and eighteen with more than 100,000 dollars each. There are six individuals and firms whose debts amount to 2,314,500 dollars, two of which are over 650,000 dollars each, a large amount which will be lost; and four others, who have loans amounting to 569,000 dollars. Eleven joint stock companies are indebted on this list 807,881 dollars 22 cents, of which the Philadelphia and Germantown rail road company is indebted 188,000 dollars 76 cents.

The whole result of the valuation made by the committee, may be thus stated in short:

The assets of the bank, amounting on the 21st day of December, 1840, according to the statement of the committee, to 69,531,742 dollars 46 cents, have been estimated at	65,779,794
From which deduct liabilities	36,859,538 63

Leaves the sum of	\$14,820,256 11
to represent the capital of	\$35,000,000 00
Leaving out of bank of United States stock on hand	2,471,400 00
	\$32,528,600 00

To this may be added the sum of four or five hundred thousand dollars for that part of the circulation, amounting on the twenty-first of December, 1840, to 9,336,000 dollars 90 cents, which is probably lost or destroyed.

The committee submit also herewith, condensed general statements of the condition of the bank, on the first day of February, 1836, on the first day of April, 1839, on the first day of March, 1841; with a comparative table of assets and liabilities, for these three periods, and also a general statement of April 1, 1841. (Appendix B. C. D. E. and F.)

The general statement of the condition of the bank February 1, 1836, is a copy of that submitted to the stockholders convened at the bank, upon the nineteenth day of that month, for the purpose of considering the propriety of accepting the charter, then recently granted by the legislature of Pennsylvania, by the late Mr. Charles McKim, and by the institution, after a period of active business extending over twenty years, and including more than one period of serious commercial difficulty, there appeared to the credit of discount, exchange, and interest,	\$423,675 15
Profit and interest,	\$766,399 84
Contingent fund, exceeding the losses chargeable thereto, by the sum of	1,436,561 65
Foreign exchange account	847,571 03
Fund for extinguishing cost of banking houses	1,104,223 09
Contingent interest	404,854 14
	\$9,018,784 40

These sums, after deducting the amount of deficiencies and expenses, formed the surplus funds of the institution	217,194 32
	\$7,801,590 38

from which it will be recollected, it was strongly urged upon the stockholders, as its main argument in favor of accepting the charter, and after making the most liberal allowance for probable losses on the suspended debt and real estate, the entire bonus could be paid, without in the least degree impairing the capital.

The origin of the course of policy, which has conducted to the present situation of the affairs of this

institution, dates, however, beyond the period of the recharter by the state. When it was perceived that the charter of the late bank of the United States would not be renewed or extended by congress, the president and directors commenced winding up its concerns, and among the first measures taken to that end, was to sell or dispose of, as far and as speedily as could be effected, the assets of its several branches. This was generally done to state banks, who gave for the same, the highest price payable by institutions at distant periods. At the same time, the policy was adopted of converting the active debt into loans upon the security of stocks, by which permanent investments might be provided for the capital of the bank during the long period of its anticipated liquidation. On the 6th of March, 1835, "the president submitted to the board, a general view of the situation of the bank, its means and liabilities, its circulation and deposits, and the probable future demands upon it, showing, its ample resources and power of expansion; whereupon," the committee of exchange, which was composed of three directors, appointed by the president, were authorized by the board "to make loans on the security of the stock of this bank, or other approved security, and under the same terms, at a lower rate than six, but not less than five per cent per annum."

This delegation of power to the exchange committee, was never expensively and formally renewed under the new charter, unless it be considered as included under a general resolution of the new board adopting "the by-laws, rules and regulations" of the former bank, and the committee of exchange of the bank upon the 2d of March, 1835, the whole amount of loans upon bank stock, and other than personal security, was 4,797,986 dollars 55 cents, while by that of March 8, 1836, these loans had increased to 20,446,387 dollars 88 cents. Under such circumstances, the active means of the bank were comparatively small, to pay the immediate demand of the state for the bonus, to settle with the government of the United States for its stock, and to meet its circulation of 20,118,257 dollars 96 cents, which, contrary to the anticipation, expressed at the period of its re-charter, soon began to be rapidly presented for redemption. The bank was of necessity driven into the market as borrowers, and very soon the first step was taken to obtain the interest of the institution abroad, and to negotiate for that purpose. Two loans were accordingly negotiated by him: one in England, of 1,000,000 pounds sterling, and another in France, of 12,500,000 francs, on favorable terms.

In order to provide for the payment of these loans and to negotiate others, and in general to superintend the interests of the institution abroad, it was determined by the board to have a general agent residing in London, and on the 22d of September, Mr. Samuel Jaudon, then cashier, was elected to that post, and his agency there commenced accordingly. At the same time, the bank entered the foreign and domestic markets as borrowers, upon their post notes and bonds payable in Europe; the whole amount obtained in this way at different periods up to July, 1840, being more than twenty-three millions.

From these causes, as well as from the general derangement of affairs, the suspension of specie payments, and the discredit consequently thrown upon American securities, and more particularly from the course of the bank's dealing in foreign exchange, by drawing bills to a large amount without bearing in view the state of the market, and without, and thus subjecting their agent in London to the necessity of obtaining money in haste, in order to maintain the credit of the bank, it was no longer found possible to command funds there upon so many favorable terms as before. Accordingly, upon Mr. Jaudon's subsequent negotiations for loans, to the amount altogether of \$12,212,697 46 cents, there is chargeable to losses the sum of 1,149,907 dollars 4 cents, being for discount, commission to foreign bankers, and other charges; not including the sum of 300,000 dollars, which was the expenses of the agency in London amounting up to January 1, 1841, to the sum of 69,344 pounds 17 shillings 6 pence sterling, which at nine per cent, exchange is equal to 335,987 dollars 39 cents.

It may be proper to explain in passing, the origin of this large sum for the expenses of the agency at London affairs. When Mr. Jaudon was elected to the place of foreign agent, he was the principal cashier, at a salary of 7,000 dollars per annum. The bank paid him 100,000 dollars for the purchase of the charter, and the passage of himself and family to London, a further sum of 1,010 dollars. He was to devote himself exclusively to the business of the bank, to negotiate an uncovered credit in England, to provide for the state existing debt in Europe, to receive

its funds, to pay its bills and dividends, to effect sales of stocks, and generally to protect the interests of the bank and the country at large." For these services he was to receive a commission of one per cent, charged and allowed to Baring, Brothers & Company, equal to about 28,000 dollars per annum. In addition to which, the expenses of the bank were allowed him, including a salary of 1,000 pounds sterling to his brother, Mr. Charles Jaudon, and his principal clerk. From the increase of money operations, arising from facilities afforded by the agency, the amount upon which commissions were charged was greatly augmented, so that the sum paid him for his services, up to the 31st of January, 1841, amounted at nine per cent. exchange to 179,444 dollars 47 cents, and the expenses of the agency to 35,166 dollars 99 cents.

In addition to these sums, he was allowed by the exchange committee, an extra commission of one per cent, upon a loan effected in October, 1838, of 800,000 pounds, say \$38,755 56, and upon his claim for a similar commission, upon subsequent loans in France and Holland, to the amount of \$9,337,141 90, the board of directors, under the sanction of a legislative committee of house of commons, and the views of the former president, by whom the agreement with Mr. Jaudon was not anticipated, nor meant to be included in the original agreement, effected a payment of \$48,970 37. These several sums amount to \$335,937 39, as before stated.

Such were some of the results of the resolution of March, 1833, though it cannot be questioned, that such may be fairly supposed to have been the situation of the business and exchanges of the country, concurring with the unfortunate policy pursued by the administration of the bank. Thus the institution has gone on to increase its indebtedness abroad, until it has now more money borrowed in Europe, than it has on loan on the list of active debt in America. To this has been superadded, extensive dealing in stocks, and a continuation of the policy of loaning upon stock securities, though it was evidently proper upon the recharter, that such a policy should be at once discontinued. In 1837, indeed was its avowed purpose, yet one year afterwards, in March, 1837, its loans on stocks ended, then personal security had increased, \$7,821,544, while the bills discounted on personal security, and mercantile exchange, had suffered a diminution of \$9,516,462 78.

It seems to have been sufficient, to obtain money on loan, to pledge the stock of an "Incorporated company," however remote its operation or uncertain its prospects. Many large loans, originally made on a pledge of stocks, were paid back in the same kind of property, and that too at par, when in many instances they had become depreciated in value. It is very evident to the committee, that several of the officers of the bank were themselves engaged in large operations in stocks and speculations, of a similar character, with funds belonging of the bank, and at the same time loans were made to the companies in which they were interested, and in others engaged in the same kind of operations, in amounts greatly disproportionate to the means of the parties, or to their proper and legitimate wants and dealings. The effect of this system, was to monopolize the active means of the institution, and disable it from aiding and accommodating any engaged in business, but really speculative, and not to the community; and as might have been anticipated, a large part of the sums thus loaned were ultimately lost, or the bank compelled, on disadvantageous terms as to price, to take in payment stocks, back lands and other fragments of the estates of great speculators.

The loose and irregular manner, in which the business of loaning money was conducted, tended greatly to produce this result, and deserves particular notice and explanation. From March, 1835, the period of the suspension of the bank, as referred to, the chief control and management of the affairs of the institution, appears to have passed from the hands of the directors. The mode in which the committee of exchange transacted their business, shows that they really did no check whatever upon the officers, and that the funds of the bank were almost entirely at their disposition. That committee met daily, and were attended by the cashier, and at times by the president. They exercised the power of making loans and settlements, to as great an extent as the board could do. They kept no minutes of their proceeding—no book in which the loans made, and business done, were entered, but their decisions and directions, were given verbally to the officers, to be by them carried into execution. The entire management of the bank seems to have been, for the first teller to pay on presentation at the counter, all checks, notes, or dno

bills having indorsed the order or the initials of one of the cashiers, and to place these as vouchers in his drawer, for so much cash, where they remained, until just before the regular periodical counting of the cash, by the auditing committee of the board on the state of the bank. These vouchers were then taken out, and entered as "bills receivable, in a small memorandum book, under the charge of one of the clerks. These bills were not discounted, but bore interest payable semi-annually, and were secured by a pledge of stock, or some other kind of property. It is evidently impossible, under such circumstances, to ascertain, or be assured, in regard to any particular loan, whether it was sanctioned by a majority of the exchange committee. It can be said, however, with entire certainty, that the very large business transacted in this way, does not appear upon the face of the discount books, was never submitted to the examination of the members of the board, at its regular meetings, nor is it any where entered on the minutes, as having been reported to that body, for their information or approbation. As illustrative of the extent of these transactions, it may be proper to state, that the sum total of the receipts, was

On the 4th of March, 1836, was \$6,221,660 85
On the 4th of March, 1837, 8,188,445 01
On the 4th of March, 1838, 7,229,503 25
On the 4th of March, 1839, 6,772,733 80
On the 4th of March, 1840, 4,047,708 84
The amount outstanding on the books of this department, on the 4th of March, 1841, had become reduced to the sum of 176,954 dollars 12 cents. The accounts have been settled in various ways, or by the receipt of the department, and the proceeding resolved to abolish altogether such a proceeding, so pregnant with mischief and loss, and to prohibit entirely, all loans except by the board itself.

Of these stands now upon the books of the superadded debt department, transferred thereto from "bills receivable," still unsettled 1,470,651 dollars 77 cents. A portion is on the list of active debt having been changed into bills discounted, at deferred periods of maturity.

On these loans were generally in large amounts. In the list of debtors on "bills receivable" of the first of January 1837, twenty-one individuals, firms and companies, stand charged, each with an amount of one hundred thousand dollars and upwards. One of these received an accommodation bill, of the kind between August 1835 and November 1837 to the extent of 4,213,875 dollars 30 cents, more than half of which was obtained in 1837. The officers of the bank themselves received in this way, loans to a large amount. In March 1836, when he was sent into operation, under its new charter, Mr. Samuel Jaudon, then elected its principal cashier, was indebted to it, 100,500 dollars. When he resigned the situation of cashier, and was appointed foreign agent, he was in debt 408,989 dollars 25 cents, and on the first of March 1841, he still stood charged with an indebtedness of 117,500 dollars. Mr. John Andrews, first assistant cashier, was indebted to the bank in March 1836, 104,000 dollars. By subsequent loans and advances made during the next three years, he received in all, the sum of 426,880 dollars 67 cents. Mr. Joseph Cowperthwaite, then second assistant cashier, was in debt to the bank in March 1836, 115,000 dollars; when he was appointed cashier in September 1837, 326,832 dollars 40 cents; and in March 1840, he was a director by the board, in June 1840, 72,860 dollars, and he stands charged March 3, 1841, on the books with the sum of 55,091 dollars 95 cents. It appears on the books of the bank, that these three gentlemen, were engaged in making investments, in the stocks, in the accounts, in the hands of the Camden and Woodbury rail road company, Philadelphia, Wilmington and Baltimore rail road company, Dauphin and Lycoming coal lands, and Grand Gulf rail road and banking company.

On the 31st of January, 1841, the accounts of the officers and other debtors for these irregular loans, must not be suffered to pass without notice. These settlements were without the knowledge or approbation of the board, at least so far as appears from their minutes. The large loan to first, in this city, before adverted to, was settled by the receipt in payment of various stocks and real estate, except 224,264 dollars 50 cents, in cash. Another large amount of loans to a single individual of 1,014,977 dollars 80 cents, was settled in like manner. The sum of August, two hundred and fifty shares, at 123 dollars, the bank selling on the same day at 120, less brokers' commission, on the 22d of August, five hundred

shares, and on the 23d of August, four hundred shares at 123 dollars, the market price on those two days being 123 dollars 35 cents, the bank selling the day after at 123, less brokerage. Settlements of a similar character with debtors for smaller amounts, were of frequent recurrence.

The first instance in which an officer paid his debt to the bank in other than money, which the committee can find in the March 1836, when Mr. Samuel Jaudon (then in London as the agent of the bank), Mr. Joseph Cowperthwaite, (then cashier), and Mr. John Andrews, (then first assistant cashier), paid a debt of 269,500 dollars, which they had on bank on joint account, in Danville and Potsville rail road company five per cent.

loan, 70,000
Union canal six per cent. loan, 10,000
Philadelphia and Reading rail road company stock, 179,500
West Pelican rail road company stock, 10,000
100 shares, 10,000

\$269,500
Of course, the committee cannot say, that the exchange committee did or did not authorize, or sanction this settlement. The paper which contains the only evidence of it, and which the committee have seen exhibits no sign of such authority or approbation, other than the initials of Mr. Andrews, cashier.

Of the residue of the large debt of Mr. Andrews of 463,104 dollars 88 cents, which includes his one-third proportion of the foregoing sum of 269,500 dollars, all except 31,311 dollars 58 cents was settled by the transfer of stocks and loans.

An account of the settlement with Messrs. Jaudon, Cowperthwaite and Andrews, accompanies a report made by the exchange committee, in the board on the 31st of August, 1840. That committee remark in their report, "your committee are unable to set off any authority given by the board under the charter from congress, but are very certain that the boards, under the present charter, have never sanctioned such loans or settlements, and they cannot too strongly condemn such acts. The power of making loans and settlements must be reserved to the board, while the officers must be content with being the executive of its decisions."

The accounts of these officers are herewith submitted, together with some others. [Appendix G.] In order to ascertain the true value, not only of the character of the assets, but of the means by which they came into the possession of the bank, there is attached in this report, a statement showing the particulars of the stocks on hand at the bank, the amount taken in settlement of debt, purchased or subscribed, and a list of the stocks in possession, April 1, 1839. (Appendix H. I.) Of the whole amount of stocks and loans, which the bank has received since its recharter, including those since disposed of, it appears, that more than thirty-one millions of dollars have been taken in settlement of debts and advances.

In the course of the investigation the attention of the committee has been directed to certain accounts, which appear on the books as "advances on merchandise," in which were, in fact, payments for cotton, tobacco and other produce, purchased by the direction of the then president, Mr. Nicholas Biddle, and shipped to Europe on account to himself and others. These accounts were kept by a clerk in the foreign agent's department, this department being then under the charge of Mr. Cowperthwaite, until September 22, 1837, when he was elected cashier, and of Mr. Thomas Dunlap, until March 30, 1840, when he was chosen president.

The original documents, necessary to enable the committee to arrive at all the facts in relation to these transactions, were not accessible, having been retained, as was supposed, by the parties interested, as private papers. A succinct view of the whole matter, sufficient to convey to the stockholders a general idea of the nature of the transactions, and the report of a committee of the board of directors, appointed on the 21st of July, 1840, for the purpose of adjusting and settling these accounts, and who reported on the 31st of December, 1840, which report with the accompanying accounts, is spread at large upon the minutes.

The first transactions were in July, 1837, and appear as advances, to A. G. Jaudon, to purchase cotton for shipment to Baring, Brothers & Co. of Liverpool, the proceeds to be remitted to their brokers in London, then acting as the agents of the bank. The amount of these shipments was 2,182,998 dollars 28 cents. The proceeds were passed to the credit of the bank, and the account appears to be balanced. The result, as to the proceeds, does not appear on the committee had no means of ascertaining them, nor the names of the parties interested.

In the autumn of 1837, when the second of these transactions commenced, it will be recollect-ed, that Mr. Samuel Jaudon had been appointed the agent of the bank to reside in London. About the same time, a co-partnership was formed between Mr. May Humphreys, then a director of the bank, and a son of Mr. Andrew Jaudon, the firm of Biddle, May and Humphreys. This house was established at Liverpool, and thenceforward acted as agents for the sale of the produce shipped to that place, which comprised a large proportion of the whole amount.

In explanation of these proceedings, the committee annex to their report a copy of a letter dated Philadelphia, December 29, 1840, to the president and directors of the bank, from Mr. Joseph Cabot, one of the firm of Biddle and Humphreys, and who became a director at the election in January, 1838. This letter was read to the board, December 29, 1840, but was not inserted on the minutes. (Appendix K.)

This arrangement continued during the year 1837, 1838 and 1839, the transactions of which amounted to \$8,969,150 dollars 95 cents. The shipments were made principally to Biddle and Humphreys, were paid for by drafts on Biddle and Humphreys, the funds advanced by the bank, and the proceeds remitted to Mr. Samuel Jaudon, agent of the bank in London.

It appears that there was paid to Messrs. Biddle and Humphreys by the bank in Philadelphia during the months of March, April and May, 1839, the sum of eight hundred thousand dollars and the account was thus balanced. The committee have reason to believe, that this sum constituted a part or perhaps the whole of the profits resulting from the second series of shipments. How, and among whom, it was distributed, they have not been informed, but from the terms of the final settlement to be advertised to-perhaps, each one will be at liberty to make his own inferences.

The third and last account, amounting to \$2,411,412 dollars 83 cents, appears on the books, as "bills on London, advances S. V. S. W." These letters stand for the name of S. V. S. Wilder, of New York—Messrs. Humphreys & Biddle to whom these consignments were made, continued their accounts in the name of Biddle and Humphreys, but without the knowledge of that firm, as appears by Mr. Cabot's letter of December 29, 1840. The result of these bills of exchange, was a loss of \$62,324 dollars 13 cents. Of this amount the sum of \$53,939 dollars 57 cents was for excess of payments by Messrs. Humphreys & Biddle to the London agency, beyond the proceeds of sale, with interest. The parties interested, claimed and were allowed a deduction for loss on \$26,000 dollars of southern funds, given in the purchase of cotton, when at a discount, the sum of \$10,071 dollars 30 cents, and also this sum, being banker's commission to Messrs. Humphreys & Biddle on advances to Samuel Jaudon, agent, 21,061 dollars 86 cents, making \$81,123 dollars 16 cents, and leaving to be settled by the parties the sum of \$31,285 dollars 97 cents.

Before proceeding to state the particulars of this settlement, it will be proper to precede it by the remarks of the committee of the directors, by whom it was effected. They say: "A long and difficult negotiation has resulted in the settlement of three-fourths of the balance, and an agreement for the settlement of the remaining fourth. The payment of half the amount, and the agreement for one-fourth, are neither of them such as the committee labored to obtain; yet the terms are better than at any period of the negotiation they could reasonably have expected and although unsatisfactory in themselves, are acceptable under the peculiar circumstances of the case."

The settlement reported to the board on the 21st of December, 1840, was as follows: With Mr. Nicholas Biddle for one-half amounting with interest to \$321,220 13 For which there was received from him in payment, three bonds, the receipt of the public of Texas, for five thousand dollars each, and an order on gen. Jas. Hamilton, then in London, to deliver to the cashier, or his order, a bond of the republic of Texas payable in London, for £10,125 12s. 4d. and also ninety bonds of the same, for two hundred and fifty pounds each; with interest upon and exchange, according to a calculation made by Mr. Samuel Jaudon, amount to \$31,642 20

Leaving a balance of \$119,572 93 For this balance Mr. Biddle agreed to deliver to the bank within one month, Texas bonds, and on the delivery of the last mentioned bonds, the bank

agreed to give him a full discharge from its claim on him for his share of the loss on these operations. This contract had been previously made. The committee of the board say in reference to this settlement—"Aware that the Texian securities were much below par in the market, the committee reluctantly agreed to the settlement, under the belief that a better arrangement for the bank could not be, (at least amicably) effected, and in the hope founded on general information, that the bonds might at a distant day, be disposed of without serious loss."

This contract was also acted with Mr. Joseph Cowperthwaite, for one-fourth of the loss, \$137,847 74 For which was received in payment Mr. Cowperthwaite's share in certain Danphin county coal land, which cost \$120,000, less a mortgage thereon of \$10,000 \$110,000 Land in Calataung county, New York, which cost, 8,000 Land in Lexington county, Wisconsin and Michigan, 20,000 Boston and Illinois loan company stock, seventeen shares par, 17,000 Commercial and Rail Road company stock, 35,000 Planters' bank of Mississippi, 59 shares par, 5,900 West Feliciana bank, 100 shares par, 10,000 German and Norristown rail road company, 50 shares par, 5,000 Camden and Woodbury rail road company, 100 shares par, 5,000 Loan of Camden and Woodbury rail road company, 12,000 \$247,900

And a cash payment, the committee say of "about" 16,000 Making altogether, \$263,900

The committee state, in reference to their settlement with Mr. Cowperthwaite, that it was made on the ground, that "with the exception of a few thousand dollars retained to pay other debts, the agreement satisfied all his remaining property." The committee also settled with Mr. S. V. S. Wilder the remaining one-fourth, amounting with interest to \$161,793 33 For the purpose of annulling Mr. Wilder's claim, this amount, in cash, the bank of the United States in N. York, loaned to him the sum of \$112,000 on the security of

1. Philadelphia county, \$20,000
2. Five thousand five hundred acres of "iron land" and two forunces in Colombia county, Pennsylvania, in operation and producing a rent equal to 6 per cent. on \$200,000 79,000
3. On his claim upon Wm. E. Robertson, of Mobile, 7,500
4. On his claim on Mr. Biglow, of New York, 5,500 \$112,000

The balance was settled by receiving the balance amount from Mr. Wilder in cash, 49,793 33 \$161,793 33

Mr. Thomas Dunlap of Philadelphia guarantees under date of December 21, 1840, the faithful and punctual payment of the loans to Mr. Wilder. The committee of the board add "under this arrangement we apprehend no loss to the bank."

Upon the presentation of the report of the committee on advances, to the board on the 21st of December, 1840, no objection was made, to recommend the same for the purpose of having inserted in the name of the party really interested in the one-fourth, for which the settlement was made with Mr. S. V. S. Wilder. This motion did not prevail, but the report was accepted and the committee discharged.

After the report had been read, the following preamble and resolutions were submitted by Mr. James Martin, and unanimously adopted by the directors present, who were Messrs John R. Neff, Joseph Cabot, Lewis Wain, John Connel, Samuel Eyrre, Richard Price, Lawrence Lewis, James Martin, George Hundy and Robert Taylor; Mr. Neff acting by deputation as president pro tem. in the absence of Mr. Dunlap.

"As it appears by the report of the committee on advances, that large transactions have been going on for several years without the sanction or knowledge of the board of directors, and as it further ap-

pears, that these transactions were mostly if not wholly for the account and to the profit and loss of the executive officers of this bank at those times, it is due from this board, that their just condemnation of such things should be fully expressed, and recorded: It is therefore

"Resolved, That the business of loaning money exclusively and of right belongs to the board of directors, and that all loans or discounts made by a committee of the board, in concurrence with the officers, should be duly reported to a regular meeting of the board."

"Resolved, That the loaning or discounting on the deposit of collateral security or promissory notes of the officers of the bank is unauthorized, and contrary to the proper administration of the affairs of the bank."

"Resolved, That the large advances made by the officers of the bank, in the periods of 1837-8, and 1838-9, being totally unauthorized and unknown to the board of directors, merits and receives our just censure and condemnation."

By the thirteenth standing rule of the bank, it is provided that its committee on the state of the bank, composed of five members, and elected by ballot every three months, should "at least once during the time of service, examine the evidences of discounted notes, and compare the amount thereof with the balance of the amount of bills discounted in the general ledger; they shall also count the cash, the printed and the unprinted paper in the possession of the bank, and examine the evidences of the public debt and property of the corporation, make an inventory of the same, to be compared with the books, in order to ascertain their agreement and report to the board." The content appears to have been for this committee to confine their examination exclusively to the cash, bills discounted on personal and other security, the issues, and the printed and unprinted bank paper on hand. The second member, of the general state of the bank, submitted to the directors at every stated meeting, contained the items of "bills receivable on bank stock and other security," which included as well the bills receivable for sale of branches as the loans made in the ordinary course of business, and "foreign bills of exchange," under which head was contained the advances on shipments of merchandise. Thus, on the 28th of June, 1838, on which day an examination was reported by the committee on the state of the bank, the sum of \$113,064 55 cts. of "foreign bills of exchange," the sum of \$7,216,109 34 cts. The committee annex to this report a list of the directors and the several standing committees of the board since the re-charter—(Appendix L.)

Not only in regard to loans and settlements, but in relation to the purchase and sale of stocks, the establishment of agencies and other important measures of general concern, the board of directors were not regularly consulted. Of this, the committee must be permitted to present some instances as illustrative. In September, 1836, the bank purchased the "Merchants' Bank of New Orleans" of the capital of one million of dollars for an advance of 76,250 dollars, and established it as the agent of this bank at that place. On the eighth day of November, 1836, in like manner a purchase was made for \$254,000 of the Insurance Bank of Columbus, Georgia. In August, 1837, a purchase was made for the purchase of the charter of "the Hamilton bank," of Baltimore, and the purchase effected, but as the bank never went into operation the advance was a total loss. There was taken from Mr. Joseph Cowperthwaite on the 6th of March, 1839, eighty-nine shares of Bank United States stock at 120 dollars, the bank selling the same day at 118 dollars, less brokerage; and on the 8th of January, 1840, the sum was received from him in cash of one hundred and thirty shares at 100 dollars, the market price of that day being 83 dollars 75 cents. On the 4th of March, 1839, Messrs. Joseph Cowperthwaite, Thomas Dunlap and Joseph Cabot, agreed to purchase of the bank two thousand shares of Philadelphia and Reading rail road company stock, at forty-five dollars per share, on a credit of two years, and on the application of these parties on the 12th of February, 1840, the said contract was annulled. It is stated in a report of the exchange committee of August 28, 1840, and entered on the minutes of the board, that the Philadelphia and Reading rail road company have made a contract with Mr. Jos. Cowperthwaite for a loan of 500,000 dollars in his individual capacity, (which was approved by the company to have been on account of the bank), to be converted into sterling bonds at 4 dollars 90 cents per pound sterling. At this period of that report the sum of 326,000 dollars of this loan had been taken up, which the bank had advanced to the holders of 272,000 dollars, and on that day, (with

the assent of the board, assumed the balance unpaid of the contract. Upon the eighteenth day of August, 1839, the bank guaranteed a contract made by Mr. Nicholas Biddle in his individual capacity for the purchase of two thousand five hundred bonds of the state of Mississippi, of two thousand dollars each, amounting in the whole to \$5,000,000 dollars. The signature of Mr. Thomas Dunlap, then second assistant cashier, was affixed to the contract in behalf of the bank, upon the verbal authority of the president. Upon the 29th of January, 1839, the bank guaranteed to the state of Michigan, the punctual fulfilment of the obligations of the Morris canal and Banking company, for the purchase of bonds of the state of Indiana, to the extent of \$3,140,000 dollars, or \$5 cents for 2,700,000 taken at par, and including interest on the instalments payable every three months up to January, 1843. On the 29th of April, 1839, the bank guaranteed a contract entered into by Mr. Thomas Dunlap in his individual capacity for the purchase of one million of dollars of the "Illinois and Michigan canal stock." In regard to these transactions, the committee can find no authority on the minutes of the board, and have been referred to the committee, by the president, upon whom they called for information.

The committee submit herewith (Appendix M.) a statement of the profit and loss account of the contingent fund, and an abstract of the losses chargeable thereto. In this last account there is a charge under date of June 20, 1840, of \$400,000 to "parol bank notes account," which has not been explained to the satisfaction of the committee. It must be also mentioned, that among the expenditures of the bank, there is entered, at various dates, commencing May 1838, sums amounting in all to \$18,640 dollars 15 cents, as paid on the receipts of Mr. N. Biddle, of "Mr. N. Biddle and J. C. Cowperthwaite," and "cashier's vouchers." As the committee were unable to obtain satisfactory information from the cashier, they have been referred to the books or officers of the bank, application was made by letter to Mr. N. Biddle and Mr. J. C. Cowperthwaite, from whom no reply has been received.

The committee have now performed the task assigned them by the stockholders. They have endeavored to select from the mass of materials submitted to their examination, only such as seemed sufficient to illustrate the general course of the administration of the bank. To have gone more into detail, would have required more time than was allotted to the committee. They have accompanied each particular with full explanations, would have extended their report beyond all reasonable limits. They have given the simple facts without comment; but enough has been presented, it is believed, to enable each stockholder to form his own judgment of the manner in which the interests committed by him to his trustees and agents, the directors and officers, have been managed. To satisfy mere idle curiosity, the committee had no inclination, and would have gladly omitted many of the facts and explanations, they have given. They are confident, however, that they have been reconciled to their sense of duty, to those by whom they were appointed.

JOSHUA LIPPINCOTT,
MOSES KEMPTON,
CHARLES MANSLEY, Jr.,
EDWARD COLES,
JOHN BACON,
JAMES S. NEWBOLD.

Bank of the U. States, Philadelphia, April 9, 1841.
Attest, GEORGE SHARSWOOD, secy.

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL.

(CONTINUED FROM PAGE 93.)

In Senate, Wednesday, January 29, 1841.

Mr. BUCHANAN said in answer to the remark of the existing land system of the country was that it was based on the soundest principles of wisdom and the truest views of policy. He was as much attached to that system, and as much disposed to adhere to it, as any unbiassed legislator, or senator from Kentucky himself. (Mr. CLAY.) He was in favor of no new experiments upon it, for the wisdom of half a century had proved that no wiser or better plan could be devised by human ingenuity. But, while these arguments were conclusive, he was nevertheless, of opinion that the senators from Kentucky were alarmed at spectres. Mr. B. had witnessed with admiration the gigantic efforts of that gentleman against pre-emption at former sessions, and yet he had never begun to fear, nor did he now indulge the slightest feeling of alarm at the spectre of pre-emption. I think, (said Mr. B.) that the time has now arrived when the pre-emption principle may, with the utmost safety, and with perfect justice, be entrusted to our excellent system for the management of the public domain. Does the introduction of that principle vary, in the least degree, any material por-

tion of that system? No, at all. Does it go to reduce the price of the land? Not, at the utmost, more than three or four cents an acre. What is its nature? Gentlemen should take an extended view of the whole subject before they make up an opinion in regard to its merits. We own a vast wilderness of unsettled lands subject to sale, at times there have been attempts on the part of speculators to monopolize the land, and to sell it at a great profit. No fortunes have been realized in this way, so far as I have heard. In this state of things, it is not our duty, our interest, and our trust policy to encourage the settlement of the new states by the sale of land in small parcels to a general population? And in what does this pre-emption system trench upon, or in the least interfere with the established land system of the country? It only allows the poor man, who wishes to establish himself in a permanent home, to buy for himself a quiet section of land at the full government price. There is the whole of it. In consideration of the expediency and desirableness of filling up this new country with a hardy, and active, and enterprising race of settlers, we do—what? Give them the public land? No, we do not. We do not give them a dollar and an acre, and then give it to them in perpetuity. The difference in the receipts at the treasury from what would have been obtained for the same land at an auction sale has never been estimated higher than six cents an acre, and if assumed to be a dollar and ten more, in expenditure, we are not to be deterred from the subject, that consideration presents no objection in my mind. There is such vast quantities of land, and such a vast and ample choice, that the speculator will never be obliged to give much more than the government price. And as to all the lands taken up by pre-emption rights, they are, when compared to our entire domain, but as a drop in the ocean. Such, at least, has been our past experience. Heretofore, we have been very cautious to pass none but limited pre-emption bills, and we have wisely determined to put down forever the practice of granting what are called "dotas," which was certainly productive of many and great frauds. We have confined the extent of the pre-emption grant to a single quarter section of 160 acres of land, and it is now proposed to make this right of pre-emption prospective and perpetual. The amendment of the senator from Kentucky, (Mr. CRITTENDEN,) proposes to extend it in regard to every man whose property does not exceed \$5,000, not merely to 160, but to 320 acres of land. The senator from Kentucky has proposed a long proposed distribution bill of the senator from Kentucky shall have become a law, (and I presume that day is not far distant,) there will be incorporated into it a provision granting to the actual bona fide settler a pre-emption right to at least 160 acres. Even in his own bill of 1839, unless my memory should fail me, and if it does he will correct me, there was a provision in favor of pre-emption. I repeat that, while I am in favor of the settled land system, such as it now exists, pre-emption has no terror for me.

The honorable senator has thought proper to say something of the "wild, reckless and ruinous legislation" which prevailed under the administration of general Jackson; and said that, during that period in our history, the sessions of congress have been protracted to an unusual length. I was not a member of the senate when he referred to as the longest session ever known took place; but, I ask, what was the cause of the protracted length of that session? I think there is no man who could read, say, six large volumes of "panic" memorials—which were then sent up and flooded both houses. And let him remember the long and eloquent speeches which, for the most part, accompanied their presentation, and he will be convinced that it is not possible that they were the most oppressive, impoverished, and ruined nation that ever existed. And all for what? Why, simply with a view to have the deposits restored to the U. States bank? And are we to be reminded of this, and to be reminded of congress when the true cause is so manifest? General Jackson has now retired to the Hermitage, and may perhaps live to have the judgment of posterity as it were passed upon him. He was an able, sagacious and truly patriotic man, and I now say that those of us who are any such who shall survive during a quarter of a century longer, will live to see the day when Jackson's name and fame shall be cherished alike by persons of all political parties. During the late tremendous presidential canvass, I have heard many a man who was once a friend of him, who denounced him? Not one, at least in my part of the country; and I personally know at least one, and he a man formerly opposed to general Jackson with all his heart, who then lauded him to the very echo. We are thus distinguished man now in power, I would not speak of him the high opinion I entertain.

When he was at the head of the government, I ever obtained from his eulogy. But now, when praise from me or any one else can no longer be suspected to proceed from selfish motives, my heart dictates to me to do him the fullest justice which my tongue can accomplish.

And now, as to the extravagance of the present administration, have we not repeatedly called on gentlemen who are so good as to issue articles, the general charge to specify particulars? Mr. Van Buren inherited the war with the Indians in Florida. He came into power incumbered with an immense debt for the removal of the Indians from the west of the Mississippi, and he transferred the presidency just at the commencement of a great fiscal crisis, which was affecting the concerns of the whole country, dried up the sources of revenue. He had to encounter every conceivable obstacle to a prosperous financial administration of the government. The senator from Kentucky, (Mr. CATTRESS,) can very readily give us the aggregate of expenditure which has accrued, but that is not the question. If the expenditure of a large sum was rendered necessary by the state of the country, who is to blame? No body. The country, who are the cause, who are all open to his inspection, and pointed out, the extravagant and illegitimate charges on the treasury, the administration must answer for it. But, when he merely puts things in the gross without rendering any bill of particulars to prove that the various charges were warranted, and that the aggregate charge falls to the ground. General, indefinite accusations of this kind amount to nothing. If this country is engaged in a just and defensive war, the expenses attending it would no doubt be enormous; would they then be regarded as constituting in itself a just charge against any administration? Surely not. The charge of extravagance in the present case is advanced in the very face of documents going to show that the regular expenditures of the government over which the executive has had any control, have been in a course of gradual diminution from year to year. I sincerely hope that, in this respect, general Harrison may "walk in the footsteps of his predecessor."

I make no war on general Harrison in advance. It is not my nature. I will judge of his acts fairly, and if he should do me wrong, I will do him wrong. He has been in the office of his office for four years, with as little just complaint, on the ground of extravagance as Martin Van Buren will do. I shall consider his administration a most fortunate one in this particular.

On the subject of pre-emption, I find myself sustaining the opinions of general Harrison against his friends here. He gave the strongest evidence, by his action when in the senate, that he was then the friend of pre-emption.

Mr. BUCHANAN, (speaking across.) He professed the same thing in his letters written last summer.

Mr. BUCHANAN. I do not know any thing as to what he may have written last summer.

Mr. BUCHANAN. I do.

Mr. BUCHANAN. If he adheres to his principles, he is in favor of pre-emption still.

In regard to the secretary of the treasury, although politically his friend, I may say that my intercourse with him has not been very familiar. I shall not enter on the question of the merits of his style as a writer; but I think I can say very correctly, from what he states, how our revenue from imports during the year may amount to \$19,000,000. The public papers state that the business of the country is reviving; that there have been more arrivals lately than during the same period for several years past; and as it is otherwise, we would not have a single article of commerce for some time past, it was out of the question to extend our importations. The laws of trade and the interests of individuals alike forbid it. We were obliged to pay up our old debts before we could contract new ones, and we have now no money. We are not now in debt as a people, to Europe, except for the accruing interest on state bonds. The stockholders have fallen off from our foreign commerce, and it now flows freely. The country is exhausted with the war, and the government has now no money to increase to fill up the vacuum. Commerce from abroad will naturally pour into our seaboard, and the revenues of the year are, in my judgment, likely to reach \$19,000,000 at least, and I have paid no small degree of attention to the subject. I have no wish to sustain the administration of general Harrison by leaving on his hands an empty treasury. I am free to say that I would rather we had been distinctly informed by the secretary of the treasury, at the commencement of the session, that we must provide for the redemption of the treasury notes, the plain of the issue of treasury notes to this amount? They have now all the benefit of this argument against us, and they will have the advantage of the money also. We shall make provision for giving to great numbers of our citizens the opportunity of purchasing the same, and I think the

senator when his friends enter into power, will find that we have swept out the house and left it in a comfortable condition for his reception. [Mr. CLAY, across. Yes, you have swept it clean. A laugh.] And, so far from clearing out the treasury, have given our successors \$8,000,000 to commence house-keeping upon.

I conclude by repeating that I am in favor of this pre-emption bill, and equally in favor of the old and long tried land system, and that I have yet seen no new project which will induce me to depart from it.

Mr. CLAY, of Kentucky, said he should be much obliged to the distinguished senator from Pennsylvania if he would furnish the senate with some of those strong reasons which went to "illustrate the probability of a conjecture" that there would be \$10,000,000 of revenue received at the treasury during the present year. The honorable senator, said Mr. C. has referred to the papers of the day as declaring that a considerable revival of business has already taken place. So there has, thank God, since the report of the last election has been known. [A laugh.] But I greatly doubt whether the revenue will at once start up from 13,000,000 to 19,000,000 dollars within a single year. It is too great a leap, considering the condition in which the treasury was left us; and, before I can believe it, I must have the specification of the grounds on which to build such a belief.

The honorable senator spoke of general Jackson, and made that an occasion for pronouncing a eulogy upon his friend. Now, I said no such thing, but directed what I had to say to his administration. The senator, however, has said, and the declaration is to his honor, that the eulogy he pronounced was prompted by his heart. That the late minister to the court of the emperor of all the Russias should have shown emotions of gratitude towards his distinguished patron was to be expected, and the senator would certainly be to blame if he were not so. I certainly shall be the last to find fault with him for giving expression to that gratitude.

It seems, however, according to the honorable senator, that poor Mr. Van Buren came into power under very disadvantageous circumstances. It may be so; and, what is still more unfortunate, these disadvantageous circumstances have continued to exist during every year since by an excess of \$8,000,000 a year in our expenditures over the receipts at the treasury. But this was only the poor gentleman's misfortune. The honorable senator tells us not to confine ourselves to general charges, but to go into the specifics of the matter. This will do when we get the papers. We have called on the secretary of the treasury and on the head of the post office department in vain; there is in their possession a great class of papers which are to be seen, but such as the most prodigal administration ever known in England could never have dared to withhold from the investigation of parliament. Give us the papers, and we will present him with items enough, and will show to him and to all the world the immense and extravagant expenditures of the administration now going out of power. But the common sense of the people is guided by no such induction of particulars. They cannot go into all the minute items of a long account. They will look at the footing of the bill; they will compare the present with the past, and promise with performance. But, if the honorable senator challenges us to items, I could occupy days together in showing more than, perhaps, he would like to see. It is true that Mr. Van Buren was not a very good man; but a sort of codicil to a previous administration, and, though most willing to "follow in the footsteps of his illustrious predecessor," has sometimes mistaken the path, and has been unable to save it. Why, our God! can the senator be serious in asking gen. Harrison to follow in the footsteps of an "an Buren"? [A laugh.] If he should one event would follow which the gentleman, perhaps, would be delighted to see; the footsteps would lead him to just such another result as we are now witnessing. But, for myself, I have for general purposes, I trust, been able to show him the way to the right path, and will avoid those devious and downward paths in which his predecessors have walked. I hope he will blaze for himself a new way in the forest. I hope he will put an end to those multiplied abuses which have prostrated the institutions of the country and brought the country itself down to its present low, wretched, and miserable condition. I trust he will better fulfill his promises and pledges as to a wise and prosperous administration of our public affairs.

The senator tells us that he is a great friend to our old and well-tried land system; that he will not disturb it; but is it no alteration of that system to sustain a bill which goes to supersede some of its most important provisions? He tells us that general Har-

rison is a pre-emptioner, and that he is advocating the doctrines of general Harrison against his friends. But where, I ask, is the evidence of his friendship for our land system and his unwillingness to disturb it, when he opposes such a just and reasonable restriction as is now proposed, and leave the bill almost for shreds in its application and interminable point of time?

The senator over the way (Mr. CLAY, of Alabama), thought no part of my objections worthy of the least notice but that in reference to the loss of the sixteen section reserved in every township for purposes of education. He says my representation of such a subject are groundless, and my representations deceptive, because the sixteen section is already reserved by a provision in the bill. That is matter of construction. It is not reserved by the words of the bill. Suppose a man should settle on the sixteen section, (and how are you going to prevent him!) When it is found that that is a good section, and has been settled on, you will be immediately applied to change the school section in that township altogether. Have we seen nothing like this in time past?

But the senator said that I had always wavered against the new states, and against the people of his state in particular. I deny it; I repudiate the charge. It is his interpretation of my course; but I plead to his jurisdiction, and I deny the truth of his accusation. No, sir; it is the senator himself who is warring against the interests of his own state. It is the senator who is willing to give up that state in the rich and fertile lands of Missouri and Arkansas, and to settle the whole of it, miserable pine barrens. For these he is ready to barter away the inheritance of his own Alabama, in all the rich and abundant regions northwest of the Ohio. No, sir, no, I have been the true friend of the new states, as I hope, of all the states. In offering a just and liberal distribution among them all, of the proceeds of the public domain, and in consideration of the peculiar situation of the new states, I have proposed to add twelve and a half per cent. to the shares in this distribution. Is this the part of an enemy? If the senator chose to say that, in his opinion, I was warring against the interests of his state, it would have been another thing; but I deny his right here, or that of any other senator, to charge me with such a course as to the interests of the new states, and am warring against them. The fact is directly the reverse. I have been consulting their truest interests by urging a just, liberal, generous system of policy, which would at once advance the interests of the new states, and secure the prosperity of every state in the union. I regret that I should have taken occasion to make this remark. It was unnecessary; it was uncalled for. If the senator differs from me in opinion, let him differ like a man, in an open, fair, dignified and courteous manner. Because he opposes my course in reference to the public lands, does it therefore follow that I am hostile to the new states? I trust not, and I hope, in future, that the honorable gentleman will manifest a little more of toleration and of courtesy in his speeches here. The senator chose to use the word "irrevocable," as applied by me to the provision of this bill. I never used the word. I said the bill was interminable in point of time; and in its present form it is interminable, until the requisite authority shall interpose to repeal it.

From a view of the whole subject, I am opposed to the bill, as impairing the amount of revenue to come into the treasury during the present year, thereby engaging a deficit for which provision ought long since to have been made; and as disturbing and availing upon all imagination, and as creating a contest for title among that food of settlers which is invited from all the quarters of the known world to rush in a mass upon our public domain. I have made, and shall continue to make opposition, as heretofore, with this difference, that I no longer merely I opposed pre-emption bills, though only retrospective in their operation, and confined to a particular district, I oppose this the more as being prospective, interminable and reaching to the entire west, and to the public domain. And, most marvellous of all, it is yet said that all this involves no interference whatever with our admirable, our venerable and long-tried land system, which has been so justly lauded on the present occasion.

Mr. CLAY, of Alabama, said he did not his purpose to interfere in the dispute between the two senators of the same name, though on opposite sides of the senate and of the question. He should leave them to fight their own battle. I gave my reasons (said Mr. B.) for believing that the revenue during the present year would be greater than that of the past, and in likely to reach \$19,000,000.

Mr. CLAY. (Interposing.) Will the senator be so good as to tell us, if the matter stands as he has just represented, how it happens that the se-

cretary of the treasury has estimated the first quarter of the present year at no more than \$9,000,000 dollars?

Mr. BUCHANAN. The senator from Kentucky has expressed an opinion contrary to mine. Mine is based on some facts, at least. His, so far as appears, is founded upon nothing.

Mr. CLAY. None except the products of the last year.

Mr. BUCHANAN. Yes; but I have shown a distinction between our circumstances during the last year and this year, and there has been time, as yet, to remedy the first quarter. Why, sir, we have entered but 20 days into that quarter, and what estimate can as yet be formed as to that?

Mr. CLAY. The secretary has made one.

Mr. BUCHANAN. The receipts of this quarter will meet the demands on the treasury for it, not on those of the present year. You cannot, as yet, know what the results will be for this year. There have been great and unusual storms on the occasion, and great destruction of property; but so many arrivals have since arrived, and so many arrivals are expected that the amount of duties at the custom house will be largely increased. Every body can see that the receipts for the first quarter must, of course, fall short, because they depend on the importations of last year, and there has not been time, as yet, to show whether the quarter's estimate for the whole year or my own correct. I calculate that there will be \$19,000,000 of revenue, because no reduction of the tariff will occur during the existing laws till the last day of next December. But vast importations, though they increase the last quarter, do not furnish themselves no evidence of national prosperity. On that subject, our history runs one external cycle. One year we import too much, and have more goods than we can pay for. We become alarmed at this, and the next year import too little, and hence the history of our foreign commerce is a history of expansion and contraction, and of perpetually recurring revolutions.

The next thing I shall refer to in the remarks which fell from the honorable senator, was, that his good taste and his good nature, did not induce him to forbear from some remarks upon my poor mission to Russia.

(Mr. CLAY, speaking across.) You filled it so well that you ought not to complain of me on that account.

That, to be sure, is a sugar-plum, which in some measure corrects the acidity of what went before. It comes in very timely, and prevents some remarks in which I might otherwise have indulged. I mean, that great interest that that causes the whole unsolicited by me, and that it was as unexpected as any event, the most improbable, could have been, nor was it desired by me.

(Mr. CLAY across.) No bad thing though—not a word for a man to turn up his nose at.

It was not refused, it is true—but for the reason that it was pressed with so much earnestness by the distinguished man then at the head of the government; to have refused it would have been difficult and ungracious. I accordingly yielded and went abroad; and I can say, for the benefit of any gentlemen (if such there be) who may be looking forward to a foreign mission as some great thing, that he will most assuredly be disappointed, unless, indeed, he happens to be a millionaire. I am glad that I accepted the mission on one occasion, however. I have no doubt general Harrison will in this respect at least walk in the steps of general Jackson. It would be hard indeed should he be deprived of the services of so many distinguished members of congress, by his failure to turn up his nose at it. I prevent their appointment to office. If I read the signs of the times aright, whatever objections there may have existed against gen. Jackson on this score, they will at least be equally well-founded as against his illustrious successor. I have no fault to find should, any of them, happen to be looking out for loaves and fishes, all I can say is that I wish them God speed.

The honorable senator says that the time has not yet come to investigate the extravagance of the Van Buren administration. Well, I hope it may come, and I now venture to say that those who attack it will not be able to show, in the whole course of that administration, any items of censurable extravagance. If any such exist, the opportunity to investigate them is always present. Every penny of the expenditure, down to the last cent, is open before you. What act of congress has Mr. Van Buren violated? In what has he departed from those economical principles we all profess, and which I hope we shall all practice. Every penny of the money we have called on gentlemen to specify particulars, but the senator from Kentucky says that he goes only for aggregates. He looks only at the footing of the bill. Can he defend such a course? With all his ability

and eloquence, can he show that this is a fair mode of judging? The question depends not on the gross amount of expenditure, but whether the expenditures have been kept within the proper limit; whether they have been wisely directed. If a man buys what is very valuable he must pay proportionally, and no money has been spent by this administration which was not sanctioned by congress.

On the subject of pre-emption, I think I am perfectly safe, for, although I am a measure, I am the giant arm of the senator from Kentucky, yet I am shielded by that of general Harrison, the distinguished "military chieftain" who is soon to take the head of the government. We have heard that he goes the whole for the pre-emptor, and that he would, then, not be well for the senator from Kentucky to reconsider his opposition? Let him not attack the bill as hostile to the great principles of our land system, because it does not touch upon them at all. It does not reduce the price of the land. It proposes to keep that up at \$1 25 per acre. Its whole effect is to give to the industrious and honest settler an opportunity to buy for himself a home, provided he contents himself with a quarter section of land—a small interest indeed on the existing land system—system to which I am quite as much devoted as the senator from Kentucky.

Mr. CLAY, of Alabama, said he should not protect the debate, but would occupy as little time as possible, for he sought to hasten the engrossment of the bill. He was honored by the remarks of the senator from Kentucky, (Mr. CLAY). He had been unfortunate enough to excite that senator's ire because he had controverted the two alleged facts on which the senator relied as objections drawn from the bill. The one was that the bill destroyed and utterly took away the sixteenth or school section in every township; in contradiction to which, Mr. C. had referred to the law of the country which reserved the 16th section beyond the reach of danger. As to the term which the senator had applied to the bill, Mr. C. had quoted it "irrevocable," it was probably "interminable," but Mr. C. considered the two words as much the same. He should like to know the practical difference between them. If the bill was "interminable," did not that deny the power of congress to repeal it just as much as if it was "irrevocable?" Mr. C. said he was disposed to treat the senator from Kentucky with courtesy, but when a measure, in introducing which Mr. C. had taken an active part, was assailed in an unwarrantable manner, he felt bound to defend himself. He complained of Mr. C. for charging him with warring against the own states. He had made such a charge, and he thought himself warranted by facts to do so. The senator, however, was just to his jurisdiction; and yet, in the very next breath, undertook to demand himself against Mr. C. Mr. C. did not claim to be the senator's judge; he was not the judge, nor did he claim jurisdiction over him; he was the complainant, the senator was the party to be tried; the true judge in the case was the country, and its decision Mr. C. would leave to the people. The senator might attempt to constitute himself a judge in this as in many other matters, but Mr. C. should appeal to the people of the United States, and the members of their legislatures. What did they say? They had applied to congress to have the lands of inferior quality placed upon their proper basis; they had remonstrated against and censured the policy which that senator advocated. They had passed upon the question; they had repeated their remonstrances and memorials for fifteen years past, which fully convinced Mr. C. in the matter he had expressed. Had not the senator advocated principles directly in contradiction to the prayer of these memorials? Had he not opposed the reduction of the price even of the swamp lands of Mississippi until the people even of that state had appealed to the justice of this. Mr. C. would be willing to appeal to them; he was ready to make them his judges.—But the appeal came too late; judgment had been already pronounced upon the senator—not by the people but by his constituents, and as such—not by the senators representing the same states.

The senator had talked about the effect of this bill in reducing the public revenue, which he represented as most ruinous; but did the honorable senator forget that he had himself voted to distribute the entire revenue among the states? Would that have no effect in impoverishing the treasury? Mr. C. denied the senator's position to all its bearings. But it was most manifest that the senator's own scheme of distribution was open to the very objection he urged against this bill in its greatest bearing. The senator seemed to have forgotten the policy he had himself been advocating and urging on the country for the last eight or nine years. Mr. C. it seemed, was already judged by the senator for truly representing the interests and sentiments of his constituents; he was not willing, however, that the senator

from Kentucky should be his judge on that subject; he was not responsible to him. The senator had implored to Mr. C. the warring against the interests of his own state, when, in fact he was but obeying his voice.

As to gen. Harrison, did the senator doubt that he was pledged, both by his votes in the senate and by his letters since, in favor of pre-emption and graduation? Did the senator doubt that? At one time, in 1828, the senator had a very distinct impression on that subject. When injurious epithets had been used by the senator against the pioneers of the wilderness, the friends of gen. Harrison had deemed it necessary that they should speak for him as to his views on that subject; and the editor of the Commercial Bulletin, a paper published in Missouri, addressed to a letter of gen. Harrison, which was very laconic and to the point, stating that he was in favor of pre-emption, and had always been so. When Mr. C. read the letter he was gratified, and he presumed that he need not assume either the senate or the gentleman from Kentucky that this avowal, together with his former votes in favor of graduation and pre-emption, went very far toward obtaining for gen. Harrison the amount of land he desired. It was very truly said by the honorable gentleman from Pennsylvania (Mr. BUCHANAN) that the professed friends of gen. Harrison were at variance with the votes and opinions of gen. H. himself, and yet they complained of Mr. C. and his friends who were engaged in an effort to establish, in advance, the very principle which the coming president avowed. Mr. C. could not see any plausible objection to the measure; it merely allowed honest settlers to take up a small quantity of land, in preference to speculators and land monopolists, who would otherwise get possession of the lands and hold them up for sale.

Mr. CLAY, of Kentucky, said he would add but two or three words in reply. Nothing was further from Mr. C.'s mind, my purpose, to what I said when Mr. C. said, to intimate that the worthy senator from Pennsylvania, my chairman in the committee of foreign relations, did any thing improper in accepting the offer of his late mission to Russia; far, very far from it. I know what he has standing with his party, which no doubt in the offer of such an appointment; nor do I doubt that, in accepting it, he yielded to the earnest and pressing solicitations of his worthy chief, a former president of the United States. I said that the motive which led to it was a sense of gratitude, and this feeling must doubtless have been greatly increased by the circumstances to which he referred. Besides, a foreign mission, and that a mission to Russia, is not a thing to be sneered at. No doubt the worthy senator, in fulfilling his distinguished appointment, may have suffered much in his family affairs, and his separation from those to whom he may be bound in tender ties; and if he went, it was merely to oblige his friend and patron, who urged the appointment upon him.

A word to the senator from Alabama. He says that I have been condemned in my views of policy by all the nine new landed states. And the senator no doubt is very correct! What says Ohio? She has been zealous for the policy I advocate for these eight years past. The governor, in his message to the state legislature, sanctions and recommends it. What says Indiana? Her legislature is in favor of my distribution policy by a majority of sixty votes; and she has not voted against it. And I find no conflict, that, where that measure that is presented to this body there will be scarce a senator from the new states but will be in favor of it, recommended as it is by all just and generous principles and considerations which address themselves to the mind of a free people.

Mr. CLAY, of Alabama, explained. He had referred to the opinions expressed by the new states during the fifteen years last past. He might have been mistaken as to Ohio for a few years. In the course of the fifteen years, however, of the hands of a party openly opposed to graduation, the friends of the present bill could entertain no hope.

The question was now put on Mr. HENTON's amendment, restricting the operation of the bill to two years, and decided by yeas and nays as follows: Yeas 22, nays 22.

The president of the senate voting in the negative, the amendment was rejected.

A motion was then made that the senate adjourn. Mr. MANGUM said that, if the friends of the bill would give up the question and obtain the adjournment pledged by his previous promise to do so in that effort, and if they insisted, he must vote against adjournment, and repeat that vote as often as they wished it.

Mr. SEVIER said he hoped there would be no adjournment. He was for sticking to it, for, among

on the ground. That was the only way in which they ever should get the question.

The motion to adjourn having been withdrawn, the question was put on Mr. HENTON's amendment, to insert an additional section, confining the operation of the bill to two years only, and decided in the negative, as follows: yeas 18, nays 28.

So the amendment was rejected. The question now recurring on Mr. WHITE's amendment, withholding from the section of the bill lands granted for canal purposes; Mr. CLAY, of Alabama, accepted that amendment as a modification of the bill.

The question next recurring on the amendment moved by Mr. PORTER, a motion requiring the pre-emptor to satisfy the register that he had resided on his land for four months—

Mr. CLAY, of Alabama, opposed the amendment. The question had been tried already in the vote upon the amendment proposed by the senator from Vermont, (Mr. PAXTON), and rejected. He was astonished that an amendment of this character should come from the senator from Michigan.

Mr. PORTER, though as usual most imperfectly heard by the reporter, was understood to say that his amendment was not the same with that of the senator from Vermont, inasmuch as it applied to land unsurveyed. Without some provision of this kind, credit might have been obtained for five years. His object was to protect the settler from the land speculator. By the law of 1820, if a hundred men went on a quarter section, built a cabin, grubbed a few roots, and slept there one night, each of them would be entitled to a pre-emption. Mr. P. had been opposed to such policy. He did not want the land speculator to come in and try to settle it. The bill would operate injuriously to his state. It would in fact give the land to the log cabin and not to the tenant, for the man who had built his cabin and got his pre-emption would then quit and leave the log cabin to hold the land. Mr. P. meant his amendment to apply only to land unsurveyed.

The question being put on Mr. PORTER's amendment, it was rejected: yeas 20, nays 23.

The bill was now reported from the committee of the whole, and the question being on the senator's concurring in the amendments as reported from the committee—

Mr. TALLMAGE said that one amendment agreed to in committee made the bill read "every white man, being the head of a family &c." Mr. T. had voted for it without discussion, and he regretted that there were some states where a free colored man could not hold landed property. He had since been informed that in every state they could hold it, and might enter the land at private sale, and he should, therefore, change his vote.

The amendment referred to was accepted; and the question recurring upon concurring with all the remaining amendments, it passed in the affirmative.

The question being then put on striking out the word "white," it was negatived.

Mr. CATTENDEN said that he felt extremely reluctant to delay the action of the senate. The subject had been debated for a long time, and he saw gentlemen were very impatient. One senator had intimated that they were never to get a bill till they agreed to encamp on this ground, and sit it out.—Under these circumstances he should not move to adjourn, but a sense of duty would compel him to offer to the senate the amendment he had previously introduced.

Mr. C. thereupon moved to recommit the bill, with instructions to amend it by restricting the pre-emption to settlers not over one thousand dollars, and by adding a provision for the distribution of the proceeds of the public lands among the states. Mr. HENTON, in reply, said that with view to allow the senator from Kentucky an opportunity to advocate his amendment, he would move to adjourn.

After some conversation, the question was put, and decided in the negative: yeas 22, nays 23.

The question was then put on ordering the bill to be engrossed for a third reading, and decided as follows:

YEAS—Messrs. Allen, Anderson, Benton, Buchanan, Clay, of Alabama, Fulton, Henderson, Hubbard, King, Linn, Mangum, Nelson, Nicholas, Nicholson, Norvell, Percer, Porter, Robinson, Sevier, Smith, of Connecticut, Smith, of Indiana, Sturgeon, Tallmadge, Tappan, Walker, Weil, White, Williams, Wright, Young—30.

NAYS—Messrs. Bayard, Clay, of Kentucky, Clayton, Crittenden, Davis, Graham, Huntington, Kerr, Knight, Mangum, Merrick, Phelps, Prentiss, Preston, Rowe, Rogers, Southard—17.

So the bill was ordered to be engrossed; and then on motion of Mr. CATTENDEN, the senate adjourned.

[DEBATE TO BE CONTINUED.]

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

The steam ship Columbia, captain Judkins, arrived at Boston, on the 19th inst. She left Liverpool on the 4th.

No news of great importance. The press of England appears to have been discussing the McLaco question with a great deal of ardor.

The arrival of the packet ship Patrick Henry, with general Harrison on board, and of the Britannia, with dispatches for the British government, tended to allay a most feverish excitement which had prevailed in all classes, and our last advices show a much better feeling towards this country and its great advance in the money market.

The Great Western was not to sail till the 8th.—She was at first ordered to call at Halifax, from fear of difficulties arising between this country and England. The intention of calling at Halifax was relinquished in consequence of the procebal advice recently received from the United States.

The greatest anxiety prevailed in England at the time of the departure of the Columbia at the non-arrival of the steam ship president; fearful anticipations were entertained that she had met with some serious accident.

The Britannia arrived at Liverpool on Wednesday the 13th ult. in 15 days from this port.

The packet ship Patrick Henry, capt. Delano, arrived at Liverpool on Wednesday, after a remarkably rapid passage of 15 days and 10 hours. She left that city on the 8th inst. at 2 o'clock, P. M., and took pilot off Liverpool on the morning of the 24th, at 5 A. M.

[London Times.] The Times of the 22d inst., say, "government received despatches from Mr. Fox by the same steamer which brought out letters and papers, and these despatches leave no doubt of an amicable and immediate settlement between the United States and Great Britain as far as regards the question of McLaco. Mr. Fox has received a communication to that effect from the American government—touching in the most conciliatory language.—We think the public mind may be at rest on this point."

The Morning Chronicle of the same date says, "the news from the United States, by the Britannia steamer, may be looked upon in a two-fold character—political and commercial. In regard to the first, the contents are considered very favorable, and the best evidence of that is, that the funds have risen in consequence 4 per cent. The only points considered to be at issue now are, the time and manner of Mr. McLaco's libration, for all fees for his salary, or indeed conviction, are at an end."

The commercial intelligence from America is not so gratifying as the political. The money market was very much depressed; capitalists represented as desirous to limit their liabilities, and the masses as evincing an inclination to hoard. It must be kept in view, however, that when the Britannia nat-

ed the Americans were not aware that the bills drawn up on the three London houses by the Bank of the United States had been accepted—we may reasonably look for some revival of confidence and appearance of better things when this shall have become known."

An extraordinary excitement appears to have prevailed previous to the arrival of the Britannia, but it will be seen by these extracts from the leading London papers, that this panic had ceased immediately after her news became known.

A large meeting is announced to take place in Glasgow soon, which will embrace the broad general question of the duties on every description of goods and produce imported into the United Kingdom, including, of course, the duties levied upon corn and provisions.

It is now stated that sir William Parker will succeed admiral Elliot in China.

FRANCE.

Anarchic movement. The French government received the following telegraphic dispatch from Marseilles, March 24th.

"*Profet de los Boudes du Rhone to the ministers of the interior.*

"Some anarchists of the lowest class attempted a movement last night; we were on our guard. From 12 to 15 individuals, most of them beavers of arms and cartridges, have been arrested. Justice is making inquiries. Every thing is perfectly tranquil."

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

Land office.

Garret Elkin, register of the land office at Springfield, Illinois, vice Marvelous Eastman.

John Beard, receiver of public moneys at Crawfordsville, Indiana, vice Anshure Whitlock, (appointed in the place of Marks Crume), who declines the appointment.

Surgeons general.

William Pelham, for the state of Arkansas.

Benjamin A. Ludlow, for the district south of Tennessee.

George C. Bates, for Michigan.

Baldie Peyton, for eastern district of Louisiana.

Joshua A. Spencer, for northern district of New York.

Marshal.

Silas M. Stillwell, to be marshal of the United States for the southern district of New York.

Collector.

Willis H. Arnold, collector of the customs for the district of Pearl river, Mi. vice Isaac W. Jewett.

CONSULS. The president has recognized the following consuls and vice consuls to the U. States, viz:

Moses Patten consul of Texas for the port of Brown, in the state of Maine.

Janet Winthrop Andrews consul of Greece for the port of Boston and its dependencies, in the state of Massachusetts.

John Lucius Hedley, vice consul of Portugal at Charleston, in the state of South Carolina.

Lawrence A. Edmondston vice consul of Sardinia, for the state of South Carolina, to reside at Charleston.

TYLER: May not the good people of this republic be spared from an idle controversy in regard to the application by which the person now at the head of its executive department shall be designated?—The Richmond Enquirer took occasion conspicuously to style Mr. Tyler as the "retiring president."

The National Intelligencer insists that the vice president in case of the death of the president, succeeds, under the provisions of the constitution to the appellation of, as well as to the powers and duties of, "president of the United States." The New York Post takes part with the Enquirer, and refuses to allow that Mr. Tyler is "the president."

The editor of the Enquirer reiterates, that he is willing to allow Mr. Tyler "all the powers and duties of the office—full powers, and all its duties."

He may ride upon the top of his countryman—but after all, he does not succeed to the title of "president of the United States," and promised his readers more upon the subject as soon as they have leisure!

TRIBUTE TO THE MEMORY OF THE LATE PRESIDENT, WILLIAM HENRY HARRISON.

Amongst the papers which now daily reach us from the various sections of the union, we find one many that contain president Harrison's inaugural address, and accounts of the enthusiasm with which he was hailed on his arrival at the capitol to assume one of the most elevated positions in all the circle of human authority; and the next paper which we open is surrounded with all the habiliments of mourning, and its pages filled with melancholy testimonials of a bereaved people, mourning their departed chief. We have received a number of urgent requests already, to register those public expressions. It must be obvious to all, that our tributes can afford but a mere specimen of what has been uttered from almost every community and association in the union—sufficient will be given from which, in the far future, a correct idea may be formed of how this people respect the man of their choice, and how deeply they lament his loss.

The few numbers of gen. Harrison's family that were remaining in Washington, departed from the city yesterday. The sympathies of a nation will follow them, and as soon as that nation can express its disposition through the constitutional channels, we trust the family of gen. Harrison will receive a testimony more substantial than words.

A letter from Cincinnati says, that HARRISON had reached that city on her way to Washington the morning on which the intelligence of the president's death reached there. Her bereavement has been and indeed—but she bears it, I am informed, better than, in her infirm state of health, could have been hoped. Most of her family are near her, to support and comfort her, and if the sympathy of a whole nation can avail, we may hope that her loss will not be altogether irreparable.

Gen. Harrison's wife.

Gen. Harrison, among the songs sung was a plaintive domestic one, happy in its 'tho's and touching in its language, entitled "My Old Wife."

The language was strikingly adapted to the happy life and loves of general Harrison and his "old wife," both of whom found in the society of each other the most perfect happiness which it is possible to enjoy. The music was overpowering at the time, recalling as it did the evan's of years of uninterrupted domestic bliss. Mrs. Harrison went like a child, and as tears continued to flow from the fountains of sympathy are not dried up, the husband of the "old wife" could not refrain from weeping also. The remark of Mrs. Harrison in excuse for what she deemed a woman's weakness, was the demand of change, which of necessity must come—a change of residence from North Bend to Washington, and in a change of condition from the humble citizen superintending his farm, to the president of a nation, with the cares and responsibilities of government upon his shoulders. "I wish," said Mrs. H. "that I had been a woman of more than 100 years of age, and that I had been a widow before I was married. I am now a widow, and before the eyes of the reader are fixed upon the paragraph we write, retaining the similitude of the former, how fully have been the dark forebodings of the wife realized! She who a week since was "the good old wife," is now the lone widow, and before the eyes of the reader are fixed upon the paragraph we write, retaining the similitude of the former, how fully have been the dark forebodings of the wife realized! She who a week since was "the good old wife," is now the lone widow, and before the eyes of the reader are fixed upon the paragraph we write, retaining the similitude of the former, how fully have been the dark forebodings of the wife realized!

There is a tear for all who die.

A mourner o'er the humblest grave; But Nations swell the funeral cry.

And triumph weeps above the bier."

A nation has wept the funeral of the dead. We hope the general mourning of the nation, the sympathies and prayers of the people, will be remembrances for the consolation of "the good old wife" of the deceased patriot who has left us.

The last scene. One of the most affecting incidents of the interment of our late venerated chief magistrate occurred at the moment those who had deposited his remains in the vault ascended from it. His devoted friends, gov. Chambers and col. Todd, stepped from the lower circle of mourners—descended into the vault—stood by his coffin. Thus, as it were, literally descending into the grave with the man by whose side they last stood in the field of battle, in the hour of death, and in the hour of support and aid, in the day of his adversity, they had rallied in the feelings of their affection, with undimmed firmness and untiring zeal.

Nous had rejoiced more sincerely in his triumph, or participated more largely in his confidence. They watched over him with more than brotherly affection in health—stood by his bedside and administered to his wants in his last moments—closed his eyes in death—mourned over his ill-fated body, and descended with it to place of final rest. The many tears which stood upon their faces as they ascended from the vault bespeak their consciousness that their intercourse with the friend they loved had closed forever.

This affecting example of gov. Chambers and col. Todd was immediately followed by the relatives of the deceased, by president Tyler, and each of his cabinet, and by ex-president Adams, and none others who were present. Need I picture the moral sublimity of the scene?

AN EYE WITNESS.

The public feeling. As a steambat was about leaving Wheeling, crowded with passengers, a heartless man observed that he regretted the president's death as a public blessing. The remark startled those who heard it, and, for a time, deep silence was the only answer which was made. At length a man, venerable in appearance and years, in a voice aided with grief, said, such wanton levity was not consistent with a true American, and that he would not travel with any one who could so speak. All the passengers concurred in this opinion, and the vessel was ordered on shore as being unfit to associate with men.

[Cincinnati Republican.]

Gen. Harrison's last letter. On Saturday the 10th inst. a happy, weather-beaten, but very respectable-looking woman presented herself to the collector, at the custom house, and inquiring for Mr. Curtis, said, "general Harrison told me to give this letter to your own hand. He told me to give his kind respects to Mr. Curtis, and said, 'Mr. Curtis, as his friend, and would be very glad to see him.' He enclosed the letter, and found it to be, from its date, one of the last, if not the very last I letter, written by gen. Harrison. It bears date of the day when his illness commenced. The words were, 'My dear Mr. Curtis, it is that, amidst all the cares and troubles of his high position, he was true to the humblest of his old friends. Tucker says the general made him come to the dinner table with the great folks, and when he hesitated and intimated that he had better go down for his dinner, the general said, 'Tucker you and I have been shipmates, and a long time together. You are an honest man; come and eat your dinner with me, and come here again to-morrow morning and get your breakfast with me.'"

Tucker says the general invited him to stay in Washington, and told him he would take care of him, but his wife and children being in New York, Tucker preferred to return. He says gen. H. followed him into the grounds to the east side of the white house, and then walked with him arm in arm, that the general had no talon, and when Tucker averred to his liability to take cold, he waived the remark by saying he would take care of him. He received the letter from the general, Tucker says he followed him to the door, and shook him by the hand, saying, "go to my friend Mr. Curtis, and after you have been to him, don't forget to write to me that you and your wife and children are happy again."

Tucker says he had no money in come home by land, but he did not let the general know that, for he knew he would give it to him in a note, and he did not wish to take money from an old one who had been so kind to him. And so Tucker went on board the schooner L. L. Sturgis, at Alexandria, and worked his passage home to New York. When he came to the custom house he had been there thirty minutes, and having first brand the red ribbon of the death of his kind benefactor as he passed up the old ship dock, he almost at tears that left down his hardly earned treasure that his is an ungrateful heart.

We are glad to hear that Mr. Curtis immediately appointed Mr. Tucker an inspector of the customs.

[N. F. Com. Adver.]

Washington, 24th March, 1841.

"DEAR SIR—The late Mr. Thos. M. Thompson, a veteran seaman, came with me from Car-

thagen, as the mate of the brig Monimia, in the year 1829. In an association of several weeks I imbibed a high opinion of his character—so much so that (expressing a desire to leave the sea) I invited him to come to New Bend and spend the remainder of his days with me. Subsequent events prevented his doing so, as he was desirous to bring some money with him to commence farming operations. His bad fortune still continues, having been several times shipwrecked within a few years. He says that himself and family are now in such a situation that the humblest employment would be acceptable to him, and I write this to recommend him to your favorable notice. I am persuaded that no one poster, in a higher degree, the virtues of fidelity, honesty and indomitable industry, and I might add, of indomitable bravery, if that was a quality necessary for the kind of employment he seeks—Yours very truly, W. H. HARRISON.

"Edward Curtis, esp. collector, New York."

An incident in the New York procession. The N. York Sun says: "Very creditable to the respectful consuls of England and France, was the method adopted by them to attest their sympathy with the citizens of this republic in their late national bereavement. These two gentlemen, we are glad to notice, appeared in the ranks of the great funeral procession, each bearing the furled flag of his respective country, enshroued in crape. A very happy incident, and one well calculated to promote that good feeling between the citizens of this republic and the governments represented by these gen. consuls, which now exists, and we hope always will exist, and never cease to strengthen with age."

Gen. Harrison and Judge Burnett. At the meeting of the committee in Cincinnati to agree upon suitable resolutions to express their feelings on the melancholy occasion of gen. Harrison's death, a motion was made and unanimously adopted, that judge BENNETT be requested to deliver the eulogy upon the late president. The judge was present before chairman of the committee. He declined the request, and "never," says the Cincinnati Republican, "did we witness deeper feeling or listen to truer eloquence than in the remarks he made." "I cannot accept," said he, "I could not speak. I knew gen. Harrison forty-six years ago, he was a brother to me then; we have been brothers ever since; our souls were knit together, and I would choose to die to attempt to speak of him. He is the last of the little brave men of the olden time, and now come all alone, and I cannot talk of my friend, and now come all alone. And the many tears fell down his cheeks, and the sobbings were heard coming alike from the aged and the young of both parties told the deep sympathy which he felt. The general felt the death. It overcame all who witnessed it."

MAINE. A great and honorable tribute. The members of the legislature of Maine went in the fourth boat of all goodness to find consolation for the loss of the beloved chief magistrate of the nation. The governor sent a suitable message to the legislature announcing the melancholy event, and resolutions were adopted, commensurate the name and services of the illustrious dead. In joint meeting, also, the following order was adopted, creditable alike to the state and the legislature:

Ordered, That in view of the death of WILLIAM HENRY HARRISON, president of these U. States, the two branches of the legislature meet to alter their adjournment, will repair to the meeting houses of this town, and attend prayers, that this dispensation of Divine Providence may have its proper influence upon the people of this Commonwealth.

NEW YORK. Funeral honors. The citizens of Albany, partaking of the general sorrow for the nation's bereavement, solemnized the event on Friday by a funeral procession. Though the day was rendered unpropitious by falling rain, it did not interrupt the formation of the procession or materially diminish the number of those who participated in the national ceremonies. The day most severely was by the falling of a deluge of water, and the falling of the bells of the churches, and the heaving and places of public resort and most of the stores were dressed in deep mourning; the national flag, shrouded in crape, hung from the principal residences, and the bells of the churches, and the capitol, the public buildings, and the various ships, hung in the harbor. The governor and his suite, the senate and house of assembly of the state, the municipal councils of Albany and city and county, and the various military and civil associations, and the various associations of all descriptions, took part in great numbers on the occasion, swelling the procession to upwards of a mile in length, which moved through the principal streets of the city, and was accompanied by a deep and mournful wailing, and a deep and heart-felt sorrow, to the church

which had been selected for the performance of the religious exercises. After the conclusion of these ceremonies, a eulogium on the life, character and virtues of the deceased president was pronounced by the rev. Dr. Sprague, which is described as a masterly display of talent, eloquence, pathos, and well calculated, on an occasion so fraught with all that could touch the feelings or awaken the sensibilities of the soul, to enchain an audience in deep and breathless attention, and to diminish all present of the vanity of earthly greatness and the folly of human hopes.

The torch light procession. This novel and most imposing part of the obsequies in honor of the illustrious dead, says the Albany Evening Journal, took place on Saturday evening. It was arranged under the auspices and direction of the friends of Albany—ever ready at the call of duty or patriotism. The procession was composed of members of the different companies, their firemen's dresses accompanied by a full band of music, and bearing the funeral urn covered with its pall—the whole illuminated by the light of upwards of 600 torches. It passed through the principal streets of the city between 8 and 10 o'clock, and the streets were still and very dark; and the effect produced by the long array of mourners at that unusual hour—the funeral emblem—the solemn music, and the strong red glare of the torches, revealing from the gloom and lighting up with picturesque effect the houses and crowds of spectators which thronged the windows as they passed, left an impression which will not soon be effaced from the memory of those who beheld it.

This striking and effective testimonial of the grief of the people for the lamented Harrison fully closed the week which the tidings of his death had rendered indeed a period of heaviest and mourning.

The procession. The New York Evening Post says—The funeral procession on Saturday, in honor of the memory of the late president, was composed, it is estimated, of about thirty thousand persons. All the torches, revealing from the gloom and lighting up with picturesque effect the houses and crowds of spectators which thronged the windows as they passed, left an impression which will not soon be effaced from the memory of those who beheld it.

PERU. In the *Lexander Examiner*, we find among the names of the speakers who addressed the meeting called by the mayor of that city on the melancholy occasion, that of senator Buchanan—of whom the account says: "Owing to his peculiar position we were particularly pleased with the sentiments of the honorable James Buchanan. He was truly eloquent, and spoke not only as a statesman and patriot should speak on such an occasion—but as a republican—a true liberal American."

MARYLAND. The Baltimore committee arranged for paying public honors due to the memory of the late president of the United States unanimously voted to request that justice Taney to deliver the oration on the occasion. From the following reply it will be seen that he has been especially obliged to decline the invitation:

Baltimore, April 13, 1841.

GENTLEMEN: I have the honor to acknowledge the honor of your letter, and to say that it is my power to comply with the wishes of the committee, in delivering an oration at the celebration of the funeral obsequies of the lamented general Harrison, late president of the United States. But I am only now recovering from an illness under which I suffered during the late winter, and have not the physical strength to deliver an oration to a crowded audience. I am ready, however, to unite most cordially with my fellow citizens of Baltimore in the expression of their justly due and deep sympathy for the nation's bereavement, and in the memory of the distinguished dead, in any other station in which the committee may think it proper to place me. I am, gentlemen, with high respect and regard,

Yours very truly, SAMUEL MOORE, S. C. LESQUIER, James Carroll, Z. Collins Lee, and Columbus O'Donnell, esqs.

JONATHAN McKEITHEN, esq. has accepted the invitation to deliver the funeral oration on Monday next.

VIRGINIA. A tribute to the memory of the late president. At a meeting of the citizens of Richmond, convened at Trinity church on Thursday, the 8th inst. general Wm. Lymbeth G. Wayne of the city, presided, and Mr. John M. W. Munford, appointed secretary.

On motion of Mr. B. W. Leigh, the following preamble and resolutions were adopted:

The citizens of Richmond, assembled in general meeting, on occasion of the lamented death of WILLIAM HENRY HARRISON, late president of the United States, all hearts united in the desire to pay meed honors to the memory of the common chief magistrate of the people, are sensible that they cannot more effectually render such honors, than by testifying, thus publicly, the respect, veneration and love they bore him, while living; their grateful sense of his exalted services, and private life, as a signal and honorable illustration of his life, and of his eminent and distinguished public services; and their sorrow for the awful dispensation of Providence, that has so suddenly removed him from the high station to which he had been recently called by the well-earned confidence of his country, and bereaved the people of his firmness, moderation, patriotism and wisdom, in the administration of their affairs:

Resolved, unanimously, That the citizens of Richmond be assembled, with themselves, and their representatives, at their fellow citizens shall likewise, put on and wear the usual badge of mourning for the illustrious dead, for one month.

And then the meeting adjourned.

WM. LAMBERT, *pres't*.

Geo. W. Maynard, *sec'y*.

The common council of the city of Richmond, also passed on Saturday last, after an appropriate preamble, the following resolutions:

1. Resolved, therefore, That the city of Richmond be recommended to our fellow citizens, to set apart Friday, the 16th day of the present month, as a day of mourning, and that the reverend clergy of all denominations of this place be requested to hold, on that day, at 11 o'clock, A. M. in their respective places of worship, such religious services as they may deem appropriate to the solemn occasion.

2. Resolved, That we also recommend to our fellow citizens on that day, to suspend all ordinary business from the hours of 10, A. M. until 2, P. M.

3. Resolved, That the president of the common council be requested to transmit a copy of the foregoing preamble and resolutions to the respective mayors of the borough of Norfolk and town of Petersburg.

We have given the very full and graphic account of general Harrison's funeral at Washington, and the details of the National Intelligence. The final destination of his remains most probably awaits the wishes and decision of his distressed family. One rumor is, that they will be brought to his native seat of Berkeley, in this state; another, that they will be carried to North Bend.

The Richmond Enquirer of Tuesday, thus announced the event:

Death of the president of the United States. A new and extraordinary event has taken place in the annals of our country. The struggle is over, and William Henry Harrison, in the 69th year of his age, sleeps with his fathers! Although this venerable man, the president of the United States by a great majority, was not our choice, yet we respect him for his military services—we respect him for his love of country—we esteem him for his kind heart and his social qualities. His sudden loss comes upon the nation as an event, full of regret, full of profound themes for musing upon the instability of all human fortunes, and the weakness of the objects of human ambition. As often quoted from Burke, it shows us "what shadows we are, and what shadows we pursue." But twelve months ago, suppose it had been predicted amidst the shouts of excited camps, and amidst the plaudits of a multitude, that this man would be elected to one of the highest offices in the world, and in one short month after his inauguration, he would be gathered unto his fathers!—what heart would not have shrunk within itself, at the idea of passing so rapidly from a private life to the presidential chair, and from that exalted station to the silent tomb? In honor of the chief magistrate of our common country, thus elevated by the voice of the people, and thus suddenly struck down in the midst of his philanthropic enterprises, we have crowded our columns in mourning.

It is indeed, a sudden, most unexpected, and extraordinary event. This confederated republic of the United States has now been in operation for 52 years—during which time it has seen nine presidents elected in succession—most of them old men, five of them serving eight years each—and yet not one of them has died during his presidency, except the last. He has been in office but one short month, from the 4th of March to the 4th of April, when he breathed his last, and his prayers for the success of the true principles of the constitution.

The four Virginia presidents who were living in Virginia, (all serving their eight years)

survived till the end of their terms, but now are all no more. The life of the others are still living.

It is more wonderful, indeed, that more of them have not perished in office, than that gen. Harrison should be the first to die. The regret at his death comes, perhaps, with a more awful force, on account of its singularity.

Georgia. The painful news reached Savannah, (Georgia), on the morning of the 8th inst and produced a like sensation among all classes of citizens. A public meeting was held, Judge Wayne, of the supreme court, presided, at which resolutions were adopted expressive of the public feeling under the national calamity, and of sympathy for the bereaved family under the affliction. A committee was also appointed to select a citizen to pronounce a eulogy on the life and character of the deceased, and make the necessary arrangements for the occasion. The city council of Savannah also took order on the melancholy subject. Premising that the death of president Harrison was a national calamity, they did not acknowledge by a without mention of party, and that a meeting of the citizens was about to be held, the council resolved that the board would cordially unite with the citizens in such action on the subject as should be determined on by the town.

Ohio. Referring to the death of president HARRISON, the Cincinnati Gazette of the 10th says—

"We have never before seen the hand of sorrow laid so heavily upon any community, as it has been upon this for the past two days. Yesterday in particular, the tidings of the national calamity had been circulated over the entire city by the newspapers, the evidences of a deep and poignant grief were visible in all countenances. The calamity which has thrown the whole union into mourning, and which with a peculiar and almost touching every heart, but entering every dwelling, and dispensing gloom to every heart. We have lost not merely a great and distinguished countryman, but a citizen, an associate, a friend, a brother; one endeared to us by qualities but seldom found united in the same bosom, and grappled to our hearts by recollections that will go with us to our tombs.

Yesterday most of our stores were closed—the cars of labor retorted—bells tolled at intervals throughout the day—many guns were fired—our public schools were dismissed—and our city was given up to an expression, felt keenly, and openly indignant of profoundest sorrow.

All classes partake in this feeling, yet all bow down to the inevitable dispensation, of Him who chains upon his foes.

MICHIGAN. The intelligence of the death of the late president first reached the city of Detroit, on Saturday, the 10th inst, at 1 o'clock, by the steamboat Gen. Scott, which entered the port from the lake, with her flag at half mast. The melancholy intelligence, was soon spread over the city, and the stores and public offices were at once closed, and a heavy gloom settled upon the countenances of all the citizens. The flags above the capital and the colors of the shipping were lowered to half mast, while the church bells were tolled in mournful union with the feelings of the community.

Public meeting in Washington. The following notice having been circulated in the city, in handbills, on Thursday, the 8th of April, viz:

"General WILLIAM HENRY HARRISON, the great president of the United States and the great exponent of whig principles, having departed this life, the whigs of WASHINGTON are requested to meet at the city hall, this evening, at 7 o'clock, in the Assembly rooms, on Louisiana avenue, for the purpose of adopting resolutions suitable to list mourning, which has carried poignant grief to the hearts of every good citizen. MANY WHIGS—The whigs of Detroit, a large meeting, on Thursday, took place at the time and place mentioned. Gen. WALTER JONES was called to the chair, WILLIAM L. BERRY and GEORGE SWENY were appointed vice presidents, and ROBERT FARNHAM and GEO. WATKINS, secretaries of the association. The meeting was opened by gen. JONES, with a brief but eloquent address, explanatory of the objects of the call.

On motion of Mr. ALEXANDER, it was resolved, that the committee be and are authorized to prepare and report resolutions for the consideration of the meeting; and the following gentlemen were thereupon nominated and appointed the committee, viz: Messrs. P. R. FENNELL, D. A. HALL, S. H. HAYST, J. M. HARRIS, J. H. BENDLEY, Jacob Gibson and James F. Hallock.

The committee, after a short absence, reported the following resolutions, which, after some just and appropriate introductory remarks by the chairman, were unanimously adopted:

Resolved, That this meeting, with its sympathies with their fellow citizen, throughout the

union in the loss of WILLIAM HENRY HARRISON, late president of the United States, of whom an untimely death has bereaved a grateful and admiring country, at a moment of deep interest to her prosperity, her institutions, and her destinies, after a life crowded by illustrious services, and adorned by virtues of one elevated and exalted, and earned a life long enough for glory, but, alas! too short for hope.

2. Resolved, That the heart-felt condolence of this meeting be tendered to the family of the deceased; in whose hearts the memory of his domestic virtues has been cherished, and which need not the splendor of his public character to enhance either their love or their grief.

3. Resolved, That the blow which, in the death of president HARRISON, has stricken the whole nation, falls with peculiar severity upon the hearts of the people of the District of Columbia, who have found in him, not the ruler that "felt power and forgot right," but a father and a friend; a chief magistrate who regarded all within his power as being under his protection; and, who, in the face of the world, offered, not only the rights of the people of the District of Columbia as American citizens.

4. Resolved, That, amid their anguish for the loss of their paternal president, the citizens of this District are, nevertheless, rejoiced that the administration is to be administered by JOHN TYLER, who, while a senator of the United States, proved himself their constant, enlightened and efficient friend; and who more recently avowed, publicly and emphatically, his devotion to their welfare.

5. Resolved, That, as the whigs of Washington, together with the whigs of the other cities of the District, were among the first to raise a voice for "HARRISON, TYLER and ANTI-SLAVERY," as it becomes us to be forward in our support, we now do so respectfully, but most earnestly, our political brethren in the several states to rally around the standard of the constitution in the novel and interesting trial to which it is subjected; and to give their unanimous, vigorous, and patriotic support to the administration of president TYLER, on whom the mantle of the illustrious and beloved HARRISON has fallen.

6. Resolved, That in the signal ability with which president TYLER, a favorite son of the ancient and glorious commonwealth of Virginia, has heretofore discharged various high political trusts; in the principles on which he was elected to the vice presidency; in his prompt and cordial invitation to president HARRISON, vigorous and patriotic support to continue their services; in his proved republicanism; in his lofty honor; and in the purity of his life, this meeting feels full assurance that the momentous trust devolving on him will be administered wisely and faithfully, with loyalty to the whig principles that have brought him into power, and with adherence to the administrative policy to which his predecessor stood pledged; and, to express all our fond hopes and unflinching convictions in a single phrase, that "JOHN TYLER, his HARRISON, will be the PRESIDENT OF THE PEOPLE."

On motion of Mr. M. Saint Clair Clarke, it was unanimously resolved, That the proceedings of this meeting be published in the several whig newspapers of the District of Columbia.

WALTER JONES, chairman.
ROBERT FARNHAM, secretary.
GEORGE WATKINS, do.

PRESIDENT TYLER. The following letter from governor, now in the city, to Mr. W. Robinson, jr. of Pittsburgh, will be read with peculiar interest, at this moment. His views on the important question of the tariff—the distribution of the public lands, and incidentally on the subject of the currency are briefly and clearly indicated.

Washington, Pa. Oct. 17, 1840.
My dear sir: Your letter and its enclosure reached me a few hours after my own arrival. I confess myself at all surprised at the gross perversion of all truth, on the part of our opponents. This is not confined to Pittsburgh, but is everywhere the case. The administration party are open mouthed against the compromise. They would annihilate it entirely; and this, at the moment the manufacturing interest become deeply interested in its preservation. With you the tone is changed—Wm. M. Van Buren is here sustained as a friend to free trade, the effort is now

If gen. HARRISON will faithfully carry on the government on true whig principles, he will merit and should receive, the approbation of all honest citizens, whatever may have been their party politics in times that are past. He may save millions of dollars that are misapplied under the name of contingencies. The reforming hand should be applied to the army and navy, the Indian department, as well as to the civil list and to the public offices. Those that will not work, neither should they eat.

COMMERCE. A correspondent of the Philadelphia National Gazette has forwarded statement of the number of arrivals at New York, Philadelphia, Boston, Baltimore, and other ports in the U. States, during the first quarter of the present year.

	N. York.	Phila.	Boston	Balt.	Other ports
Great Britain	53	7	11	2	195
France	25	3	3	1	34
Belgium	1	0	0	0	12
Holland	7	0	4	3	22
Germany	10	2	0	0	17
Denmark	0	0	0	0	4
Sweden	9	0	0	0	0
Prussia	0	0	2	0	0
Austria	2	0	0	0	6
Italy & Isles	4	6	12	1	4
Spain	10	6	4	3	5
Portugal	4	0	0	5	2
Samarra	2	0	4	0	0
East India	0	0	5	0	0
Mexico	7	1	0	0	0
Pacific & Isles	7	1	0	0	0
Africa & Isles	1	5	0	0	2
S. America	36	22	21	23	46
W. India	173	51	92	50	364
Mexico & Guat.					
Yucatan	21	0	2	0	14
Texas	2	0	2	2	5
Br. N. America	6	9	19	0	0
U. States	594	211	504	0	0
Whaling	0	0	0	0	35

STATES OF THE UNION.

RATES OF INTEREST. The following are the rates of interest in the states and territories of the union, together with the punishment of usury. It is in all valuable statement, and should be preserved.

Maine, 6 per cent.—forfeit of the debt or claim.
New Hampshire, 6 per cent.—forfeit of three times the amount unlawfully taken.
Vermont, 6 per cent.—recovery in action with costs.
Massachusetts, 6 per cent.—forfeit of three fold the usury.
Rhode Island, 6 per cent.—forfeit of the money and interest on the debt.
Connecticut, 6 per cent.—forfeit of the whole debt.
N. York, 7 per cent.—forfeit of the whole debt.
N. Jersey, 6 per cent.—forfeit of the whole debt.
Pennsylvania, 6 per cent.—forfeit of the whole debt.
Delaware, 6 per cent.—forfeit of the whole debt.
Maryland, 6 per cent.—on tobacco contracts 5 per cent.—usurious contracts void.
Virginia, 6 per cent.—forfeit double the usury taken.
North Carolina, 6 per cent.—forfeits for usury void—usury void by the usury.
South Carolina, 7 per cent.—forfeit of interest and premium taken, with costs to debtor.
Georgia, 8 per cent.—forfeit of three times the usury, and contract void.
Alabama, 8 per cent.—forfeit of interest and usury.
Mississippi, 8 per cent.—by contracts as high as 10—usury recoverable in action of debt.
Louisiana, 5 per cent.—bank interest 6—conventional as high as ten—beyond contract void.
Tennessee, 6 per cent.—usurious contracts void.
Kentucky, 6 per cent.—usury may be recovered with costs.
Ohio, 6 per cent.—usurious contracts void.
Indiana 6 per cent.—on written agreement may go as high as 10—penalty of usury, fine of double the excess.
Illinois, 6 per cent.—three fold amount of the whole interest.
Missouri, 6 per cent.—by agreement, as high as 10—if beyond, forfeit of the whole interest due, and of the usury taken.
Michigan, 7 per cent.—forfeit of the usury taken and one-fourth the debt.
Arkansas, 6 per cent.—by agreement, and rate not higher than 10—amount of usury recoverable, but contracts void.
Florida, 8 per cent.—forfeit of interest and excess in case of usury.

Wisconsin, 7 per cent.—by agreement not over 12—beyond, forfeit the excess.
On the debts and judgments in favor of the U. States, interest is computed at 6 per cent a year.
Thus there is not a single state or territory where an enlightened system prevails upon the subject of interest, for all laws limiting the price of money ought to be repealed. *(Louisville Adc.)*

NEW YORK.

Legislature proceedings—*the McCleod case.* The Albany Advertiser furnishes the following abstract of proceedings in the house of assembly on the 17th inst.

Mr. Swackhamer one of the representatives of N. York city, offered the following resolution:

Resolved, That the governor be requested to communicate to this house what correspondence, if any, has taken place between the executive authority of the United States and this state; or whether any arrangement whatever has been entered into by said departments, in reference to the case of McCleod, now in prison at Lockport on this state.

Mr. Swackhamer briefly explained the objects of the resolution.

Mr. Hoffman in a long speech, justified, under the British government, the attack made upon the Canada, and its consequences. The rebels, said Mr. H., had gained possession of N. York Island—the drafts of men there were made from the United States—the officers in command were over our citizens, and it was to be regretted that the authorities of this state and the United States were not present in sufficient force to prevent the difficulties which followed. By the national law the sovereign whose territory is endangered had a right to repel the danger, and if in so doing (in the language of an eminent person), he built mountains pass the line between the two countries, must be the subject of complaint.

The local authorities of Canada in this case had got out the means to destroy this boat and put an end to the danger which threatened them, and do any one doubt that they thought they were to the exercise of an undoubted right in so doing; and whether in so thinking they judged right or wrong was material now; the object was to repel the danger which threatened them with invasion—the attack was made, and the life of an American citizen lost—for the McCleod steam indicted.

Standing where he did in the face of the whole country, ha (Mr. H.) would ask where the man was in this state who would not have obeyed a similar order of the local authorities. If addition and reason should be seen daily playing round the Canada furnishing those in arms with the means of warfare, and orders should be issued by the authorities of this state to destroy that boat, was there any man who would for a moment refuse to obey that order?

Mr. H. proceeded in great length to comment upon the effect proceeding to extremities would have upon McCleod, but we have not now space to follow him. He concluded his remarks with a motion to amend the resolution by referring it to the judiciary committee of the boat by the bill "to enter a nolle prosequi on the indictment, and to grant McCleod a safe conduct to his own reign."

Mr. O'Sullivan moved in support of Mr. Hoffman's amendment.

Mr. Simmons opposed the amendment in toto, and also the discussion of the subject at the present time in any shape.

Mr. Richmond followed in denial of the positions assumed by Hoffman.
Mr. Fulton spoke in opposition to the amendment, and in favor of the resolution if modified by leaving it to the discretion of the executive to furnish the correspondence. He denied the ground taken by Mr. Hoffman, that the British authorities were prompted to the destruction of the boat by any sympathy expressed by American citizens for their fellow beings in Canada that they wished to punish; they could not, prevent that sympathy—they could not suppress it—it was like a Connecticut beer barrel which would work on a Sunday do what you could.

Mr. L. S. Cliftfield said he should not have thought necessary to have troubled the house, had it not been for the course pursued by Mr. Hoffman. He thought if that gentleman's speech had been delivered in the British parliament, it could have assured for him a reputation but little inferior to that of any country. The arguments of Mr. C. were against the adoption of the amendment.

Mr. L. Hubbell followed in opposition to the amendment.
Mr. S. C. Hawley then took the floor and moved an adjournment, with the view of speaking to the resolution at a future day and at great length.

Mr. Duer hoped the house would not adjourn until it had disposed of the resolution; the debate would go forth to the public on the frontier as well as elsewhere, and produce great excitement.

The house refused to adjourn.

Mr. Hoffman said if no one wished to speak, he had a reply to make to those who had followed him.

Mr. Holly took the floor and was proceeding to debate against the amendment, but gave way to Mr. Keisey, who with the view of Mr. S. C. Hawley and others an opportunity to take a part in the debate at a future day, moved an adjournment, which prevailed, and the house adjourned.

PENNSYLVANIA.

To the senate and house of representatives of the commonwealth of Pennsylvania.

GENTLEMEN: The bill entitled "an act relating to banks and to provide for the better government thereof," is herewith returned to the senate, in which it originated, without the executive approbation, and with the following reasons why that sanction is withheld.

The bill relates to a subject of deep and universal interest to the people of Pennsylvania; and to its consideration, I have brought all the energies of my mind, and all the light that an experience of upwards of half a century has furnished. I cannot persuade myself, that duty or patriotism could justify my sanction of its provisions. Some things contained in it, I would gladly approve, but I cannot believe that the penalties imposed on the banks, so far as relates to the citizens of this commonwealth, ought to be repealed, or that the issue of notes under the doomination of five dollars by the banks, to an amount of six millions of dollars, for a term of five years, should be authorized.

It would be to go into a discussion of the causes which have led to the present derangement and embarrassment of our monetary affairs. It is enough to know that they exist and that our banking institutions generally, have been unable to meet their engagements. We have had three bank suspensions in less than five years. The result is an almost entire destruction of the confidence of the public in our banking institutions. The intimate connexion existing between our banks, has involved all in one common fate. Those conducted with prudence, are suffering from the misconduct of others. That there have been occasional errors in the mode of conducting our banking operations, must be obvious to all, or those things would not occur so frequently as they have done.

The public will seeking the public good, has required that these errors should be corrected. That correction all must be aware, cannot take place at any time, without cases of individual suffering and hardship. These are to be regretted, but yet ought not to prevent the correction of greater evils to the public at large. The indulgence given to the banks by the resolutions passed on the third day of April, 1840, which suspended existing penalties for not meeting their engagements until the 15th January last, it was hoped would have enabled them fully to resume. When I approved these resolutions, I believed it was necessary to give the banks and the people some time to meet their engagements. That given, however, was greater than I then apprehended to be necessary, or exactly satisfactory to the public. But as we were met, I felt that prudence and duty as well as the public interest, rather than run the risk of having no legislation.

The indulgence thus given, was deemed by a majority of extraordinary forbearance, and the public were expected that at the time appointed, the banks would be fully able to meet their engagements. Such were my own expectations, and the expectations of the public. These expectations unfortunately have proved to be groundless. The banks are now in a state of general suspension, and this bill is designed by the legislature as a remedy for the evil, and a relief to the community. Let us examine how far it seems likely to answer the end proposed.

The principal features of it are, that it repeals absolutely and unconditionally the penalties and forfeitures, to which the banks of this commonwealth are subject, for the non-payment of their liabilities on demand; and requires the banks liable, as natural persons or individuals, to be held to their bills, notes and other liabilities, and also, that after the passage of this bill, for the term of five years receive bills or notes of the denomination of one, two and three dollars, to an amount not exceeding fifty per cent. on the amount of capital actually paid in. It also provides usury regulations, and imposes certain restrictions on the banks. Some of these restrictions and regulations are wise and salutary, but many of them are in my opinion, calculated to produce far more mischief than good.

exertion to which she may put forth her latent energies, and call into more useful activity the elements of her ample resources and growing prosperity." Public sentiment and legislative action, however, would indicate her policy to be to embark in no new enterprise, at least until the works now in progress shall have been completed and the necessities fully tested by experience.

The following statistical view of Kentucky, Ohio and Indiana, derived from official documents of the past year, exhibits some interesting facts in relation to those subjects.

	Kentucky.	Ohio.	Indiana.
No. acres assessed	17,144,899	19,093,575	8,273,130
Value of do.	\$187,122,595	363,923,048	58,343,992
Average value per acre	87.45	3.29	7.05
Value of town lots	\$24,495,941	20,565,772	12,503,519
Value of personal property	\$62,318,889		
Value of slaves	\$59,412,745	26,949,041	30,908,508
Total value	\$272,250,027	112,037,361	117,506,019
Do. per \$10,000 value	814	107	140
Am't of state tax	\$250,374	562,992	192,787
Tax in cts. per 100	10	30	15
Popular vote for president	91,100	272,937	116,006
Average individual wealth	\$2,998	401	795

I may be remarked that, in addition to the state tax of \$262,993 dollars assessed in Ohio, there were assessed in 1840, for county purposes, \$72,147 dollars—for road, township and poor tax, \$29,711 dollars—for corporation, public building and bridge tax, \$130,493 dollars, and some other taxes, making the total amount of taxes for the year 1,049,840 dollars; and yet, with this enormous burden of taxation, there is not, perhaps, in the union a more prosperous and flourishing state than Ohio. Indiana has passed a tax law of 40 cents on the 100 dollars, in addition to a poll tax of 75 cents, and the estimated amount of the state tax, for 1841, is \$992,526.

From the foregoing comparative statements, it will be perceived that, the assessed value of the real estate of Kentucky, is nearly equal to that of Ohio and Indiana together; that the total value of property of all kinds in Kentucky is more than double that of Ohio, and nearly triple that of Indiana; that our state debt, as compared with our assessed means, is less than one-seventh that of Ohio, and one-fourth that of Indiana; that taxes are lighter, and the individual wealth greater in Kentucky, than in Ohio or Indiana.

I have thus endeavored to show, in a concise manner, the fiscal condition of the state, and her resources—our ability to meet our engagements—our willingness and determination to do so. We have done so heretofore, and so one acquainted with Kentucky, or Kentuckians, will, for a moment doubt that we shall continue to do so hereafter.

Slave law. We learn from the Lexington (Ky.) Observer, that on the 21st ult. Judge Woolley pronounced the law of 1833, which prohibits the introduction of slaves into the commonwealth, unconstitutional. Since this decision, it is stated, several prosecutions, which had recently been instituted, have been abandoned. It is suggested that Judge Woolley, who is said to have displayed "great legal ability and profound constitutional research" on the occasion, will not and publish his opinion; and this it is to be hoped he may do, that the court of appeal may have before them, in a shape which cannot be misunderstood, the grounds of a decision which will create every general surprise, both in and out of Kentucky.

Statistics. J. S. Townsend, esq. of Alton, has prepared from the papers of the United States marshal a tabular statement, exhibiting a view of the population of Illinois from the 1st census of 1800, to June, 1840; and the produce of agriculture, commerce, manufactures, &c. of each county in the state.

The writer says—"The population of the state, as furnished by the deputy marshals, is about three hundred less than the returns of the state census, taken from the first of September. Omitting fractions, and the population of Illinois in 1840, varied but little from 480,000. The popular vote at the presidential election, was 95,040.

He adds, the amount of property, and the number and value of stock, as obtained by the marshal, are at least one-third below the true amount. In multitudes of families no account was given, at least with any correctness. The people, in many instances, misapprehended the marshal's office, and they were to be taxed for every article and refused, and many of the deputy marshals finding it rather unpopular to make so many specific inquiries, preferred to pass over the business, or put down vague and small answers. We should regard it within due bounds to add fifty per cent. to the horses, cattle or sheep, swine, poultry and various kinds of grain,

and thirty-three per cent. to all other products as a fair estimate of the property of our young and rising state.

The state census of 1830, gave the population of Illinois a fraction short of 370,000. There has been an increase in five years of more than 210,000. We give the following synopsis of the table:

Population of the state	476,378	do.
No. of slaves and mulattoes	200,741	val. \$9,983,345
Neat cattle	612,244	do. 4,903,165
Swine	486,751	do. 953,502
Sheep	1,437,925	do. 4,327,775
Bushels of wheat	2,268,552	do. 340,600
Do. of barley, buckwheat and rye	149,356	do. 2,099,720
Bushels of oats	5,681,931	do. 76,470
Bushels of corn	22,525,635	do. 1,136,356
No. of horses and mules	53,445	do. 4,504,727
Pounds of beef	28,670	do. 285,157
Pounds of mutton	2,086,516	do. 6,689
Bushels of potatoes	138,125	do. 521,629
Tons of flax and hemp	18,604	do. 1,105,500
Pounds of tobacco	475,250	do. 1,560,400
Pounds of sugar	259,713	do. 25,315
Cords of wood sold	124,138	do. 48,384
Products of dairy		do. 245,276
Products of orchards		do. 442,621
Destruction of property		do. 118,132
Products of gardens and nurseries		do. 1,108,096
No. of stores, 1,374, capital invested		do. 97,996
Shirts, clothing, &c. value of		do. 4,685,457
Brick and lime, value of		do. 258,538
Do. of manufactures		do. 1,602,400
Number of flour, grain, saw and mill, 1,852		do. 138,712
Value of flour, &c. manufactured		do. 2,306,619
No. of brick and frame houses built in 1839		do. 4,320
No. of houses		do. 2,044,108
Number of horses, 154		do. 6,689
Sides of sole and upper leather		do. 223,118
Saddles, &c. value of products		do. 253,232
Number of distilleries and breweries, 153		do. 388,527
Gallons produced, 1,534,169, value		do. 361,552
Products of manufactures not enumerated		do. 338,195
Capital invested in manufactures not enumerated		do. 338,195
Total amount of capital invested in manufactures		do. 2,969,512
Total value of products of the several counties, exclusive of the capital invested, and cost of buildings		do. 51,411,606

BANK OF THE UNITED STATES.

The report made by a committee of the stockholders of this institution, inserted in the last REGISTER, has brought out Mr. Bidle, in reply—three letters from whom have been published,—the first of which, explaining the celebrated "action speculation," belongs to the history of the times, and throws considerable light on that transaction. It is inserted in this number, and will be followed by the other two.

In Mr. Bidle's first letter, which we insert in this number, he states that the difficulties which the Bank of the United States now experiences, have been drawn on "by the efforts to break down the banks of New York—a real cause of all the disasters to the Bank of the United States."

That the Bank of the United States of Pennsylvania was, in the last instance, compelled to stop specie payments by reason of demands on them from New York and eastward, the public had been informed; and we had heard they had intended to retaliate, by attempting to compel the banks of that city to stop, is a development which Mr. Bidle is the first to announce.

We shall probably find out that it is but an incident in the war between the great money market of Wall street and Chesnut street, in which the first "demonstration"—and, if we are to credit the New York papers, the second—"demonstration" also—failed; but the third was fatal.

Neither Mr. Bidle's other letters make any further explanation on this point. The New York American, of the 20th inst. furnishes us with their version of the affair—as follows:

The attempt to break the N. York banks in August, 1839—now admitted to have been made by the Bank of Pennsylvania, to some of the circumstances of which we adverted yesterday—may be further elucidated by recalling the occurrences of the day.

The Liverpool steamer was to leave this port on Saturday, 24th August, and during the week previous to her departure the famous bills on Hoffinger & Co. were sold by the United States bank of this city.

These bills were pressed on the market with great rapidity, and the rates at which they were sold made it matter of easy calculation to ascertain that loss must result from the operation to the sellers,

who were to remit the specie they produced in order to meet the bills. As, moreover, the bank was then a borrower in Europe, inquiry was naturally excited as to what these drafts could mean. The doubt was soon removed by the demands of colic from our banks on Monday 26th, and Tuesday 27th. It is computed that the specie withdrawn by the U. States bank here, on these two days, with the sums demanded in the current month, amounted to about one million two hundred thousand dollars—bringing a balance in its favor created by the sale of the notes and the Hoffinger bills. The circumstances under which the demand of Tuesday was made, that of Monday not having produced the desired effect, turning out as it did, as it seems to us, of the most trifling nature, and being made at a late hour of closing the banks—drafts were sent in from the United States bank here, with a peremptory demand for specie on the spot, and with a note at hand to protest, in case of default, that it was a note.

At the bank of the state of New York, a draft for \$850,000 was handed in. The teller said it should be paid as soon as possible. The presenter of the draft replied that it must be paid instantaneously, and explained as he said, that he had no discretion. The cashier being called, he informed of what was going on, said he had a discretion in the matter, and that he should not give back the check, and that it should be paid by 3 o'clock. Orders were explained as he said, in a negotiation, and then the Philadelphia banks,—and especially the Bank of the United States of Pennsylvania, which forewarn its inability to continue specie payments—could have been preceded, and so far justified, in suspending specie payments.

But the plot failed, and now we have the testimony of Mr. Cowperthwaite, as to how the means selected for its furtherance recoiled upon the heads of the actors. The Hoffinger drafts, which were to ruin the New York banks,—and especially the Bank of the United States of Pennsylvania, which forewarn its inability to continue specie payments—could have been preceded, and so far justified, in suspending specie payments. But the plot failed, and now we have the testimony of Mr. Cowperthwaite, as to how the means selected for its furtherance recoiled upon the heads of the actors. The Hoffinger drafts, which were to ruin the New York banks,—and especially the Bank of the United States of Pennsylvania, which forewarn its inability to continue specie payments—could have been preceded, and so far justified, in suspending specie payments. But the plot failed, and now we have the testimony of Mr. Cowperthwaite, as to how the means selected for its furtherance recoiled upon the heads of the actors. The Hoffinger drafts, which were to ruin the New York banks,—and especially the Bank of the United States of Pennsylvania, which forewarn its inability to continue specie payments—could have been preceded, and so far justified, in suspending specie payments.

Still the bitterness and vindictiveness against New York, which persisted against all odds in honest business men, and which was without limit before the suspension in Philadelphia, the next effort was to stir up the merchants and others here, who felt severely the pressure of the times, to call upon our banks for an extension of discounts,—the certain end, under the circumstances, as the Philadelphia banks had proved, to involve ruin.

Hence the public meeting at the City hotel, on 23d October, which many of our readers doubtless remember, both for its mischievous tendency, and happily for its success. We need not say that it was there that meeting, that endeavored to induce honorable men to take part in it as officers, and urged it on to peremptory calls upon the banks, will now, it is hoped, be exposed; and when this is done, it will be seen that in all the stirring scenes of the United States bank of Pennsylvania, and its officers and agents here, it is to be traced.

It is pertinent to add, that the Bank of the United States here is one of the oldest banking associations; that its whole capital is \$200,000, invested in state stock, deposited with the comptroller for the security of its notes; and that the sole partners are *Gr. G. Winold*, of New York, and *Rick'd Shop*, of Philadelphia. It was the director of the Bank of the United States of Pennsylvania.

Besides Mr. Bidle's letters, the following explanations have been published:

LETTER FROM MR. DUNLAP.

To the committee of stockholders of the Bank of the United States.

GENTLEMEN: Your report to the stockholders of the 4th April inst. contains the following passage, viz: "On the 29th April, 1839, the bank guaranteed a contract entered into by Mr. Thomas Dunlap, in his individual capacity, for the purchase of one million of dollars of Illinois and Michigan land stock."

This statement, without proper explanation, is calculated to produce false impressions. The contract was made by me for the sole use and benefit of the bank. It was entered into with the commissioners of the state of Illinois, on the 29th of April, 1839, at the Bank of the United States, the same day on which the bank guaranteed it, and instantly placed on file with similar documents in the bank, where it has ever since remained. Proper and explicit entries in regard to it were promptly made on the books of the bank where distinct entries also of each of the payments made under it appear. The sterling six per cent. bonds were originally delivered by the authorities of Illinois, not to me, but to the proper officer of the bank, and immediately after their receipt were transmitted by the cashier to the agent of the bank in London, by whom they were subsequently hypothecated, with other securities, for loans to the Bank of the United States, in which position I believe, were soon to have been. They were never in my possession, nor had I any personal interest in them whatever. The payment for them as appears by the contract, was to be made in ten monthly installments, although the whole amount of bonds was delivered to the bank at the interest of six per cent. on these bonds from the beginning, punctually paid to it by the state of Illinois, and the benefit of the funds raised by their deposit in Europe.

As all these facts are of record in the books and papers of the bank, I regret that the committee did not think proper to connect them with the above statement in regard to myself, except that the contract was made in my name. As similar contracts, of record in the bank, were soon to have been made by preceding officers, I had no connexion with or interest in the bonds in question. Very respectfully, your obedient servant,

THOMAS DUNLAP.

Philadelphia, April 8, 1841.

LETTER FROM MR. BINNEY.

The late report by "the committee of investigation appointed at the meeting of the stockholders of the Bank of the United States," contains the following paragraph:

"In addition to these sums, he (Mr. Jaudon) was allowed by the exchange committee an extra commission of one per cent. upon a loan effected in October, 1839, of \$800,000 pounds; viz. \$7,250 dollars and 66 cents, and upon his claim for a similar commission upon subsequent loans, in France and Holland, to the amount of \$,337,141 dollars 90 cts. the board of directors, under the sanction of a legal opinion from counsel of high standing, and the views of the former president, by whom the agreement with Mr. Jaudon was made, that the case of extraordinary loans was not anticipated nor meant to be included in the original agreement, allowed the further charge of \$3,970 dollars 37 cents."

It is understood that I am the counsel referred to. Whether the committee read the opinion I gave to Mr. Jaudon, or not it was to Mr. Jaudon that the opinion was given, and not to the bank,—I do not know; but they have been so anxious to know what my opinion was that they have asked me to represent that it sanctioned any particular allowance for the service allowed to. Thus part of the report is not perfectly clear; but the meaning which by some of its readers is attributed to the clause, is inaccurate.

I gave no opinion to Mr. Jaudon, nor to any one, that he was entitled to compensation for the services mentioned, to the amount stated, nor to any particular amount. I was not consulted upon any such question. I was consulted upon what I called my opinion was this and this only,—Whether the service of effecting loans, for the bank, in France and Holland under a power of attorney of 23d August, 1839, was embraced by the agreement in the president's letter of 7th October, 1837, under which he became the agent of the bank in London, so as to be included in the rule of compensation prescribed by that agreement,—and I gave him my opinion. Was it not so; and not being within the agreement, that it stood upon the footing of a retainer which he was free to perform or not at his pleasure, and if performed, for such compensation as might be agreed upon, or as should be just, if there was no express agreement. When in particular it was said to claim for the services, I was asked, and did not say. My opinion was founded upon two writings referred to, and not upon the commis-

nicalion of views subsequently expressed by any one else.

It must not be understood to imply that Mr. Jaudon was not entitled to all that he received for the critical service of negotiating the continental loans. There is perhaps a known rule of compensation for such services in Europe. But mean to say, that I did not give him or any one an opinion upon any point in his case, but that which I have stated, and that no other point was submitted to me.

HORACE BINNEY.

Philadelphia, April 10, 1841.

LETTER FROM MR. BIDDLE.

Annapolis, Bucks county, April 9, 4841.

Hon. John M. Clayton, Dover, Delaware:

MY DEAR SIR: You are aware that it is now two years since the state of my health compelled me to leave the service of the bank. From that moment I have been wholly occupied with other matters, and have had not the slightest direction of its affairs, as both my inclination and my duty concurred in the propriety of leaving to those who had the responsibility the entire control of its management. This total abstinence of mine does not seem to be understood or appreciated, for, since the misfortunes of the bank, I find myself reproached for things of which I know nothing, and denounced as the cause of all the troubles which have befallen not only the Bank of the United States but every man in the whole country. Being very indifferent to popular clamor, and never suffering myself to be influenced by it to do what I disapprove, I have contradicted nothing and have been mistaken, because I could do neither without injury to the interests of the bank; but its present prostration relieves me from that fastidiousness, for its pecuniary affairs will scarcely suffer from any explanation of mine. Accordingly I now feel at liberty to say and to prove to you that when I left the institution, two years ago, it was in a safe and prosperous situation, and that whatever misfortunes have since come upon it, my administration can in no wise be charged with them.

I was in London from 1835 to 1836, I was president of the Bank of the United States. The great object of my labors was to secure to the whole country the blessings of a sound and uniform currency, and to that end that the subject of the historical, I think I may venture to say that the currency and the exchanges of the United States attained a degree of perfection scarcely known elsewhere. It was of that system the committee of ways and means in the report of the president of the Bank of the United States, in 1830, "It may be confidently asserted that no country in the world has a circulating medium of greater uniformity than the United States." And again, "It gives to the national currency that perfect uniformity, that ideal perfection to which a currency of gold and silver in no extensive country could have no pretensions."

It was of that system that the committee on finance of the senate of the United States said

"That the United States are in the enjoyment of a uniform national currency not only sound and uniform in itself, and perfectly adapted to all the purposes of the government and the community, but more sound and uniform than that possessed by any other country. It is not easy to imagine, it is not necessary to desire, any currency better than this."

The bank closed its affairs in 1836, when a board of valuation of the stock was formed, composed of a committee of the late Bank of the United States, consisting of Caleb Cope, Robert Ralston, Jr. and John Bollen, and a committee of the present Bank of the United States, consisting of Ambrose White, Matthew Newkirk and Richard Price; who called to their aid three disinterested citizens, John Moss, Benj. W. Richards and Robert Tuland.

This committee, in its negotiation with the commissioners of the government, began by offering for every share of \$100 the sum of \$111 47. The commissioners declared that "they estimated the stock to be worth \$115 50 per share, cash valuation," adding "that this was considerably below their former estimates, and positively the lowest point at which they would fix the valuation." Finally, the bank agreed to pay \$115 50 per share. This was done by a board of directors, consisting of

Joshua Lippincott, Caleb Cope,
Manuel Lytle, John Bollen,
John T. Neff, Thomas Dunlap,
William Platt, J. J. Vanderkemp,
Ambrose White, May Humphreys,
Matthew Newkirk, Cleyney Hickman,
Richard Price,

Thus far, at least, every thing was safe and prosperous.

The bank then became merely a state institution, and although it had to encounter the hostility of the

dominant party of the United States, and the violence of local and rival opposition, still it was able to maintain itself against all these obstacles, its unimpaird resources and credit. This will be obvious by examining the statement of its affairs, prepared about the time I left the bank, as it is reported by this committee.

Deferring any array of figures which would be intelligible, that statement shows clearly the results:

Its whole liabilities were, on the 1st April, 1839	\$11,571,412
For circulation	4,473,500
By agencies	19,276
All other debts	\$35,421

Its means were—	
Stocks, and due by the state	\$9,854,064
Real estate and mortgages	1,719,426
State bank notes and debts	\$,748,094
M. King and the U. States	45,412
Specie	3,069,580
Resulting balances—any due by agencies	3,617,315

being more than two dollars for one of its liabilities. Comparing this with the last statement of the Bank of England which I have seen, that of the 1st of January, 1841, it is to the advantage of the Bank of the United States.

Thus, the Bank of England had—	
Circulation	16,240,000
Deposites	7,365,000
Securities	22,595
Bullion	3,816

23,595,000	26,411
While the Bank of the United States, throwing to make the comparison accurate, the debt on side, and an equal amount of securities on the side would present these points:	

Circulation	11,571,124	Securities	52,395
Deposites	4,473,505	Bullion	3,069
	16,044,719		55,464

If the extraordinary revolution of the last two years has caused a depreciation in the state stocks, it is a misfortune, not a fault. They were, at the time of my retirement, worth at least what had been paid for them.

Take, for instance, the rates of American stock at London in January and February, 1839, as it was known here in March.

Pennsylvania 5's	93	Illinois 6's
Mississippi 5's	103	Kentucky 6's
Ohio 6's	99	Louisiana 5's

Add to these prices an exchange of eight or ten per cent. and these stocks were all above par.

In March, 1839, moreover, there was nothing about the repose of the moneyed world. The actual case of moneyed affairs was apparent. England the bank actually reduced the rate of discount to three per cent. and the following quotations from the London Mercantile Journal, which happens to be at hand, will show how uniform was the rate of discount.

January 11.—Discount on banker's bills 3 per cent.

February 19.—Discount on the first paper 10 per cent. 3 per cent.

In the 22d of March, 1839—"Money on bankers' bills has been available at the same terms as last week. First merchants' paper has 1 3/4 to 4 1/2 per cent. discount."

April 2.—"Bankers' bills have been current at 2 per cent. discount."

April 9.—"Money has been rather plentiful; otherwise, and discounts continue at from 3 1/2 per cent."

May 7.—"Money has been more plentiful. discounts continue at 3 1/2 to 4 per cent. on bank bills."

In this country stocks were high, and, what more important, the internal exchanges were and uniform, and the foreign exchanges did not suffer any exportation of specie. Take, for instance the rates of these securities then most sought for and since so much depreciated.

Thus, in March, 1839, in March, 1	
Bank of the U. States	116
Pennsylvania	72
Bank of Philadelphia	706
Parkers' bank of Natchez	102
Vicksburg	69
Schuykill navigation 6's	125
Lehigh canal	50
	19

The domestic exchanges were all perfectly safe and very reasonable. That with New Orleans at from par to 1 per cent. premium; that Natchez at par to 1 discount; and the highest rate change for drafts at sight from the most distant part of the country did not exceed four per cent.

Finally, the bank had just closed its struggles with the general and state governments. It had arranged its debt to the United States arising out of its partnership in the bank, and congress had adjourned.

The legislature of Pennsylvania too had finished its efforts to repeal the charter by a report which assured its tranquillity against future attacks, and that legislature had adjourned.

Thus, for the first time during many years, I found a moment when I could seek the retirement I desired, and accordingly resigned.

Collect, now, all these elements of prosperity.—Here was the bank—

With 74 millions to pay 35.

With the highest character and credit.

Dividing nine per cent. yet laying up something every year.

Its stock selling at 116.

The foreign exchanges easy.

The domestic exchanges low and uniform.

All its controversies with the general and state governments settled.

With peace at home and abroad.

And one can see nothing to create a doubt of its stability. So that not so long after the directors of the bank, who, by numerous committees and in successive boards, unanimously united in repeated and strong assurances that the bank was then in a condition of undoubted strength and prosperity.

On the 1st of January, 1839, the board of directors consisted of the following gentlemen:

Joshua Lippincott, Caleb Cope,
John R. Neff, Cheyney Hickman,
John A. Brown, Joseph R. Ingersoll,
Wm. Platt, Lewis Wain,
Lawrence Lewis, John Connell,
John J. Vanderkemp, Joseph Cabot,
John Bohlen.

Of these gentlemen a dividend committee was appointed on the 4th of January, 1839, consisting of Joshua Lippincott, J. J. Vanderkemp, Lawrence Lewis, Joseph Cabot and John Connell.

This committee made a report to the meeting of the board, at which were present Messrs. Lippincott, Vanderkemp, Cope, Brown, Wain, Lewis, Bohlen, Hickman, Cabot and Connell, who unanimously adopted it. Now this report stated that there was "an aggregate of net profits amounting to \$1,344,707 99," that declaring a dividend of four per cent. would leave a surplus of \$1,344,707 99." "From these several statements," they proceed, "it will appear that the estimated probable loss on real estate and suspended debt is \$76,000 51 less than the estimate of July last, and that the contingent fund is \$2,681 75 more than the estimate of probable loss." They conclude by saying that the net profits of the last six months were \$1,528,020 19, which, after deducting the dividend of four per cent. \$1,400,000, "would leave \$1,268,020 19 as the surplus profits of the last six months."

Up, then, to the 7th of January, 1839, there was no doubt in the minds of the directors of the perfect safety and prosperity of the bank, since they had a surplus profit on the last six months' business of \$1,268,020 19, a total surplus of \$1,344,707 99, a decreasing loss on suspended debt, and an excess of nearly \$1,000,000 of the contingent fund above the losses it was desired to repair.

On the 7th of January, 1839, came in the new board of directors for that year. It consisted of
Manuel Eyre, Joseph Cabot,
John A. Brown, Cheyney Hickman,
Richard Alsop, Lewis Wain,
Caleb Cope, Ambrose White,
J. J. Vanderkemp, J. R. Ingersoll,
Richard Price, Matthew Newkirk.

Now what did these gentlemen declare of the situation of the bank?

On March, 1839, on the day of my retirement, the board unanimously adopted several resolutions—in one of which they describe me among other things as one "who, having performed so much and so faithfully, leaves the institution with which he is identified prominent in all its relations—among its abilities to promote the interests of the communities by which it is surrounded—cordial in its associations with sister establishments, and secure in the respect and esteem of all who are connected with it in foreign or domestic intercourse."

In transmitting to me these resolutions, the committee, consisting of Messrs. Ambrose White, Caleb Cope and J. R. Ingersoll, say: "In every emergency you have given it efficient support, and now to your official connection has ceased, you have the rich consolation of knowing that you leave it entirely prosperous."

Now was this all.

In July, 1839, four months after I left the bank, the dividend committee consisted of Ambrose

White, Matthew Newkirk, Richard Alsop, J. J. Vanderkemp, Richard Price. They reported that the bank had "an aggregate of surplus profits amounting to \$1,421,289 32," and they therefore declared a dividend of four per cent. This report was adopted unanimously by the following members then present:

Manuel Eyre, Joseph Cabot,
Richard Alsop, Lewis Wain,
John Bohlen, Ambrose White,
J. J. Vanderkemp, Richard Price,
Cheyney Hickman, Matthew Newkirk.

That these gentlemen should make a dividend of four per cent. unless they believed the situation of the bank justified it, cannot be presumed.

Further than this. In December, 1839, nine months after my retirement, the board submitted to the creditors of the bank the following official statement, published in London:

"A special committee, consisting of five members of the Bank of the United States, (Messrs. Richard Alsop, Lewis Wain, Richard Price, John Connell, and J. J. Vanderkemp), was appointed, on the 12th of November, to examine into the situation of the bank. On the 15th of November (the day before the sailing of the Great Western) they made a report, in which they stated that they allowed them precluded an investigation of all the items of the account, and that they therefore directed their attention to the least perplexing items. The other items, however, had been investigated by the committee on the state of the bank, (on which were Messrs. Richard Alsop, Ambrose White, Matthew Newkirk, and C. Hickman). The following is given as the result."

The details are then mentioned, and the statement concludes thus:

"Probably surplus beyond the capital of \$5,000,000 dollars, \$1,071,004 24. It should be recollected that the bonus of \$2,500,000 paid in cash for the charter has already been charged to the surplus fund, and that, this had been distributed in annual payments over the whole period of the charter, as was done by the late Bank of the United States, this fund would stand \$2,000,000 higher than it now does."

Still more. On the 1st of January, 1840, ten months after my resignation, another dividend committee, consisting of Caleb Cope, Joseph Cabot, John Bohlen, Richard Price and Matthew Newkirk, made a report, concluding thus:

"From the foregoing statements, exhibiting a surplus of \$5,727,923 71, the committee are of opinion that a dividend could now be declared by the bank; and strong inducements to suggest that course would press themselves on the committee, if they considered only their wishes in meeting very natural expectations of the stockholders of the institution, who have looked with great confidence to a regular distribution of the profits at the accustomed period. But, upon mature consideration of the subject, they are induced to believe that the permanent interests of the institution and ultimate benefit of the stockholders themselves will be promoted by withholding a dividend for the present. The actual condition of the banks of this state, and respect for the legislature now on the eve of assembling furnish additional motives for this course."

This report was unanimously adopted by the board, consisting still of

Manuel Eyre, J. J. Vanderkemp,
Richard Alsop, Cheyney Hickman,
Lewis Wain, Richard Price,
John A. Brown, Matthew Newkirk,
John Bohlen, T. Duolap.

Now what shall we infer from all this? Here are successive boards of directors—dividend committees—special committees, over and over again, declaring the existence of large surpluses and making dividends, and assenting to the soundness and propriety of the bank.

On the 1st of January, 1839, declaring a dividend of four per cent. and announcing a surplus of more than four millions.

On the 29th of March, 1839, asserting that the bank was prosperous in all its relations.

On the 1st of July, 1839, declaring a dividend of four per cent. with a surplus of more than four millions.

On the 15th of November, 1839, after a detailed examination by two committees, asserting still a surplus of three millions.

On the 1st of January, 1840, exhibiting a surplus of more than five millions, and abstaining from making the dividend which they might do, merely from prudential considerations, in respect to the legislature.

After this exhibition, can any one deny what I propose to prove, that when I left this bank, in

March, 1839, it was in a safe and prosperous condition?

It remains to show by what causes the whole of that scene changed into the present total prostration of the bank. Some of them are unapparently obvious.

I have just stated that the winter of 1838-9 was a season of great abundance and ease in moneyed concerns both in England and in this country; but England was soon after startled by the discovery that the grain crop had deficient over the demand arose for specie to export for grain combined with some continental loans, that changed the whole surface of affairs. The Bank of England itself, after borrowing ten millions of dollars from the Bank of France, was still in much drained for coin that it was forced into very severe restrictive measures, which raised the interest of money to twice or three times its usual rate. The most injurious effect was on the stocks of this country, which were no longer convertible in England, except at great sacrifices. These causes immediately reacted on this country, producing the usual effects of embarrassment in the community and alarm among the banks. These troubles, such as they were, like any which have been so many times experienced by the bank, might perhaps have been again surmounted by an exertion of the means and the credit of the bank, but for circumstance which is thus described in a letter from the late cashier of the bank, to whom I applied for information as to the causes which had brought on these misfortunes. His answer is as follows:

March 23, 1841.

MY DEAR SIR: The queries you were propounded to me have occupied no small share of my thoughts. The utter prostration of the Bank of the United States passes, I confess, my comprehension. I may, however, point out some of the causes that, in my judgment, have mainly contributed to bring about its present painful and humiliating condition. The consequences of the premature resumption of cash payments after the first suspension by the banks, and the efforts of the Bank of the United States to maintain its resumption, which, I fear, required in the administration of its affairs the utmost wisdom and experience in finance; and in alluding to a measure adopted by those gentlemen most prominent in its management after your retirement, to make it necessary to impose penalties or detractions from their salaries, the morbid excitement consequent on this too speedy effort to return to cash payments had in a good degree subsided, another crisis was anticipated, and it was foreseen that the bank would be obliged again to suspend. This was, unhappily, too soon to be realized, for the storm was then ready to burst, but, instead of meeting its full force at once, it was deemed best to make it fall first upon the banks of New York, and then, for its purpose, large means were necessary, and to procure these, resort was had to the sale of foreign exchange. The state of the accounts of the bank with its agents abroad did not warrant any large drafts upon them, especially that of Alexander Hottelinger in Paris. This difficulty, however, it was thought, might be avoided by shipping the coin to be drawn from the New York banks immediately to meet the bills. Accordingly, large drafts were made, and applications were made, which were then in great demand, were sent to New York to be sold without limit. Indeed, the bills were signed in bank, and so sent to New York; and although a large book was thus forwarded, it was soon exhausted, and applications were made to the agent of the Paris house in New York for a further supply, who drew a considerable amount besides. The proceeds of these immense sales of exchange created very heavy balances against the New York banks, which, after all, signally failed in reducing the contemplated effect. The bills not being provided for, nor even regularly advised, as had uniformly been the custom of the bank, were dishonored; and although the agent in New York was doing every thing which his judgment could accomplish, the credit of the bank was gone, and from that day to the present its efforts upon the institution have been more and more disastrous. Other causes might be advanced for the calamity which has befallen the bank—the over estimates of the value of the charter—and various matters, all, however, attributable to the particular unhappy measure that I have thus hastily brought to your notice, which Mr. Johnson and myself equally disapproved at the time. The cause of the disasters which have afflicted the bank. Very respectfully, J. COWPERTHWAIT.

N. Biddle, ex-Philadelphia.

Here, then, is revealed the real and secret cause of the disasters of the bank. Now, without meaning to say a single word about the object of these drafts, and without intending the slightest censure

of any one, it is impossible not to see in this single circumstance the solution of many of the difficulties of the bank. The bank, as I understand, suddenly draws an immense amount of bills on Messrs. Hottinguer & Co. without having a dollar of funds in their hands—without having any authority to draw for a dollar—without a line of explanation as to the nature and extent of these unexpected drafts—and without even the usual commercial notice that such bills had been drawn. Messrs. Hottinguer & Co. could not, as private men, dare to protect their bills; and thus the bank, in the very vitriol of its high credit, was suddenly disgraced in the eyes of all Europe.

The talents of Mr. Jandon repaired to a certain extent this disaster, but it obliged him, in order to protect the drafts drawn on himself as well as Messrs. Hottinguer & Co. to make loans and to pledge stock, which were thus, instead of being sold, locked up to await the depreciation which has since overtaken them. And now, let me ask, in all fairness, whether this secret wound—this neglect, or inadvertence, or omission, call it by whatever name you choose—to appraise Messrs. Hottinguer & Co. of these drafts, a thing which belonged to the interior details of the bank, can be charged upon my administration, which had ceased long before that time. Yet these two officers, as we are in the above letter, regard that as the immediate cause of the disasters which have afflicted the bank."

Even after this shock, such was the vitality of the bank, that I have no doubt it might have recovered and prospered but for the late fall resumption of specie payments.

It is undoubtedly true that the only lawful and proper banking is the payment of specie. But where, by any cause, a suspension once takes place, the resumption is a question, the answer depending on many circumstances—on the position of the bank itself—the position of its neighbors—the position of other banks in other sections of the country, just as health is the natural condition of the body, but if by accident, or disease, or depending on many circumstances, it is not so, we must decide when we may venture out without the danger of relapsing. The Bank of England continued its suspensions for twenty-five years, and, if it had been forced into a premature resumption, it would have certainly failed. It is evident, therefore, neither the banks nor the communities with whom Philadelphia principally deals, were ready for resumption, and in my judgment the project and the execution of it were unwise.

I was in town during that period, though merely as a private spectator, and it seemed to me that the true position and the only safe policy of the bank was this. The new administration of the government of the United States will find itself, on the 4th of March, with very small funds, and its policy will be, it is possible, not to encounter at once the debatable question of a national bank, whatever may be its disposition heretofore. If, then, the bank to the United States is in a position to do the public business temporarily, it will, from its extensive connections throughout the union, be more useful than any other existing institution, and thus may gradually become one of the fiscal agents. To accomplish this, it must be in a situation of strength on the 4th of March, 1841, and should reserve its powers for that day. Hitherto the banks believed that they had no real standing against an administration of public affairs, and that the interests with which banks are most connected. A great political change has taken place, but the effects of it on the public interests cannot be seen till the new men come into power. We then, for that moment, see what the new administration intends to do for the country, what relief it means to afford, and then, concurring with its measures, you may resume permanently. Until then the Bank of the United States was not objectionable to me. The legislature had declared of all the banks, that if they did not resume on a given day, their charters were liable to forfeiture, but that did not affect the bank of the United States. When the charter of that institution was passing through the legislature, the provisions, common to all the other banks authorizing the legislature to alter or repeal it at pleasure, was inserted. But I then declared that I would not receive it on such terms, and when, for that reason, the bill was not passed, the legislature was stricken out, the bill did not go on further. Accordingly it was stricken out, and when this very question, whether the legislature had a right to declare a forfeiture for the non-payment of specie, was recently brought before the legislature, it was unanimously decided against the power of the legislature on the very ground of this rejection of the clause.

The legislature, it is true, had fixed the 13th of January as a day of resumption. But that day was

then so fixed because they were in session, and had said that the banks should all resume—that the legislature was much more in the power of the banks than the banks were in the power of the legislature. How easy was it for the banks to say to the governor, you want to borrow \$500,000; the state breaks on the 1st of February unless you can borrow it; you can borrow it only from us; and it we lend to you and resume specie payments, we inevitably break ourselves. And so they said. They authorized a suspension beyond the 13th of January, and we will protect you on the 1st of February. This would have been wise and easy. But, instead of this course, the banks resumed, and the \$500,000, and then broke down immediately.

Believing the resumption unnecessary, as well as inexpedient, I think that all the borrowings of the bank, both at home and abroad, for the purpose of resumption, were very unnecessary. They complicated the affairs of the bank, they embarrassed the other banks, and were at last wholly ineffectual.

One of the reasons which made them ineffectual was the publication of the report of the 1st of January, 1841, giving a particular list of its assets without the means of estimating them, and calculated to inspire doubt and suspicion of its solvency. In fact, just on the eve of attempting to resume specie payments, a statement of the bank was put forth which made every body believe that the bank could not resume permanently, and induced the creditors to come immediately for their money before it was too late.

These counsels I could offer only as private citizens. I did I occupied the position I once did, I most certainly would not have permitted that resumption, and, though it may seem rash to say so, I have not the least doubt that but for that act of insubordination the city would have spared the sufferings of the last two months, the bank would at this day have been strong and safe, that it would have obtained a large portion of such government business as was done by banks, and that its stockholders, instead of deploring as they now do, its prostration, would have found its condition prosperous, and its stock worth five times as much as it now is.

I began by saying that I would prove that the bank, when it left it, was strong and prosperous, and that its present prostration cannot in the remotest way be ascribed to me. Do you not think I have proved it? With great esteem, yours,

N. BIDDLE.

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL

[CONTINUED FROM PAGE 111.]

On Thursday, January 23, 1841.

The pre-emption bill being again under consideration, Mr. CATTELDEN rose to renew in the senate the motion he had made in committee of the whole to recommit the bill with the following instructions: Resolved, That the bill be recommitted to the committee on public lands, with instructions to report amendments thereto to the following effect:

1st. To distribute the proceeds of the sales of the public lands among the several states of the union in just and equitable proportions.

2. To grant to actual bona fide settlers upon the public lands the right of pre-emption to any quantity thereof not exceeding one-half section, or 320 acres, including place of settlement, at the minimum price of \$1.25 per acre, with such provisions as shall limit this right of settlement and pre-emption to actual bona fide settlers whose estate at the time of settlement shall not exceed the value of \$10,000; and to exclude the wealthier speculators from benefiting under this law, and shall prevent them from interfering with, or participating in, the privileges and right of settlement and pre-emption which are hereby granted and intended for the sole advantage of the needy and honest settlers and cultivators of the soil.

My object, (said Mr. C.) in making this motion was merely to obtain a fair and full expression of the sense of the senate on an interesting and important measure. I had little hope that any thing that I might say would cause a majority of this body to adopt that measure. I had no such ambitious thought or purpose. Indeed, we cannot, at present, have even a full expression of what the senate of Virginia and another in the state of Massachusetts have within a few days been filled, although the senators elect have not yet had time to arrive. This is Thursday; by Monday next we may anticipate a full vote. Without any other pur-

pose than to obtain such an expression, I shall submit a motion that the subject be postponed till Monday. I think that when the importance of the subject is considered, such a motion will be as well to be reasonable. A few days cannot affect the destiny of the bill in the other branch of the legislature; and if gentlemen will but consent to wait till Monday, when that day arrives they shall have my aid in obtaining the speediest practicable action on the bill.

Mr. C. said he was far from the further consideration of the bill till Monday.

Mr. CLAY, (of Ala.) said he should be reluctant to refuse the request of the honorable senator, if there was the least probability that this postponement would be in favor of the bill. The senator had reminded gentlemen that two new members of the body would shortly take their seats; but what chance would this occasion in the vote upon the bill? The senator, elect from Massachusetts, (Mr. BATES), might be in favor of the distribution, but the senator expected from Virginia had again and again voted against that measure on constitutional grounds. Unless, therefore, the senator from Kentucky, (Mr. CHITTENDEN), expected to be influential in the senate, no such change of opinion in the senate, the postponement would produce no effect on the ultimate fate of the bill. The vote ordering it to its engrossment clearly indicated a purpose in the senate that the bill should pass, and the courteous objection against postponement was that it might go too late to the other house to receive legislative action there during the present session of congress. The bill was of the greatest importance to the interest of the west, and the general goal was, so far as the vote was concerned, he could not yield his consent to the postponement.

Mr. CHITTENDEN said it was not his object to occupy time in pressing the motion he had made. The senator's remarks on the bill were but, while there were 22 members of the senate. Two senators were absent. He therefore did not see how the vote given in committee was to be considered as so very decisive. The senator from Alabama had presented the bill, and from Virginia, he was already committed on the subject of distribution; but it was to be remembered that the question in its present form, viz: as connecting distribution with pre-emption, had never yet been presented to that body. It was a new question, and it was, as a very strange, for any gentleman who could vote to distribute the surplus revenue in the treasury might vote to distribute the proceeds of the public lands without any great struggle of conscience.

It is easily seen, therefore, that from Virginia, the difficulty. Mr. C. had no knowledge as to what his sentiments at present were, but this he knew, that the gentleman in question was abundantly capable of judging on this and other questions for himself. Should both the electors from Virginia and Alabama, his proposition, their votes alone would produce a tie.

But, (said Mr. C.) there is another objection urged against postponement by the senator from Alabama, which may well render us cautious how we press this measure too hastily through the senate. The object in pushing the bill is, that it may be in time to receive a discussion in the other branch of congress. Thus, in the expiring moments of a rejected administration, a measure of this importance is to be agitated, when we all know that the people have recently made great changes in both branches of the legislature—changes abundantly sufficient to alter the majority on the subject of this bill; yet a majority here, composed of men who have just been elected of the people, goes to become a minority, insist upon action, and are bent on rushing the bill through the senate even before those entitled to vote on it can get to their seats.

The case, he said, would be one of great importance to the west; be it so; yet those gentlemen who are to come into congress will be as capable of judging on that importance as we, besides possessing the additional advantage of bringing with them the last decision of the people of the United States. It is the sole and rightful proprietors of the public domain.

Mr. BENTON. This is certainly a very strange proposition. In a measure of a character so entirely its own the subject of pre-emption, it is strange to have refused to join it with its twin measure, viz: the graduation bill, allowing each to stand upon its own merits. In this state of things, gentlemen on the other side of the chamber are to stand down the pre-emption bill with a subject entirely unconnected with it. The bill has been delayed nearly an entire month by propositions to distribute the proceeds of the land and to cede the land itself. It is a new debate on a subject long since decided. It has involved a great deal of the people, and it is to be set aside, and, but unparliamentary, to bring in matter not germane to the bill, and by debating this to overtake the original measure. I hold this to be unparliamentary.

tribution was regulated under the confederation. The laws providing for contributions to the public expenditure are now entirely different; yet the contract remains as it was, and in all its force. These lands were vested for a particular purpose, and you are constituted the trustee; you are bound to continue your management of them as trustee; you cannot transfer your trust to another, any more than you can delegate any other of your constitutional

you can designate any other person or persons and your contract under them, are laws and constitution to you on this subject. The question is a question of contract; the money arising from these lands is but as a drop in the federal bucket; and the question is whether it is just that the federal government should be relieved of the necessities of the treasury by the states. I think it is not just. It is not just that any reason that the states are to be deprived of that which is their due? Certainly not. We have ample sources of revenue; the states are given ample powers to raise revenue; and reasonable tax upon articles of luxury we can obtain an ample revenue; and we have no right to forbear imposing any duty in order to withhold from the states their due. You cannot, in order to relieve the federal government of its burden, take from the states their due. It is not just to you. If there ever was a measure of public policy which commands the universal approbation and support of the people, it is this. Where can another be pointed out which unites so many evidences of the popular will? Where can there be found a measure so generally approved by the communications of a few interested senators here? No. Unless we are determined to be deaf to the public voice which has made itself so audible to all the rest of the world, we certainly shall not be able to resist the voice of our countrymen, imposing too high an obligation on us to be nullified by the terms "unconsrns", "absurd", or "enormous." As to Pennsylvania, she has not merely expressed herself in favor of distribution, but she has denounced the idea of prospective pre-emption also.

Certainly ought to be the poor man's friend; if it were only out of sympathy, I ought to feel for him, and I do. I wish him to get his land and hold it free from all taxes, and I wish him to ask the minimum price which he pays for it may go to the states to whom it belongs. Let us give to others their due, and then let us provide for ourselves if we can. It would be better to have the people pay for their land, and let us have them to put their hand upon the people for what they want; the people would be the more apt to attend to the manner in which their money is expended. We have seen the influence of the silent majority in the election of 1860, and the election of 1864. In one single year the government received over twenty millions of dollars from this source alone, and this with the other receipts from the customs accumulated a surplus in the treasury of \$100,000,000. What has become of it? Have we anything to show for it? What has become of so much of it as went into the states? Can you show the roads which have been made; the canals which have been built; the railroads which have been cleared out; the ships of war that have been built; the fortifications which have been erected? It is true that something has been done by the states, and they can account for some of the money they have; you have you, the general government, to show for all the vast amount of treasure you have expended! What great public work remains as the monument of this administration? Their hundred millions of dollars which you have had in your coffers! Your redoubtable scheme of a sub treasury has been condemned by twelve hundred thousand voters. A part of the hundred millions of dollars the money is now what have they got? Part of this was delivered to you from the public domain; you insist on retaining this source of income as being the most competent authority to do with it hereafter, and from the past I am justified in inferring the future. The worthy senator from Pennsylvania (Mr. BUCHANAN) insists that there has been no extravagance in your expenditure, that you have not taken a cent from the treasury to sustain the charge; he might as well deny the Allegheny was a mountain, and challenge us to put our fingers on a single spot that was a mountain. He is a man of great intelligence, and I regret that his honorable attitude is absent.

[Mr. BECHANAN (coming from a group of gentlemen in the rear of the president's chair). "He is here!"]

I am glad to see him in his place, and I now tell him that Mr. Van Buren has spent in four years a hundred and thirty-five millions of dollars. What has he done with it? I ask the senator from Pennsylvania what he has done with it? He tells me to give him items. Why, twelve hundred thousand people—yes, two millions of them—cannot get food in a table and look into items, and cipher out the

particulars of a long account of expense; the people must look at great results—they look at aggregates—they inquire for totals. And what do they learn? That one hundred and thirty-five millions of dollars have been expended in the management of the war by this administration. It is a large sum; and what are the results? How has it been spent? How much of it can they find in roads and canals? How much in the improvement of the harbors? How much in the obstructions in harbors? In constructing military roads along our frontier; establishing posts; erecting fortifications? In repairing and building ships? In arming our forts and protecting our maritime and inland commerce? How much in the purchase of peace or war? Out of your one hundred and thirty-five millions only seven millions in all. And the two millions appropriated before, and you have the residue of the war. How much of it is gone? Of the rest, what remains? It has left no trace, no shadow on the land. Yet this is not extravagance! The president is a very great friend of economy; yet he has expended more than thirty-five millions of dollars in the management of the war. And this has not been the results. May I not throw on him the burden of showing what has been done with such a sum of money—especially when we do know that this country has been able to do more than any other? Twelve years ago an administration was turned out of power as extravagant, which expended but thirteen millions a year. It was cried down as a most prodigal administration. Well, the same course was pursued by the next administration. It was the same policy pursued in their hands, and their rate of expenditure, instead of thirteen millions, was thirty-one millions. And yet, here, the senator says I must give you the results. I will call it but extravagance, but put your finger on a single item of extravagance." Well: I have not made much minute calculation about the particulars, but even a general and superficial observation enables me to accept the senator's statement. I have not time to do more. I think there has been some little extravagance in the management of the Florida war. What sort of an arrangement was it, in point of economy, to resort to the use of the militia? It was a most wasteful and extravagant use of the militia. It was the extravagance of the peninsula of Florida against a remnant of some five or six hundred Indians, while volunteers might be had at any time from Alabama, Georgia, Kentucky, Tennessee and Mississippi, all of whom would have been glad to have fought in the remote region of Clay county, on the Missouri river, to bring down horsemen to traverse the swamps of Florida! Can there be any thing like a military education of the militia? It is a waste of money. Or any service? The troops dragged from one momentary service had to be taken round by sea—a storm overtaken them—and we have had to pay for more than 200 of their horses which were lost overboard. A number of Kentucky volunteers were sent down by water. The honorable senator ought to know something about this matter, for he had charge of the Kentucky volunteers, and he was the agent of the expense. Was there no extravagance?

I will give the honorable senator another instance. There was collected somewhere in Tennessee a magazine of provisions to the amount of half a million of dollars. Not being wanted for the use of the army, it was sold by the government on the spot, in the midst of the war, and the proceeds of sales was not over \$50,000—leaving a clear loss to the government of \$450,000. The articles were of the most valuable kind, such as coffee, sugar, grains, corn, bacon, and the prices at which they were sold were almost ruinous. The government lost by this sale more than \$450,000. The honorable senator put his finger on one thing; I put my finger on these two. Economy in military expenditures is, I admit, very difficult. The possession of large stores of money rendered men careless in their expenditures, and it was impossible to get them to economize. But for waste like that I have referred to any administration is justly responsible. This administration has squandered millions on millions, and what they fly to show for it? What have we seen lately? We have seen a new army of 100,000 men raised, although that, though congress positively refused to raise a new military army, we were no sooner gone, and the president, who seems to have been viewed as a sort of residuary legatee of all power in the government, has raised a new army of 100,000 men, exclusive artillery, 500 mounted men, and 1,200 infantry, militia, were immediately raised for the Florida service. In regard to these 1,200 militia, an entirely new species of policy was invented. These militia were sent to the front, and were to be sent home, disgracefully to pursue their own business, and never, on any account, to move more than twenty miles from their own habitations! [Laughter.] They were termed—and very justly, I think—and called "home guards." [Laughter.]

Yes, twenty miles was to be the extent of their

their expedients. If they happened to be in full pursuit of San Jose or Tigertail, the moment they arrived at that prescribed limit they were "sedulously" to turn round, and "sedulously" to return, [laughter]; and then were to be paid for the sedulous return, [laughter]. The senator [Mr. Stewart] then asked the senator says there was no extravagance. He may say (and that is all he does say) that the objects on which the money was expended were proper objects in themselves. That may be. But can extravagance be shown in spending money on such proper objects? Surely it can. It was equally manifested, and most commonly, in private as well as in public life, by unwise and wasteful applications of money to objects in themselves fit and proper. And that is the extravagance that I complain of here,—not that the government expended money on such objects as bacon and corn for the use of the troops; but was it not extravagant to heap up \$500,000 worth of these supplies, and then to sell them off at auction for less than one-fifth of their actual cost? Corn that was bought at two dollars a bushel was sold for 124 cents; wheat at \$1.50 a bushel was sold for 124 cents; and cents a pound in the market, was sold for two or three cents; and the rest in like proportion. Was this not extravagance, improvidence and gross mismanagement,—to lose in one stroke half the provision that was bought for the army's campaign?—do I not complain of the actual loss?—do I not complain of this practice of encouraging jobs; of tempting our town officers to become speculators on the public waste of economy. To set up more than half a million's worth of valuable public property at auction for less than one-fifth of its value, where there are no buyers,—what was it but to offer a bait to men whose play is not so overboard as to place them before temptation? And then to bring down half the money from the remotest borders of Missouri, where there were militia in abundance in the States close by, and to expend the public money in making a campaign like this!

I could give this honorable senator more instances; but his challenge has been fully met already. He asked for items, I have given them; he called for particulars, he has them.

I thought to apologize for following the senator's high example in departing from the subject immediately before the senate; but he has challenged me to point out instances of extravagance in the administration of the public finances, and this must be done. I have, therefore, the honor to inform the honorable senator to the effect that the branch mint—namely, where the gold is made, though much was expended in the most ridiculous and wanton manner—but I forbear. I say that much of this extravagance is owing to an administration's having money flowing into their possession, and that, when the money is not so plentiful, no suspicion is excited, and they care not to take to consider the money in their hands rather as theirs than the people's. I am for giving the money into the people's own hands. I am for distributing it among the states, and not for leaving it in the hands of the government. I am for making the people, little better under the country administration

But now, to return. There has been another curious topic of inquiry suggested by my friend from Alabama, as to what the opinions of gen. Harrison are or are not on this subject of pre-emption, do you not very properly inquire for our inquiry. The gentleman would like to know whether the subject of pre-emption, should he know whether the gentleman's convictions on this subject were as distinctly announced before the people of Alabama, during the late canvass, as they are now known to us by the present proceedings, and if not, whether we should consult the public interest, as well as the dignity of the senate, by following what we ourselves consider proper on any point of public policy, rather than by occupying our time on an inquiry that may not be of much importance to the public. In order to speak here, in debate, of the opinions of a President actually in power; the same course of reasoning ought to render us very cautious to observe a reserve as to the personal sentiments of a private citizen, and I am myself concerned, I am entirely careless what opinion I may entertain on that subject. But if his researches have shown that gen. Harrison is in favor of pre-emption, do not the same proofs show to equal evidence, that he is in favor of distribution? If he takes gen. Harrison as his guide, he will be equally thorough; let him take any proposition for pre-emption admitted with distribution. Has he not the same aversion of the opinions of gen. Harrison for the one as for the other? He has, and, I think, evince it with little difference. He says that nature has as any weight in the matter, the weight may be great; but I regret the aid of any such authority; if not a fit subject for our consideration; we should let like independent men, from our own judgment

In all this argument, our references to the recent actions of the people seem to attract no regard from gentlemen on the other side. When we ask them to pause, because the people have since acted, and their newly chosen agents are not yet here, our argument is said to be inconceivable. The senator from Missouri cannot understand the people's action, he says it is more mockery to call it an election. According to another organ of the party, it is the effect of ignorance and drunkenness. According to another, it is the work of foreign bribery. And according to yet another, the people are being duped and plained by referring to the operation of log cabins and coon skins! [A laugh.] Yes, without purpose or principle, the American people have fallen down and worshipped the effigy of a log cabin adorned with coon skins. In this fit language to be held by American senators, gentlemen, I admit, have cause for grief—for inward grief; but I should say it was not, at least, very politic to sooth their grief by sneering at the people. The gentlemen stand very high; their authority is no doubt of great weight, but to sneer at twelve hundred thousand voters has in it something a little ridiculous. They are too many, entirely, to sneer at. It is going a good way to say that they are an ignorant drunken set, and that their decision at the ballot-box is all a matter of gross fraud and coon skins. It is not very politic to say they were bribed by British gold. The whole country knows better. Where is the man who has not witnessed the late glorious assemblages of the people? And who that saw them gathering by thousands and millions, and cheering and shouting, and the other, could doubt where the expression of the public will came from? It was the deep, self-moved, spontaneous movement of an indignant people. This people, the people, they must bear the brunt of the gentlemen's calumnies. The end of 200,000 voters is quite sufficient to prove that none of the causes which have been assigned are the true ones. We are right, it is the judgment of the people on a rejected administration; it may have been erroneous; long personal animosity may still be in the very breast that ever existed; but it is neither they nor that is to be the judge on that subject. Although they have spent 153 millions, and have nothing to show for it but the receipts—(the gentleman says he has got all the papers before him)—[A laugh.]—but it may all be very right. Still, the people, by the constitution, have been constituted the rightful judges; they have sat upon the question, and it will not suffice to set aside the verdict of such a jury and say they were moved by coon skins, or plained by the operation of a log cabin, or, to continue the climax of corruption, that a senator was actually seen to walk in a procession of the common people! Well, I suppose I am called to take my share of the burden. I acknowledge to the gentlemen that I am a senator (and this, perhaps, the very crime alluded to) was one of a long procession marching as proudly and as triumphantly as ever men did march to the rescue of their country; yes, and feeling myself prouder to be one of the people moving in the majesty of their might, than ever I felt, even by my place upon this floor. And should senators, like other folks on a march, suffer the inconvenience of a little dust, why, they can bear it. I do not see, when the people are thus walking in solemn procession to the rescue of their country, that senators or any other dignitaries are greatly soiled or defiled, or exhibit any very great show of condescension, should they happen to get a little of the soil of freedom deposited in the folds of dust upon their fine white coats, or even in their fine stockings. (For a senator, too, as they were almost choked.) Is it a degradation for a senator to go down among the people? Is it going down? Does he degrade his senatorial dignity by walking with his fellow citizens, cheering and encouraging them by his presence as he marches to the rescue of the Union? In my opinion, The gentleman may call me a federalist, by which, I suppose, he means an aristocrat; but my federation does not consider it as the least reproach to walk with the people. I am one of them, and I hold it no degradation to be seen by their side. Other gentlemen may hold themselves bound by their dignity to eschew such gatherings, and may shrink, like a ball-room exquisite, from the contact of a little dust—I cannot feel, or think, or act with them. For my part, I have seen nothing, nothing of the origin which they so-called the feelings of an honorable senator. I saw nothing but countless gatherings of the people, not, under a common impulse, for a common purpose, reporting themselves in a station of honor, but to be seen in this season, and understanding what they were about at least as well as we do.

But all this is said with a view to weaken the coming administration. Gentlemen who despise this people—yes, those democrats who consider it

degrading even to walk with them—are beginning to destroy the people's president by prejudice they hold him to be contempt, as a man chosen by bribery, by drunkenness, and by ignorance, that he may be condemned beforehand. They are mustering forces for the battle against the people and the people's candidate. I will enter no such ranks. So long as my feeble voice and my vote can go, the people's choice shall be respected, for I believe they are capable of understanding and acting for themselves, even if they are the ignorant, corrupt and drunken set which their heretofore adorners represent to be.

[Mr. DE HANAN. The gentleman looks toward me; did I ever represent them as ignorant or drunken?]

Mr. CHITTENDEN. Never, never. The gentleman will excuse me for looking at him. [A laugh.] He never did. But I say that this is done for the sake of opposition to the president who is coming into office; it has been determined on before he has had an opportunity to perform one official act. But it is in vain. This coon skin blunbaggery is all to be put aside. The idea of March—the idea of March is coming, and already this blunbaggery against an untired administration has commenced. I desire the people to know it. I wish them to understand how the man whom they have elected to bear the weight of government is to be received. No means of warfare, however unrelenting or fierce, are to be spared. Already the sound of battle is hurrying in the air. It has been resolved, by calumnies and slanders in advance, to undermine, if not to overthrow the new administration. But the calumnies are so great that they will divert rather than provoke the people. I do not say that all who are opposed to gen. Harrison will pursue such a course; but I predict that this will bear the weight of active and assiduous action of the party in opposition. No president ever took office amidst such difficulties as the president elect will be called to encounter. You leave him a country embarrassed; you leave him a treasury swept out clear as your face, Pennsylvania says—[A laugh.]—[Mr. BUCHANAN. No, I did not.]

[What, indeed, have you left untwisted? You do, indeed, leave him a law authorizing the issue of treasury notes—the glorious privilege of going into debt for money—he comes into office. Will the gentleman say they leave him one dollar of this one bad dollar of the "constitutional currency"? This bad money government—a government which for twelve years has been proclaiming every thing trash but the constitutional currency—after twelve years of palmy administration—now is to come to leave the house of the people, what does it leave behind! The honorable senator from Pennsylvania could not find any thing left but the privilege of issuing a promissory note. No; not a dollar could he put his finger on. The secretary of the treasury says he shall not be able to pay up to the 1st of March, and therefore he asks for an issue of treasury notes to answer his own purpose. President Harrison, then, is left to come into the government without one dollar at his command. You have spent one hundred and thirty-five millions in four years; your treasury does not contain a dollar; and you bequeath to your successor nothing but debt. You have sold and administered on all the goods and chattels of the government. [A laugh.] The debt due you from the Bank of the United States you have trafficked off; you have collected all extra income, and spent it, together with all the accruing revenue, and you have no money left to pay the debt. The gentleman says millions of surplus revenue in the treasury; you soon ordered the issue of five millions of treasury notes; the secretary, to make all sure, took six millions. Of the thirty six millions ordered to be distributed among the States you reserved one million and from the Bank of the United States you got eight millions, making, in all, twenty-three millions of dollars surplus over and above the revenue; and yet, now our secretary of the treasury comes and preaches us lectures on economy, and says that the Harrison administration may get along for a year without a dollar to begin with, and with all the debts of the past administration on its shoulders. He calculates nineteen millions from the customs, when the calculation is seven. He says that he will reduce it for the first quarter to three millions, which would make his receipts for the year but twelve millions. He makes a long count for Harrison, and calculates he may get along if he will reduce the expenditures. The gentleman says he will leave us in the legacy of economy; he bequeaths us sage lessons, very good, to be sure, particularly when accompanied with an empty treasury; and, to complete the inheritance, he adds a vast experience of the ill-effects of extravagance.

But I am going too far away. There is one other ground taken by the senator from Alabama, and which he seems to grasp at as his last hope. There comes, he says, a better, more democratic way to run the gauntlet of this administration. "No democrat." In our political contests terms change and shift so much that it is not easy to know what is intended; but let me inquire of the honorable senator what he means by "democracy."

[Mr. CLAY was understood to say, in reply, "a friend to state rights and republicanism."]

Mr. CHITTENDEN. Very good. Now I will tell the gentleman what I mean by a republican: I understand by a friend to a republican government as established by the constitution of the United States; a man who is ready to defend all the rights of this general government, and state governments, and of individuals, which they possess by virtue of the constitution. By democracy I mean a republican government as established by the constitution. That is constitutional democracy. Who goes for that is a democrat. A man may be more, or he may be less, but I hold him to be a democrat who acknowledges and values both by reason and practice. I trust the time is coming when democracy of this stamp will have no gauntlets to run. Of that we have had enough, in all conscience. In this sense, I may say, I was born a democrat—I was raised a democrat—I feel myself educated to this democratic standard. When I hear gentlemen of every political stripe parking something of the loco focus, something of the federalist, and distinguishing chiefly by devotion to executive power, all labeled "democracy," I feel that any body may take such democracy that likes. "I'll name it." But when you come to genuine constitutional democracy, I will put my foot as far as he who goes furthest. That is my democracy. I inherit it; it is mine both by education and practice. The gentleman, I believe, did not claim democracy as theirs exclusively. There may be some pretzel for such a claim when those who make it are in a very decided majority, and under such circumstances, though they may take what does not belong to them, they are guilty only of trespass under color of title; but now—now that the verdict of the people has been given, gentlemen would do well to mind where they take their neighbor's nauga or pind. When a man takes what does not belong to him as challenging your right to the title, and as claiming it, in the name of the people, for their president elect. The name of "democrat" is the people's name; it is the people's property; they have the sovereignty; they have the right; they have stowed it on their true friends. In giving the name of these times, I should denote you by an alias; and call you "federalists alias democrats." [A laugh.] I hope you will take this as a friendly warning that, after the 4th of March next, I shall consider it more than a trespass if you take the term democrat against you. Gentlemen must not look away from the people the name of democrat. If the people are not democrats, who are? They are what you have basely called them, "the democracy"—"the democracy of numbers"—and this democracy of numbers have, in every practicable form, consulted upon and demanded the distribution of the proceeds of the public domain. Let us heed their voices. Let us heed their instructions. It does not seem to me that any of us should be dissatisfied with the measure I propose. I think there is in that measure so much of the nature of compromise as might, of itself, render the idea acceptable to the people. The gentleman says the union is but a compromise upon a large scale; new states are anxious for more territory; I assure them of my entire and perfect sympathy, and I shall ever be ready to go as far to advance their policy in this respect as the people's will allow me to go. I think, if this compromise is made, I shall be at liberty, as a trustee, to adopt the whole as a wise and well-balanced system for the administration of the public lands.

After all, I can hardly hope that my proposition will be adopted; but I have accomplished my whole desire, at this time, by bringing it before the people of the United States. I desire the remotest settler on our frontier to know that though he may, as a settler, have thought no him, may, I am willing to grant him a pre-emption if he takes only consent to a just distribution of the proceeds of this sale. Though my plan is not adopted here, my hope is that it may be extensively known, and that it will directly save any and every man's accusation or injury on any partward to the settler of the wilderness. And now let me close with one remark: a solemn conviction of duty, and an ungrudging regard to the poor and meritorious cultivator of the soil, have led me to the sole motive for my action here.

[DEBATE TO BE CONTINUED.]

CHRONICLE.

BANKS. An important decision. In a case recently before the court of common pleas in Dauphin county, judge Parsons decided "the true rule of policy and of law, to be that when bank notes are current at the place in which they are paid, and they are received without objection, and paid in good faith, without any knowledge that the bank had failed or where, from the facts, it could be inferred that it had, although at the time, the notes in the place where the bank is located, are not current but utterly worthless, still, in law, it is a valid payment of a pre-existing debt, and when so received, and the debt or judgment satisfied, it is a payment, and the original debt is relinquished."

The case has been removed to the supreme court for re-argument.

BANKRUPTCY. By a return of the failures which occurred in Paris during the year 1840, it appears they were 326 in number, and amounted to \$2,263,000, say \$10,000,000. The assets are set down at \$2,306,000, but the amount is merely ideal.

The total number of bankruptcies in England and Wales, par-taken the last year, was 1,425, (and amounted to \$100,000,000) being an excess of 312 over the year 1839.

BORON—length—duration—the number of persons in that city who pay taxes to the amount of \$500 and upwards is as follows:

125 persons paid \$500 and upwards.	
41 " " 1,000 "	
22 " " 1,500 "	
10 " " 2,000 "	
6 " " 2,500 "	
3 " " 3,000 "	
1 " " 7,000 "	

The taxes of John Parker, are \$7,011; those of Peter C. Brooks, are \$5,026.

BRITISH OUTRAGE. Capt. Wyse, of the *Leonidas*, stationed in Baltimore from the day of January, states that on the 16th of March, in lat. 9 30 S. long. 33 47 W. he was fired into and brought to by the British ship-of-war *Rose*; the boat went on board, the papers demanded and examined under the plea of supposition that she was a slave. After detaining him for some time, she was allowed to proceed.

BRITISH CLOTHS. The following abstracts from the official report to parliament of the export of woollen fabrics, mixed with cotton, linen, &c. from Great Britain to the U. States, show a remarkable increase, which perhaps some of your readers can explain.

In 1838, 138,529 yards. Official value £18,408
1839, 221,280 " " " 28,371
1840, 1,108,519 " " " 85,553

BUSINESS CONVENTION. We notice that in several of the counties of Pennsylvania, meetings are being held for the purpose of electing delegates to the convention of business men, to convene at Harrisburg on the 25th of May next, to promote the agricultural, manufacturing, mechanical and mining interests.

CONVENTION ELECTION.

For Governor.

	1840.	1841.	Ellsworth.	Niles.	Ellsworth.	Niles.
Hartford county	1149	V. B.	1149	V. B.		
New Haven	4,387	3,303	4,981	4,160		
New London	3,173	2,511	3,569	3,008		
Fairfield	3,419	2,612	4,789	4,008		
Windham	2,342	1,816	2,686	2,347		
Litchfield	3,919	3,136	4,294	3,812		
Middlesex	1,874	1,502	2,238	2,272		
Tolland	1,736	1,370	1,959	1,561		

20,078 20,458 20,355 25,283
20,455

Whig mty. 5,620
Do. in April last. 4,572

Six members of congress.

Six members of congress.			
	1841.		1833.
Joseph Trumbull	1,275	Mr. Trumbull	1,081
Wm. W. Boardman	1,116	" "Storrs"	131
Thos. W. Williams	629	" "Williams	90
Thos. B. Osborne	809	" "Osborne	300
Truman Smith	818	" "Smith	523
John H. Brockway	912	" "Brockway	526

8,550 2,654 2,654

Whig gain 2,936

Legislature.

	1841.	1840.	Counties.	Whig.	V. B.	Fugacity.
Hartford	12	12	12	12	12	12
New Haven	16	7	16	16	16	16
New London	15	10	15	15	15	15
Fairfield	12	12	12	12	12	12
Litchfield	22	6	22	22	22	22
Windham	12	2	12	12	12	12
Tolland	12	2	12	12	12	12
Middlesex	6	2	6	6	6	6

116 57 41

Every senator except one, is now whig.

*Returned in 1840, and hon. Wm. Boardman elected in his place.

COTTON—Imported. The sales of the week, ending the 27th inst. were 18,550 bales; 3,370 (valued at \$1 to \$3) 5000 Mobile, &c. \$1 to \$2; 5,500 New Orleans, \$1 to \$2.

The sales of the week, ending April 24, are 18,700 bales, of which 1,700 of America are placed to speculation account, and 1,300 of various descriptions for export. There is also forwarded into the interior about 1,000 bales of 1840, and 1,000 of 1841, at all descriptions [d. to] lower this week, with a flat and heavy market at the decline.

DEATHS. During the last week, in New York, 163, of which 29 were of consumption, and 53 under 21 years of age.

DELAWARE STATISTICS. From the 1st of January to the 1st inst. there have been 74 murders and 63 suicides. Of the suicides, 19 came to sudden death by temerity; 12 by taking laudanum; 5 by cutting their throats; 5 by drowning; and 5 by shooting themselves. Of the murders, 6 were in New York, 6 in Ohio; 4 in Georgia, 4 in New Orleans, 2 in Virginia, 3 in Vermont, 2 in New Jersey, 2 in Kentucky, 1 in Arkansas. Of suicides, 32 were in New York, 9 in Pennsylvania, 1 in Massachusetts, 6 in Connecticut, 1 in Maine, 1 in Kentucky, 1 in South Carolina, 1 in Wisconsin, 1 in Rhode Island, 2 in Virginia.

ELECTIONS. The general election took place in Virginia on Thursday last, the 23d inst. Congressmen were elected in Rhode Island on the 20th inst.

FISHERIES. Shad in the Potomac are abundant. Superior quality are selling at Georgetown at \$4 60 a hundred. At N. York they bring \$35 a hundred.

THE EXPEDITION. Sailed from Oahu, Nov. 10, U. S. S. *Kearney*, comm. by Commodore M. C. Perry, 2d ship Peacock, Wm. L. Hudson, commander; and schooner Flying Fish, S. Knox; 3d ship Vin-ces, G. M. Smith, commander—all on a cruise.

FLOW. Prices remain with hardly a variation as last quoted. New Orleans, April 14. There have been 4,000 barrels of flour sold at \$2 30 cash. The stock in port for now fully 25,000 barrels, of which 11,000 are in transit, for Rio de Janeiro there are, of this amount, 7,000, and for St. Thomas and a market, 4,000.

FORT WASHINGTON. We learn from the *Alexandria Gazette*, that under the appropriations for Fort Washington, passed by congress at its last session, the letting of that fortification has commenced.

REICARD HARRISON. The talented and indefatigable editor of the *Boston Atlas* is no more! The Mercantile Advertiser of Mr. H. Haughton, in the *Atlas* of yesterday morning, announced his intention of proceeding to Europe, in the *Acanth*; and at about 10 o'clock, while engaged in his editorial duties, he was suddenly seized in the possession of as much health as he had enjoyed for some months past, he was suddenly attacked with illness, probably apoplexy, and immediately expired.

Mr. Haughton was well known as a man of letters. In industry and enterprise he has seldom been equaled—his political knowledge was very extensive, and under his direction, the *Atlas* has exercised a great influence in matters connected with our state and national governments for several years. Perhaps no paper in the union has furnished more important and in bringing about the late great political revolution, which resulted in the election of William Henry Harrison.

Mr. Haughton had many warmly attached personal as well as political friends, for his possessed many qualities honorable to human nature—and his sudden and premature death, he being only about forty-five years old, will carry sorrow to many a lonely bosom.

ICE. An English paper mentions that one of the American ships at Calcutta, recently landed 400 tons of ice, which sold at the wholesale rate of one penny per pound, netting a profit, exclusive of port duties, of upwards of £2,700 sterling.

3	317	675	3	402	894
4	612	1,281	8	583	1,374
5	1,080	1,021	9	1,181	1,098
6	1,003	1,570	9	1,169	1,330
7	1,076	1,719	9	1,199	1,609
8	1,475	1,561	9	1,253	1,714
9	1,797	1,751	9	1,745	1,908
10	1,735	1,536	6	1,992	1,425
11	1,447	1,303	11	1,614	1,326
12	1,417	894	2	1,58	661
13	1,004	376	2	706	270
14	1,319	1,003	10	1,502	1,091
15	1,226	948	4	1,407	1,010
16	1,602	1,430	6	1,491	1,530
17	1,433	907	2	1,115	1,330
18	1,287	1,153	—	1,322	1,212

Total, 18,543 18,108 73 21,211 19,654

Morris' majority, 437. Varion's majority, 1,617.

Whig gain from last year, 1,180.

Afterwards, Judge Van Vleeton, who is elected mayor by a majority of eight votes. Last year the whig mayor had 266 majority. The aggregate vote is larger than it was last year, but the whig vote was 27 less.

Six out of the ten wards have elected whig councilmen.

Mr. WILLIAM LADD, extensively known as a man of warm hearted benevolence, who for a long series of years has devoted his time, his property, his talents, to the dissemination of the principles of peace, died in Portsmouth, on Friday evening last.

NORTH NEWS. The account of the fire which took place at the college, at Washington, the main building of the mansion and nearly all the furniture was saved—mainly by the exertions of the Irish laborers from the vicinity.

NATIONAL INSTITUTION. We understand that Dr. Owen has lately forwarded to Washington the collection of specimens of rocks and minerals which he made during his geological survey of Iowa and Wisconsin also a selection made by him of European minerals from the collection of Mr. Sturges, esp. Both collections are destined for the National institution, lately formed at the seat of government.

Dr. Owen, we learn, is endeavoring to make a collection of specimens along the Ohio, from the states of Ohio, Indiana and Kentucky. From this collection a complete set of geological specimens, illustrative of the formations along the Ohio river, will be forwarded to the National institution.

(Louisiana Adc.)

OUT. The U. S. Gazette says: "We will astonish many, but not contravert with the business, to learn that the old saw-mill, which was the engine on the Columbia road, seventy-one miles from Newburgh, cost last year sixteen thousand six hundred and thirty-one dollars and ninety cents. A good large whale ship, well manned, in the last season, would scarcely supply the demands of the rail road."

FOR THE ROCKY MOUNTAINS. The steamer *Tiptoe*, belonging to the American fur company, left St. Louis on the 10th inst. for the Rocky Mountains. The crew were a large number of hunters, all of whom appeared in the highest spirits, and the deck was strewn with their paraphernalia. She will be absent about four months.

SNOW STORMS. In the vicinity of Hartford, beginning 25th of October, 1840, to the first of March, 1841, we have had 17, average about 41 inches deep. Aggregate on level about six feet six inches. In all to March 17, aggregate 5 feet.

STEAMER. The *Acadia* left Boston for Halifax and Liverpool, on the 16th, with 85 passengers, 7,500 letters and 7 large bags of newspapers. Capt. Miller was so much mortified by the accident, that he is unable to go out to her, and Mr. Scott has taken command.

STEAM FRIGATES. On Monday an experimental trip was made with the steam frigate which have been built at New York for the Spanish government. The result of the trial was very satisfactory. There are 2 of them, named the *Luigi* and *English*, each of 670 tons—breadth of beam 30 feet 8 inches, do. over all 49 feet 6 inches—length 102 feet, 184 feet over all at 170 feet. Each vessel can carry fuel for 30 days' consumption, and of course, can easily make voyages across the Atlantic. They have round sterns and are perfect for twelve cannon—arranged in pairs, and can be fired, each one of the *Paixans* guns in the stern. Their figure heads are carved to their nauses.

(San.)

CAPT. JOSHUA STURGES. of the revenue cutter *Hamilton*, stationed in Boston harbor, has been presented by the American ship-building company, in that city, with a splendid gift, built up a new model, in consideration of his having saved the lives of eleven dead in the summer of 1840.

SUGAR. By a document concerning the cultivation of sugar, transmitted by the legislature of Louisiana to congress, it appears there are 525 sugar estates in that state, employing 40,000 hands and 10,000 horses, and that the average crop is equal to 70,000 bushels of 1,000 lbs. or 70,000,000 lbs. sugar and 3,000,000 gallons molasses; the average value of sugar is six cents per pound, exclusive of freight and other expenses.

TOWN AFFAIRS. The inhabitants of a town in Connecticut, it is said, have voted that, whereas the selling of rum is profitable to the seller and deleterious to the town, the town will take the business into their own hands, and sell rum at a low price, and for the benefit of their town, voted him a salary, ordered the select men to furnish the rum, and directed the agent to register every man who bought the rum, and the quality sought.

TREASURY NOTES. Treasury department, April 3, 1841. Amount of treasury notes issued under the provisions of the act of congress of the 15th October, 1837, the 21st of May, 1838, and the 2d of March, 1839, is \$19,375,066 28

Amount redeemed of those issues 19,375,359 90

Leaving outstanding 193,727 29

Issued under the act of 31st March 1840, 7,114,251 31,

R. redeemed of those issues 6,193,567 06

Amount redeemed of those issues 19,375,359 90

Leaving outstanding 193,727 29

Outstanding of the above issues, 4,959,064 28

Issued under the act of 15th February, 1841, 1,327,874 95

R. redeemed of those issues 14,612 30

1,313,262 65

Aggregate outstanding 1st instant 6,301,224 87

T. E. WING, secretary of the treasury.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 9.—Vol. X.]

BALTIMORE, MAY 1, 1841.

[Vol. LX.—Whole No. 1,644.

THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

The Great Western arrived at New York about 1 o'clock, on Saturday, the 24th inst., having made the passage in sixteen days—a very short one for this season of the year.

Among the passengers are Mr. Bates, managing partner of the late firm of Barrington, Brothers & Co. with his lady and a party of friends; also professor Wayland, Joseph Hann, esq. lady and daughter, Miss Jordon, &c.

The news brought by the Great Western will be read with deep interest.

ENGLAND.

Non-arrival of the President. Up to the closing of the mail from Liverpool to London, on the 7th inst., the steamer President had not arrived, and it will be seen by the following extracts from the London Courier, that the most painful anxiety prevailed concerning her fate.

A rumor prevailed on yesterday, and was pretty generally credited, that the President, about which such painful surmises are afloat, had been seen making for the Azores, in order to procure fuel. The statement turns out to be incorrect, but as yesterday was Sunday, was almost impossible to trace it to its origin. Two vessels arrived here yesterday from St. Michaels, one of the Azores—the Lynx and the Star of the West. They sailed in company on Thursday week, and arrived with the same tide. The captain of both vessels says that the fate of the sailing until reaching the Channel, they saw no falsehood whatever. This is conclusive as to the falseness of the report. There can be no doubt that the President experienced the same hurricane which the Carolina steamer encountered on the 15th and 16th ult., which is described by some old captain on board as being one of the most severe they ever witnessed in the Atlantic. In the mean time, public anxiety is stretched to its utmost tension respecting her fate; and it also forms the almost exclusive subject of conversation.

7th, P. M.—The accounts received from Liverpool this morning describe the excitement existing on account of the President to exceed any thing of the kind ever known in connection with shipping. As yet we have nothing on which to found any satisfactory opinion respecting the cause of delay.

The Liverpool Albion says—nothing whatever has been heard of the President steamer, if she sailed to the southward, and made for the Western Isles, for the purpose of replenishing her coal, she is not yet due. The Liverpool steam ship was, in the winter of 1839, compelled to run to the same islands to replenish her coal, being blown 27 days on the passage from New York to Liverpool, via Fayal. The prevalent opinion is, that the President must have run to the Western Isles, and that she may be expected to arrive in a few days.

Vol. X—No. 9.

[From the Shipping Gazette of April 7.]

Half past three—2½ per cent. has been paid out of doors on the President, and there is a doubt whether any thing less than 20 per cent. would be accepted in the subscription room at Lloyd's. She was first insured at five per cent.

House of commons—Care of Mr. Loock. Viscount Palmerston said that the next motion in the paper was one of the honorable member from Kilkenny, relating to the differences at present existing between this country and the government of the United States, and to the arrest of Mr. Loock. He put it to his honorable friend whether, at the present moment, he would think it necessary to bring this question under the consideration of the house. For his part, he did not see the expediency of bringing forward this question at the present moment.—(Hear.)

He trusted that there existed, on the part both of the government of the United States and that of this country, an anxious desire to bring this matter to an amicable and satisfactory termination. (Hear.) These matters had excited a strong feeling both at this side of the Atlantic and the other, and whilst these matters were the subject of commination between the two governments, any thing which might tend to their details could not be desired, perhaps to defeat the object, not only of his honorable friend, but that of the English government and the government of the United States.—(Hear, hear.) He hoped, therefore, his honorable friend would postpone his motion. (Hear, hear.) Mr. Hume said, no person was more anxious to see relations of friendship manifested between this country and the United States. He was opposed to war of any kind, but a war with the U. States he would not postpone his motion. (Hear, hear.) After what has been stated by the honorable lord, he had no objection to postpone his motion.

Last night, in the house of commons, Mr. Hume was about to move for the correspondence in the Carolina affair, but desisted, at the request of Lord Palmerston, who stated that if the negotiations are made public at present it might embarrass proceedings between the two governments—both of whom were desirous of preserving peace. Mr. Hume said, he would postpone his call till after the recess.

Preparations. The London Naval and Military Gazette says that sixteen war steamers are ordered to be built, six of the first class and ten of the second, all to be armed with guns of ten inch calibre. Several of these will be laid down immediately, and the frames of the whole covered without delay, so as to be ready against the engines are prepared.

The robbery at Windsor castle. April 6th. This morning Richard Lovegrove, the party suspected of being concerned in the extensive depredations at the castle, and who was advertised in the Police Gazette of Friday, arrived at Windsor by the eight o'clock train from Paddington, with the high constable of Windsor and another person named Neham, to whom, it is stated, (but from the secrecy observed it is impossible at present to obtain the correct particulars), he gave himself up in the custody of yesterday.

Thomas Stevenson, ex-mayor of Stafford, has been examined and held to bail on a charge of forgery.

There was another rumor, coming by way of Russia, on the 6th, that the Chinese dispute had been adjusted, but it was not credited. Even the Globe, anxious to grasp at any thing favorable, could only present the following:

The source of the report which we gave yesterday in our city correspondence, respecting the settlement of the dispute between this country and China, was letters received via Petersburg by parties who, on a former occasion, (the arrival of our expedition near the mouth of the Pekin river), had intelligence of it by the same route some weeks earlier than the India mails.

Without, therefore, being able to confirm the report from other sources, we hope that its substance, the concession of our claims by the Chinese, will prove correct, and that the next arrivals from the East will confirm the satisfactory conclusion anticipated.

Count Saurville (Joseph Bonaparte) has been alarmingly ill, but was considered better at the last account.

Corn market—Liverpool, April 6. Since last market day the arrivals have been of fair amount, both of wheat and oats, and also flour, from the U. States. The weather is variable, but on the whole very reasonable. At to-day's market the better kinds of British and foreign wheat were both more in request; and though the sales were limited in amount, they fully realized the prices of this day week. Inferior kinds, however, were 1d. or 2d. lower.

A reduction of 6d. per barrel and 1s. per sack was submitted to, but at the reduced rates the sales were entirely of a retail description. No sales in bond are reported. Oats declined 1d. to 2d. per 45 lb. and were dull of sale. Oatmeal was also 3d. to 6d. a sack lower, and only in very limited demand. Other articles were steady at former quotations.

Cotton market. We have had a steady market to day, at which 2,000 bags of all descriptions have been sold, including 200 Orleans at 8d. for export, and not in bond. Prices are steady; in fact we notice no change whatever.

FRANCE.

There is very little news of importance in the Paris papers, which are still occupied to a great extent with the fortification bill. The journals, the most opposed to the project, seem to think that even now some means may be devised to prevent it from being carried into execution.

The copyright bill has been rejected by the chamber of deputies. The main principle of the bill was to give the family of an author or artist an exclusive interest in his works for thirty-years after his decease. This principle appeared at one moment to be agreed to; but other difficulties arose, and the bill, after a fortnight's discussion, has been lost.

Military and naval power. The forces of France, by sea and land, amount to 492,671 men, and 112,774 horses, for the army; and for the navy to 120, armed vessels, 200 ships of the line, 10 frigates, 43 corvettes, brig, &c., 35 steamers—manned by 46,418 seamen, besides 4,350 artillerymen, and 15,551 infantry, to defend the ports, arsenals and colonies.

AFRICA.

The Monitor publishes advices from Algiers of the 23d ult. The departure of the expedition destined to retake the garrisons of Miliana and Medeah had been delayed several days, in order that the duke de Aumale might accompany it. It was to consist of 10 battalions of infantry, and a regiment of African chassours, with a battery of field artillery, and would remain 15 days.

An order of the governor general, which placed the national guards of the colony under the command of the military authorities, had created considerable dissatisfaction among the European population of Algiers. This excitement had been greatly increased by the proclamation of Gen. Bugeaud, declaring Algeria to be under martial law.

A letter from the Journal des Debats dated the 2d instant, says, that an immense fleet of timber, larger than any which is remembered to have descended to the Loire since the wars of the empire, has passed Pont de Ce on its way to India. It is said, however, that not a fourth of the cargo, which is to be supplied by the country washed by that river. This timber is designed, it is said, for the construction of the French trans-Atlantic steamers which are to be completed by the end of the present year.

TURKEY.

Affairs of the east. We have advices from Constantinople of the 27th ult. The Ottoman fleet returned to that capital on the 16th, and had resumed its former station along the European bank of the Bosphorus.

In a conference held at Therapia, at Lord Ponsonby's house, the reply to the porte to the petition of Mehemet Ali had been discussed. The result of this conference is affirmed to be that the porte is left to the alternative of yielding the modification sought by Mehemet Ali of that part of the hatt-i-sheriff which relates to the hereditary succession to the pashalic, or of relinquishing all claim to the future intervention of the four powers in favor of Turkey. The divan is it is there supposed, will conform to the wishes of the ambassadors. This state of things is generally regarded as equivalent to a settlement of the eastern question. Thus far

we report from a well informed Constantinople correspondent. Upon his statement we need only remark that the united interests of the four powers upon the decision of the divan cannot fail of success, that influence being exercised in support only of the reasonable petition of the pasha.

The treaty or convention initiated, (paragraph), on the 15th ult. by the representatives of the five great European powers and the ambassador of the porte, contains:

A preamble of considerable length, stating and recognizing the rights of the Ottoman porte as an independent power in her relations with the other European nations.

Articles 1 and 2, which stipulates the closing of the Dardanelles against all foreign ships of war, without distinction.

Article 3, which consists of an invitation to all friendly powers, not parties to the treaty, to accede to it; and

Article 4, which relates merely to the exchange of the ratifications within a given time.

The above are the entire contents of this important convention.

SPAIN.

We have received by express intelligence from Madrid of the 27th and 28th ultimo.

The regency question was more than ever the order of the day. In case the cortes should ever the principle of a single regency, the duke of Victoria will certainly be raised to that elevated station. But, if that of the triple regency should prevail, the authority will in all probability devolve on the duke, M. Arguelles and general Evaristo San Miguel.

SOUTH AMERICA.

The steam ship *Watches*, captain Swiler, arrived from Havana, with dates to the 15th inst. She brought over 70 passengers.

By the *Conier* of last evening, we learn, that a few hours previous to the departure of the *Natchez*, intelligence reached Havana, that 62 negroes from Jamaica, believed to be abolitionist emissaries, had effected a landing on the south side of Cuba. Thirty of those black subjects of queen Victoria had been arrested, and ordered to be shot. The Spanish authorities were in pursuit of the others. Otherwise every thing was tranquil on the island.

[N. O. Piccone.]

TEXAS.

Calverton dates to the 13th inst. have been received at New Orleans.

Judge Webb has been appointed envoy extraordinary and minister plenipotentiary to Mexico, and is to be conveyed by the *San Bernard* to Vera Cruz. There had been another fight with the Indians, about fifty miles above Austin, in which eight Indians were killed and 30 horses captured. The expedition was under the command of col. Dolson, who was badly wounded.

The Texian steamship *Zavalla*, arrived on the 8th from Yucatan. She had on board \$8,460 in specie, having received \$10,000 for services rendered by the Texian navy in taking Tobacco.

A gentleman had arrived in Houston, from San Antonio, on his way to New Orleans, with \$20,000 in specie to purchase goods for the Mexican market.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

Thomas W. Newton, to be marshal for the district of Arkansas.

John G. Miller, to be postmaster at Columbus, Ohio.

Justin Butterfield, to be attorney for the district of Illinois.

Martin Durand, naval officer at New Orleans, vice Henry D. Poire.

John Wilcock, surveyor and inspector of the revenue at Pittsburgh, Pa. vice Robert H. Karr.

Land officers—*Receivers*.

Stoddard Judd, Green Bay, Wisconsin, vice L. S. Fesse.

Joseph C. Hawkins, Burlington, Iowa, vice Verplank Van Antwerp.

Plank Guild, at Jackson, Missouri, vice Felix G. Allen.

Nathan Webster, at Natchitoches, Louisiana, vice Benoit Laurents.

Registers.

William Ross, Burlington, Iowa, vice Enos Lowe.

Parquette Potter, Milwaukee, Wisconsin, vice A. B. Mottom.

Levi Stelling, at Muskogee, Wisconsin, vice Pascal Bequele.

PRESENTATION OF AN AMERICAN MINISTER.

President Tyler received the diplomatic body on Saturday, at two o'clock, at the president's mansion. In the absence of the British minister, Mr. Fox, (who, we are sorry to say, was kept away by indisposition), the Russian minister, Mr. Rodzico,

appeared at the head of the corps. We give below his address to the president, on behalf of himself and his colleagues, and the president's reply.

As the members of the body were respectively presented, the president spoke to each of them of the relations, present or past, between his country and the United States, and of his hope of the continuance of amicable relations; and received from all congratulations and the assurance of the desire of peace and amity with his country.

In these short conversations with gentlemen, mostly stranger to him, the president was particularly happy, and this, his first official intercourse with the representatives of other nations, was, we doubt not, exceedingly satisfactory. Nothing, indeed, could be more appropriate or in better taste than the president's remarks, and the replies of the several members of the corps. [Nol. Ind.]

Mr. Rodzico's address—translation.

MR. PRESIDENT: The United States having been suddenly deprived of its supreme head, the constitution has invested you with the chief magistracy of the union.

The diplomatic corps has the honor to appear before you, Mr. President, for the purpose of expressing through me, its organ, its concern in the melancholy event which has so unexpectedly removed general HARRISON from the hopes of the American people. The diplomatic corps, hastens also to offer up its vows, Mr. President, that your administration may be distinguished by the maintenance of the existing friendly relations, and by a constant increase in the prosperity of the United States.

The diplomatic corps embraces this opportunity, Mr. President, to assure you of its earnest desires to merit your confidence and esteem.

The president's reply.

MR. MINISTER: In my character of chief magistrate of the United States, and in the name of the people thereof, I have to return to the diplomatic corps whom on this occasion you represent, my acknowledgments for their expression of condolence on account of the bereavement which this country has so recently sustained in the death of its talented and illustrious president. I take occasion, at the same time, to give the assurance that my most earnest desire, as his constitutional successor, will be to maintain and cherish the friendly relations which now so happily subsist between our respective countries.

The people of the United States regard their own prosperity as intimately connected with that of the entire family of nations, and the cultivation of the feelings of mutual amity as the best mode of advancing the important end.

I sincerely desire that the residence of the diplomatic corps near this government may prove every way agreeable to them; to accomplish which nothing shall be wanting on my own part.

THE COTTON CROP. We gave it as our opinion on the 1st of March, that the falling off in the crop for the latter part of the year, would be greater in proportion than for the preceding five months, and on this we based a calculation that the present crop would not exceed 1,600,000 bales. The receipts for the month of March indicate that it will fall short of that. And nothing is more certain now, than that the deficiency is general, although more oppressively great in South Carolina and Georgia than in the southwest. On the first of March the excess of the last, over the present crop, was as we stated, something more than 200,000 bales. The following is a table of receipts of cotton at the principal southern ports at dates nearer the first of April.

	1840.	1839 40.
New Orleans, March 31,	628,458	709,312
Mobile, " 27,	265,500	278,000
Florida, " 27,	83,050	—
Georgia, April 2,	96,363	193,258
S. Carolina, " 3,	145,252	217,586

Total, 1,199,553 1,199,553

Deficiency of present crop. 311,869

It appears from this that the receipts of March, 1841, have fallen short of March, 1840, by 100,000 bales, which indicates that the crop is nearly exhausted, for March is ever a brisk month and the navigation for the greater part of it has been good. The spring may have had some influence, but for a brief space only. In short, the prospect of the crop for the remaining part of the year is gloomy enough, and should warn all men to spend as little money as possible.

In regard to the disposition of that part of the crop which has already come to market, there is little to remark. The export coastwise is influenced by so many circumstances, that it is not easy to draw any conclusion from it. This item

has increased the present season about one hundred thousand bales, and as this is not explained by any considerable increase in the aggregate of foreign exports and of stocks at New York, we may suppose that the domestic consumption has already advanced.

In regard to the direct foreign exports, it should be observed, that the exports to Great Britain rose on the first April last year, very nearly equal to the exports of this season to all foreign places. Still the stock on hand in the southern ports is much less than in 1840.

The export of Sea Islands approaches much nearer to the crop of last year than was anticipated. The comparison on the 1st of April is as follows:

1841,	16,301 bales.
1840,	19,049 bales.

Of all the southern states Georgia will suffer the most from the deficiency. Not only because the demand is there greatest, but her citizens are greatly in debt; her banking system is in the extreme confusion, and a number of safe works in progress, involving a greater expenditure. The enlargement of the state with rotten banks will add to the distress, if it does not bring about public bankruptcy and a gradual explosion of the credit system in Georgia.

[Charleston Mercury.]

THE SILK AND COTTON CULTURE. The raising of silk appears to be attracting attention in our state, and as it becomes better understood, the advantages to be derived from it will, for hogging and rape, be a greater expenditure. The enlargement of the state with rotten banks will add to the distress, if it does not bring about public bankruptcy and a gradual explosion of the credit system in Georgia.

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[N. O. Bulletin.]

TRADE AND COMMERCE.

The restrictive system of Great Britain. The last number of the Edinburgh Review contains an article based upon the report of the committee appointed last year by the house of commons "to inquire into the several duties levied on imports into the United Kingdom" with reference to the effects of the same on the revenue.

The Review advocates a reduction, and the report of the committee testifies in favor of it. But as high as the duties on imports are, the rates of British duties at present upon all articles from abroad that may come in competition with home productions, or which may be made to yield revenue, that a very considerable reduction might be made throughout the whole system, and still leave the standard of duties higher than the friends of a tariff here would wish to see fixed in the United States.

One reason that is urged for a reduction of the restrictive duties in England—and no doubt a very good one—is, that unless the productions of foreign countries are admitted upon more favorable terms, the reciprocity of retaliation will be adopted against English productions. "But it is not the duties that the United States and Brazil will impose on our manufactures will in all probability be so entirely prohibitory, unless we consent to admit the productions of those countries into our ports, that the duty is not so much the subject of question, as must be seriously met—whether it is fit that we should go on sacrificing our greatest national interests to the practice of giving protection to the private interests of a comparatively small portion of the community."

The corn laws, according to the estimates of the committee, impose a tax of eleven millions pounds sterling on the British community annually. This

employing 11,498 spindles, 160 looms, 417 persons, and a capital of \$299,000.

MISSOURI.

Oakland college—Moral donation. The *Natchez Courier* says: "We learn with pleasure, that a wealthy lady, in the vicinity of Oakland college, has subscribed \$15,000 to that valuable institution of learning."

MISSOURI.

Excitement, burglary, murder and arson at St. Louis. About 1 o'clock on the night of the 17th April, the large building occupied by Simmonds & Morrison, as a commission house, and by W. G. Paine, as a bank, was discovered to be on fire. On opening the door to the banking house, the dead body of Jacob Weaver was discovered, bearing the marks of a pistol shot over his eye, and sundry other wounds inflicted with a sharp instrument. This young man was a clerk of another firm, but in the habit of sleeping with Jesse Baker, a clerk of the commission house. Baker was missing. The fire extended. In the course of it, one of the walls fell and killed a fireman by the name of Ansel S. Kneibell. His remains were soon after recovered from the ruins. The body of Jesse Baker, the other clerk, was found on Monday morning beneath the ruins of the bank vault, his head and neck burst to the bones—it is thought he was killed by the robbers, while attacking them or defending the vaults of the bank. A report of a pistol was heard that night in this banking house.

The excitement in the city of course was at the highest pitch and every story was tending to detect the perpetrators.

A meeting of the citizens was held—a committee of 13 for each ward appointed, to arrest the murderers, and the mayor offered a reward of \$5,000 for the arrest and conviction of the perpetrators of the act. The St. Louis fire company offered an additional reward of \$500.

The loss by the fire is estimated at \$12,000. It is supposed the burglars were after a large sum of money which had been deposited in bank the day previous, but if so, they were fooled for the money and papers were found after the fire was extinguished, safe in the vault.

An old woman had also been murdered in Flair-out township for \$100. The murderer was committed to jail.

FLORIDA.

Gov. R. K. Call. Fifty-eight guns were fired in this city by the whig party, on the receipt of the intelligence of Richard K. Call being appointed governor of this territory. [*St. Augustine News.*]

Wild Cat. Extract of a letter from an officer of the 1st regiment to his friend in Albany, dated New Orleans, April 2.

"I am here on my way to Arkansas, with 200 wretched Seminole Indians. They are the remnants of a Spartan race. The men are nobles, hardy-looking fellows, whom you may not suspect, though they have murdered the innocent and unoffending; but the women and children excite your pity and compassion. On our tedious voyage hither they lay about the deck, perfectly roused and apparently indifferent to their fate, careless of life and fearless of death."

"I was at Fort Cummings when the noted chief Coconocoe, or *Wild Cat*, came in for a talk." This man is remarkable for the many incidents in his life, and for his bold and daring spirit. He was once a prisoner, but managed to escape through a hole in the walls of his prison so surprisingly small that an ordinary man's head would not enter it, and, after he was through, jumped twenty five feet to the ground. This fellow has committed more murders and scalped more women and children than any other Indian in Florida, and this man we were to take and detain, by the hand in friendship. He came into our camp, bringing with him seven 'trustworthy' squires, who, in looks, dress and manner, might well be painted to illustrate and personate the old man himself—a little effusion of brimstone, a blue flame, and a few tails would have made the picture complete. *Wild Cat's* manner, upon coming into the presence of so many officers, and surrounded as he was by so large a body of soldiers, was somewhat confused, but he soon recovered himself, and spoke with ease, and not ungraciously. He is about thirty years of age, five feet eight inches high, well proportioned, with a calm, settled, manly face, and a dark fierce eye beaming with intelligence. The colonel talked to him openly and frankly. He returned it, and promised to cease fighting and emigrate. His little daughter, a child of five years, who had been taken prisoner, and separated from its parents some five or six months, was then given up to him, and, for the first time, an Indian, I saw the evidence of feeling and affection.

"I consider the Florida war as at an end. All the chiefs and Indians are surrendering. These I am

now taking off have been the most desperate in the country, and are acknowledged to have been the very spirit of the war. I left at Tampa more than a hundred men who were waiting the arrival of their friends, when they will embark for their new homes."

WISCONSIN.

New towns and villages are constantly springing up in this garden of the west. The Madison Enquirer gives the following account of two new villages in that vicinity:

White Water, in Walworth county, about midway between Madison and Milwaukee, on the Port Atkinson and Mequaque road, is a beautifully situated and thriving village, surrounded by a farming country of the best kind, already settled and improved to a great extent. At this point where by a dam at the outlet of a little lake a good and never failing water power has been created, is Dr. Tripp's flouring mill—one of the best establishments of the kind, in the territory, judging from some specimens of his manufacture that we have seen.

Clinton Prairie, in this county, 12 or 15 miles east of Madison, on the Port Atkinson road, from its proximity to the city requires no special notice, it is a desirable point for farmers, may well be recommended to the attention of emigrants on the lookout for good locations. A large number of settlers, we have been told, are expected on this prairie during the coming season.

CASE OF McLEOD.

The importance which this case is assuming, both as a question between the United States and a foreign country, and as a question between the federal government and a state authority, requires of us carefully to register whatever transpires in its progress. We gave in our last number, under the New York head, a brief abstract of the debate which took place in the legislature of that state upon the resolution submitted by Mr. Swachamer, and the amendment thereto offered by Mr. Hoffman, requesting the governor to issue a *habeas corpus* in the case of McLeod. *The Albany Argus*, of the 19th inst., furnishes the debate at large, and from their columns we extract it. In reference to it the *Albany Argus* observes: "It will be found, we think, highly interesting, as indicating the public feeling and temper, both in this stage of the discussion, and in the final result. The house met again this afternoon for the purpose of taking up this subject, when, if it comes to a vote on Mr. Hoffman's amendment, which gave rise to the debate, and which is supported in a masterly speech, we apprehend it will show the untimeliness of the small effort of the Daily Advertiser to give it a party direction, by carefully stating the two democratic speakers on one side, and only the federal speakers on the other,—omitting all allusion to the able speech of Mr. L. S. Chaffee."

It may be proper to add that Mr. SWACHAMER is a Van Buren member from the city of New York, and Mr. HOFFMAN is attached to the same party, and from Herkimer.

From the Albany Argus.

DEBATE IN THE NEW YORK ASSEMBLY, APRIL 17. Mr. Swachamer offers the following:

Resolved, That the governor be requested to communicate to this house the correspondence, if any, which has taken place between the executive authority of the United States and of this state, and whether any arrangements whatever may have been entered up by such departments in reference to the case of McLeod, now in prison at Lockport, in this state.

Mr. Swachamer. In introducing a resolution of this importance, it is due to myself and the house to offer a few words of explanation. And I would remark in the outset, that I have not drawn up the resolution under the impulse of the moment, but have taken time to reflect upon the consequences to which it may lead. Neither is it my design unnecessarily to agitate the question involved in it, or to fan the flame already kindled on our northern borders.

I was a little surprised to see it announced in the public prints, that the attorney general of the United States had left his appropriate post at Washington, and come on here with special reference to this case of McLeod, which I conceive to be exclusively within the cognizance and jurisdiction of the state of New York. I presume I may assert here, without fear of contradiction, that such a visit, on such an errand, by the attorney general of the U. States, is without precedent in the history of this country. I have seen it, so far as I know, only in the form, where the executive authority of the union, through its chief prosecuting officer, has ever taken on itself to interfere with the criminal jurisprudence

of any of the sovereign states of this union. It will be recollected that shortly after the return of the attorney general of the United States, to what I conceive to be his legitimate sphere of duty, it was currently reported, and without contradiction from any quarter, that he in conjunction with the attorney general of the state of New York, had examined this case of McLeod, and had asserted, as the result of that investigation, that there was no third party in the case to warrant his conviction. And this too, after McLeod had been indicted by the grand jury of the county of Niagara, and held to trial for one of the most heinous offences known to the laws of this state. Sir, his legitimate sphere of duty, it was the authority of the United States, have no more right or power to interfere in this case of McLeod, in this stage of the affair at least, than it had to interfere in the case of Robinson, after he had been indicted for the murder of Snydeman, and before trial. And I would ask, in all sincerity, what think you the people of New Jersey would have thought of such an interference, on the part of the attorney general of the United States, after a true bill had been found against Robinson? Is not this interference an intrusion, to an attempt to interfere with the opinion of a New York jury, upon a case which sooner or later, must come before them for a verdict of acquittal or condemnation?

I trust this subject will receive the consideration to which it is entitled. I may be told that it was necessary for the government of the United States to take this case under its special care, because England has threatened vengeance on the U. States, if but a hair of the head of McLeod is injured. But let me ask, did we complain, when the patriots, as they styled themselves, citizens of the United States, misguided men if you please, who had entered Canada in aid of what is called the rebellion, were taken up, and either executed or transported, under the mere form of a trial? Was there any attempt on the part of the proper authorities of the United States, to arrest the course of the law, martial or civil, in the province of Canada? No, sir, they had their trial, such as it was; and although condemned for the political offence of rearing the standard of liberty in a land of despotism, they were consigned to an ignominious death, and suffered the utmost rigor of British laws, without interference from this side of the line. Why should not the laws of New York take their course in a case like this of McLeod, where the charge is the murder of an unoffending man, and the wanton destruction of the property of a citizen of N. York? And why should we and our laws be made the subject of interference from any quarter?

Sir, I trust this inquiry will be instituted. For I hold that the representatives of this sovereign state, and through them the sovereign people of N. York, have a right to know whether there has been any improper interference on the part of the executive of the United States, with our local jurisprudence, and whether the executive and attorney general of this state, in conjunction with officials of the general government, have sought to scene a culprit from justice, in a case coming exclusively within the cognizance of our laws. And on the other hand, it is due to this executive and attorney general of this state, under the circumstances, that the facts should come out—to the end that if there has been nothing wrong on their part, they may be exonerated; and if otherwise, that measures may be taken to avert and vindicate the sovereignty of the state and the rights of her laws.

Mr. Hoffman here took the floor, but his opening remark was not distinctly heard. He was understood to say, that in one respect at least, he entertained similar opinions with the gentleman who had just taken his seat. He (Mr. H.) had been called to order, as he was not to introduce any party spirit that had been in use with the other party against the bill. He meant to say, (he continued) that he was a state rights man to the entire extent.

As the law of this state stood for a long period, (Mr. H.) held that it was a prerogative, when a person had been arrested, whether a person had been indicted for any offence whatever, the prosecuting attorney had a right, against the will of the court and on his own responsibility, to enter a *nolle prosequi* to the indictment. He did it as a part of the executive government, and under this responsibility determined to do it in this case. It was part of the duty of the attorney general to exercise that right to give him this right. I believe he ought to have it now. It is the exercise of high and sovereign power, made necessary under certain circumstances. The case alluded to by the gentleman from New York, was a case where the attorney general is one where it is necessary to exercise that right. But the legislature of this state, under peculiar circumstances, growing out of what is known as the

Morgan excitement, has crippled the attorney general in the exercise of this right. I may be mistaken, but as I understand the law, if he exercises it, it must be by order of court, and the judicial tribunals must always be the judges. It will be seen that if this be the law, and a case should arise in which the sovereign power of the state, not for reasons which address themselves to the judicial tribunals, but for reasons—I use the word in the highest and best sense—reasons of public policy, public justice, public security and the public peace—should feel itself under the necessity of staying a prosecution, the action of the executive might be and would be most seriously inconvenienced.

I have had this subject under consideration at my private room. It is one of a delicate and difficult nature. I have not felt at liberty, according to my sense of propriety, to canvass the matter over with members generally. What I have said has not extended beyond my colleague and associate. I have been deterred from bringing it before the house, not because I thought it ought not to be brought here, but because I was undivided as to what the action of the federal executive should be. I may be mistaken. I saw very well that it might be, that the United States government—I speak of the executive government, that has this matter specially in charge, and whose acts may result in peace or its opposite—might be unwilling to hold this thing where it is, until negotiations between the two sovereignties, the case might be reached. It was with a view that I might judge rightly on this question, and under an apprehension that I might interfere with the progress of the matter in negotiation, that I forbore to bring it up.

Let me be more explicit—because questions of this nature are somewhat new to us. In the exercise of our powers of sovereignty, limited as they are, we have no foreign relations in theory. But we may have them in point of fact. The controversy with Virginia, shows that though strictly we can have no controversy with a neighboring state, yet you may have them in point of fact. External relations do exist. Take, for example, the case of Spain. Suppose the sovereign power of Great Britain had applied directly to the executive of this state, and had said in so many words, we have authorized and do ratify and confirm the act of this man. You have him and are prosecuting him until he dies. Suppose the sovereign power of Great Britain had applied directly to the executive of this state, and had said in so many words, we have authorized and do ratify and confirm the act of this man. You have him and are prosecuting him until he dies.

Would it be an answer for the executive to say, we can't hear the application—you must go to Washington? Such an answer might be given, but it must be apparent to what result it might lead. The sovereign making the application may say, we take no notice of your internal arrangements; our confidence—your constitution. We find you here in embodied wills under an organized executive government. We find you here acting on one of our own citizens for doing an act which we have authorized, and which we approve of, right or wrong, and we ask his release. What, sir, is the alternative presented? Apologies, polite and civil expressions, such as your humble servant, at the end of a note, may answer very well in private life to get rid of a difficulty and yet say nothing. But when a sovereign speaks he means something. He may not withdraw a request without dishonor and disgrace in the eyes of the world. The request once made, such in my judgment would be the condition of the sovereign that must receive it. The request is presented. The sovereign to whom it is addressed may or may not, at his pleasure, reply; but he assumes on himself, whatever may be his course, the responsibilities of his position. They meet each other face to face, and each assumes the responsibility of what which they are the heads—the one asking the release and the other refusing it, as the case may be, and in the judgment of the civilized world, the question must be brought to an amicable adjustment, or the country is left to the consequences of friendship or hostility.

There is no such thing as an appeal or certiorari to the supreme court. They must separate amicably, or resort to force and violence. That being the case, I put it to the judgment of this house, whether the attorney general should not be empowered, without consulting the courts, for high political reasons, to withdraw the indictment, to cease the prosecution, and thus leave the executive government to consult as to what remedy it would pursue under the law and the constitution, for an injury committed, how to be punished through the judicial tribunals.

Mr. H. here went into the facts connected with the case of McLeod. He said, he had gained possession of Navy Island. They were largely done them by the United States. He said they might say their general and commanding officers were citizens of the U. S. States. With hostile violence they assailed the shore of the neighboring

provincer, and put in jeopardy the lives and property of the subjects of a power with which we were at peace. The almost efforts of the general and state governments, acting in co-operation, were insufficient to repress this movement, or to roll back from the Canada shore this cloud of danger and disturbance. By the rules of international law, the sovereign whose territory was thus immediately endangered, had a right to repel the aggressor, in the language of a memorable man, now no more, if, in doing so, he should momentarily pass the line between his own and the territory of a friendly power, the act might be a subject of negotiation or complaint, but could hardly be deemed justifiable. The local authorities of Canada believed themselves to be thus endangered, and believing also that it was necessary and proper to destroy the boat which they knew had been plying between our territory and the island, in possession of the rebels—to use their own words in their own sense—they took on themselves to fit out an expedition for that purpose. Did any man doubt, that they thought this measure necessary and a matter of undoubted right. Whether they judged right or wrong, the material is not the subject of inquiry, in which the subject presented itself to his mind. Their object was to repel the danger that threatened them. They resolved to destroy the boat, and in the execution of that design, ordered by the military authority, they incidentally destroyed the life of an American citizen within our territory, and for this the accused stands indicted before the judicial tribunals of the state.

I submit (continued Mr. H.) to this house—I know there is some diversity of opinion as to the legal mode—whether the judges may breathe out of law, whether an act of this kind, if it should turn out to be as I have stated it, judged by the local law, would be murder? I put it to those who have devoted themselves to the study of international law, and the decisions of the judicial tribunals that have taken cognizance of it, especially those who have been led to look into the decisions of the admiralty courts, whether the prisoner can make a defense before the judicial tribunals of this state, on the ground that the state of which he was a member was in imminent danger of invasion? That the authorities there ordered him on this duty? It may be mistaken, but my convictions are settled and strong that he must be judged by the laws of the state of which he was a member, and acting in obedience to the orders of his superior officer, the judicial tribunals must consign him to infamy and death. But I put it to the sober judgment of this house, if it be true that the local authorities of Canada, under the belief that they were innocent, and endangered by the hostile gathering on Navy Island, did order this expedition, and that it was under this order that McLeod acted; whether he did not do for his country what every man not only American by birth, but every man who has a spark of American feeling in him, would do for his own? If, sir, sedition or rebellion should rage on the borders of this state, its standard collecting from Canada, arms and munitions of war as well as recruits, preparatory to an invasion of the very heart of the state—and in sight of the forces gathered to resist the danger, a boat should be found plying daily between the camp of the insurgents and the opposite shore—and if under the belief that this boat was in the service of the enemy, orders should be issued to destroy it—would it be murder? I ask if there is any man in this state, be he citizen or foreigner, who has set his foot here to dwell, that would hesitate one moment to obey the order of his government, to destroy the boat, the crew of this house and the country, though with a frame suited to engage in conflicts of violence, I am not prepared to confess to that degree of human baseness that would make me hesitate to obey.—And I affirm, for all others to do so, that the constitution of this state, and the shock which results from the independence of the country, and who would again into the conflict when the conflict was renewed—that there is not a man of them that under such circumstances would have flinched in grilling himself to have, and contributing his best services, and his means towards repelling the expected invasion.

I say therefore, whatever the judicial tribunals may determine as to the accused, that he is not guilty of murder. I say that in what he did, he rendered a service to his country, which no other free man has ever been willing to render, and cheerfully. The sovereign for whom he acted has approved the act, and in that approval assumes the entire responsibility of it. If it had been done in an ordinary case, and in an ordinary case, it would be an ordinary warfare. It is for these high reasons of public policy that I say the executive government should be empowered to withdraw the indictment.

Judged by our law he must be condemned and executed, and I believe there is no escape for him. Judged by those high moral principles that constitute the basis of human society, he is not guilty. To execute him would be to stain the state with the guilt of murder—to draw down upon us the reproaches of the civilized world. It would be to invoke the vengeance of Heaven against a people that should so outrage the dictates of humanity and patriotism. I say that if we were to act in the field—if the military force not only of these two millions of people but of the sixteen millions with whom we are united, were now marshaled to punish this aggression on our territory, they should act with the same regard to the same conduct to his sovereignty. The controversy is not with him. To prosecute him is revenge—to execute him is murder. Send him to his sovereign—the sovereign he has served as we would serve ours. If we have cause of complaint, let us wage war not against the individual, but against the nation in whose name and by whose authority he acted. Let us take care, that in the event of an appeal to our sister states and to our own people for their co-operation against this aggression, we will not occupy an advance enforce our cause by punishing in the person of an enemy that which we must not only commend in a citizen of our own state, but on which we must rely for success. No, no, sir. If we expect the business of the world to be done in these controversies, as it was with our forefathers, if we expect the deep toned religious sentiment that distinguishes us as above every other country under Heaven to go with us—if the open courage and magnanimity of our ancestors, our army and navy, is to be enlisted warmly in our cause in a future conflict—we let us not sin the banner under which they are to rally. So also, in reference to the admitted controversies between this country and Great Britain—I repeat, it is not to draw upon ourselves in advance any collision that we may incur the prejudices of the civilized world? Who does not see that in a controversy for territory with a nation that has grasped one hundred and twenty millions of people in the east—that has not only seized on a new continent of the west, but has seized a part also of the continent of Africa—that has in a word extended itself every where—it is important that we retain what the character and genius of our institutions have won for us abroad—I mean the sovereignty of the sea, and the right of the civilized world. But when the story shall be told that it required all the energy of the general and state governments to prevent certain restless spirits on our borders from rushing into a neighboring province in lawless parties—after this man had been indicted and committed and set at liberty on his way again consigned to imprisonment at the behest of a mob—rely upon it, sir, this mob which numbered perhaps more stumps than men, will figure abroad as the people the lawless, and it will be believed to be the result of the ascendancy of mob violence in this country over law and order. Not one of the one hundred and fifty millions in Europe, but will set that down in the account against us. Is it prudent or politic that we should arm against us the prejudices of the civilized world in a contest of the kind I have alluded to?

I beg gentlemen to reflect that postponement is no remedy—that this matter must be brought to an amicable adjustment, or that hostilities will be the result. The matter is not one of those that either separate in perfect kindness, or resort to the ultimatum of sovereigns. I ask if it be wiser to put this man forward in the front of this controversy, than to place ourselves in the commanding, that any gentleman who should have taken the position of honorable, generous position, I have endeavored to point out. For my own part, I am entirely willing, any anxious, that this man should go from among us—that the controversy should be carried on between the sovereigns of the sea, the United States and Great Britain—and I submit in perfectly to the result. I trust, since this question has been stated that our action may be such as to put it in the power of the executive government to give this man a safe conduct to his sovereign, and that the controversy on the merits of the case, in regard to which every civilized world will coincide with us. If, therefore, this call is made on the executive, I trust it will be qualified in the usual manner, in order that he may not be obliged to respond if he shall deem it to be his duty to do so. I have endeavored to do so—for although we may command him, yet this is a point on which he should be left to judge for himself, on his responsibility as a chief magistrate. But after all, that in my judgment is not the best disposition to be made of this case. The part that belongs to us is evident. It is to correct the error in the existing law—and I therefore move

indemnity, if any, is to be given by the English government to the owners and crew of the *Caroline*? We say, *if any*, because the referred may hold that, though the seizure was lawful, so was McLeod's trial, and that he must take his indemnity, if any, from the British government; or the referee may hold the seizure unjustifiable, but yet that the services to which the *Caroline* has been put, deprive those coerced with her of any right to satisfaction.

The local authorities must administer justice to us, an attempt to evade trying Mr. McLeod by admitting him, (certainly by a great stretch of law, for murder is not a bailable offence), to bail; the mob, however, interfered and caused him to be detained.

Now as far as those proceedings have gone, of whom have we a right to complain?

In the first place, of Mr. Macleod, for having, in violation of sir F. Head's express orders to resist on the defensive and do nothing of which the American government could justly complain, began his campaign by an act *præsumptively* illegal, and defensible only on the extreme pins of necessity.

Secondly of lord Palmerston, who allowed the American remonstrance, on so grave a subject, to remain three days unanswered. We are aware that it was a disagreeable question. We had to face ourselves by the same means, the same arguments, recrimination; and lord Palmerston probably thought that the conduct of neither party having been irreproachable the best plan was to make no answer, in the hope that no answer would be required. And we are not sure that this conduct might not have succeeded. But the folly, and if the facts which we have are correct, the vanity of McLeod, in going among a people before whose tribunals he must have known that the burning of the *Caroline* was a questionable act, and boasting of his part in it, have revivified the success of lord Palmerston's dilatory policy, and now force on the controversy, and certainly under unfavorable circumstances.

But have we also not a right to complain of the American authorities, either of the supreme government or of the local authorities? We say decidedly that up to the latest intelligence, we have a right to complain of neither. The American authorities have done precisely what we should have, and indeed must have, done under similar circumstances. If a mixed band of French refugees and English ruffians were to take part in a French civil war, to land on the French coast, and plunder the neighboring country if they derived recruits and supplies from our shore, and before our government could prevent their doing so, a steamer should run from Dover to France and carry them arms and men, and return at night and moor in Dover harbor. Under these circumstances, a band of French volunteers should at midnight enter Dover harbor, attack the steamer, lose her from the pier, and endeavor to kill the crew and scuttle the vessel, should we, or should we not, on the alarm being given in the town, interfere to stop such proceedings? If we should interfere, it could be on the ground only that such proceedings within our territory, were unlawful. If the whole matter were effected before our coast guard could interfere, should we, or should we not, attempt to intercept the actors in their retreat? If that could not be effected, should we not remonstrate with the French government? If that government gave no answer and a person describing himself, or described by others as implicated in the attack, came to Dover or in any part of Kent, would he not be arrested and committed for trial? And if the French government required him to appear, would he not be obliged to attend in obedience to the lawful commands of his superiors, would not the answer, be—"This is the first time we have heard of this act actually let it be pleaded at the trial, let the court decide whether he acted in obedience to his superiors, and whether the act was of such a nature as their command could justify. But we will not, (the Americans say they cannot), interfere till the trial is over."

BANK OF THE UNITED STATES.

[AN UNKNOWN mistake was made in making up the last number of the Register, which was not discovered until after it was published. The record of Mr. Biddle's letters was inserted instead of the first—both having been prepared.—The subjects treated in these were entirely distinct however. The first and third of his letters are interesting; the second, the fourth and fifth will be inserted in our next—a sixth is announced.]

From the National Gazette.

FIRST LETTER FROM NICHOLAS BIDDLE, ESQ. TO THE HON. JOHN M. ANDREWS.

Andalusia, Bucks county, April 8, 1841.

Hon. John M. Clayton, Dover, Delaware.

MY DEAR SIR: During your late visit to Philadelphia, you were good enough to express your

opinion of the peculiar hardship of my position in respect to the late meeting of the stockholders of the Bank of the United States. For sixteen years I had been the president of that institution, which up to the late war, I felt it enjoyed a measure of prosperity. Two years afterwards it fell into great trouble, and it seems to be the desire of those now connected with it to ascribe all its misfortunes, including the fatal resumption a few weeks ago, to the late war, and to the mismanagement of the late directors. I am, however, inclined to think that in a fair and open and manly way, no one would have been more ready than myself to meet that question. But instead of this, what was the course pursued? The committee of stockholders has been three months at work with all the printed papers of the bank under their control, raking up every thing which by distortion may injure my administration, or revenge their own personal griefs, or tender to the morbid appetite which prevails abroad about banks and those connected with them. From all comminution with that inquisitorial body I was studiously excluded; and I understand that I proposed to invite my attendance or to apprise me of what they were doing, was rejected. They ended at last by reporting exparte and partial statements in regard to myself; and, as you saw at the meeting, no opportunity was given to me to be heard, and no opportunity was given to the report is widely circulated, where no official authority in distant places, has an explanation of mine can ever follow it. Now all this seems to me a signal act of injustice. I know that misfortune has a right to be querulous, but this summary condemnation without a chance of explanation or defence, a privilege never denied to the humblest criminal, cannot fail to be regretted even by those who are joined in it, when the passion of the moment has been allowed to prevail. I leave on my own account, however, than because I think such an act of injustice inflicts a severe injury on the bank itself—I regret it still more because, although separated from the bank, I felt a sincere interest in its fate and had prepared with great industry what I deemed the means of reviving its prosperity, which I meant to submit to the stockholders.

All that, of course, is over now. But as I know you are desirous of ascertaining the truth, I shall proceed to explain to you as a personal friend several matters, very simple in themselves, but which have been so widely misinterpreted, or, at least, so misunderstood. You heard in the register a long and elaborate story about cotton purchases, and it is so often said, that many begin to believe it—that the Bank of the United States speculated largely in cotton, and lost a large sum of money by it. I deeply regret it to disturb so established a fact—but the truth is, that during my connection with the bank, it never owned a bale of cotton—and will not, I believe, lose a dollar by any operation in cotton, unless by great mismanagement hereafter. That whole matter has been to me a source of so much pride, from its benefits to the bank and to the country, that I take pleasure in stating the real history of it.

In the year 1837, the bank went to the relief of the city of New York, by issuing its bonds payable in London. The question was how to provide the means of paying those bonds. Hitherto the only mode of doing it was by the purchase of bills drawn at the south on shipments of produce—but the difficulty now was, that in the general prostration of credit at the south, there was great danger in taking private bills drawn there—while many of the bills were not paid, and the losses were usually drawn were themselves embarrassed. It occurred to me, therefore, that the only mode of avoiding these dangers was to purchase no bills at all, except founded on direct shipments of produce under the control of the bank. It seemed equally the mercantile part of the directors to engage in that operation—but finding none of them disposed to large operations, I determined that as it must be done, I would do it myself. I accordingly requested Messrs. Brevin & Humphreys to carry out the plan, which was simply to let their agents at the south draw on them domestic bills, for which they would receive the notes of the bank, purchase the produce, and send it to France or England; then as their domestic bills came to maturity in Philadelphia, to pay the bank, by sterling bills on the houses in England and France, to whom the produce was sent, and by whom it was sold. This was the whole operation, which was carried out in the summer of 1837 to the fall of 1839. It was undertaken without the least idea of any pecuniary advantage, and the only understanding on that subject, was a verbal assurance from me—that if after repaying these advances to the bank, there should be any excess, as the bank could not by its charter buy this produce, or of course take any profits arising from it, such excess should be given to

those who encountered the trouble and the responsibility. Nor was there the slightest desire to enrich it. On the contrary, all the correspondence and entries, I believe, passed through the bank—it was announced over and over again, in publications known to come from the bank; and it was particularly described in a published letter of mine to Mr. Adams, on the 10th of December, 1838, of which the following is an extract:

"In like manner, the derangement of the currency placed the staples of the south, entirely at the mercy of the foreign purchaser, who could have dictated the terms of sale to the prostrated planter. It was thought proper to avert that evil by employing a large portion of the capital of the bank in making advances on the south produce. This had two effects. The first was to provide remittances to pay its own bonds in England, issued to New York merchants in their extreme distress, for, as the bank could not purchase these staples, it made advances upon them in the south, receiving, in exchange, bills on Europe—the second was to introduce into the market a new competition, and thus prevent the unconditional subjection of the planter to the foreign purchaser. These advances, as we made not as in past years, on the mere personal security of the merchants, which the confusion of all private credit would have rendered too hazardous—first, on the actual shipment of the produce to an American house in England, and second, what I call to protect American property, from the reckless waste with which it has been often thrown into the market, with an entire disregard of all American interests. The consequence of this measure, the application of capital on this side, and the prudent reserve on the other—has saved to the planting interest an amount which it is difficult to estimate below ten or fifteen millions of dollars. I believe that nearly one-half of the commercial debt of this country to Europe has been paid by the mere difference between the actual sales of the securities and staples, and the prices they would have realized, had they been thrown unprotected into the hands of European purchasers. These measures were of a temporary nature—they were measures of emergency, adopted in the midst of a public calamity and to be discontinued with the necessity which caused them. The time will come when the staple and industry of the country had time to subside into their accustomed channels, these operations were relinquished, and now they have totally and finally ceased."

In the same time the benefit was very great alike to the bank and to the country. To the bank, because it got the advantage of a large circulation of its notes—it got the premium of its drafts from the south—it got the funds in Europe without the least risk, and a large collection in the southern States. What is more important still, the possession of these funds abroad was the means of protecting and saving the agent of the bank; and, of course, the bank itself from prostration. Of this, the most decisive evidence is a declaration made by the president of the bank himself, in a letter to Messrs. Brevin & Humphreys, of the 5th of February, 1840, in which he says—"The state of the debt due by the bank to Messrs. Humphreys and Biddle of Liverpool, has been for some time the subject of great anxiety. These gentlemen have, with a zeal in favor of the bank, to which our thanks are particularly due, sustained Mr. Jaudon in many periods of his long struggle with the bank, and advanced large funds, but with all they could raise on their credit, and have enabled him to meet his payments, when but for their assistance, he would not have been able to extricate himself."

Finally, the operation was of great use not merely to the bank, but to the whole country. The total prostration of all means and all credit in the south at the time, placed the whole crop at the mercy of the foreign purchaser. The purchasers made no purchase of our staples, and the foreign purchasers to give something more like the real value to southern produce—it made an actual difference in favor of the southern states of at least twenty or twenty-five millions—which was a great benefit to the south, and a great loss to the northern states as well as to the bank itself.

While these operations were in progress, I left the bank—about two years ago—and the whole matter of the bank was left to the hands of Mr. Cabot, of the house of Messrs. Brevin & Humphreys, and the bank, there of course, could do this whole business on the intermediary between the bank and his house. His statement was as follows:

Sales advised in Liverpool,	35,000
35,000 bales at say 3s.	35,000
5,000 do. 8	16,000
19,000 do. 10	75,000
6,000 do. 12	36,000
9,000 do. 15	24,000
15,000 do. 20	165,000

91,000	275,000
Estimating exchange at 109	375,000
Profit on 91,000 bales sold in Liverpool	\$350,000
Do. 45,000 bales on hand	450,000
Sales in France and Holland—(105,000)	50,000
6,000 bales on hand in France	50,000
45,000 do. new crop	600,000

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story should be preserved, not merely to show the suffering stockholders the influence which have mislead them, but as a curious illustration how abuse and insignificant causes produce great disasters. I pay you therefore to follow me down through these my stories.

On the docket of the court of common pleas of Philadelphia—on the equity side—in the following entry:

Chasney Hickman for the use of the president, directors and company of the Bank of the U. States, and the president, directors and company of the Bank of the United States,

Dec'y term, 1840. No. 1.

vs
Manuel Eyre & Chas. Massey.

Here is a suit the purpose of which is to decide a claim for a sum varying from 15,000 to 40,000 dollars, according to an account which the bank wishes to compel the parties to render.

Without meaning to give any opinion about that case, the simple fact that the bank had just brought a suit against Mr. Charles Massey, was of itself sufficient to prevent his being a member of the committee of investigation. Before any tribunal he would have been rejected as a juror, and a sense of propriety should have induced him instantly to decline the appointment. His partner, Mr. Manuel Eyre, had been appointed a member of the committee of complaint against him was hit out of the board at the last election—a source of keen disappointment. These feelings found other stimulants to support them. Mr. Eyre is understood to be the largest stockholder in the Schuylkill Navigation company, of which he is appointed to be the president, and these three persons, Mr. Massey, Mr. Lippincott, and Mr. Eyre, and their friends are believed to have nearly all their fortunes dependent on the success of that work, while they have no interest in the bank—Mr. Massey owning only two shares, Mr. Eyre three, and Mr. Lippincott five. It was at one period thought a probable speculation, but every day it is encroached on by later improvements, and more especially by a rail road going directly to the very mouth of the river, so that its stock which was sold at \$170 or \$180 a share, is now on its decline, and has already reached \$65 or \$60. These parties are extremely sensitive on the subject of every new improvement which may interfere with them, and they are more particularly bitter against this Reading rail road, which, when completed, will probably supersede the river navigation. Now the Bank of the United States has been obliged to take for debt a large number of shares in the Reading rail road, and with a view to protect its own interests has given facilities to finance the road so as to make it productive; some of the officers and directors were also holders of shares in the road, and what was still more criminal, Mr. Jaudon, while in England, had secured a mortgage loan or loan from the company. Now the owners of the navigation company saw clearly that if these persons should be rendered odious, if the Bank of the United States could be broken down, it would carry down this Reading rail road, and increase the profits of the company. This is really the foundation of the whole of this attack upon the bank.—It is the vengeance of the Schuylkill Navigation company against the Bank of the United States for lending money to the Reading rail road.

Of that I argue the stockholders of the bank have been already the dupes, and I am very much afraid will be the victims.

To carry it on, availing themselves of the confusion of the annual meeting, in which Mr. Lippincott, prepared a committee of which he was of course made chairman, Mr. Massey another member, and four others completed the committee, which had power to fill their own vacancies. Three out of the six members declined serving, and the remaining three filled their places, and as of these remaining three Mr. Lippincott and Mr. Massey were the majority, the committee is in fact a committee of the Schuylkill Navigation company. All this our gallant friend capt. Stockton began to explain in his meeting, but he was silenced at you said, by the impatience of the crowd. Very soon after they began their labors, which were originally confined to an examination of the assets of the bank, came the last suspension of specie payments—and then for the first time they received from the board of directors a resolution declaring "that the board is ready to afford them every facility in the prosecution of any investigation which the committee may be willing to make of the affairs and transactions of the bank and its directors of its officers, and that it is the wish of this board that the committee should make such investigation." Up to the date of the suspension, and while the bank believed that they could go on continuing specie payments, they determined to keep this com-

mittee of investigation to their proper sphere of verifying the assets, and had so instructed the committee of the board appointed to meet the committee of investigation. But the moment they found that they could no longer confine their proceedings—in the alarm and confusion which followed, they appealed to the committee of investigation and begged them now to examine the causes of their prostration. That the purpose of this was to relieve them by throwing the blame on their predecessors, cannot be doubted, nor is it less evident that the committee as perfectly understood it as if it had been in the resolution, for the most remarkable character of the report is this—that from the beginning to the end there is not a cause, nor a remedy mentioned, any transaction of the bank within the last two years. There seems to have been a tacit understanding that the committee might investigate what they pleased if they would only abstain from touching the present board. "We cannot," says the committee, "an examination of the affairs and transactions of the bank, and the causes of its actual situation"—and yet they find no cause, no transaction, no reason for the actual situation, but that it is not at least two years old. It seems to me as if my administration had been sold to the committee by these directors at the price of their own safety. Had they nothing to say about the protest by Messrs. Hottelinger & Co.—nothing of the injury to the credit of the institution by the late note notes in the fall of 1839—nothing of the publication of the 1st of January—nothing of the resumption—nothing of the third suspension?—Not one single word. The stockholder wanted to know why his stock was reduced from \$116 in March, 1839, to \$17 in March, 1841. He pointed to the protest by Messrs. Hottelinger & Co. reduced the stock \$16 a share—that was a loss of \$5,000,000 dollars;—the publication of the 1st of January, 1841, brought it seventeen dollars a share lower—that was a loss of \$6,800,000 dollars;—the suspension in February still further reduced it \$30 a share—that was a loss of about \$10,000,000. None of these trifles seemed worthy of these anxious inquirers after truth, but having at last obtained permission to examine the private accounts they repaid it by confining their attention to those only whom they hoped to injure, and abstained from all serious notice of what concerned those in power at present. Accordingly during these three months' inquiry, they examined the private accounts they repaid it by confining their attention to those only whom they hoped to injure, and abstained from all serious notice of what concerned those in power at present. Accordingly during these three months' inquiry, they examined the private accounts they repaid it by confining their attention to those only whom they hoped to injure, and abstained from all serious notice of what concerned those in power at present. Accordingly during these three months' inquiry, they examined the private accounts they repaid it by confining their attention to those only whom they hoped to injure, and abstained from all serious notice of what concerned those in power at present.

Accordingly, when they have finished these gossiping, they seem to have done their work, and all that they have to do is to give their information to the board of the bank is that during the existence of the late Bank of the United States on the 6th March, 1839, the committee of exchange was authorized to make stock loans at five per cent. and they object: That such a power ought not to be delegated; That the committee made too large loans to individuals and firms;

That they ought not to discount but only buy bills of exchange;

That they kept no minutes but gave verbal orders to the officers of the bank; and that

Their transactions "were never submitted to the board at its regular meetings nor is it any where mentioned on the minutes as having been reported to the board, or as having been approved."

Now, what I mean to prove is this: That these exchange committees have been in use since the foundation of the bank—very beneficially to the bank.

That this board have from time to time granted to other exchange committees the same powers heretofore delegated in 1835.

3d. That the board have instructed them not to confine themselves to exchange—but to make discounts, and to accept promissory notes on the necessity of reporting their proceedings to the board.

4th. And finally, I mean to prove that of all the directors of the bank, from its commencement to this hour—the man who has been the most decided in his support to the doing of the committee of exchange—the man who again and again declares that the committee of exchange should not confine itself to mere bills, but should make discounts, and should not report its proceedings to the board—that man, this honorable member, Mr. John Lippincott, who now, as chairman of the investigating committee, denounces these committees and boards for not doing this very thing, which he himself insisted they should not do. I shall at the same time prove that next to Mr. Joshua Lippincott, this individual

who was most zealous in the same cause, is Mr. Manuel Eyre, the real member of this committee, through his partner, Mr. Massey.

5th. With regard to the exchange committee: In the year 1834, a committee of the senate of the U. States was appointed to investigate the Bank of the U. States, and of that committee Mr. Tyler was the chairman. The recent elevation of this gentleman to the chief magistracy could not induce me to believe that he would not preserve me from saying, that no man ever went into that bank with a more sincere disposition to seek the truth, and to expose what he should find wrong; but his inquiry, though thorough and severe, was conducted in a tone so decided and at the same time so gentlemanly, that it was a pleasure to give him every information he sought. One of the objects of his inquiry was the history and formation of the exchange committee. He traced it from its beginning in 1817 to its more regular form in 1821, and he concludes with this: "The committee on exchange was created at the same time with the committee on the offices and other committees, has continued ever since, and exists as your committee believes not only in strict conformance with the laws, but with propriety to the bank and convenience to the public."

2d. As to the power heretofore conferred on such committees,—On the 9th of July, 1830, on motion of Mr. Alexander Henry.

Resolved, That the committee of exchange be authorized, and the committee of exchange be approved public stocks large sums of money at a rate of discount not lower than five per cent.

On the 17th of September, 1839, this power was extended by a resolution offered by Mr. C. Fisher, as follows:

Resolved, That a resolution adopted by the board on the 9th day of July last, authorizing the committee of exchange to loan on the pledge of public stock, be so modified as to permit such loans to be made on the same, or other approved securities, at a rate of interest not less than 4½ per cent. per annum.

Now let us see what was done by this committee of exchange, of which Mr. Eyre himself was chairman. Under this resolution of 1839, a loan was made which happened to attract the attention of the committee of congress, in 1832, on which occasion Manuel Eyre, made, under his own hand, the following startling statement:

"Resolved, That the committee of exchange be authorized to make investments at any rate of interest not less than four and a half per cent. As chairman of that committee I called upon Messrs. T. Biddle & Co. several times and passed with them a considerable number of their operations with us, and urged them to take two or three millions of dollars or more at five per cent. and for as long a time as they wished. They were not willing to take the loan for as long a time as they wished, but they were not willing to give up as much as might suit their convenience. The committee, upon undoubted security, loaned them upwards of 1,000,000 dollars at 5 per cent.—which loan is now reduced as your committee has observed, to 600,000 dollars, and will pay an interest of six per cent. It was thought a very advantageous arrangement to obtain such a large investment at 5 per cent. on such undoubted security, when the committee were authorized to loan of four and a half per cent. I have always regarded the operation as one in which the bank was the favored party, and I think it may be safely and truly said that the account of Messrs. T. Biddle & Co. has been one of the most advantageous accounts in the bank."

MANUEL EYRE.

April 5, 1832.

Here is a chairman of a committee of exchange, who urges a single house to take two or three millions of dollars or more for as long a time as they wished, and then declines to do so, and declines to give up as much as might suit their convenience. The committee, upon undoubted security, loaned them upwards of 1,000,000 dollars at 5 per cent.—which loan is now reduced as your committee has observed, to 600,000 dollars, and will pay an interest of six per cent. It was thought a very advantageous arrangement to obtain such a large investment at 5 per cent. on such undoubted security, when the committee were authorized to loan of four and a half per cent. I have always regarded the operation as one in which the bank was the favored party, and I think it may be safely and truly said that the account of Messrs. T. Biddle & Co. has been one of the most advantageous accounts in the bank."

3. That the committee of exchange should be authorized to make discounts as well as purchase of bills. Now this was done in consequence of instructions in fact given by Mr. Lippincott and Mr. Eyre the trustees, of which the following is a copy:

On the 21st of April, 1833, the following preamble and resolution were offered:

"Whereas it is proper that the ordinary business of the board should not be transacted by a smaller number of directors than that required by the charter, and whereas the business of discounts and purchases of bills is of such a nature as to be properly transacted as heretofore it has been at the meeting of the board. Therefore,

Resolved, That the duties of the committee on exchange shall not extend to the business of discounts."

On this resolution you will of course suppose that these great champions of loans exclusively by the board would have heartily embraced this proposal. Well—this resolution was made the order of the day for the 18th of April, on which day it was called up, when, strange to say,

Mr. Eyre moved that said resolution be postponed to the day fixed for the consideration of the rules of the bank, and said motion, equivalent to a rejection, was agreed to by yeas and nays, as follows:

Yeas—Messrs. Eyre, Lippincott, White, Henry, Sargent, Fisher, Newkirk, Lewis, Holmes, McKim, Biddle—13.

Nays—Messrs. Macalester, Gilpin, Sullivan, W. Elder, Wagner, Taylor, Astop, Neff, Brown.

On the 2nd of May, 1833, the board proceeded to the order of the day, the consideration of the new rules and regulations for conducting the business of the bank [being the same which were adopted and are now in force in April, 1841].

On that occasion, the following amendment was offered:

"The committee of exchange shall act as a daily committee at the bank, and afford their aid and advice in all cases relating to the interest of the bank of the institution, but their duties shall not extend to the business of discounts. They shall lay before the board at every stated meeting, a statement of their proceedings which shall be read before the discounts of every day are settled."

This amendment was rejected, by yeas and nays, as follows:

Yeas—Messrs. Sullivan, Wager and Gilpin—3.

Nays—Messrs. Lippincott, Eyre, Bevan, White, Fisher, Chauncy, Newkirk, Macalester, Lewis, Holmes, Potter, Biddle—13.

At the same sitting, this amendment to the rules was proposed:

"A statement of the proceedings of the committee on exchange since the last stated meeting shall be reported in writing and read," which was rejected by yeas and nays by the same inflexible haters of loans by the committee on exchange. The votes were—

Yeas—Messrs. Gilpin, Wager, Sullivan, Willing, White, Macalester, Potter—5.

Nays—Messrs. Lippincott, Eyre, Bevan, Fisher, Chauncy, Newkirk, Lewis, Holmes, Biddle—9.

The decision by this vote was in fact an instruction to the committee that they ought to include discounts in their business, and that they need not report their doings to the board.

Mr. Lippincott and Mr. Eyre, as members of the committee on investigation, think it wrong for the exchange committee to discount—still more wrong for a cashier alone to discount!—and they were doubtless here added, if they had thought such an anomaly conceivable, that the extremity of wrong would be for a director to obtain discounts from the cashier without the knowledge of the board—yet I am assured by the latter committee that both Mr. Lippincott and Mr. Eyre, while sitting as directors, frequently asked and obtained from him large loans which they did not submit either to the board or to the committee. These acts of kindness ought to have prevented any very violent indignation on their part against loans by the cashier.

But say the committee, the exchange committee keep no minutes—make no entries—but having decided any thing, give verbal orders to the officers to carry it into execution. Well, in what other way do the committees report? Mr. Lippincott has been, I believe a director for more than twenty years, has been a member of many of the committees, and chairman I believe of them. Did he ever keep minutes? Did he ever prepare such a thing—think of such a thing? Does any exchange committee of any bank in Philadelphia keep minutes? And now at the end of these twenty years he comes to reproach his ancient colleagues with not doing what he did not do himself.

And now we come to the final and most important part of this report.

In a year or two after the vote of the bill rechartering the bank in 1832, it prepared by degrees to retreat back to Pennsylvania by the gradual sale of its branches, and by the concentration of its assets in stocks which might at any time be available in any aspect of its affairs, either to wind up or to expand under a new charter.

Accordingly on the 6th of March, 1835, there is the following entry on the minutes:

The president submitted to the board a general view of the situation of the bank; its means and liabilities; its circulation and deposits; and the probable future demands upon it showing its ample resources and power of expansion.

Whereupon, on motion of Mr. Cox, seconded by Mr. Henry—

"Resolved, That the committee of exchange be authorized to make arrangements on the security of the stock of this bank or other approved security—and

if necessary, at a lower rate than six, but not less than five per cent per annum."

Let us see then who are the persons composing these exchange committees to execute this resolution. They were according to the appendix to this report:

In 1836—March 4. Messrs. Platt, White, Newkirk. Oct. 7. White, Lewis, Price.

In 1837—Jan. 6. Messrs. Lewis, Price, Platt. July 11. Cope, Humphreys, Taylor, Astop, Neff.

In 1838—Jan. 5. Platt, Cabot, Wain, Oct. 9. Wain, Lewis, Vanderkamp.

In 1839—Jan. 11. Vanderkamp, Price, Cabot. July 5. Cabot, Cope, Wain.

In 1840—Jan. 7. Price, Lewis, Newkirk. July 7. Price, Cabot, Handy. Oct. 13. Wain, Handy.

This then was the settled course of policy of the bank until its future fate could be ascertained. No one can deny that this was the true course for the bank. Now this, according to the committee, is the source of all the disasters of the institution—and they assign as reasons the size of the loans made, and the want of minutes by the committee, which they admit answered for "bills receivable," in a small memorandum book under the charge of one of the clerks. And then we are led to imagine that these irregular loans having once got into this gulph of bills receivable lay hidden from every business man.

This was undoubtedly what this committee would have persuaded the stockholders—this was what they meant to insinuate without asserting it. But by one of those lucky accidents which sometimes attend the origin of a very fortunate discovery, and by one of those unconscious put forth statements which not only fully contradicts the whole of their report, but convicts their chairman, Mr. Lippincott, of the grossest negligence or coyness. As long as the committee wished to prove that the officers of the bank and the exchange committee were guilty, it suited their purposes to represent these persons as concealing their proceedings. But having accomplished this, there were still some directors—some stockholders probably of the Reading Bank—who were to be persuaded, and sought to, therefore, turn short round, and declare that these very proceedings were constantly before the directors, who, they insinuate, are guilty of neglect in not examining and stopping them. Thanks to this blind rage for more vengeance, they thus reveal what completely answers all that they have previously written, and never, certainly, was seen at the quarter sessions, any witness caught more completely in his own trap. All that is seen in the following extract from the report:

"By the thirteenth standing rule of the bank, it is provided that the committee on the state of the bank, composed of five members, and elected by ballot every three months, should at least once a month, lay a list of service examine and count the discounted notes; and compare the amount thereof with the balance of the amount of bills discounted in the general ledger; they shall also count the cash, and the printed and the unprinted paper in possession of the cashier—examine the evidences of the public debt and property of the corporations, make an inventory of the same, to be compared with the books in order to ascertain the agreement and report to the board." The custom appears to have been for this committee to confine their examination exclusively to the cash, bills discounted on personal and other security, the issues, and the printed and unprinted bank paper on hand. The account, however, of the general state of the bank, submitted to the directors at every stated meeting, contained the items of "bills receivable on the bank stock and other security," which included as well the bills receivable for sale of branches as the loans made in the manner heretofore advertised, and "foreign bills of exchange," under which had been continued the advances on shipments of merchandise. Thus, on June 28th, 1835, on which day an examination was reported by the committee on the state of the bank, there stood to the debit of bills receivable the sum of \$13,106,074 55 cents; and of "for-

foreign bills of exchange" the sum of 7,216,109 dollars, 34 cents.

This is truly astounding. Here it appears by the declaration of this committee itself, that at every stated meeting of the directors for many years, all these loans were deemed so secret—all these advances on cotton—every species of investment which is the subject of reproach was submitted to the directors. Every day did these directors see on the table before them this list of loans and advances, and any director who wished for the particulars had only to ask for it and the whole details would have been immediately brought into the director's room. Not merely every director examined—but every director saw the amount of the special duty it was to examine it, according to the bye laws, every three months.

Now who were these committees on the state of the bank, whose business it was to control the exchange committees? They were:

In 1836—March 4. Lippincott, Neff, Brown, Trotter, Beyerland. October 7. Neff, Troth, Beyerland, Newkirk, Cope.

In 1837—January 6. Newkirk, Lippincott, Bohlen, Vanderkamp, Handy, Taylor, Astop, Neff, Lippincott, Bohlen, Lewis, Hickman.

In 1838—January 5. Lippincott, Lewis, Bohlen, Brown, Connell. October 9. Cope, Neff, Cabot, Astop, Hickman.

In 1839—January 11. Wain, Hickman, Astop, White, Newkirk. July 5. Astop, Hickman, Wain, Newkirk, Ingersoll. December 17. White, Newkirk, Cabot, Cope, Price.

In 1840—January 7. Wain, Neff, Connell, Handy. Cabot, Astop, Taylor, Astop, Neff, Brown. October 13. Neff, Lewis, Martin, Byrne, Brown.

But more especially let us follow Mr. Lippincott.

We have just seen by the above extract from the report of the committee that on the 28th of June, 1838, on which day an examination was reported by the committee on the state of the bank, there stood to the debit of "bills receivable," the sum of \$13,106,074 55, and of "foreign bills of exchange," the sum of 7,216,109 34.

Here then was every item of all these loans and cotton purchases before a committee whose business duty it was to examine them. Who was this committee? What directors were they, so lost to their duty as not to examine them? Let us now propose them. Who, above all, was the chairman of that committee, the natural leader of that great reform? Amos, for human infirmity. In the appendix of the committee's report is a list of all the committees for several years past, which it appears that on the 29th of June this vigilant committee on the state of the bank, stands recorded, and at their head is

JOSHUA LIPPINCOTT, chairman.

LAWRENCE LEWIS,

JOHN BOHLEN,

JOHN A. BROWN,

JOHN CONNELL.

And now when this Mr. Lippincott goes before the stockholders to complain of abuses, let him be asked by some independent man what he did on that occasion. Say to him did you examine these statements? If you say no—then you betrayed your duty—then you were faithless to us. If yes—then why these proceedings which now, nearly three years afterwards, you come to us to denounce. You are unjust to us in either way, and we fear that all this pretended zeal in our service is but a mask to conceal your own selfish purposes. Let us now candidly say that to him, and see what he will answer.

On the whole, my belief is, that this movement is a conspiracy got up by the managers of the Schuylkill Navigation company, aided by a few great persons for several years past, to ruin the hopes of their selfish associates—that to carry their objects, they have by misrepresentations irritated the stockholders into a measure which cannot fail greatly to injure their interests, and that the Board of directors have been sacrificed to the jealousy and the despair of the Schuylkill Navigation company.

And now I have occupied you long enough with these mis-usable intrigues, and will release you with the assurance of the sincere respect of,

N. BIDDLE.

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL.

[CONTINUED FROM PAGE 127.]

THURSDAY, JANUARY 21, 1841.

Mr. WRIGHT said it would be unnecessary for him to say that he had not power to answer the remarks of the honorable senator from Kentucky who had just taken the seat, (Mr. C. J. H.) He (Mr. WRIGHT), had been too long there, and was

ion well known in that body, to attempt to follow the *unhappy course of remark*—the keen and cutting satire of the honorable senator from Kentucky. He was a naive plain and humble part—dancer so far as he understood them, and of argument so far as he was able to bring arguments to bear on their facts. He could not be an unexpectedly called upon to address the senate to immediately reply to the senator from Kentucky. The senator on his right, (Mr. BUCHANAN), to whom the appeal had been more particularly directed, had given no floor to him for a particular answer, but being prepared, as he, (Mr. W.) was not, without examination into the facts, to answer the remark which had been made on the subject of certain items of public expenditures.

He should discuss but one single topic, first briefly noticing, and very imperfectly, some of the remarks of the honorable senator from Kentucky. But first it was due to himself that he, (Mr. WAIGHT), should offer his humble apology for the interruption of the honorable senator, not that it was noticed by the senate, but because it was disconcerting on his part. Still it was a compliment to the gentleman's powers as a debater, for it was an interruption which nothing could have drawn from him but the rapidity and force with which he was rushing to conclusions calculated to carry his hearers along with him, and to lead the senate, as Mr. WAIGHT thought, to erroneous impressions upon the points he was discussing. Hence the interruption, for which he could not but feel his pardon.

[Mr. CHITTENDEN courteously remarked, in an under tone, that apology was wholly unnecessary.] Mr. WAIGHT continued. The honorable senator then told the friends of the present administration, they had attempted to bring an apology for his party. Now, if he had said or done any thing which should seem to have given the honorable senator just cause for such an imputation, he had said and done what he did not intend to say or do. He, (Mr. WAIGHT), came into a minority floor in this country, and he had been called upon on various occasions, since the meeting of the senate, to say that he desired to demean himself with all becoming modesty and humility in that unfortunate condition; but yet he might say to the honorable senator, while that honorable gentleman was presenting to him 1,200,000 votes on his side as too large a body to be ascertained, that 1,100,000 freemen, as a minority, might look and smile, though they should not sneer. He admitted that the administration, which was in control, did not do much to cause in by a vastly larger vote than any which had preceded it; and he would tell those gentlemen—and he did it with feelings of kindness—that they came in, in the face of a minority, in numbers and proportion much more powerful than any previous administration ever yet met. Let, then, on all hands, the admission of the honorable senator be looked to; for, while it does not belong to the minority to sneer, the majority have not advantage enough to exaggerate. The great sea of public opinion cannot bear deep agitation, without some stanger of a change of power, when the difference between the contending parties is so small, and a change of ten per cent. may easily be wrought against him who here excite this immense sea of mind, even upon the surface. Let all, then, look well and carefully to their measures and to their policy. He took the reproof, or desired to do so, with which the honorable senator had favored himself and party; and he would not be glad to reply by it. At the same time he wished to impress the honorable senator and his friends with the palpable truth that a strong party must do right or be overthrown. He appeals to the public judgment of the freemen of the country. He cheerfully acknowledged the priority of the tribunal, and its perfect jurisdiction, while he believed the representatives of majorities might be sometimes wrong, and that constituent majorities were easily changed or over-confidant on the part of the representatives, and by consequent measures having some reference to interests and classes than to our entire constituency.

Another position of the senator, in the course of his interesting argument, was that they, (the present majority), "was a dying party, upon the last stage of their condemned term," were endeavoring to do—what? To occupy the ground of the future administration, and forestall its measures. Was that so? Had the majority of the present period, in which they had had the measure of distress together, warranted such a charge? They had, it was true, introduced the measure under discussion—a pre-emption bill—a prospective pre-emption—and this, it was true, in that respect, was not a legislative act, but a policy of the future administration. What were the great measures of policy, as he believed—for no man could speak with any certainty on the

subject—which were looked to by the whole country as the measures of the coming administration? A destruction of the system of finance of the present administration was, he supposed, the most prominent. Were they, (the present administration), responsible for creating that? Or were the other honorable senator from Kentucky would discharge them from such an accusation, for he would feel honored in acknowledging that he had himself called upon them, (the present majority), to undo what the present majority had done, to do by those which govern the gentleman opposite, they had done. He, (Mr. WAIGHT), complained not; yet surely they ought not to be charged with attempting to forestall the measures of the coming administration. Thus far, the present majority, the law establishing an independent treasury for the country was thrust upon them almost as soon as they were in their seats, and from one of the great leaders of the opposition to that strictly constitutional and truly republican measure.

Next, as to the proposed distribution to the states of the proceeds of the public lands. Was not that looked upon every where as one of those measures which would be favorite and prominent with the coming administration, and as a measure against which the present majority, and any friends who have sustained an immovable opposition? Where they then to be charged—and he would observe, if he should appear to speak warmly, that he spoke with no unkindness—were they to be charged with attempting this measure before they had, by acting upon it, forestalling the measures and policy of the new administration? Certainly not. The honorable senator from Kentucky, (Mr. CHITTENDEN), should concede that it was through his influence that the present majority, and any friends of the present administration, that this question has been forced on this body, and calls for its action and its judgment.

Taking the facts, then, as they stood, were the friends of the administration chargeable with forestalling the policy of the triumphant administration which was now so near? It had seemed to him that they were not. There were many other remarks of the honorable senator which he might notice, but he brought it to a question, before the senate, for the purpose of discussing before the single point which had called him to the floor.

The proposition before the senate was to recommend the bill to the committee on public lands, which he would do it, with instructions to report a bill to provide for the distribution of the proceeds of the public lands to the states, as a part of the instructions proposed. The point he wished now to discuss related to this part of the instructions; and although, at the commencement of the debate, he had proposed to himself to discuss this whole subject of distribution, his present intention was to examine one single ground upon which the policy of distribution was urged.

He had been persuaded to take this course of this topic, because he had seen the short period which remained for the transaction of business during the present session of congress, the press of business to be done, and the great anxiety of the peculiar friends of the pre-emption bill for its passage.

This should control his present efforts. But if the debate should take a different direction, or if he should retain a seat in the senate, and a future occasion should arise, in consequence of a future prosecution of this policy, he might then claim the right of discussing this subject at large upon the proposed measure in all its aspects.

At the present time he would consider but one of the arguments by which it was supported in the country, and in the minds of a portion of the constituents of the present congress. He referred to its connection with what is familiarly known as the tariff, or the protective policy of the country. It must be known to many members of the two houses of congress that, with a large portion of the people of the New England states, and he believed the same thing was true of portions of his own state, this policy of the distribution of the proceeds of the lands was popular, not so much from any love to the appropriation and application of these proceeds as from a wish to have that amount, whenever it might be subtracted from the treasury, that there might be an occasion to increase the duties on imports to an equal amount. This idea, if indeed it did prevail in the tariff states, must, it would be said at once, rest upon the supposition that the more duties there were imposed upon imports, the more protection must be afforded to domestic manufactures or products coming in competition with the imports thus burdened with duty. Is this a sound inference? He was aware the inquiry was addressed to some states, which were supposed to be favoring the protective policy. He was not sure the position was sound or practical, but it seemed to

him to be both. He was also sensible that it might, at the first impression, strike the minds of the members from the anti-tariff states as being an argument, if it had any force, in favor of the policy of the distribution. He entreated all to listen to the suggestion, and to pause a moment, with them well before they should be made the foundation of official action upon either side of this important question.

When, then, does a duty commence to be protective? Is it so either to our manufacturers or our producers while the foreigner has the entire and exclusive possession of our market for the sale of his manufactured article or foreign production? All would say so. The duty, under such a state of things, would be a mere impost, a mere tax, and not, in any possible sense, protect any domestic interest. The operation of the tariff of duties must commence to be exclusive and prohibitory before it can begin to be protective. It must, to some extent, take the foreigner from our market, and open it to the domestic manufacturer and producer, before its protective features can be of all value; and when this process once commences, the further it is carried in its exclusive and prohibitory action, the more protective is the tariff and the which it takes place.

But what mer be the effect upon the revenue of this protective action? In the precise proportion in which it is exclusive and prohibitory, it must diminish the revenue upon imports. In other words, as far as the tariff is a mere impost, it is not, in effect, just so far it must be a tariff not the most perfectly fitted for the purposes of revenue. That tariff which is best adapted to the purposes of revenue, by itself considered, must be that which promotes the greatest amount of importation, and the greatest amount of revenue combined. That tariff which is best adapted to the reasonable purpose of protection is the one which shall place American and foreign interest of the same character upon a level with our markets, and this is the least amount which the tariff interest can desire.

Try, then, the policy of this measure with these interests. It is now proposed to separate from the treasury, to give away the revenue from the lands, our principal source of internal revenue, and that for the many taxations to be imposed, to increase higher duties where protection is desired. This is acting upon the principle, not simply that the higher the duty the greater will be the protection, but also that the higher the rate of duty the greater will be the amount of revenue.

A single reflection will convince any one that this will be true only while the foreigner has the exclusive possession of the market, and, by necessary consequence, the duty is not protective at all. If the high rate begins to exert the influence of driving out our own produce or manufactures compete with him in the market, the question of revenue immediately becomes incidental, and its amount will depend, regardless of the rate of duty, upon the advantage which the state of trade and of the market gives in the foreign or the domestic parties, at any given period. If the protective influence shall predominate, the foreigner will be driven from the market, and the revenue will fail. How, then, is it to be supplied? Most clearly, if it is supplied only resort, by a reduction of the rate of duty, until the foreigner can again come into the domestic market, upon grounds of advantageous competition. In other words, by taking from the tariff its protective and exclusive pre-emption. Can there be a doubt that this must be the principle of action in all such legislation?

How, then, is the principle of protection to be preserved consistently with its action? By giving away or destroying all our source of internal revenue, and by increasing our treasury wholly dependent upon imports? Or by fostering and preserving every source of internal revenue, so far as the state of the treasury will permit, that when our tariff for revenue shall, by the course of trade, or exchange, or national policy, be compelled to reduce our rates of duty, to invite the foreigner into our markets to undersell our own citizens, that our treasury may be sustained from the duty to be imposed upon the importations? The proposition now under consideration is to give away to the states, to take from the national treasury, our richest source of internal revenue, the proceeds of the sales of the public lands, an amount of from three and a half to four millions of dollars annually, and to throw this revenue into the hands upon a revenue from customs for dependence and support. This, too, is proposed to be done at a time when the whole revenue from lands and customs is not equal to the payment of the ordinary expenses of the government, and when it is a large policy to be adopted? Why is this most stable source of revenue to be cut off, and given away in gratuities,

who are borrowing money to pay the expenses of the nation.

Among other grounds assigned for the strange policy, one is that it had mentioned—so far the protective policy, by making the occasion for increased duties upon imports. Could it be necessary for him to say more to show that this ground was not untenable—that this policy would be suicidal to the interests it was advocated to protect? It seemed to him not. The proposition was too plain to admit of amplification. Duties, to be protective, must, to a greater or less extent, exclusive and discriminatory—must have a tendency rather to restrain than to increase revenue, by giving a fair portion of the market to domestic products and manufactures, to the exclusion of foreign; and, when there is a deficiency of revenue from imports under such a system, it must be supplied from internal sources, or the protection must be surrendered, the duties reduced, greater advantages given to the foreigner in our market, and the importations be thus increased. Under our system, the internal sources of revenue are the proceeds of the lands, excise and direct taxes. Give away the former, and who expects a congress will ever be found to resort to either of the latter to raise revenue, when it can be raised by duties on imports? Who will believe that excise, or any taxation on the people, will be resorted to as a protective tariff? No man acquainted with the feelings of the people, or the action of legislative bodies elected by the people, would indulge such a hope.

Our sources of internal revenue, which do not depend on taxation, are not, as the protection is, protected, or a protective policy cannot be independently pursued.

Take the articles of wool and woollens, the great northern and eastern interests. So regulate the tariff of the American wool, that it shall be equal to the foreign article, and that American cloth can enter into the consumption of the country in fair competition with the foreign, and then experience, as at this time, a deficiency of revenue, that arising from an immense public domain having been taken from the treasury, and given to the states. What are you to do. Will higher duties produce more revenue? Not in the case supposed; for when the competition is even, or balancing in favor of the domestic interests, higher duties will be a disadvantage, and while protection may be rendered perfect by such legislation, all revenue will be lost. You must reduce the duty, then, and thus invite importations to raise your revenue, and, having no other resource, the treasury would be empty.

It is a mistake, then, to assume that this measure will necessarily favor the protected interests and the protective policy. It may injure both. It is a mistake to suppose that forcing the treasury to an exclusive dependence upon revenue from imports will secure the system of protection. It may destroy it. The treasury of the nation must be supplied; and its such imports as are consistent with the system of protection do not yield the requisite revenue, the protection must be yielded to the necessity for revenue.

There is another consideration growing out of the policy of making the treasury dependent upon a revenue from imports alone, which deserves the serious examination of all who are in favor of adopting the policy for our country. Where will rest the control, both as to our supply of revenue and the protection of our domestic interests under such a policy? Will it be in the hands of congress, or in the hands of the executive? Will it be in the hands of foreign hands? Make the treasury of the nation an exclusive monopoly, importations. Those interests which regulate the trade of the world govern our importations; and they are, at all times, subject to the influences of foreign interests and foreign policy, as well as our own.

By exclusively depending upon these importations, and, it, too, must be equally in subjection to the same influences. The protective features of our tariff become, in their operation, injurious to some important interest of our country. It is a policy which is to extend, and produce a desire on the part of that country to change our rates of duty. Our treasury is solely dependent upon revenue from imports, and, by consequence, proportionally dependent upon importations from the countries in question. It shares the trade with us. Our revenue falls out, and our treasury is made empty, while we are told, reduce your rates of duty and the suspending trade shall be renewed and extended. Can congress regulate this attempt to control our policy by a foreign power? Can it contravert policy if it will that will not produce revenue, or fill our treasury; and, if our sources of internal revenue be destroyed, or given away, it can only be adopted and sustained by a resort to direct taxation. What, in such a case, would be likely to be done? Would our system of protection be adhered to, or our duties be reduced? If we have the land revenue to supply the treasury, the

contraverting policy will be likely to govern us, but if it is to be resorted to at the expense of direct taxation, protection will be very sure to be yielded, and the treasury supplied by a reduction of our rates of duty. In short, if we place our treasury in a condition to be exclusively dependent upon customs, our policy must be to invite importations, to burden the country with a policy, which they are not likely to foster by giving away our sources of internal revenue, and forcing ourselves into a state of entire dependence upon foreign trade for the supply of our national treasury? It seemed to him not.

Nor could this view of the operation of this distribution, properly considered, condemn the measure as the policy more acceptable to the anti-tariff interests. They desire the least possible amount of duties consistent with a healthy and certain revenue; and, it is admitted, on all hands, that the distribution to the states of the land revenue will produce the most necessary of an increase of duties to the full extent of the money taken from the treasury for distribution. Whatever, therefore, may be the effect upon the protective policy, the influence of the measure upon the free trade principle cannot be equivocal.

These suggestions had been hastily and crudely given, and yet he hoped he had sufficiently developed the views which should be bound to be taken, and understood him. It was to them he desired to address himself upon that point. They would reflect upon the ideas he had thrown out, and he knew they would also take all the weight they deserved, if, indeed, they should be found to be correct.

He would take up but a very few moments more of their time to briefly replying to some other observations of the senator from Kentucky. If he understood that honorable senator—and he begged him to believe that he did not wish to misunderstand him—he said that the present administration had spent one hundred and thirty-five millions of dollars in the four years of its term; and that upon roads, harbors, canals, ships, fortifications, &c. there had been expended nine millions of dollars.

He (Mr. WATSON) said he did not mean at all to examine this matter, but he believed in the four years they had been in the habit of passing bills annually for fortifications of from a half to a million of dollars, and of from five to ten millions for the navy, separately from the support, repairs and the like, as well as ready large appropriations for steam ships, or harbors, large appropriations nearly annually, if not entirely so; though for roads and canals, he was happy to know little or nothing had been done, because he considered all such expenditures by this government wrong in principle and injurious to practice.

Mr. CHITTENDEN said, in justice to himself, he should explain that he did not include the repairing of ships, and the pay of the officers and the men, but the new building of ships.

Mr. WATSON had understood the senator to speak simply of the ships, and not of the pay, but he supposed he had intended to include rebuilding, repairs and similar expenditures.

Well, then, the senator said there were some one hundred and thirty-five millions of dollars which had been expended within four years, and how expended? Why, expended in pursuance of appropriations made by themselves (congress), and for that whole period they had had the honorable senator's personal supervision and care over them, and he believed he did that honorable senator no injustice when he said, that if he had seemed to feel more dissatisfied at one time than another with the votes of him, (Mr. WATSON), it was when he voted against appropriations. He said that he had never seen him have been abused in expenditures—he was not prepared to say there had not been; but he said cheerfully—what the honorable senator from Pennsylvania (Mr. BUCHANAN) said yesterday—made him feel that he was not in the right, but with a patriotic feeling towards the country and its interests. If there had been abuse, let exposure and punishment be visited upon the guilty; on him, if he were the man on his head—tied; on any man, wherever he might be, in this vast nation, who had embroiled the public money, who had squandered it improperly, or who had been unfaithful in a pecuniary trust. He again said, examine, but examine with justice and truth. That was all the favor he asked, and he would appeal to that gentleman, for the vote of the members of which he cherished a feeling bordering on friendship, and to do their opportunity—let tell the truth of them—and to put

them only when they should be found, after careful and fair examination, to deserve it. The papers and records were soon to pass into their hands, and the means of investigation would be ample. Let not the desire to find fault be paramount to the obligations of truth and justice.

Another subject has been employment to the honorable senator's talent for saline in no stated measure. He referred to the proposition of the president of militia, which the president is said to have organized, to prosecute the Indian war in Florida.

Previous to the late elections, the honorable senator and his party found a very different story touching the military and the investigation would be ample. Then his purpose was a "standing army" of 200,000 men—militia, it is true—to be used, not to subdue the murderous Seminole, but to prostrate the liberties of this free country, to break down the constitution and the union, and establish a military despotism upon the ruins.

He (Mr. WATSON) could not forget the startling ground of the opposition during the late contest, because he had then, as now, constantly found himself contending upon this point before meetings of the people, and then, as now too, as the result had proved, contending against outgunnia who were more than a match for him. Then the president was a Federalist, and tyrant, and through the instrumentality of his neighbors our brethren, our brothers, sons, the militia of the country, converted into a standing army, out of regular soldiers with their permanent officers, but of militia, was to destroy the liberties of this country, and to rule over six million of people as a despotic spot, supported and sustained by these 200,000 citizen soldiers!

What is the present now? In what frightful aspect does the senator present him to the country on this day? As imbecile in the extreme; as a tyrant an Indian war of some four or five years' duration, which has baffled the efforts of our whole gallant little army for that entire period, by means of a sedentary troop of six or seven hundred, a corps of sedentary militia of that formidable number.

One thing he (Mr. W.) hoped he might now assure himself, and that was, that this new army of six hundred soldiers would not frighten from their property the soldiers who were in the country. The senator was no distinguished a member, nor render them unconsciously uneasy in regard to the safety of the liberties of the country; most especially so when a few weeks must terminate the command of their present officers.

Look at these positions. That men who, on the first days of November, was to cleave down the liberty of the people by a standing army of militia, was now, in January, to defend the country by 600 men, whose duty it was to sit still, and stand, and who were limited to an employment within twenty miles from the place on which they sat. Now, he thought there was a little extravagance in all this; and he could not believe, after all, that there would thereby be much added to the expenses of the government.

Mr. CHITTENDEN read the order of general Rusk, to which he had referred, but the reporter could not obtain a copy. Of the authority of the order, Mr. C. said he knew nothing. It had been placed in his hands, and was a publication from a newspaper.

Mr. WRIGHT had only referred to the matter because it had been introduced by the honorable senator. He thought it was a subject which he felt before the senate, and was not disposed to consume further time about it. What he had learned from the remarks of the gentleman, and the extract he had read from an unknown authority, constituted the whole of his information upon the subject. He had never before heard of even the existence of this militia force—this sitting army; and he certainly did not desire to extend remarks upon a subject about which he knew nothing.

A word more to be said. The honorable senator complained that there had been a wanton expenditure of money for supplies for the army in Florida and the Creek and Cherokee countries; that provisions had been purchased for high prices, which were not used; and that they had been sold at public auction for low prices. These might be facts. The senator read from a printed document which he (Mr. WATSON) had never seen, but which he presumed was good authority for his positions. Did it follow, however, that the present president was in fault in the matter? Did it follow, by necessity, that any person was in fault; and, if any person, would it not be more just to state who was the officer in command, who had charge of the purchases, and to whom the public agent the property had been thus sacrificed?

There had been a period in our history, if he was not mistaken as to facts, when provisions purchased

for the use of our armies, at a dearer rate even than those referred to by the senator, had been piled together and burned, to further light for a distinguished retreating general from a retreating enemy; and yet, neither the general, nor the administration under which he served, was condemned either for the military achievement, or the loss of the public property. This did not take place, as his manors told him, upon the southwest coast, but upon the northwest frontier, and not during the Florida war, but the war with England of 1812—13.

Had the officer in charge of this property in the Indian country pursued this course; had he, instead of his auction sale, burned the supplies, and made a precipitate retreat, the result might have been as well as himself; might have been spared these sharp censures. He, however, as Mr. WAIGHT believed, had accomplished the duty assigned him, and was ready to dismiss his force, to their homes, just as they were mules, and other service so far as they were regular; and the supplies not being wanted at the station where they were, and transportation being the principal ingredient of their cost, he took, whether wisely or not, the expedient of a public sale, and a second transportation. If the prices paid at the sale were low, the loss was the greater, but it was not a total loss, nor was the property consumed to furnish a light, nor for a purpose, but retreating generally. He thought it would be authorized to say that if the entire public loss in the one case was not cause for censure upon the general, but rather for his greater elevation, the partial loss in the other could not be a broad ground for the sweeping condemnation of a man and his administration.

Mr. WAIGHT. I rise to say a few words in answer to the honorable member from New York, (Mr. WAIGHT), on the amendment which has been moved by the member from Kentucky, (Mr. CRITTENDEN), and which proposes to connect with this pre-emption bill a provision for the distribution of the proceeds of the public lands among the states.

I have been of opinion, for several years, that such a distribution, made on principles of justice and equity, doing justice to all the states, new and old, is a proposition which makes daily progress in public favor, and must at no distant day, receive the sanction of congress. I have, indeed, little doubt that the measure will pass at the next session, carrying with it a proper provision, by way of pre-emption, for actual settlers. I have not, however, the expectations of those of the new states to whom less of the public land has been given for purposes of improvement than to the others. But I shall not discuss this subject now.

The honorable member from New York has intimated that the general feeling in favor of distribution, which prevails in the northern and eastern states, arises from the hope that, when the treasury shall be deprived of the income from the land office, it will become necessary to replenish it by laying heavier duties on importations, and in this manner greater protection to American manufactures may be secured. In other words, being not in favor of distribution, he invokes against it the fears of a high protecting tariff.

It is not for me to say what reasons may actuate others, but such is not my ground of proceeding. If there were not a single article produced in the country which needed or deserved protection, I should be of the same opinion I now am.

Whatever reason there may be for the objection lies in this, that, looking to the original object of the revenue made by Virginia and other states, and to the fact that the debt of the revolution has now been paid, a fair case is presented to the states to say that the proceeds of the public lands should be divided amongst them, according to numbers, as the nearest approach that can now be made to the original intention, in the transaction of commerce.

This is the general ground. No doubt it is a measure affecting the finances and the state of the treasury, and this part of the case has not been overlooked.

I know, of course, that distribution among the states, of the proceeds of the sales of the public lands, reduces, by so much, the general receipt into the treasury, and for one man quite ready to make up the deficiency by new duties, to be imposed on certain articles of luxury. I have always spoken of such articles as proper subjects of duties. I have referred particularly to silks and wines—which are not of the class of protected articles. It is true, congress has been strenuously petitioned to protect the silk manufacture, but the rate of duties which has been suggested would probably be little efficacious for such a result.

But looking at the subject in a merely financial point of view, it appears to me that duties ought

immediately to be laid on these articles. Why not? They are articles of consumption almost entirely by the more affluent. They are not of the necessities of common life, or essential to any branch of our own industry. Why then not collect duties from them; I am of opinion that an *ad valorem* duty of twenty or twenty-five per cent. would probably quite supply the deficiency caused by withdrawing the proceeds of the lands from the treasury. And this is exactly what I recommend to be done. Distribute the proceeds of the sales of the public lands among the states, and make up the loss to the treasury by a duty on silks and wines. This is my policy, my true policy, and I have no objection to this question, thus stated, steering clear of all dispute about duties for protection. It puts the simple question, at once, is it better for all the people that silks and wines should continue to come in free, or that they should be reasonably taxed at a custom house, and the proceeds of the sales of land be divided among the states? This is the plain, narrow, direct question.

The honorable member from New York supposes it not wise to rely entirely on duties on imports for the support of government. Certainly, in times of war, or apprehension of war; but such duties have been our main reliance for two-thirds the history of the government. Their amount is, of course, somewhat uncertain, and fluctuating, but, hardly less in times of peace than during the period of land sales. At the close of the late war, the income from the sales of lands was very small. I remember to have called on Mr. Madison, on the 4th or 5th of March, 1817, the period of his retirement from office. He spoke upon the subject of the public lands, and remarked that northern and eastern gentlemen were not sufficiently sensible of their importance, and went on to observe that, in his opinion, no prudent management they might in a year produce a million and a half a year, or certainly a million! So low was even his estimate at that time of the income to be expected from this quarter. We have seen it reach, at least, in one year, twenty times that amount. But even with such high hopes from the public lands, the amount of justice or a hundred millions, the internal taxes were repaid, and the nation trusted to commerce for the supply of the treasury.

The honorable member from New York seemed to be in reasoning into the form of a syllogism. You rely on importations, he argues, to furnish revenue, and yet you lay duties to check importations.

[Mr. WAIGHT signified dissent to this statement.]

Mr. WAIGHT. I so understood him; but, of course, he can best explain his own meaning.

[Mr. WAIGHT explained. He said his argument was that, his idea of protection was this. The idea of protection by duties carried with it the idea that they should be such as to preclude foreign competition; and to be protecting duties they need not be revenue duties; nay, they might operate to stop revenue altogether.]

Mr. WAIGHT. So I understood the honorable member, exactly. And none can doubt that if a government relies on duties upon importations for its revenues, it would be absurd to lay duties so high as to prevent importation. Certainly, I maintain no inconsistency of this kind. But it is not always true that moderate duties diminish importation at all. Sometimes even high duties have not that effect. There is no reason to suppose that a small duty on silk would greatly diminish its importation. It is certain that it would not. It would raise the price. Although the general rule is true, that duties are paid by the consumers, yet there are instances in which the duty falls on the producer, by depressing the price in the market of production. Our made up experience in some articles, and the idea of traffic has shown cases of that kind. All this depends on the nature of the article, on the number of markets which it finds in the world, and on the proportion of its whole produce which usually finds a market in the country where the duty is laid. But this subject is too extensive and various to be discussed now.

In my opinion, duties necessary for revenue should and may be so laid as to give accidental protection to our labor and industry. In this respect we have wide field for just and careful selection. But it is my opinion also, that duties must be laid, sometimes, on articles, the labor of which we do not produce, and therefore where no such incidental benefit accrues. And such is the case of silks and wines. The whole matter, I think, can be satisfactorily adjusted, if all parts of the country, and all interests, will consider the subject calmly, and not under the influence of any false alarm.

Much has been said of the late election, its causes, and its probable consequences to the country. It

is not my habit to discuss such things in the senate. I do not indulge, however, in extravagant hopes of the immediate restoration of our former prosperity. Things will mend, but their amendment must be the work of time as well as of wisdom. The deep-seated disease is, derangement of the currency, and, in my opinion, this will never cure itself.

I may be permitted to say that I think the friends of the present administration may gracefully endeavor to abstain from angry declamation in advance against that which is to succeed. The coming administration may fail to satisfy the country—that is uncertain; but the present administration has failed—that is certain. One has been tried, and has not been fortunate; let the other have a fair trial. I believe the person who has been elected to the presidency will bring to the discharge of his duties as much uprightness of purpose, as frank and honorable feeling, and as impartial a regard to all parts of the country and all interests, as any man ever brought to the performance of public duties. And I doubt not that those who are elected, or who are to be elected, to seats in the next congress, as they will come fresh from their elections, and with a full knowledge of public opinion in various quarters, will be in a condition to act usefully and acceptably on leading public measures.

I had hoped that gentlemen here would have been found willing to leave these important questions to their successors. We are already past the middle of the short session. There is no reason to believe that the pre-emption bill, or any other measure respecting the public lands, can get through both houses. I say, then, again, in words of measure. Why consummate this so profitably? On the subject of pre-emption, I have differed from many of my friends.

I am favorable to it, and have supported pre-emption bills before. I will not, however, vote against this. But I am only wasting time upon it. In the next session of congress, I have no doubt, a distribution bill will pass, with proper provisions for actual settlers engrailed upon it. Such seems to be the general sense of the country, and since nothing can be done this session, I regret that so much time should have been consumed, and that so much more is likely to be consumed if the debate should be continued. For my part, I have no wish to be drawn into a general discussion on the subject of distribution at present. I see no benefit to be obtained by it.

Mr. WAIGHT rose to rejoin. It has been contended, said he, that the revenue for the present year will be inadequate to the expenses of government. But this is only wasting time upon it. In the next session of congress, I have no doubt, a distribution bill will pass, with proper provisions for actual settlers engrailed upon it. Such seems to be the general sense of the country, and since nothing can be done this session, I regret that so much time should have been consumed, and that so much more is likely to be consumed if the debate should be continued. For my part, I have no wish to be drawn into a general discussion on the subject of distribution at present. I see no benefit to be obtained by it.

I know that after one year more your revenue on luxuries is to fall fearfully, and I thought that one of the best resources against the revenue likely to be created by such a state of things was to leave a moderate tax on those articles which are subjects of luxury. He believes that it will do to take away three or four millions of the proceeds of the public lands, and to tax luxuries to make up the deficit. He would, however, take this laid revenue only to pay the interest on the debt, and to make this money from the treasury to give it to the states, the people must be immediately taxed to supply the deficit. Why not let them be saved from this roundabout proceeding? Why not lay a tax at once and distribute it? There is the direct way.

[Mr. WAIGHT, across, will tell you.] I suppose that the senator will say that, with respect to the public lands, there is a peculiar obligation growing out of the articles of cession; but I will endeavor, even against him, (and if I can against all Congress,) to show that the earth to demonstrate that there is nothing in the deeds of cession under which we have received the land that in the least contradistinguishes the proceeds from the public domain from any other branch or portion of the public revenue, and that the latter has never been regarded in practice. If the payment of the debt of the revolution was the contingency on which our enjoyment of the proceeds of these lands depends, that debt exist at this moment as a charge on the treasury. But I will not enter on that question.

Mr. BENTON said he had heard a condensed argument from the senator from Massachusetts in favor of the constitutionality of distribution. That argument (said Mr. B.) contains all I ever heard

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FOREIGN ARTICLES.

GREAT BRITAIN.

Duties. There is no question at present under discussion so likely to affect the elections, or calculated to produce so great an amount of immediate tangible good, as the financial reform suggested by the report of the committee of the house of commons upon import duties. The existing tariff is felt as a burden in every house. There is not a washerwoman who sits down to her shawl of bread and butter and eulogizes it but feels its pressure. In the large body of evidence delivered to the committee on import duties, there is nothing more striking than the account of the rapid improvement of the habits of the working classes under the influence of temperance coffee houses, and the check which has been given to these institutions by the operation of our custom duties. Our traders with Brazil and the United States dread reprisals on account of our prohibitory duties. And all our great merchants feel their operations limited by the tendency of these duties to prevent the national expansion of our commerce.—The conviction is daily gaining ground, that inasmuch as all are consumers, the interests of the consumers ought to be the principal object in determining the amount and distribution of imports duties. The spirit of Hutcheson's legislation has survived, although there has been no statesman to catch up the torch he let fall; the cause has grown, although the noise of other discussions has diverted attention from its progress.

[London paper.

There is a vessel only waiting for fair winds to leave our country on a perfectly novel mission.—The Hecla, captain Fremont, is under engagement to convey Mr. Barclay, the agent general for Jamaica, in Sierra Leone, in order to offer to the natives of Africa, a passage to the West India as free emigrants, and so to participate in the advantages, without the pains, already enjoyed by their countrymen who have left their native land as slaves. They are to be quite unfettered by engagements before embarkation, and free to choose their own employers, and make their own terms on reaching their new world. To them the change from a barbarous to a comparatively civilized country must be beneficial. To those who look beyond the surface, this encouragement of an African emigration, which may one day supersede the slave trade throughout the world, will give no common gratification.

[Rome.

The *Constitutional* publishes a letter from Rome, which states that the feast of languages was celebrated on the 12th ult. at the college of the Propaganda, cardinal Mezzofanti presided at this solemnity, unique in its history. All the strangers of distinction in Rome were invited and assisted. The festival commenced by a psalm in Latin, delivered by an Italian. A young man from New York then recited a poem in Hebrew. Two Chaldeans, a dialogue in the idiom of the Rabbis. Abdiabib

Asseman, a native of Lebanon, declaimed in Syrian verse; and a young man from Bethlehem delivered a discourse in Samaritan. A Persian spoke in Chaldean. Two Turks, one from Al-pipo, another from Constantinople, declaimed in Turkish poetry. The young Indians of Pegu spoke in Burman, the younger of the two, only twelve years of age, declaimed with so much skill that he received unbounded applause. Some Armenians read a Latin elegy, a discourse in ancient Greek, and verses in modern Greek. A Card read verses in the language, remarkable for the hardness of the sound.—An American of New Scotland an idyl in Celtic. Afterwards followed Illyrian, Bulgarian, Polish, German, Dutch, English and French. A negro from Gloucester spoke in American. An inhabitant of California sang a song in the barbarian dialect of his nation, accompanying himself with castanets. He was applauded, but the greatest applause was reserved for the Chinese, Joachim Kuo, from the province of Ho-nan, speaking the language of his country, composed elegies of unspeakable beauty. A second speaking the Chinese of Canton. In fine, two other Chinese of Sei-an, presented themselves in their national costume, and read verses in the idiom of their province, terminating their academic exercises by a most harmonious Chinese song. The greater part of the auditors, understood but one word "salutis," which occurred frequently. The loud applause bestowed by the young men, Catholic and Protestant, proved to the young men how much their performance was admired.

CHINA.

Lin's visit to the Americans. About a week since the ex-governor, Lin, the Foyren, several other high Canton mandarins, and some officers lately arrived from Peking, went to Whampoa, or boarded two American ships here, where they staid some time. Our correspondent suggests that this visit may have been caused by some plan of an intended improvement of the China navy being entertained.

[Canton Press.

We have been favored with the following letter, giving an interesting account of the proceedings in China.

Canton, 22d December, 1840.

DEAR SIR: The sailing of the *Panama*, for the United States, gives me an opportunity, of which I am happy to avail myself, to inform you of the present state of things here. Shortly after the return of the British fleet from the North, Kexien, the new imperial commissioner, made his appearance in Canton. Without any delay, communications immediately took place between himself and the English plenipotentiaries, and have been continued until the present time. As it is perfectly well known that the admiral and captain Elliot were determined to have no unnecessary delay, it is a fair inference from the length of time that has since elapsed without any hostile measures on the part of the English, that the Chinese have given satisfactory evidence of their serious desire for peace, and of their readiness to do what is necessary to secure it. As we can learn, the demands of the English are briefly these: compensation for the opium; free official intercourse; social and commercial ameliorations; the removal of the trade on a different footing; and a disruption of Lin's acts and measures. The first demand, to obtain the right of trade at other ports, and to do away with the cohong and the whole present system. However far the Chinese will yield to these demands remains to be seen. If they do not grant all, they will certainly grant many, and this will be less difficult about the money compensation, than about territorial possession, or extension of the trade to other ports than Canton.

Greatly to the surprise of the Chinese, the tone of their authorities towards the English has wholly changed; and the documents which issue from the high officers now for the first time speak the language of civility and equality. It would be more satisfactory to the public feelings so far as we can judge, if the English public feeling should be so changed; at once against England; but the present commissioner was a man of great talent and intelligence, and, as what Lin never did, the means which the English used of annoying China—the chief of which is the port of preventing the trade at the junction of the grand canal, which leads to Peking, with the great river Yangtze Kiang, by means of

which they could at once cut off the whole trade with the imperial court; furthermore, the surrender of Chusan depends on the settlement of the present difficulties, and if this remains in the hands of the English, as a permanent position, they can at any time carry terror into the neighboring large cities of the coast. We are, therefore, decidedly of opinion that the Chinese must come to terms—perhaps not before a blow is struck at the Bogue, which their ignorance believes to be impregnable, but which probably could not resist the force that would be opposed to it for an hour. Opinions, however, are by no means unanimous as to the prospect of peace, for some of the old residents believe that the chance of it is so small as not to be worth calculation; but we repeat that to us there seems little doubt that an arrangement will be come to. 'Tis certainly known that the English were determined to take the forts by a given day, provided they did not see clearly that the Chinese were disposed to yield; but the day has passed, and the forts have not been taken. The two ships which have been detained at Whampoa, and the commencement of the blockade, in June, have at last been able to load; doubtless on assurance from the English plenipotentiaries that they should be allowed to pass without molestation; but this makes it proper to say that the conduct of captain Elliot towards the Americans, has been throughout, marked by a courtesy and friendliness which have been evinced by very few of his countrymen.

It seems hardly worth while to go into any particulars at present with reference to the market for tea. The supply is large the present season, and the crop of blacks is chiefly down; greens have not yet come forward freely. The quality is as good as usual, and that of the various kinds is little better. The supply of silk will be large, but neither for silk or tea can the Chinese be induced to name a price which would authorize speculation in either of them. A large smuggling trade is already going on, and there cannot be a doubt that if a settlement does not take place very soon, it will be large. A large amount of tea, &c. will find its way to the United States in this manner. The present season most of the blacks have been brought to Canton; but another, they would be allowed to remain in the neighborhood, at places from which they could easily find their way out to Macao. The impossibility of putting down smuggling in this country is evidenced by the present state of the opium trade. The drug was never so cheap in Canton as at this moment. Many ships, American and English, are already outside, or are daily expected, waiting to see what turn events will take. Should the trade open, therefore, we may look to see them loaded and immediately despatched to every quarter; before they could arrive in Europe or the United States, information by the overland route will have been received, and markets immediately be affected.

Every hour may bring news either of an adjustment or of an attack on the Bogue; but should nothing be certainly known before the *Panama* sails for New China, we repeat now that our own opinion is in favor of a settlement.

[New York American.

INDIA.

British tyranny. The rev. J. Piermont gives the following description of the horrid tyranny of the British government in this unhappy region:

"The sanguinary wars by which Great Britain has subjugated the hundred millions of India, and the stern despotism with which she rules and starves them, that her mercenary princes may roll in splendor and lap themselves in voluptuousness, have a voice and a weight thicker than the bones of the globe cannot keep out of our ears. 'A more beautiful country,' says a brother emigrant, recently of this city 'than that from Cuddalore to Tanjore (in Malras) cannot possibly be imagined. The dense population and rich soil give their energies to each other, and produce a scene of surpassing loveliness. But the taxes and other causes keep down the laborers to a state below that of our southern slaves.' 'Turn your eyes backward,' says a speaker of their own, no longer ago than last September, 'turn your eyes backward upon the scenes of last year's Calcutta, and the northwest provinces of the Bengal presidency, and I will show you the bleaching skeletons of five

"Rev. H. Halcom.

hundred thousand human beings, who perished of hunger in the space of a few short months. Year died of hunger in what has been justly called the granary of the world. The air for miles was poisoned with the effluvia emitted from the putrifying bodies of the dead. The rivers were choked with the corpses thrown into their channels. Mothers cast their little ones beneath the rolling waves, and they would not see them draw their last gasp, and feel them stiffen in their arms. Jackals and vultures approached and fattened upon the bodies of men, women and children, before life was extinct. Madness, disease and despair attended the progress of human power against their progress. And this occurred in British India, in the reign of Victoria the first. Nor was the event extraordinary or unforeseen. Far from it. 1835 witnessed a famine in the northern provinces. 1832 beheld one in the plains. 1822 saw one in the Deccan. They have continued to increase in frequency and extent under our sway, for more than half a century.* Under the administration of Lord Clive, a famine in the Bengal province swept off three millions; and at that time the British speculators in India had their granaries filled to repletion with corn. Horrid monopoly of the necessities of life! Three millions died, while there was food enough, and to spare, locked up in the storehouses of England! To add to the shock, and which he had been called upon to regard the last dreadful famine, (that of the last year), we are made acquainted by the returns of the custom house, with the fact that as much grain was exported from the lower parts of Bengal, in 1835, as in 1834, while millions who perished, for a whole year. Yet this awful oppression and these diabolical famines must go on, that England may export a hundred millions of dollars every year, from her hundred millions of Hindoos and Europeans, must grow instead of what, that, at her cannon's mouth, she may force her opium upon the three hundred millions of the Chinese, while some one solitary marshall, perhaps, is translating the Bible of the Christians, to bring these countless millions to accept the banner of a nation that stands ready at this moment to destroy one-half of them by war, that it may destroy the other half by poison.**

PRUSSIA.

Many sovereigns would meddle thrones amid the acclamations of an enthusiastic people, eager to anticipate from their new ruler all that the policy of his predecessor withheld; and many sovereigns have seen the confidence of their people shaken on their own purposes, when they have perceived that their throne was furnished but with a few scraps of what, with no common insight the policy of the court of Berlin in the few months which have elapsed since the accession of the present monarch, for there the acts of the king have surpassed the hopes of the people. The differences which had given rise to serious dissensions respecting the conflicting rights of the church and the provincial governments have been promptly allayed. The deliberations of the foreign states belonging to the commercial league, for the adjustment of the tariff and the commercial interests of Germany, have been conducted at Berlin with a degree of intelligence and harmony between the various states which cannot but tend to strengthen the political union of Prussia to that vast national confederacy. The capital of Prussia has become the hospital refuge of men of the greatest distinction in letters, philosophy and in the arts; and the king appears to have received them in the character of representative of the European community in Germany, as well as in that of her principal intellectual ornaments. The last intelligence from Prussia announces the opening of the diet by a decree which contains the elements of constitutional government in the country. The crown pledges itself to convocate the states every two years; to give publicity to the debates and the proposals of the states; to submit to the states various bills relating to the administration of justice, and a plan for a considerable reduction of taxation, and it is possible to foresee how far the resolution of the king or the course of events will promote or check these important changes; but it cannot be doubted that the present policy of Frederick William will speedily place him at the head of the great body of the German nation, and extend the influence of his government beyond the territorial limits of his kingdom. [Times.]

NEW SOUTH WALES.

The Liverpool Courier, of the 1th, contains intelligence from New South Wales up to 26th October. A great want of laborers was felt there. The colonial legislative council were devising measures to encourage immigration. High prices are offered in the papers for laborers of all

kinds, especially printers, coopers and watchmakers. To illustrate the advantages presented in this colony for enterprise and industry, the deposits in the Savings' bank at Sydney are stated to have been £127,000 in August, 1840, whereas in December, 1839, they amounted to only £24,469. The export of fine wool, which amounted in 1837 to only £245 in 1839 was £6,957,861. This is said to be a commodity which may be produced in that colony to any required extent. The total amount of exports, including the produce of the fisheries, had risen during the interval between 1826 and 1839, from £66,000 to £2,500,000.

At the cape of Good Hope, the export of fine wool during 1838 amounted to £26,627.

PORTUGAL.

The queen of Portugal has conferred upon viscount Palmerston and Lord Howard de Walden the grand cross of the order of the tower and sword, in testimony of her approbation of their services in adjusting the differences between Spain and Portugal.

BRAZIL.

Slavery in Brazil. A circular from the Brazilian minister of foreign affairs, to the ambassadors and consuls in Europe, was recently issued in one of the official journals. It urges the necessity on the part of the consuls to employ every means in their power, to promote within the empire, the moral and material improvements of which a new, vast and rich country is susceptible. One of these means is then alluded to in an effort to call to the aid of the consuls, the greatest number of the emigrants and our settlers. It is not necessary, remarks the circular, to ponder on the perils which the empire would run for the future, if perchance, as is no more possible, the introduction of Africans were to continue in a country in which civilized nations have united to put down the slave trade, and to establish daily, more rigorous measures to obtain this end. It is further stated, that in order to attract free labor to that country, government has prohibited the employment of slaves in any of the public establishments. This is indeed, an important reform, and in a section of the world where it was least expected. [Inquirer.]

CUBA.

Troops for Havana. The New Orleans Courier of a late date says: "It was understood in Havana, that 8,000 troops were about sailing from Cadiz for Havana. Indeed a few of them arrived last week. The report of the *El Exporter* was apprehensive of an attack on Cuba from some European power or other."

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

Alexander F. Field, to be secretary for the territory of Wisconsin.

Robert Tyler, to be secretary to the president to sign patents.

John B. Dade, of Virginia, to be warden of the penitentiary in the District of Columbia.

Thomas Sewall and Thomas Donohoe, of Washington, and Bernard Hoce, of Alexandria, to be inspectors of the penitentiary in the District of Columbia for the year commencing on the 1st inst. when the previous year's commission expired.

Levi Sterling, receiver of public moneys for the district of lands subject to sales at Muskogee, in the territory of Wisconsin, vice Paschal Bequette.

Surgeons general.

James Wilson, for Wisconsin and Iowa.

Silas Reed, for Missouri and Illinois.

Attorneys

Franklin Dexter, for the district of Massachusetts.

Thomas W. Sutherland, for the territory of Wisconsin.

Marshals.

John B. Eldridge, for the district of Connecticut.

Navv agents.

Jackson Morton, for the port of Pensacola, Florida, in place of George Johnson, deceased.

Timothy Upham, for the port of Portsmouth, N. Hampshire, in place of John Lighton, removed.

Meigs D. Benjamin, Edward Taylor and Mathias B. Edgar, to be appraisers of merchandise at New York.

Richard Coe and Samuel Spackman, to be appraisers of merchandise at Philadelphia.

Postmasters.

Robert M. Riddle, at Pittsburgh, Pennsylvania.

Jonas M. Wheeler, at Concordia, N. York.

George William Gordon, at Boston, Massachusetts.

James W. Coburn, at Mayfield, Kentucky.

Kenneth Taylor, at Miami, Georgia.

The St. Augustine Herald says the Hon. E. B. Gould, George Center and George McEllan, esqs. are appointed commissioners to receive claims and take testimony concerning Indian depredations for the eastern district of Florida.

APPOINTMENTS BY THE POSTMASTER GENERAL. Philo C. Butler, of Michigan, to be second assistant postmaster general.

John S. Skinner, of Maryland, to be third assistant postmaster general.

VISITORS TO THE ANNUAL EXAMINATION OF CANDIDATES AT THE MILITARY ACADEMY. The following gentlemen have been invited by the secretary of war to attend the annual examination of the cadets of the military academy, to commence at West Point, N. York, on the first Monday in June:

C. B. Hilditch, esq. of New Hampshire.

Charles Davis, esq. of Connecticut.

Dr. Levi Wheaton, of Rhode Island.

Major gen. Pierre Van Cortlandt, of New York.

Chas. Augustus Davis, esq. of New York.

Major gen. S. Alexander, of Pennsylvania.

John L. Gow, esq. of Pennsylvania.

Hugh Peyton, esq. of Virginia.

Hedih Meade, esq. of Virginia.

Hon. Hugh S. Legare, of North Carolina.

Ashbury Hall, esq. of Georgia.

Col. John Miller, of Kentucky.

L. P. Williamson, esq. of Tennessee.

Rev. John Breckenridge, D. D. of Louisiana.

Capt. D. Hunter, of Illinois.

John O'Toole, of New Hampshire.

Jesse Turner, esq. of Arkansas.

AT LARGE.

Dr. Gerard Troost, of Nashville university.

Professor O. M. Mitchell, of Cincinnati college.

Prager gen. W. H. Hedges, of Columbia college, D. C.

Com. Charles Stewart, of the U. S. navy.

Com. T. Ap. Calvery Jones, of the U. S. navy.

Gen. A. Eastis, of the U. S. army.

Col. S. Thayer, of the U. S. engineers.

Upon the publication of this list, the National Intelligence of Wednesday remarks: It is understood that a rule has been adopted within the last few years, confining the appointments of visitors at West Point, to one from each state every alternate year, leaving a few on the list "at large," to be selected for great public services, eminence in science, or no account of their official connection with academic institutions. The strict observance of this rule has been departed from, in the present case, by the secretary of war, in respect to a few of the larger states, where two have been appointed. There are two or three on the list from states not entitled to appointments by the rule, but who had been designated before the secretary was aware of the regulation established by his predecessor.

CONSULS. The president of the United States has recognized Christopher Frederick Plate, as consul of Bremen for the port of Philadelphia; and Walter de Lacy, as vice consul of Spain, for the port of Norfolk.

TREASURY NOTES. Treasury department, May 1, 1841. Amount of treasury notes issued under the provision of the acts of congress of 1837, 1838, 1839, 1840

\$26,481,337 43
Retiermed of those issues
22,070,040 97

\$4,911,297 46
Leaving outstanding
Issued under the act of Feb. 1841:
Prior to Mar. 4, 673,681 32
Since Mar. 4, 1,625,468 96

2,299,150 50
Retiermed of that issue
47,456 90

2,251,695 28
Aggregate outstanding
\$6,862,994 84

T. E. Wink, secretary of the treasury.

Mr. Ewing has disposed of about half a million at par.

THE NORTH EAST BOUNDARY QUESTION. The New York Commercial Advertiser says:

"We learn that a convention has been signed on the part of Great Britain and the United States, which provides for the appointment of six commissioners, three for each party to the dispute. These six, if they can agree, are to give a final decision on the boundary. If they cannot agree, they are to appoint three others, and a decision by the majority of the nine is to be conclusive.

Such we understand to be the arrangement agreed upon. Some of the details may be incorrectly stated, but there are every reason to believe that the general fact, of a convention being signed, will prove authentic.

THE McLEOD CASE. McLeod arrived at New York on the 31st inst. in the steamer of the Niagara county, under a writ of *habeas corpus*, returnable at the May term of the supreme court of New York, sitting in banco in that city. The N. York American says:

*See Thompson's lectures at Manchester, pp. 35 and 99.

This writ has been taken out by the prisoner's counsel, in order, in the first instance, to try the question of jurisdiction, as a question of law.

Joshua A. Spencer, esq., as counsel for the prisoner, accompanied him. The district attorney of the Niagara district, Mr. Wood, and the attorney general of the state, Mr. Hall, are here to argue the case in behalf of the state.

In order to avoid excitement at Lockport, the intention of removing the prisoner under the writ of habeas corpus was judiciously kept private; and he was far on his way to this city before it was known that he had gone. The formal return to the writ will be made to-day, but this argument on the case will not, we understand, be entered upon before the next non-enumerated day, Thursday. McLeod was quite a lion on board the boat last night, and secured, we hear, to enjoy it. It is this love for being fettered, we apprehend, that has got this foolish individual into his present scrape, and come near involving two great nations in serious difficulties.

The New York Commercial Advertiser of the 12th inst. after mentioning the arrival of McLeod in that city, says—

"In the meantime, if our private advices from Washington do not mislead us—and this they have never yet done—a decision of some importance has been come to, in reference both to McLeod's case and the boundary question.

If we are rightly informed it has been agreed between Mr. Fox and the government of the United States that no further opposition shall be made by the former to the trial of McLeod. That trial to go on, under the jurisdiction of New York, without interference either by the British minister or the national government. If acquitted, as is most probable, McLeod will be discharged, of course, and the matter thus be disposed of. If convicted, the national government will then take the necessary steps to afford him that measure of justice and protection which all the circumstances of the case may require."

The New York Herald states that if the court shall deny the application for the discharge of McLeod, his counsel will apply for a change of the venue. This will no doubt be granted, and he will go to trial at such time and place as his counsel shall deem advisable. An early day is wished by the prisoner, and is desirable on every account.

McLeod is essentially in the custody of the sheriff, but no restraint is imposed upon his motions, and if he had any disposition to evade a trial and go back to Canada, or to the devil, it would seem that every facility is to be offered him. He is stout, and rather powerful man, and has been wandering about the city to-day, looking at the lions, with nobody to prevent his escape but the sheriff of Niagara county, a man much inferior in point of physical strength.

DISTILLERIES IN THE UNITED STATES. We are indebted to the hon. Wm. Slade, of Vermont, for a copy from the records of the department of state, of the number of distilleries in each of the states, and gallons distilled; as exhibited in the returns of the last census.

State.	No. distilleries.	Gallons distilled.
Maine		
New Hampshire	5	31,244
Vermont	2	3,890
Massachusetts	37	3,177,910
Connecticut	71	215,892
Rhode Island	1	1,000
New York	38	4,008,616
New Jersey	219	336,417
Pennsylvania	707	8,784,138
Delaware	8	89,590
Maryland	3	342,812
Virginia	1,450	882,516
North Carolina	2,794	1,035,741
South Carolina	251	102,283
Georgia	350	528,393
Alabama	185	127,261
Mississippi	1	2,150
Louisiana	5	291,251
Tennessee	1,381	1,080,693
Arkansas	47	17,715
Kentucky	894	1,700,703
Missouri	215	328,898
Illinois	150	1,429,119
Indiana	322	1,786,964
Ohio	373	466,337
Michigan	2	541,066
Iowa	2	4,310
District of Columbia	1	6,000

9,657 36,343,236

If the population of the United States be correctly estimated at 17 millions, the above quantity of

distilled spirits, will furnish each man, woman and child, with 2 1/4-10 gallons nearly.

[American Temperance Union.]

PRODUCT OF BREADSTUFFS IN THE UNITED STATES. We have received the returns of the agricultural products of the United States, compiled for the returns of the marshals for taking the census, in June last, with the exception of two states and two territories.—The aggregate is astonishingly large, and will be viewed with interest. It exhibits the growing wealth of our country. It will be seen that Michigan takes a rank among the producing states, and distances most of them, when our population is considered. In the returns we give only the most important of breadstuffs produced, reserving the other important articles for a future number:

STATES.	Bushels of wheat.	Bushels of other grain.	Bushels of potatoes.	Population.
Maine	848,166	2,630,590	10,292,380	501,706
N. Hamp.	442,584	3,054,854	8,234,901	281,491
Vermont	96,963	4,051,811	8,306,784	281,649
Mass.	104,993	3,604,098	6,396,662	737,786
R. Island	2,008	697,408	304,772	109,827
Conn.	98,909	2,995,116	3,12,227	310,821
N. York	11,852,367	29,540,601	30,054,000	4,282,835
N. Jersey	714,923	9,992,044	5,074,118	374,271
Penn.	13,028,116	40,198,521	5,896,928	1,828,104
Delaware	715,162	2,058,705	2,917,391	72,120
Maryland	3,511,413	42,772,284	1,059,916	697,507
Virginia	10,046,909	30,041,336	2,877,417	1,249,237
S. Car.	709,925	16,636,512	2,072,741	594,429
Georgia	1,732,966	18,703,000	1,143,266	501,706
Ohio	16,214,368	49,797,119	5,660,596	1,513,605
Tenn.	4,537,372	49,545,443	2,732,034	1,000,000
Louisiana	105	6,622,208	845	695,314
Alabama	72,102	14,195,277	1,660,700	300,000
Miss.	196,476	12,660,940	1,349,589	284,000
Mass.	94,077	12,810,133	614,492	257,741
Indiana	4,813,483	28,080,545	3,201,391	854,000
Illinois	2,740,380	35,084,939	1,904,887	451,417
Michigan	2,189,368	6,125,273	2,031,389	211,706
Arkansas	112,200	4,094,712	999,769	87,000
Kentucky	1,077,477	1,569,098	3,000,000	300,000
Dist. Col.	12,147	60,711	19,033	42,712
Total	66,099,947	419,776,871	102,452,926	

There are no returns from North Carolina, Kentucky, Florida and Wisconsin. When we receive them we shall give them. It will also be observed, that in several instances, the population is not given, as the returns at Washington were supposed to be no correct, that they were sent back to the marshals for correction.

Recapitulation.

Bushels of wheat	66,099,947
Other grain	419,776,871
Total	102,452,926
Estimate for Kentucky, North Carolina, &c.	70,000,000

Bushels 658,826,714
Over 28 bushels of breadstuffs for every inhabitant in the United States. Of the various kinds of grain, we find the following:

Wheat	66,099,947 Bushels.
Corn	297,562,241 "
Rye	17,092,102 "
Buckwheat	9,931,299 "
Barley	3,140,937 "
Potatoes	10,499,926 "
Oats	94,461,363 "
For Kentucky, North Carolina, Wisconsin territory, &c. say	70,000,000 of all kinds.
Total	658,826,714

During the long discussion in England on the subject of the corn laws, the necessary quantity of grain required to feed an individual with bread has been closely investigated, and it is estimated, that the average consumption, including young and old, is about five bushels to a person, including the kinds of grain which are used for stock. We deduce the barley for the brewers, and the population of the United States at seventeen millions, we have a surplus of 33 bushels to an inhabitant. Perhaps one half of the corn, most of the wheat and buckwheat, and three quarters of the rye is used for bread; and the remainder of the rye and a large part of the corn manufactured into whiskey, or used in fattening stock. We dedicate the barley for the brewers, and the oats for stock, although in the western countries of England, barley is used for bread, and in Scotland, most of it is generally used. We find the resources of the United States will stand as follows:

Wheat	66,099,947
Buckwheat	9,931,299
Potatoes	10,499,926
Total	148,000,000
Rye	12,000,000
For Kentucky, North Carolina, Wisconsin territory, &c. say	30,000,000
Total	366,000,000

Over 22 bushels to an inhabitant!

In viewing the amount of breadstuffs raised, the farmer can draw his own conclusions, by the foregoing, as to the probability of a rise of price, or conjecture as to a soil for the farmer to be cultivated. At present, we demand but little, we fear the latter. At present, we

see nothing to encourage more than a usual exportation.

In making a calculation, it must be remembered that there are about 4,000,000 of people in the West India and South America, who now receive their flour from us, and that for many years. Our exports to those countries, amount to near 800,000 barrels annually, and the cotton manufacturers of the country consume 100,000 barrels yearly, &c. The past year a new trade has been carried on with the Canadians.

We have taken pains to ascertain the amount, as near as we can, as the western trade with the British provinces has commenced with a very large quantity.

1,000 barrels of flour	20,000 bushels.
Bushels of wheat from St. Joseph	45,000 "
70,995 bush. from Cleveland, sent at 354.74 "	
Bushels from Cleveland	886,000 "
Fresh Grand river, Ohio	11,000 "
40,000 bush. from Rochester, N. Y.	200,000 "
No returns from Buffalo and other ports on the lake	

4,527,425 "

Most of this went to England, as after it once got into the province it was for colonial wheat, and estimated the ports of Great Britain, free of duty.

Year.	Bushels of wheat exported.	Average price of wheat at New York.	Barrels of flour exported.	Average price of flour at Philadelphia.	Value of flour exported, in specie, at current prices in Philadelphia.
1790	1,124,356	53s 2d	724,625	8s 5 1/2d	4,029,903
1791	1,048,238	52s 2d	619,681	8s 2 1/2d	3,234,735
1792	1,000,000	51s 8d	627,646	8s 1 1/2d	3,189,718
1793	1,040,575	47 10/12d	1,071,639	5s 10d	3,603,370
1794	699,797	50s	846,010	6s 9d	5,857,469
1795	141,272	72 1/2d	187,349	10s 10d	2,000,100
1796	31,236	72s 1/2d	181,191	6s 2 1/2d	9,964,465
1797	13,555	52s 2 1/2d	515,623	8s 1 1/2d	4,994,290
1798	15,021	50s	507,585	8s 20d	4,603,575
1799	21,236	72s 1/2d	181,191	6s 2 1/2d	9,964,465
1800	76,852	110s 5d	653,052	9s 8d	4,739,692
1801	239,929	111s 11d	1,102,144	10s 10d	11,665,417
1802	280,281	67s 9d	1,136,218	6s 9d	7,975,111
1803	606,000	81s 8d	827,646	9s 6d	10,016,099
1804	1,271,081	51s	810,008	8s 2 1/2d	6,666,365
1805	18,041	87s 11d	777,513	9s 10d	7,341,672
1806	86,281	76s 9d	792,724	7s 3 1/2d	5,713,585
1807	718,781	72s 11d	1,192,565	17s	20,861,202
1808	87,230	78s 11d	363,813	5s 6d	1,501,095
1809	393,889	81s	846,247	6s 9d	5,857,465
1810	328,921	81s	799,996	6s 9d	5,857,465
1811	216,853	92s 11d	1,445,015	9s 15d	14,773,369
1812	53,922	122s 8d	1,413,492	9s 15d	14,773,369
1813	288,633	106s	1,260,912	8s 12d	11,217,072
1814	17,631	63s	173,242	6s 2 1/2d	7,151,445
1815	62,221	76s 2d	729,053	9s 7 1/2d	7,130,138
1816	96,497	94s	1,472,193	11s 6d	29,291,234
1817	100,806	81s 8d	827,646	9s 6d	11,230,628
1818	82,065	72s 3d	750,660	7s 11 1/2d	5,337,192
1819	22,137	63s 10d	1,177,036	4s 7 1/2d	2,585,609
1820	23,521	51s	1,056,118	4s 9 1/2d	2,585,609
1821	100,806	81s 8d	827,646	9s 6d	11,230,628
1822	4,438	43s	827,646	9s 6d	11,230,628
1823	2,272	51s	756,705	6s 2 1/2d	3,603,370
1824	20,752	62s	996,792	6s 2 1/2d	3,603,370
1825	17,092	66s	812,906	5s 10d	3,189,718
1826	166	56s	827,646	9s 6d	11,230,628
1827	22,137	56s	568,196	5s 2 1/2d	2,585,609
1828	8,306	60s	580,805	5s 6d	4,270,320
1829	4,007	60s	827,646	9s 6d	11,230,628
1830	45,259	64s 1/2d	1,227,134	4s 8d	3,998,506
1831	408,910	16s 4d	1,806,529	5s 6d	10,016,099
1832	88,304	16s 4d	864,912	5s 7 1/2d	4,974,387
1833	24,421	22s 11d	1,258,779	5s 7 1/2d	4,974,387
1834	26,948	46s	535,352	5s 17d	4,318,770
1835	47,762	39s 4d	779,996	6s 8 1/2d	5,857,465
1836	28,921	39s 4d	779,996	6s 8 1/2d	5,857,465
1837	17,303	35s 11d	318,719	9s 3d	2,996,297
1838	6,291	62s 4d	448,161	7s 9d	3,189,718
1839			916,161	5s 6d	1,670,212
1840					

Thus it will be seen that our exports have diminished yearly from 1790 to this time, with the exception of the years when Europe has been at war. In 1793 we exported more than 1,800,000 bushels of wheat, in 1838 only 2,316,779, although we produced five times as much as we did in 1790.

In 1790, the wheat grown in Great Britain, was only 14,000 bushels and hardly 27,000. In 1830, wheat over 100,000,000 and barley 37,000.

Notwithstanding the immense increase of production of grain, owing to the oppression of the corn laws in this country, there is more exported for wheat, in Great Britain and Ireland, than in any other part of Europe.

The exportation of wheat into England from her provinces, is free of duty, that from the United States is subject to her corn laws, and when scarcity and starvation comes then in the face, and the price of grain reaches a certain point, the certain result is, that she takes of foreign breadstuffs, and America then comes in competition with grain from Hamburg, Danzig, Naples and Odessa. "You lead us to say a word in reply to the certain result of the corn laws, that is upon the products of the mighty west, than is given

generally understood. That the farmer may understand the prices of flour to England, when he reads the quotations from English papers, we give the table of duties on the article graduated by the price of sacks and quarters of wheat. He can then make his own calculation in sterling money, (a shilling being 22 cents) whether it will pay the eastern merchant for shipment to Europe, and thus be can determine the prospect of foreign exports, and consequently know the rise and fall of the New York market.

Tide of duties.—A sack of flour weighs 240 pounds, a barrel of American flour 196 pounds, and a barrel of flour is seven-tenths of a sack by weight. When he sees in the price current as follows:—

A sack of flour	Duties on Amer. flour.
At 70c. equals a barrel at 42c.	6c. 7d.
At 68c.	47c. 2d. 10c. 0 d.
At 66c.	46c. 3d. 12c. 5 d.
At 64c.	45c. 4d. 13c. 7 d.
At 62c.	43c. 5d.
At 60c.	42c. 6d.
At 58c.	40c. 6d.
At 56c.	39c. 3d.
At 54c.	37c. 3d.
At 52c.	36c. 6d.
At 50c.	35c. 0d.

The last intelligence from England, flour was selling at 60s. a sack, which makes a duty of \$2 70 per barrel on American flour, which amounts to a prohibition, so much so that duties were recently by the act of Congress, to stop purchases at over \$4 30 in New York; and from the first to the tenth of last month, but 6,992 barrels were exported, which was taken at \$1 50.

Nevertheless, the policy of England has been for years to protect her agricultural industry, no countervailing protection has been adopted by the United States; but on the contrary, duties upon British goods are every year lessening, and many of them are free of duty. The producers of the west are obliged to pay a bounty to England for the privilege of trade. If Great Britain would reciprocate the duties on the cotton, or on the payment of the same duties which we pay on her manufactures, then the farmer would have no just cause for complaint.

The imports of the United States, since 1790 to 1830, have exceeded the exports \$793,459,853. In the same time there have been but seven years, that we have exported more than we have imported, which was

\$1,931,205

\$741,526,430

Seven hundred and forty-one million, five hundred and twenty-six thousand, four hundred and thirty dollars; which has been paid to foreign nations in gold and silver over our exports, for articles which could have been manufactured in this country. In the last ten years, near three hundred millions of this balance has accrued against us, to say nothing of the two hundred millions of state stocks which have been sold in Europe within the past five years.

In 1834, the total amount of agricultural productions of all descriptions, with the exception of cotton, exported to all parts of the world, amounted to only \$204,000,000, and the same year silks to the amount of over 25,000,000 dollars were admitted to our ports, free of duty!

But, we find we are deviating from our subject, which was, in accuracy, as near as we can, the amount of breadstuffs in our country:

Go to Canada	Bushels.
To foreign countries 1840	4,527,425
Used by manufacturers	4,067,710
Shipping from New York since Jan. 1	500,000
At other ports, say	660,000
Allow for West India, and Mexico, which we usually supply	4,000,000
	11,655,135

Wheat raised 66,099,917
Exported 11,093,175

Wheat 591,894,092
Other kind of breadstuffs 287,743,729

342,768,528

Allowing 10 bushels in each inhabitant, which is double the average in Europe, and we have a surplus of 72,000,000 bushels. From which we conclude, that unless there is an increased demand from abroad, present prices of breadstuffs will not advance during the present season, whatever change may follow the ingathering of the ensuing crop. (Extract Daily Ad.)

ASSOCIATION OF AMERICAN GEOLOGISTS. This body formed in 1840, held its second session at the fall of the academy of natural sciences in Broad street during the last week, commencing on Monday afternoon, and ending about one o'clock on Saturday. Professor Silliman, chairman for the first year, presided. The members present had at various times been engaged in general or local geological surveys in New England, Maine, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North and South Carolina, Ohio, Kentucky, Missouri, Iowa and Wisconsin, together with occasional examinations in other states. The regret felt at the unavoidable

absence of a few gentlemen having charge of state surveys or reconnoissances, was in a degree compensated by the observations of those actually present, and by the deep interest of their several communications. The opening discourse delivered by professor Hitchcock, the chairman of the last year, was replete with philosophical views, and with a vast variety of important facts which the geological surveys of our country have brought to light. This discourse it was to immediately put to press. Papers were read by several gentlemen, among whom were professors Locke of Cincinnati; Beck, of New Brunswick, N. J.; Vanuxem, of Bristol, Pa.; Taylor, of Philadelphia; Jackson, of Boston; and we believe by some others whose names do not now come to our recollection. These communications, together with the proceedings of the association, will at an early day be spread before the public on the pages of the American Journal of Science, edited by the Messrs. Silliman.

Verbal communications of great interest were likewise made by many gentlemen of the association, among whom were Mr. Nicoll, Dr. Houghton, prof. Nathaniel, prof. Bailey, Dr. Morton, Dr. Herlan, A. Brown, esq. Mr. Dodge, prof. Johnson, Mr. Sargent, prof. Hubbard, and probably by other members whose names are not now recollected. The discussions growing out of these several statements, as well as those which arose upon various written communications, were prosecuted with interest by the members, and so important a cause must inspire, and at the same time with a courtesy which is the natural effect of elevated sentiments and liberal pursuits.

On resigning the chair on Friday evening, professor Silliman delivered before the association and a crowded assemblage of intelligent citizens, in the new lecture room of the academy, a discourse which especially instructed and delighted his audience. The great outlines of general geology were sketched with a masterly hand. The actual condition of our planet both internal and external—the index to the ages of rocks—the periods of aqueous action marked by the depository strata—the curious and wonderful organized beings which once moved either on land or in the water, set this picture no longer—the amazing forces which have been at work and some of which are still in action to modify the face of our globe—were a few of the topics which centered into this excellent performance. A most interesting reference was made to the early efforts of American geologists, in which a just tribute was paid to the late president of the academy, Wm. Maclure; and the lecture very appropriately referred to the early efforts to cultivate geology, as it is termed when the now splendid cabinet of Yale college was all packed in a candle-box and brought to Philadelphia to be labelled by the late Mr. Seybert. He also referred to the fact that in the early part of the present century even London contained no means of furnishing geological instruction.

The next annual meeting is, we understand, to be held on the last Monday in April, 1842, in Boston. Prof. S. G. Morton of this city, was chosen chairman for the next year, and Dr. C. J. Jackson, of Boston, was made secretary. The friends of science have cause to rejoice at the auspicious commencement last year, and the still more happy reputation on the late occasion of the labors of this young and vigorous institution. (Nat. Gaz.)

THE ARMY. A detachment of United States marines, 73 in number, under the command of lieutenant Maddox, reached Norfolk on the 15th ult. from Washington. A part of them are intended for the ship Delaware, and the balance as a guard for the navy yard.

Indian trouble. The Wisconsin Inquirer says: "An express arrived at Fort Crawford and Winnebago, a day or two since, from Fort Snelling, with the intelligence that the warriors of the Sioux tribe of Indians, were collecting in great numbers, in the vicinity of the last mentioned military station, and meditated an attack upon the garrison. A company of dragoons from Fort Crawford, and a company of infantry from Winnebago, have been ordered, we understand, to St. Peters, to assist in the defence of the post."

THE NAVY. Exploring expedition.—Curiosities. It is stated that the ship *Laussane*, which arrived last week from the Sandwich Islands brought home over two hundred packages, barrels, boxes, &c. of curiosities of all kinds from the exploring expedition, which have been forwarded to Washington to be placed in the national collection there. The *Laussane* passed by the Sandwich Islands, and we find that the *Laussane* of Nov. 14th, relates to the same subject.

Noel branch of national industry. Of late the natives have driven a brisk trade with the gentlemen of the scientific corps, for the purchase of bugs, shells, corals, and all the creeping and flying things they could lay hands upon. One native carried a lot of large centipedes for sale, about twenty or so, all alive and kicking, which he had strung by slipnooses upon a stick, like a necklace, showing them round with quite a triumphant air, as they hung jerk by jerk, "docked in dead embrace." They put up in mind of the man to have come across a man dead (dunk) in the street, tied him up in a bag and took him to a dissection for sale. "Why," says the professional gentleman, as the body gave some signs of returning animation, "the alive," "I know it," says the seller, "when him and him when you want him." [N. Y. Jour. Com.]

Melancholy casualty. The Portsmouth (Va.) Chronicle gives the following particulars of a most painful event which occurred at the navy yard at that place on Thursday night. "Our whole community were paralyzed with amazement this morning to learn that lieutenant W. B. Lyne, of the U. States navy, was accidentally drowned last night during his visit on board the Pennsylvania. From what we can learn it seems that he had got out upon the mizen chains to look for something and making a mistake, or his feet slipping, he fell overboard; before a boat could reach him, he had sunk to its no more. It is supposed that he must have been killed by the fall, as he was a very excellent swimmer, he would have retained himself in the water until assistance could have reached him."

It was too greatly shocked by the suddenness of this awful event, to be able to speak of the deceased as his excellence deserves. A universal tribute among our citizens, without an enemy in the wide world, his loss will long be mourned by all who know him, and many others. The service has lost a brilliant name, the community a most excellent citizen; his partner a most kind and indulgent husband. To her the event must be one of overpowering agony. We trust that among the many who appreciate his many virtues, some one will favor us with a touching tribute to him who is gone, and gone forever."

STATES OF THE UNION.

AGRICULTURE AND MANUFACTURES IN THE SEVERAL STATES.

It seems from a recent statistical statement, that the rank of the several states in agricultural production, is as follows:

IN WHEAT—1st, Ohio; 2d, Pennsylvania; 3d, New York.

IN INDIAN CORN—1st, Tennessee; 2d, Virginia; 3d, Ohio.

The result in Kentucky are not given, it is possible she might be second or third.

IN POTATOES—1st, New York; 2d, Maine; 3d, Pennsylvania.

IN COTTON—1st, Mississippi; 2d, Alabama; 3d, Georgia.

IN TOBACCO—1st, Tennessee; 2d, Maryland; 3d, Virginia.

IN WOOL—1st, New York; 2d, Ohio; 3d, Vermont.

IN SWINE—1st, Tennessee; 2d, Ohio; 3d, Kentucky, probably.

IN LUMBER—1st, New York; 2d, Maine.

Louisiana, of course, raises the most sugar—But there are immense quantities of maple or sugar sugar made in New York, Ohio, and other states.

Looking at the above rank of the leading states in right of the principal articles of agricultural production, some curious facts may be ascertained. First: Of all the states in the union, that which probably has, and admits of to future, the most various production, (not the greatest aggregate,) is Tennessee. The reason of this will be obvious from an inspection of the map. The state embraces both northern and southern productions, the most fertile land and the most abundant mineral resources.

Secondly: The state capable of sustaining the largest population, in Ohio. This is obvious from her position in reference to wheat, corn, hops, wool, and many other productions, which are essential to the sustenance of human life.

Thirdly: The state which at this time produces the most in aggregate value, is New York. This is owing to the combination of capital, experience and population. Looking to the means of sustaining a very great population in agriculture, and again giving employment to numerous manufacturers at home & abroad, to supply that population, Ohio is far ahead of every other state; and it is this great fact, uniting with the fertile soil and natural resources, gives it such an extraordinary growth. Fertile alluvial

alluvial

of the day; officiating clergymen, and chairman of the committee of arrangements, in an open barouche, with the reversed flag in several carriages. There were very numerous, and it was highly gratifying to meet them together on the common ground of death's hour, without respect to creed or party, to do honor to a deceased fellow being, and a distinguished patriot.

Fourth division—Assistant marshals, colonel Owen Hamilton and C. Hughes Armstrong, led this division, in which was the

FUNERAL CAR.

This was drawn by six horses led by negroes, white men dressed after the Turkish fashion with white jackets and long black trousers of the same color, gathered by a running cord at the ankle; white turbans with black ribbons, and white robes, and white gloves. The car—the same that bore the body of the deceased president to the tomb in which it was then reposing—was an object of special interest. It was an oblong square, ten feet about four feet from the ground. It was placed on four wheels, and was covered with black silk velvet, which fell in thick silken folds, bordered and festooned with black crape, fastened with tassels of the same material, and the top beset with flowers. On the car lay a coffin, made to resemble that which held the remains of the deceased, and which was velvet lined, with gold binding, fringe and tassels. On the coffin lay a small black flag of the U. S. States, with the national constitution and a sword, as if to indicate the civil and military character of the deceased, and a wreath emblematic of the honors he had won, and that had been accorded to him by his country. Immediately in front of the car followed the funeral procession, the deceased rode, on the day of his inauguration as president. He was accompanied as a war horse, with pistols in holsters, and a pair of military boots and spurs reversed in the stirrups; he was also covered with black holsters, and led by a groom, dressed in Turkish costume, with white turban, black scarf and white gloves.

The car was accompanied on either side, and followed by captain Samuel C. Owings' company of Independent Light Dragoons, as a guard of honor; they succeeded several carriages containing the pall bearers.

The fifth division—Under the direction of marshals colonel William F. Giles and Charles H. Fyne, eq., was composed exclusively of carriages of which there were nearly one hundred, making of course an important addition to the length of the line, though the occasion permitted little display in this department.

In the open barouches at the head of the line rode the honorable Mr. Ewing, secretary of the treasury; the honorable Mr. Taney, chief justice of the United States; honorable U. S. Heath, United States judge of the district of Maryland; major general Scott, brigadier general Trowless, governor of Maryland, and other distinguished citizens; captains Mayo and Grainger and lieutenant Davis, of the navy, and other distinguished citizens, accompanied by the committee of reception.

In one of the private close carriages, of which we were privileged to see a goodly number, we observed a lady, we saw "solitary and alone" in the whole line of the procession.

Letters were received by Z. Collins Lee, eq., chairman of the committee of invitation, from president Tyler, governor Grason, honorable Daniel Webster, secretary of state of the United States, honorable John Bell, secretary of the navy, and major general Alexander Macomb, commander-in-chief, accounting for their inability to attend, and expressing their regret at their unavoidable absence. The pressure of public business was the cause of absence in the case of all, except governor Grason, who has been unable to take a part in the procession, or to witness the ceremonies.

The sixth division, conducted by marshals colonel Alexander Smith and Wm. H. Norrie, eq., was led by U. S. senators and members of congress. Senators and members of the legislature of Maryland, a small party in deep mourning.

The society of Cincinnati, also limited in numbers, without any characteristic emblem of the association, succeeded, and were followed by an equally small and venerable few pointed out to us by the order of procession whom we did not fail to recognize as the officers and soldiers of the revolution.

After this honorable but dwindled remnant of the iron days of our nation's history, followed a highly respectable, though small party, comprised of the congressional representation of Maryland. They had no particular lodge of designation, but were the customary emblem of the national calamity—crape around the left arm.

Next in order came his honor Samuel Ready, eq., mayor of the city of Baltimore, accompanied by twelve members of the city council, and immediately after them, about forty of the various offices of the city government, wearing the funeral black mourning. Several members of the council were in other parts of the procession in different capacities, and we believe rarely, if not the municipal government, in the funeral procession.

A very unimportant and unimpressive the city officers, composed of judges of the courts in the city, county

and state in general, a number of gentlemen of the bar and students at law, all arrayed in deep mourning. They were escorted by the regents of the Maryland university, and the trustees and regents of the Washington university, also dressed exclusively in black, and wearing the sash of the order of the North Star. The gentlemen of the medical faculty, accompanied by the students of medicine in the various public and private institutions of the city, all in deep mourning. The officers and students of the Maryland institute, military, came next, followed by the collector and the officers of customs, also habited in the same sable uniform; the division was closed by a considerable body of the militia of the county, containing a highly respectable party of captains and officers of vessels, a goodly number of that hardy, daring and invaluable corps, the volunteers, and the numerous companies of the pilots of Baltimore, and a large detachment of mariners from the craft in port. There was nothing to diversify this division but a band of music and a large national flag the general appearance of the whole was remarkably impressive from the almost unbroken shade of black which prevailed.

The seventh division, under the direction of marshals Messrs. Robert A. Dobbin and C. D. Stungiff, consisted of the Independent Order of Odd Fellows, whose number and characteristic display constituted an extraordinary and interesting feature of the procession. First in the line was the Union lodge, preceded by a banner borne by Mr. James Paull. Inscription, on one side "Union lodge No. 1, F. F. V. Baltimore," and on the reverse, the device, "Hand in Hand." The motto "In Union is Strength." One hundred members were in the line.

Next in order came captain Roundtree's excellent band, in uniform, playing the admirable dirge dedicated to the memory of gen. Harrison, and composed for the occasion by Delian. The band mustered its full strength, consisting of eighteen instruments.

Jefferson lodge No. 9, under the marshaling of Mr. John S. Branches, followed, with fifty members, all dressed in uniform, carrying a portrait of Jefferson, and on the other a figure of Hope, was borne by Mr. S. Conaway.

The Mason lodge No. 8, came next, under Mr. H. W. Smith. The banner of this lodge, on one side bore the name of the lodge, and on the other an elegant device, with the motto "Friendship, Love and Truth," was borne by Mr. Alexander Owen. Thirty members were in having put the sandals from his feet, encircled by the spiritual essence, "The spot whereon those wanderers is holy ground." It was borne by Mr. Peter

Ward, a member of the line, under the direction of Mr. John L. Thompson, as marshal.

Franklin lodge No. 2, followed, with a banner borne by John Edwards, eq., having a banner, painted thereon, with the name of the lodge and the date of its formation. Marshal, Mr. John C. Boker, with fifty-nine members.

Washington lodge No. 1, was next, with a similar banner to the preceding, except the likeness, which was of the "Father of his country," borne by Mr. James Sergeant. There were fifty-six members in attendance, under the direction of Mr. John L. Thompson, as marshal.

The excellent marine band, from the marine corps, Washington, under the command of col. Henderson, was designated to play the dirge for the day, and was introduced into the line. They wore a red uniform, and crape upon the arm and on the instrument; the band numbered eighteen men, and performed a funeral march, to the strains of the following march, Mr. Raphael Triay. A good thing, and well played.

The encampment of Patriarchs followed with a velvet banner, bearing their title inscribed in letters of gold, and the motto "In Union is Strength," was borne by Mr. J. J. Stewart, and the members, marshaled by Mr. Louis Burgess.

The grand lodge of Maryland walked next in order, with the motto "In Union is Strength," was borne by Mr. George Wadsworth; there were one hundred members in the line, with their marshal, Mr. J. B. Emory.

Here followed the insignia borne by members, consisting of a velvet banner, bearing the motto "In Union is Strength," olive branch and the ark, supported by twenty-four members of the grand lodge, on one side

were carried four men's horses, and on the other three. The title upon a triangular velvet cushion shrouded in crape, and open at the inner side, was borne by three members.

The order was closed by the grand lodge of the United States, which was borne by Mr. J. B. Emory, the institution in this country, attended by D. G. S. Robert Nelson.

The whole line of the Odd Fellows was of course in the full dress of the order, and every lodge carried its complete insignia, but all shrouded in crape. They were, as a body, under the direction of cap. Samuel Nelson, whom they appeared to act as their chief marshal.

The I. O. O. F. were succeeded by a highly respectable society, and deserve respectful notice and attraction for us. It was the Baltimore Typographical association, and consisted of about seventy-three members, all dressed in black, and wearing crape upon the belt and arm. Upon the left breast each wore a crape rosette, the centre of which was occupied by a miniature of the lamented Harrison, and from which was suspended, with a black ribbon, a polished "rule." They were distinguished by one of the most beautiful banners in the line, painted by T. Kuckle, eq. Upon one side, printed in gold, was the motto "In Union is Strength," supporting the bust of Franklin, surrounded by a scroll inscribed with the words "Franklin our guide." On the base of the pedestal, "Benjamin Franklin, born 1706, died 1790." The reverse of the banner was of a deep green, and presented the press, surrounded by an eagle, holding in its beak a scroll bearing the apt quotation, "the tyrant and the people are friends." Below, also, was a scroll, inscribed the motto, "Printing, the art preservative of all arts."

Next to them came another society, whose appearance was not without a high degree of respectability and appropriate, and commanded the silent approval of every eye. It was the Mercantile Library association, numbering one hundred and twenty-five members in the line, arrayed in full suits of mourning, wearing badges and the usual crape. They were headed by the president, J. Morrison Harris, eq., preceded by a banner, inscribed with the motto "In Union is Strength," their institution, Nov. 1839, borne by Mr. James Howard.

The officers and students of Saint Mary's college, commonly known as the seminary in the western part of the city, were here designated by a rich banner bearing on one side their name, and on the reverse the words "formed 1799; named to the rank of university 1800." They were dressed in black, and wore the solemn emblem emblems of the day.

They were followed by the German society of Maryland, commonly known as the seminary in the western part of the city, were here designated by a rich banner, indicating their tale, &c. In their midst was borne upon a bust a large urn, having an excellent imitation of marble. Upon the square base in letters of gold, was inscribed the motto "In Union is Strength," and the body of the urn, in the same style of lettering, "in memory of the good president." It was shrouded with a veil of black crape.

The St. Andrew society came next, designated by a handsome banner, exhibiting their mutual saint bearing a cross. The members of whom there were seventy-four in line, wore plain scarfs, and in the shoulder of each a sprig of broom, the symbol of death. "Auld Scotia" has some honorable representatives amongst us, and we did not fail to observe that the motto of the United States was used to be written by the of the emblem, a worthy judge of our city court, having upon the occasion donned the emblem of this romantic land.

Next to them came the Hibernian society of Maryland, with a plain green banner without device or word. It seemed to be a fair field upon which the history of the Emerald Isle was made to be written by the of the emblem, a worthy judge of our city court, having upon the occasion donned the emblem of this romantic land.

The members were in number thirty-nine, a great many of them being engaged in other parts of the procession, as indeed, was the case with every society. They were dressed in black, and arranged with crape.

After them followed the Order Hibernian Free school, with a small banner indicating the date of its foundation, &c., with one hundred and twenty-one young men.

Then the bright tri-color of "la belle France," captivated the eye, a broad sheet of which, surrounded by a crape shroud in crape, was borne by Mr. Joseph Milburn, and was the French Citizens' association, of which there were fifty-two members. They wore a crape rosette upon the left breast, in the centre of which was observed the French Citizens' emblem, a heart of freedom so dear to the Frenchman's heart. This association was preceded by an excellent band of music, and closed the division by marshals Messrs. Wesley Cowles and C. O. Tiffany, was almost exclusively composed of literary societies, first of which came the

The division, headed by the French Citizens' association, who were assembled for the objects proposed, in Exeter street. They numbered eighty-five members, under their president, Mr. Jos. C. Naumo. A beautiful banner

per, painted by Mr. L. T. Vogt, was borne by Messrs. H. Lutz and W. T. Lightner. On one side was the name and period of their institution, August 29th, 1834. On the reverse is to be seen the Battle of Marston, in front of which is a female figure, surrounded by various attributes of literature, science and art, pointing to a consolation in the heavens representing a poet. A very appropriate device.

They were followed by the Patrick Henry lyceum, with banner bearing its name and date of institution, "A. D. 1837," and about fifty members.

Next to them came the Edk Ridge Landing lyceum, with a rich blue banner, inscribed with the name of the association, with the period of its institution, A. D. 1834, and of its incorporation, 1836. "There were about fifty members in the line."

The Madison lyceum, composed of youths, numbering about sixty, were next in order, and bore a small auxiliary banner.

The Western lyceum succeeded them, and the division was closed with the Young Men's Central society with banner.

The Irish division, under the direction of marshals McDermott and John M. McKeown, was introduced by a body of men of no little importance in the present day, although their banner impressed us with the notion that there was a time when their arms were too little regarded to allow them to be borne.

The Baltimore Tailors association, which, preceded by a band of music, was distinguished by a banner having on one side a representation of Adam and Eve in the first state of innocence, and on the other the arms of the association, with the suitable inscription, "I was naked and yet clothed me." The society presented in members and appearance, no inconsiderable merit in the procession.

They were followed by the Chair Makers' society, numerous attended, and decorated by a banner, bearing the arms of the craft, the centre of which was occupied by a chair, with the inscription beneath, "An emblem we display." A band of music succeeded them, and preceded the long line of the Washington Ecological society, which was distinguished by a banner bearing a bust of Washington; the members wore a badge indicating their membership, and inscribed with the motto, "The good of the great and good man whose name they have assumed. The usual emblems of mourning were invariably worn.

The Calvert Beneficial association, which was headed by a banner exhibiting their title and the date of their origin.

The tenth division, conducted by marshals Messrs. J. J. Turner and Levi Fahnestock, was introduced, and composed almost entirely of

The fire department of the city of Baltimore, under the direction of general A. A. Milkenberger, as chief marshal, assisted by the president of the department, Mr. Jesse Hunt, and a more gratifying spectacle throughout the line and procession, than to the spectators. At Annapolis after plunage of those soldiers of peace—these conservators of life and property against the ravages of a common enemy—passed under our gaze, they could but credit with a general feeling of gratitude, which we were assured their appearance would kindle in the minds of every beholder. How readily did we forgive them all their faults, and we silently acknowledged how little we had to complain of, when weighed against the incalculable evils from which this volunteer band was manifestly able, and always willing to shield us.

The firemen of Baltimore can never fail to elicit the esteem of the such, and the admiration of the gentler sex, so long as they are true to themselves and to their own duty.

The Mechanicals of the van, with a banner indicating that it was No. 1, with a figure of Patrick Henry on the reverse. The members of the respective departments of duty, were all correspondingly and fully equipped; and as uniform of dress was not so well known to all our citizens, it would be needless and tedious to the reader to pursue the description in this particular. The "silver and blue" presented the most imposing appearance. The banner of the United States, distinguished the Mechanical Library association connected with the company, a union we hope soon to record of every county in the State.

The next company was the Union, with a banner bearing the words "Union Fire company, instituted 1782." In union there is strength," inscribed thereon; the reverse displayed the arms of the United States. Sixty members were in attendance, fully equipped.

They were succeeded by the Friendship, who mustered twenty-five members, and were introduced with a banner with an appropriate device. The motto, however, was in a foreign tongue, and though familiar with almost all living and dead languages, we never translated any German but a glass of Knecht's beer, nor any thing Welsh but a rabbit, so that it was either German or Welsh; and finding our friend who bore the standard no more so fast than ourselves, we were to confess inability to read the motto. The reverse of the line one particular. A United States flag was in the line.

The Defiance, numbering fifty-four of our good citizens of the Potomac, came next, with a beautiful banner, inscribed, "where liberty dwells, there is my home."

Lastly walked unanimously in the rear, so that our Defiance friends were just a trifle behind. The Liberty turned out a neat party of seventy-six good men and women, under a rich banner, a description of which we accidentally lost.

A band of music divided the Liberty from the Independent, at the head of which were four stalwart men in flesh-colored shirts, fitting tight to the person and displaying the full collar and arms, and the roundabout shawl, the effect of the men here is a bold array. An elegant banner waved over them, representing a figure of Independence trampling upon the emblems of tyranny. One hundred and twelve members were in the ranks. They were followed by ninety-eight members and a banner, with a device which escaped our "vigilance," though we remember that it was surmounted by a shield, and the men here a bold array. With two which have been allotted to our share, we could only survey about two-thirds of what we were desirous to bring under the notice of our readers.

The next division, under the direction of solemn strains brought up the formidable pioneers of the redoubtable New Market, with their axes polished and redlining upon their shoulders; under a banner representing an Indian standing upon a rock, with a bow in his hand and an arrow drawn to the head, remarkably well executed, and designed probably for Metastasis, or more equally renowned hero of the scalping knife. The members numbered ninety-two, and notwithstanding the terror of their name, we could see nothing in their appearance beyond a set of stout, hearty, good natured citizens.

The Columbian, a Felts Point company, followed with a banner inscribed with the date of their institution. They mustered fifty-seven members, and made a bold array.

The First Baltimore Hose made an elegant and comfortable appearance, numbering sixty men, under a rich banner, inscribed with their name and the period of their origin.

The United Fire company, represented by sixty-five substantial young men, under their banner of unity, followed in the ranks, with the same six, for the honor or subordination which their predecessors had elected.

The Washington Hose company presented the strength of ninety-eight active men, in their neat, dark uniform, following a banner indicating the time of their association.

Next to them came the Patapsco, with the banner of the company, numbering fifty-eight men, active, good and true, as we have seen upon many a busy time.

The revived Howard have struggled through their difficulties, and displayed under their banner, exhibiting the period of their incorporation, thirty men.

A new company called the Watchman, who were introduced by a banner, upon the reverse of which their first appearance in procession on Monday, and presented ninety-five men for the service of our city. Their equipments are in the hands of the city, and the apparatus to exercise themselves upon, when they are needed. The members are generally young and appear to have ability—we are confident the will engage in the most arduous service. Although the reverse of this noble department, they may if they choose be seen in the front ranks.

The Wrecker Club, No. 1, comprising some score of young men in red striped dress with a flag, came next. We do not understand the object of the club, and therefore, cannot enlighten the reader on a point which might have excited some curiosity at the no.

The Laurel Factory delegation with their magnificent banner, which was displayed here upon a former occasion though the devices have since undergone a very arbitrary change, was very much admired. They numbered something over a hundred men and closed the division.

The eleventh division, directed by marshals Captain J. W. Watkins and Mr. James A. Lee, brought up those societies which have within the past year acquired a degree of weight and importance that is producing a corresponding respectability in the eyes of the public, and of social life. They were introduced by

The Washington Temperance society, numbering in its roll ranks some two hundred men, and who were introduced by a banner, inscribed with the motto, "The immortal Washington, and otherwise decorated with the insignia of their cause.

The Female City, Market and House of Temperance societies, several hundred strong, with banners and devices, as recently displayed when the pledged men of the city composed a procession themselves, and closed the division.

The twelfth division, headed by assistant marshals John W. Randolph and D. H. Richardson, consisted of the Maryland Soldiers' Co. of five hundred men, and a band of five white sails. Junior holding services in one hand and a sprig of laurel in the other. A golden cross above, with these words, "In this sign we conquer." The members of the company appeared in a uniform, an anchor, square, compass, an anvil and plough. The reverse, a green ground bordered with a wreath emblematic of shame and lurch staff surrounded by a wreath of olive. In the centre father Matthew administering the temperance pledge to an assembly, male and female—motto at the base, "The apostle of temperance." President of the society, rev. P. S. Schuchert.

Maryland Junior Catholic T. S. of Baltimore, banner green sail, with yellow fringe—motto, "Just as the sun shines on the just and the unjust."

Thirteenth division, assistant marshals, Geo. Rea and Francis Burns, consisted of the following temperance societies.

Whatcoat T. A. society. Banner, on one side name and date of formation, 1832; on the reverse a weeping widow, with a tomb on which a newly dead man, laid in mourning. The motto, "We are not to be comforted by intemperance. Inscribed are the words—"O! intemperance, what hast thou done?" and "no drunkard shall inherit the kingdom of heaven." Banner, blue silk with gold trimmings. Device, a female figure leaning on a tomb of pushing water, her foot on a serpent. Motto, "we are not to be comforted by intemperance. purchase and use of all intoxicating liquors, as a beverage."

Baltimore Jay Temperance society. A handsome banner, with the words "pledge, total abstinence, formed 1837."

Washington Junior Temperance association. Banner, blue satin, gold letters, tassels and fringe—device, bust of Washington—motto, "We are not to be comforted by intemperance. a wreath of olive and oak; and above the whole a constellation of twenty-six stars. On the reverse were the following words: "Proclamation to the Washington Junior Temperance society, by the members of the 10th ward." On the top of the staff was a miniature representation of a fountain.

Washington Junior Temperance association, auxiliary No. 1. A very beautiful banner, bearing the temperance coat of arms, with a cornucopia and other devices, surmounted by a male and a female figure. The Young Men's Central society, introduced in 1840. A handsome banner, with a fountain in the centre, the water gushing forth—a male figure on one, and a female on the other side of it—with the inscription, "Come ye all to the fountain."

Marion T. A. society. Banner purple, letters gold. On one side, "Total abstinence—formed January 6, 1841; on the reverse, a lady pointing to heaven, the motto, "We are not to be comforted by intemperance." The Young Men's T. A. society had on one side of their banner the date of its incorporation, February 5, 1841, with a hand holding a pitcher inscribed "pure water" and on the reverse were the words, "may we keep our pledge."

Western Franklin, auxiliary No. 1 to the Washington, with a very handsome banner, inscribed with the date of its formation, January 8, 1841, and the motto—"Temperance, the handmaid and guardian angel of virtue, liberty and independence."

Jefferson, auxiliary No. 2 to the Washington, Banner, blue satin, gold letters, and trimming, with suitable devices, and the motto, "our cause is glorious, and will prevail."

Mount Vernon, auxiliary No. 3 to the Washington, Banner, name and date, and on the reverse a single star.

Fortenth division. Assistant marshals, Col. John E. Stonewall, W. G. H. G. Citizens of the 1st, 2d, 3d, 4th, 5th and 6th wards.

Fifteenth division. Assistant marshals, Robert Howard, M. C. Jenkins. Citizens of the 7th, 8th, 9th and 10th wards.

Sixteenth division. Assistant marshals, H. Snyder, T. E. Hembelsch. Citizens of the 11th, 12th, 13th and 14th wards.

Seventeenth division. Assistant marshals, Washington Booth, Mrs. Joshua Dwyer. Baltimore Butchers' association, mounted, followed by citizens from the county, mounted. The military escort, in the ranks, the citizens of several wards; the banners turned out in great force, wearing white aprons and having a banner with appropriate devices; and they, together with the citizens from the county, brought up the rear in a fine and imposing style.

The procession wound its way by the circuitous route indicated in the programme, to Mount Vernon Place. The Washington monument had been put into mourning for the melancholy occasion; and on the west side preparations had been made for the delivery of the oration.

The scene at Mount Vernon Place, was grand and imposing. The military escort, in the ranks, the citizens came in view, the grounds around the monument were covered with thousands of spectators. The quiet expectation of the crowd was at length broken by the exciting spectacle of a frightened horse, escaped from his rider dashing along amid the alarmed groups of men, women and children. Fortunately, by course was soon arrested, and although several persons, and breadth escapes, no one was injured. From all points the crowd continued to pour in, until no room seemed to be left for the thousands coming from the interior. The military escort at last came in sight, and formed along Cathedral street; after this, on foot, having left the carriages at Franklin street, came members of the military escort, the citizens of the city, the army, the reverend clergy, and the pall bearers with the funeral car. These passed slowly along Cathedral street to Madison, and along Madison street to the west end of the city. In front of the Washington monument, and by this to the speaker's stand, which was erected upon the iron railings surrounding the monument and facing the city. The speaker, Mr. W. W. Phelps, was placed on a high platform, and the clergy, with the many distinguished individuals who were present to do honor to the memory of the illustrious dead, passed up into the car. Before the car, and behind it, the whole body of the procession gradually filed in and each portion of it took its appropriate and allotted position. For nearly an hour after the military escort reached

ed Mount Vernon Place, a dense body of men, forming a portion of the procession, could be seen passing Gay street bridge, which was visible from the monument through an opening between the trees. Gradually the company after company, and association after association arrived upon the ground, and about three o'clock the services on the occasion were commenced by an ode from the hands stationed above the speaker's stand, at the base of the column composing the monument. A prayer from the rev. Dr. Johns followed, then another ode, when Jonathan Hunt, the soldier, the eloquent orator of the occasion, rose to pronounce the eulogy upon the great and good man who had been removed from the highest place in the nation to the world of spirits.

Why are we here, he asked, with all these exhibitions of mourning and grief? WILLIAM HENRY HARRISON is dead! The patriot, the statesman, the soldier, the great and the good man, the man who has left a name to mourn the bereavement. In the general grief and humiliation at this event the speaker truly remarked, all pious distinctions were laid and leveled.

The man for whom, but a month before the pale messenger summoned him away, the fears of a reigning nation swelled over mountain and valley, was not the president of a party, but of the people, and now the whole people are in tears at his loss. If a man like Harrison could gain any thing from birth, and the orator, then we might refer to his father, who was of the old revolutionary stock; a man whose life and country's peril was not found wanting. A brief and rapid glance at the history of our deceased chief magistrate, followed by an elaborate and appropriate opening of the address, from the time when, as a stripling of seventeen, with an English commission under the illustrious Washington, he chose, instead of the quiet and emolument of a military position, to enter the capacity of a private citizen, to meet for the sake of his suffering country, the bloodthirsty and wily savage on our western frontier, up to the triumphant moment when he became president of the United States, free people. In every position which he had occupied through all the long years which intervened, he had shown his private the ardent love of his country, and her principles, and his public the noblest and most disinterested patriot. And in the one of his last position to which he had been appointed, he had, during the brief space of six months, proved how much he was devoted to the principles of justice and humanity. In that troubled period of the history of Columbia, when the country was fast merging towards a military despotism, he taught the hard minded, but somewhat misguided man who ruled our destinies, that to be truly great, was to be eminently good. That, to be a true lover of his country, he must seek to effect the greatest good to the greatest number of his suffering and laboring oppressed people.

The conclusion of the address was a most beautiful eulogium upon the life and character of general Harrison. Nor was the eulogium, which was so appropriately outlined—it came warm and spontaneous from the heart, and every heart present acknowledged the true portraiture, and responded to the genuine emotion that warmed the bosom of the speaker.

To this succeeded the following requiem, composed by the rev. Mr. Hill, for the occasion, and sung by the musical association. This was given with fine effect, and added greatly to the interest and touching solemnity of the occasion. A prayer by the rev. Mr. Sargent closed the ceremonies of the day.

Hark! a nation's wail of grief

On each passing breeze is borne!

For a nation's honored dead!

From its bleeding heart is torn.

For who lately near us stood,

Ripe in honors as in years,

He—the wise, the great, the good—

Claims the tribute of our tears.

Like a transient tide that's told,

Like a dream of yesterday,

Like the pagan's idol, he is dead,

From earth has passed away.

From his highest sphere of fame,

Must his country's joyous breath,

Sully—suddenly be came

To the silent shades of death.

Where the patriot fathers sleep—

In their well-remembered renown—

Where the soul of freedom weeps,

Chiefest! we have laid thee down.

God! that ruler over all,

God! that lover like we die,

Let thy dead upon us lie,

Let us on thyself rely.

Thou! who was our fathers' God—

Thou! who since hast been our own—

Thou! we feel thy cleansing rod.

Still we seek thy gracious throne.

After the conclusion of the religious ceremonies, three rounds were fired by capt. Ringgold's U. S. Flying Artillery, which were posted on an adjacent hill, and as many rounds of musketry were fired by troops who were on Calhoun street.

The procession then moved on Calhoun street, and finally re-formed; different sections marching to their respective places of meeting, where they were dismissed; and thus closed a day which, as the nation has justly said, will be forever memorable in the annals of Baltimore.

We ought to have stated before, but it is not yet too late, that all who appeared abroad, either in the procession or as spectators, were mourning beings, which were to be had in great variety, and infinitely executed. The number of persons at Mount Vernon Place, and on the various eminences in Howard's Park, could not be less than fifty thousand; and those in the procession are estimated at from ten to twelve thousand. One of the most pleasing exhibitions of respect was the appearance of the Revenue Cutter, lying in the river, where the gunboat Market sailed. The yards were fully manned, and as the procession passed, salutes were fired from on board. It was in full view of the entire procession as it proceeded down Market street. [Ssn.]

TESTIMONIALS.

It is stated that, when intelligence of the death of general Harrison reached Amherstburg, (U. C.) the flag which was flying on Fort Malden was lowered to half-mast.

The Kingston (Canada) Chronicle dressed its columns in mourning, on the receipt of the news of the death of gen. Harrison.

The Eastern Argus says the flags of the shipping at St. Stephen, New Brunswick, were displayed at half-mast on receiving the news of the president's death.

The President Van Buren is noticed as one of the distinguished persons who joined in the funeral procession in New York in honor of the memory of gen. Harrison.

Sunday, the 9th instant, is set apart by the people of the State of S. C. as a funeral Sabbath, and discourses are to be delivered in the churches adapted to the occasion of the death of the president.

At a meeting of the citizens of Macon (Georgia) on the occasion of the death of gen. Harrison, the hon. Eugene A. Nisbet was appointed to pronounce an eulogy upon the deceased.

Major gen. W. Scott was one of the pall-bearers in the funeral procession at Rochester, on Saturday, the 10th instant, in honor of the memory of the late president.

From the Charleston Observer, (a religious paper).

It is wonderful to me how this event [the death of general Harrison] has clustered the bitterness of party strife. How it has arrayed around the bier of the departed the resolute opponents of yesterday, and caused them to vie with each other in their sympathies and sorrow, and in their unfeigned expressions of affectionate regard for the memory of a man whose life and death are a spectacle to which the crowned potentates of the earth can be pointed as an evidence that the affections of our people are true to their duty; and that they are ready, on every fitting occasion, to give honor to them who have been to die; that, as a people, notwithstanding all our difference, we are one and indivisible, bound together by ties much stronger than mere physical force—than individual interests, or the necessity of mutual defence—the ties of a common brotherhood, common affection, common principles and common sympathy. The true patriot will love his country the more from this manifestation of the heart by which his spirit is animated, and will be inspired with greater confidence in the stability of her institutions. The true philanthropist will labor more assiduously in promoting the best interests of the people; and the devout Christian will pray the more fervently that the principles which lie at the foundation of our regulated liberty—the principles of the gospel of the Son of God—may be cherished in their purity, and govern alike the ruler and the ruled.

N. YORK AND VIRGINIA CONTROVERSY.

Communication from the hon. John M. Patton, lieutenant governor of Virginia, to the governor of N. York.

Executive department, Richmond, March 22d, 1841.

Sir: The functions of the executive of the commonwealth having temporarily devolved on me, by the resignation of Gov. Gilmer, it has become my duty to act upon the demand recently made by you upon the governor of this commonwealth, for the surrender of Robert F. Curry, a fugitive from justice with the crime of larceny in the state of New York.

The demand is in proper form, and the fact that it is charged with the commission of an act which is a crime by the laws of your state is duly authenticated.

Recognizing as I do the imperative obligation of the constitution and laws which require the governor of every state to surrender a fugitive from justice, upon the demand of the governor of that state in which he is charged with the crime, I shall not hesitate about complying with the demand. You are accordingly hereby informed that I have issued my warrant, as acting governor of this commonwealth,

commanding the delivery of the said fugitive, to John D. Dix, the agent appointed by you to receive and convey him to the state of New York. Mr. Dix having left here on his return to New York, I enclose the warrant to you, and will forward a copy or duplicate of it to the proper authorities in Washington, where it is understood Curry is in custody.

The circumstances which have occurred in connection with this demand made it proper that in complying with it I should avail myself of the occasion to express to your excellency my profound respect for this department for the course which the government of New York has pursued in relation to a similar demand made by the executive of this state upon the governor of New York as long ago as the 25th of July 1839, and which yet remains unsatisfied.

It is not my purpose or desire to renew a discussion (which indeed has already been exhausted) upon that subject. I cannot, however, refrain from reminding you of this unsatisfied question, or from expressing to you what is the universal sentiment for the people and government of this commonwealth, that the refusal of New York to surrender the fugitive charged with the commission of a heinous crime against the laws of the state is a grievous and intolerable outrage upon her rights and a plain violation of the duty imposed upon her by the constitution and laws of the United States.

This refusal to surrender fugitives from justice, upon the grounds on which it has been vindicated by your excellency, and followed as it has been by an act of the general assembly of New York, which seems to me to be a plain and deliberate refusal to render it next to impossible to recapture a fugitive slave who shall escape to New York, involves an assault upon an institution of the southern states, deeply interwoven with their whole polity, and to any foreign interference with which they are keenly sensitive. It is not the less aggravating, that the assault is made by directly violating or rendering nugatory two of the plainest and most explicit provisions of the constitution of the United States.

In this state of things it is scarcely to be wondered at that some of our citizens, eminent in virtue and patriotism, should be inclined to regard New York as having placed herself out of the pale of the union, respected and complied with while she retains her present attitude, but that, if she should ever, while, however, a course of retaliation towards New York might be justified, as far as is concerned, by her repeated and persevering disregard of her obligations, it is not deemed becoming the high character which it has been the policy of this state to maintain, to resort even upon her an act involving a violation of constitutional duty.

Sir, has refused to comply with the constitution, Virginia will not comply with it, and she has no intention to avail herself of any act of legislation, endangering its safety and impairing its value. Virginia will again appeal to her justice, and entreating her to retract her steps, in the manifest resort only to lawful and constitutional means of self protection and redress. She has refused and still refuses to surrender criminals who have fled from our justice, and is pursuing a course calculated to make the empire taste in any form for felonies and runaway slaves. Virginia still respects and relies upon the constitution and the laws, and will surrender fugitives from labor when lawfully demanded.

I trust, sir, that you will see in this that we are ready to persevere in our policy, rather than give up to retaliation injuries and that you will find it an example of forbearance, and proof of an anxious desire to preserve harmony and a zealous regard for justice and good faith which will not be without benefit in inducing you and your great state to retract those assaults upon our institutions, of which the state of Virginia so justly complains.

The motives and principles on which your demand is now unconditionally coupled with by the executive of this state, (in conformity with the duty to believe, with the almost unanimous concurrence of the legislature), ought to be regarded, as I hope it will be, as giving an earnest that as this state recognizes, in all their extent, and will perform, faithfully and scrupulously, all her duties and obligations under the constitution of the union, she expects and will insist upon every other state exhibiting an equal fidelity to its constitutional obligations.

It is in no spirit of measure, but from an anxious desire to preserve harmony between the states, and prevent collisions which must necessarily impair the value and stability of the union, if they do not endanger and finally destroy it, that I assure your excellency that the state of Virginia cannot acquiesce in, and will not submit to those aggressions of New

York, which have occasioned the existing controversy between these two great commonwealths. I therefore accompany this communication, by informing you of the fact that your demand for the surrender of the fugitive from your state is granted, with an earnest protest against those aggressions, and an anxious and respectful appeal to you, and through you to the state whose organ you are, to review the position you have taken, and by a magnanimous abandonment of erroneous and untenable opinions and measures, restore those harmonious relations between the states which it is alike the interest and the duty of us all to maintain.

I have the honor to be, very respectfully your obedient servant,
JNO. M. PATTON.
To his excellency Wm. H. Seaward, gov. of N. Y.
GOVERNOR SEWARD'S REPLY.

State of New York.
Executive department, Albany, April 6th, 1841.

Sir: Your communication of the 22d of March last, enclosing a warrant for the surrender of Robert F. Curry, in compliance with my requisition, is acknowledged. The proper agent has been directed to receive the fugitive and convey him to this state.

Your compliance with this requisition is male, in your communication, a ground for asking a review of my decision, and for suggesting that your predecessor, demanding the surrender of Peter Johnson and others. Although the candor you have avowed is by no means questioned, it is a matter of some surprise that you have treated the case as altogether different from that which has been shown that the indictment accompanying my requisition was informal and defective in charging the crime of forgery; if a competent judicial tribunal had decided that the indictment was thus defective, and that upon examination there was no probable cause to believe the fugitive guilty of an offence against any law of this state, and if forgery were not a crime or offence against the laws of Virginia, the common law and the laws of all civilized countries, then, although the case would be entirely new, in my judgment, and with great deference, follow rather than the demand made by me ought to have been denied, than that the requisition issued by your predecessor ought to be granted.

Your views concerning the case were recently discussed between your predecessor and myself; your protest against supposed aggressions; and your appeal to me to review position heretofore assumed, and to abandon the same, were all presented to me by you to be erroneous and untenable, and to restore harmonious relations between the states of N. York and Virginia, have received most careful and respectful consideration. Since, however, you have intimated that this communication is to contain the discussion of the question referred to upon its merits, my reply will necessarily be as general as your communication.

The lieutenant governor of Virginia, in 1832, demanded the executive of this state, Peter Johnson, Edward Smith and Isaac Gausey, as fugitives, upon a vague and insufficient charge of stealing a negro slave in that commonwealth. When this demand was made, the constitution had existed during half a century, prior sufficient, it may be supposed to present domestic exigencies of every character foreseen and intended to be provided for by the framers of that instrument. During that period the institution of slavery existed in Virginia and some other states, and the officers of the law were abolished. Yet within that long time only one case is known to have occurred in which the executive of a slaveholding state demanded from a state in which slavery had ceased to exist, the surrender of a fugitive upon a charge as to which the act adopted by the lieutenant governor of Virginia; and no case is known to have happened in which a demand of that character, male under such circumstances, was allowed.

The demand was deemed by the executive insufficient and defective, even to charge a crime against the laws of Virginia, while the question involved, if the requisition were granted by a proper charge, was regarded as one of great importance, requiring deliberate consideration. An informal note was delivered to the agent of Virginia, pointing out the defects in his papers, and giving leave to amend, and a time was appointed for the consideration of the whole subject. In the mean time the supposed fugitives availed themselves of the legal remedy and were discharged on a writ of habeas corpus, on the grounds that the charge was insufficient and that upon examination, it was ascertained that the accused were not accused criminals, and in their presence on board of a ship in which a slave had concealed himself, with a view to what proved an unsuccessful attempt to escape from servitude. The lieutenant governor, to whom the circumstances became known, nevertheless demanded a decision

upon the case as originally presented. That course presented to the executive of this state, on one hand, the alternative of assuming jurisdiction, to make a final constitutional question by placing the demand of the demand on the informal objection sustained by the judge, the removal of which would not dispose of the subject; and on the other, that of assuming the broad constitutional ground upon which, on mature reflection, he was satisfied the case must at last be decided. Both the frankness which becomes public functionaries, and a proper respect for the lieutenant governor of Virginia, required the adoption of the latter course.

It was not unknown that an absolute and probably irreconcilable difference of opinion must arise between the lieutenant governor and the executive of this state. It was obvious that the former would assume, in conformity with opinion known to prevail in Virginia, that men of a certain race and condition may be, and are, property and chattels, the subjects of purchase, sale, devise and theft. The executive of this state, on the contrary, would be faithful to the spirit of the constitution and laws, if he did not maintain that all men, of whatever race or condition, are men, and of right ought to be free; and that every remedy for duties of a human being, whether it be the writ de homine replegado, or the writ de habeas corpus, or the writ of habeas corpus, or indictment for kidnapping, regards him as a man, and not as property, and that it is as absurd to state to speak of property in immortal beings, and coarsely of stealing them, as it is to speak of the slavery of a distinct race, and to place the common atmosphere. It was equally manifest that Virginia would insist that her sister states should recognize the right of property of one class of her people in another, as established by her laws. Indeed, the government of that state, as the duty of the executive of this state to hold, that, except so far as the principle in controlled by the article of the constitution which declares that, persons held to labor or service in one state, by the laws thereof, and extending into another, shall, on demand, and prize, be delivered up to the persons to whom such labor or service is due, the relation of master and slave is a peculiar local relation of the state where it exists, and that it is not bound to recognize or respect it in any manner, much less to protect it by extending for that purpose an article in the constitution which had no such design, nor any reference whatever to the relation.

It was, therefore, always careful to avoid any seeming interference with the institution or municipal affairs of other states, would have gladly avoided such a discussion, not from objections on its own part, but because he supposed the question, being involved by the lieutenant governor, could not be agreeable to the people of Virginia. But it was the pleasure, nevertheless, of the lieutenant governor of Virginia to demand an answer to the requisition, notwithstanding the delicate and intricate character of the question which had been raised, and notwithstanding he must have known, moreover, that a compliance with the requisition would be to surrender three men as criminals whom a competent tribunal had pronounced guiltless, and thus exhibit the executive trampling on the judiciary as well as striking down the liberty of citizens of this state.

Such were the circumstances under which the executive of this state denied the requisition of the lieutenant governor, and assumed the position on which that denial has been vindicated. The decision was not, as you have assumed, designed as an aggression upon Virginia, and intended to effect her institution of slavery, or to assume the prerogative of the executive of this state to be sovereign within her territory, in the enactment and execution of her laws. It was denied only that she could extend her legislative power so as to give a right to the executive of this state, or render it his duty to surrender its citizens to be transported to that commonwealth to be tried, condemned and punished for acts not in themselves wrongful, nor regarded as criminal by the laws of this state; and inasmuch as difference might exist between the codes of the two states, it was considered that in ascertaining the intent of the compact between them, reference might be made, in such cases, not to the particular code of the one or the other, but to the common law received by both, the laws of nature, and the laws of all civilized countries. These principles had no exclusive reference to the states in which slavery exists, but were the same by which other demands upon this state are tested, and they have been applied to the case of fugitives from other states, as presented by Pennsylvania and New Hampshire, where that institution has long since become obsolete. The discussion was, moreover, conducted in a manner which it is hoped will be found to have been always courteous and respectful to Virginia.

The governor of Virginia, in submitting the correspondence to the general assembly, thought proper to distinguish the non-compliance of the executive of this state, upon the grounds assumed by him, as a flagrant invasion of the rights of that commonwealth, which, in the event of the failure of other remedies, might render it the solemn duty of Virginia to appeal from the cancelled obligations of the federal compact to original rights, and the law of self-preservation. The executive of this state, in the same correspondence before the legislature, with the respectful expression of his surprise and regret on account of the seeming menace of the governor of Virginia, thought it his duty to state that he would avoid increasing the embarrassment which he was to incur in consequence of the course adopted by the authorities of Virginia, declared that he regarded the subject as one falling peculiarly within the province of the executive department, and in relation to which the duties of that department were prescribed by the constitution and laws of the United States, and not by the constitution and laws of this state, and he carefully abstained from invoking any legislative sanction of his decision. The executive of this state subsequently complied, promptly and cheerfully, with the request of the general assembly of Virginia, and submitted the appeal of that body for consideration to the general assembly of this state, together with the able arguments of the governor of Virginia and of a committee of its house of delegates, all of which documents were laid before the legislature without comment. The executive also, with equal cheerfulness, complied with the further request of the general assembly of Virginia, by reviewing the positions assumed by him, and he trusts performed that duty in a spirit of candor and courtesy. The correspondence being thus again closed, the government of that state, in the manner of a general assembly in the manner he deemed proper.

He at the same time offered large pecuniary rewards to induce individuals who might thus be tempted to enter within the jurisdiction of New York and in violation of its laws, to convey to Virginia, the three individuals, whose security was doubly assured to them, first by the decision of a competent legal tribunal, and then by the executive authority of the lieutenant governor of Virginia, also addressed public circular letters to the effect, such only, of the American states as he assumed had peculiar sympathies with Virginia, inviting them to make common cause against New York. The executive of this state, in the proceedings and correspondence to the legislature of New York without remark. The general assembly of Virginia then thought proper to pass an act attempting to impose injurious restrictions and onerous conditions upon the executive of this state, engaged in commerce with that commonwealth, citizens of otherwise responsible for the action of the government than as being among its constituents; and this was done with a purpose fully avowed to oblige the executive of this state to rescind a decision made under his constitutional responsibilities, and to compel the legislature of New York to repeal a law found on its statute book, in accordance with its constitution and the constitution of the United States, and having no connection with the question in controversy. Simultaneously with this proceeding, the governor of Virginia refused compliance with a requisition, submitted to be in due form, for the surrender of a fugitive charged with the crime of forgery, unless the executive of this state should first rescind the decision previously made by him, allowing, however, to the executive of this state six months as a reasonable period to decide upon the extraordinary demand thus submitted. The executive of this state lost no time in assenting to the authorities of Virginia that the original subject had been reconsidered upon its merits, and also in connection with those injurious and retaliatory proceedings, and submitted the result, that the decision having been made in accordance with conviction of constitutional duty still entertained, he found no sufficient ground for a reversal of the same.

It became the duty of the executive to communicate those proceedings to the legislature of this state. In doing so he could not but observe that no one would think of repeating, and especially under such circumstances, a law of the state designed to protect the security of its own citizens and others exposed to the risk of being taken of liberty without even a charge of crime. There is no good reason to believe that the interests of the citizens of this state are less carefully guarded by its legislature, than the interests of citizens of Virginia are by the general assembly of that commonwealth. There is no ground to suppose that the principles in regard to personal liberty and state sovereignty maintained by the executive of this state, are less firmly established by the legislature than the institution of slavery is by the general

assembly of our sister state. When the commercial position, condition and relation of this state are considered, it is not surprising that you, who are the Legislature, if it could transcend its constitutional barriers, might annoy, harass, and even oppress unoffending citizens of Virginia, at least as severely as the general assembly of that commonwealth can oppress such citizens of New York.

Nevertheless the executive declared that he deemed any retaliatory act unworthy the dignity and inconsistent with the relations of this state. He recommended no such measure. He declared that none should be adopted on my part, and assuming that the citizens of this state have ample constitutional remedies against any injuries they may suffer from the wrongful legislation of Virginia, he declared his confident conviction that it might safely be left to the magnanimity of that state and her own experience of the consequences of her measures to induce an abandonment of them and the performance of her constitutional obligations. The executive of this state has sincere pleasure in acknowledging that so far as one of the measures is concerned, this anticipation has been already realized.

From this cursory review, rather of what has been done than of what has been written, it will appear that the authorities of this state are not the actors in any plan tending towards a denegation of the relations between this state and Virginia. New York has done nothing, and has spoken only when and so often as she was appealed to by Virginia, and also by the fact that she has never refused to give effect to New York has made no novel or questionable demands, complained of no wrongs, offered no rewards for violations of laws of Virginia, passed no vindictive acts, made no threats, nor has she endeavored in any way, but to excite her sister states against Virginia, although she doubts not there are many and enlightened states among them which cherish her own principles and respect her decision.

I trust, therefore, that you will be satisfied that the spirit of conciliation, kindness and devotedness to the union, which you have so properly invoked will continue to prevail here, since no other spirit has been indulged from the beginning. You have a guaranty also, that while the fact that, although not loud and frequent in professions, New York is constant in work, showing her attachment to the union. Her history presents no instance in which she has questioned its value, nor has she ever indulged in any expressions of dissatisfaction after state which sometimes engages the contemplation of those whose estimate of the value of the union is not fully settled. You have a guaranty also in the perseverance with which New York pursues her policy of union, and her relations with other states, and the determination she manifests to render equal justice to them all, while she protects her own citizens as she ought upon principles essential to her own sovereignty and that of her sister states.

I trust, also, that you will agree with me that it rests with Virginia to restore harmony between herself and New York, if indeed that harmony has been hitherto, which New York is not yet prepared to admit. New York maintains, with regard to Virginia, the same attitude and relations now as heretofore. She concedes to Virginia all she has ever yielded. She asks of her nothing Virginia does not bestow. She is to be constitutional and just, and she maintains towards the other states the same relations that she maintains towards the other states of the confederacy. If, however, it be not the pleasure of Virginia to retain her ancient attitude and cherish her ancient feelings towards New York, I can only express my regret for the circumstance so unhappy and unfortunate.

You are pleased to remark that this state is pursuing a course calculated to render her tributary or a slave for slaves and runaway slaves. Waving all exceptions to the spirit of the remark, I trust it may be permitted to reply, first, that it is not inconsistent with the most careful regard to the public morals to grant impunity to those declared innocent by the legal tribunals of the state; secondly, that conviction would involve no offence against the laws necessary for the preservation of a well ordered society, and no violation of abstract rights, as ascertained from the system of jurisprudence established in civilized nations and according to the experience of the people of this state has proved, at least to their own satisfaction, that neither public virtue nor public property has received any injury from extending, so far as has yet been done, equal justice to every slave and every free man within our limits.

Accept the assurance of high respect, with which I remain your obedient servant,

WILLIAM H. SEWARD.

The Hon. John M. Patton, *leader and acting governor of Virginia, or his successor in office.*

BANK OF THE UNITED STATES.

From the National Gazette.

FOURTH LETTER, A TRUE STATEMENT, &c. TO THE HON. JOHN M. CLAYTON.

Auduland, Bucks county, April 15, 1841.

Hon. John M. Clayton, Dover, Delaware:

MY DEAR SIR: I yesterday explained to you how I have received a notice which states that the bank does not amount to one hundred and fifty dollars, succeeded in forcing themselves into a position where they controlled the fate of the whole thirty-five millions of dollars of capital, and how they succeeded in obtaining the real stockholders of the bank to gratify their own animosities and promote their own pecuniary advantage. I ought to add that in speaking of the managers of the Schuylkill Navigation Company I meant only three persons, without including the rest, none of whom I knew, except one, a very estimable gentleman, who would never join in so unworthy a project. Their exercise of this power was in perfect harmony with their mode of acquiring it. They first possessed themselves of all the accounts of individuals in the bank and then, by means of the real stockholders, after hecatizing how many of them could exhibit to the public gaze without too much offence to private feelings they seem to confine themselves to each only as they could most easily render odious. Among these I have named under the impression doubtless that I could be made to appear in the invidious light of a large borrower from the bank, although my account was entirely like that of any private citizen wholly unconnected with it. Still, had this been done with any ordinary fairness, though I might have thought such a proceeding ungenerous and indelicate, I would not have complained—as I have now a right to do—hat since my private concerns were thus paraded before the country, the statement of them from the beginning to the end is a tissue of misrepresentations. This I shall show in a few words:

My account as stated by them is as follows—

January 30, 1839—his note, due February 2, 1842, with interest—being for 700 shares Reading rail road stock, purchased of the bank by his agent, \$31,500
January 3, 1841—his note, due January 6, 1842, with interest—originally a debt to the bank, guaranteed by Mr. N. Biddle, and never assumed by him, 100,000
Balance of loans from "bills receivable," 29,500
\$161,000

SECURITIES.

700 shares New Castle and Frenchtown transportation and Reading rail road company.
4,000 shares New Castle and Frenchtown transportation and Reading rail road company.
Deed to Mr. N. Biddle for lands in Dauphin county, but not conveyed to the bank—consideration, \$100,000.

The general purpose of this statement was to show that I had borrowed these \$161,000 from the bank, that I had owed it to the bank, and, as it is put among the list of debts from the officers of the bank, due and not paid, and in property, it was evidently designed to throw over it the same shade. That is the general color of this deception. But when you come to particulars.

1. The first item is a purchase by me of a certain stock of the bank. They say that I was anxious to sell, and which I sold for more than twice its present value. The transaction was wholly favorable to the bank, and desired by the bank, and certainly I am not the favored party. It would doubtless have been put down as a condition that the bank for money borrowed, but by great good luck, as it happened to be a purchase of this unhappy Reading rail road stock, the pleasure of exhibiting that gulf was too great for suppression, and for that reason the committee gave the act which enables me to show that instead of being a borrower I am only a purchaser—and that the purchase money will not be due till January, 1842. There remained, however, one chance of perverting this transaction, too tempting to be omitted. They say that this stock was purchased by me on January 3d, 1839, but in January 1839, I was the president of the bank, and therefore if I bought this stock at that time I should be guilty of the imbecility of purchasing the assets of the bank while it was the head of it. Now it was not until December—long after I had left the bank—when I was merely a private citizen, without the slightest connection with the bank in the transaction—that I bought this stock of a stock broker.

That this is the first misrepresentation. The second item is rather worse—here is a sum of \$100,000 which they describe as "originally a debt to the bank guaranteed by Mr. N. Biddle and

never assumed by him," so that I am made to appear as one who first obtained \$100,000 from the bank through some one else on my guarantee, and after I had got the money would never assume the debt.

Now when the committee made this statement they had before them my own note payable *tenority next, with ample collateral security, forming as good and safe a debt as any in the bank and which will be certainly paid at maturity.* That is the second misrepresentation.

Let me explain how such a note ever came there at all.

In my zeal to promote objects of improvement, I determined some years ago with one or two public spirited gentlemen that there should be made a rail road from Philadelphia to Baltimore. As the first portion of the funds was borrowed from the bank, and with a view to ensure its completion, I became personally the guarantor to the bank for the safety of about \$40,000 of the loan.

When the loan was made—Philadelphia and Baltimore are both in the full enjoyment of it, and the whole of the money principal and interest is repaid or secured to the bank. Of the part guaranteed by me all has been paid except this \$100,000, which is not due till January, 1842.

The third item is "balance of loans from bills receivable," \$29,500.

This is designed to convey the impression that having borrowed this money, for its security I had a debt to the bank, which I had not or would not pay to the bank.

Now this committee had before them a letter from the *cashier* declaring that he had no authority whatever to borrow this money for me, they knew that he had no authority to do so, and that he was not even aware of the existence of his loan—never authorized it—and never knew of this debt;—and that the matter was then in a course of negotiation with the bank.

This is still another misrepresentation far more important.

The committee say that "not being able to obtain satisfactory information upon the subject of those expenses from the books or officers of the bank, application was made by letter to Mr. N. Biddle and Mr. J. Cowperthwaite, from whom no reply has been received."

Now contrast this with the truth. I myself made no answer because I perceived that the letter had been given to them. They were examining all my affairs without giving me any notice, and this letter asking information as to one isolated point was to be made the occasion of saying that they had given me notice on the only point in which they had no authority to do so. I had no authority to call on the writer of the letter, Mr. Lippincott, and in his presence drew up a written account of the transaction and gave it to Mr. Lippincott. Mr. Cowperthwaite states these facts in a letter to me published in the *National Gazette. I failed to obtain from the proper officers of the bank after repeated application, permission to examine the vouchers alluded to in the letter of the chairman of the committee to me of the 24th ult. I called upon that individual and expressed my anxiety to give to the committee any information I possessed on that or any other subject, stating to him the fact that I had been refused permission to see these vouchers; Mr. Lippincott informed me that the committee had had some previous to the 24th ult. I then stated to him what my recollection was respecting them, he requested it might be put down in writing, and a short memorandum was accordingly made. Yours, &c.*

"J. COWPERTHWAITER."

Now is not this a very awful story? Here is a committee who assume to examine the private affairs of every man who for twenty years has had any dealings with the bank. They publish garbled statements of his accounts, and when the accused goes to the chairman of the committee and delivers to him a written statement, the chairman makes the committee deny they ever received any communication from him and turn his very silence into a crime. I will have it to say for the future. It was contemplated to publish the accounts of all the drawers with the bank; but they say, "it has been thought best not to publish the lists in detail of the active and suspended debt. The injury which would result to the credit of individuals by such a publication might ultimately be detrimental to the interests of the stockholders."

They therefore reserve this for some future occasion, when the individual may be made to suffer, and will be able to pay his debt to the bank, and in the mean time they may publish what they please and just as much as they please. You can have no access to the papers in the bank to explain your own transactions there, when you state them in writ-

Do you not begin to perceive that after deducting his expenses these \$24,000 he has paid to the bank every dollar he has received from it. Do you not see that he has been working out his debt to the bank by valuable services—services which he performed at much less cost than any foreign merchant would have charged—and that every dollar the bank has allowed him has gone to pay up this old debt. Does not every body see that this gives an entirely new aspect to the whole question—for after all what other debtor of the bank has paid so much or so well during that time?

I doubt whether there is one single man who has paid in any thing like the same proportion of his services—\$25,000 for services—remaining \$17,000 perfectly well secured and in a course of reduction. If he has been an imprudent borrower he has certainly been a prompt and large payer—and he has nobly striven to repair the consequences of his indiscretion in purchasing stocks which have since depreciated.

If this denunciation of him has been unjust in itself—it seems little less than madness as regards the bank. He has long been the confidential agent of the bank. His character is identified with it, his talents necessary to it, and yet in the midst of its embarrassments, at the very moment when he was most needed, it sends to Europe a public denunciation of him, which whatever mischief it may do to him recoils itself on the bank.

This whole case then of Mr. Jonathan's seems to be simply this. He owed a large sum of money to the bank—the bank employed him in a most important service and gave him a liberal compensation—all of which he returned to the bank in payment of his debt. His conduct to that respect seems to be rather very uncommon than very atrocious. With great respect, yours,

N. BIDDLE.

SIXTH LETTER FROM NICHOLAS BIDDLE, ESQ. TO THE HON. JOHN M. CLAYTON.
Philadelphia, Bucks county, April 25, 1841.

Hon. John M. Clayton, Dover, Delaware.
MY DEAR SIR: I am going to tell you, this morning, a very strange and true history about this committee.

At the close of their report, they say: "It must be also mentioned that several of the disbursements of the bank there is entered at various dates commencing May 5th, 1836, sums amounting in all to \$618,610 13, as paid on the receipts of Mr. N. Biddle and J. Cowperthwaite and 'cassier's' vouchers." As the committee were unable to obtain satisfactory information upon the subject of these expenses from the books or officers of the bank—application was made by letter to Mr. N. Biddle and Mr. Cowperthwaite, from whom no reply has been received."

On reading this no one could fail to understand that here were \$618,000 dollars, which had been obtained from the bank, and on being questioned about it had declined giving any answer, from which the natural inference was that these funds were never accounted for. This is evidently what the committee intended to be understood—this is what every body would understand.

Now what I am about to say is so incredible that I would not say it unless I could clearly prove it. It is

First, That at the moment of charging me with these \$18,000 dollars, the committee knew perfectly well, that nearly three hundred thousand dollars of that sum, had been expended since I left the bank—and

Second, That the remainder had been regularly passed by the board of directors on the report of a committee of which the chairman, Joshua Lippincott, was the identical Joshua Lippincott, chairman of this very committee of investigation.

You are surprised at this. You will be shocked when you see the proofs of it.

1. In this sum of \$18,000 dollars, are included two sums, one of \$181,000 and the other 99,000

Making \$280,000

The first of these sums was passed to the profit and loss account on the 6th of January, 1840, on the same vouchers described in the report—and it was so passed on the recommendation of the dividend committee of the following directors:

Messrs. N. Kirk, Cyp, Bohlen, Price, Cabot. This account was passed in the month of January, 1840, on the report of a dividend committee consisting of

Messrs. Eyre, Taylor, Martin, and Cornell. You naturally ask, is it possible that the committee of investigation could have known this fact.

answer, not only did they certainly know it, but it is impossible that they should not know it. The same page which contains the account of these expenses up to a certain period, contained it down to the latest date. It is one continuous list of expenses, and he who could see the expenditures during any time must unavoidably see those since that time.

But this knowledge shall be brought directly before you.

Take for instance the sum of \$99,000. On the 16th March, 1841, the committee of investigation wrote to the president of the bank asking him for information, among other things, about that specific sum of \$99,000.

The president answered in writing that that sum of \$99,000 dollars was disbursed under the direction of a committee of the board of directors appointed on the 3d of March, 1840.

This committee then had the minutes of the bank before them—they read the resolution—they saw the names of the committee of directors who had disbursed the money—they were all directors of the bank at the very moment when this committee were making their investigation—they were almost daily in the same room—and yet knowing all this, the committee never say one single word to these directors—they never say one single word of them—but they suppress all these circumstances and throw the whole odium of these identical \$99,000 upon me who had left the bank fifteen months before.

Look near at the injustice of this conduct.

They say that they could get no "satisfactory information from the officers of the bank." Why, was not Mr. Dunlap, the president, an officer of the bank, and did he not in writing assure them that this money was disbursed by the committee of directors? Was not that information?

Mr. Cowperthwaite, the cashier, sent to the chairman of this committee of investigation and gave him a written explanation of what relates to him. Was not this information?

"I call'd," says he, "upon Mr. Lippincott and expressed my anxiety to give to the committee any information that I possessed on that subject, and, stating to him the fact that I had been refused permission to see these vouchers—I then stated to him what my recollection was respecting them, he requested it might be put down in writing, and a short account of them was accordingly made."

They saw the minutes of the bank where this committee of directors was appointed who, they were assured by the president of the bank, made these disbursements. Was not that information? Are not the minutes books?

Yet in defiance of all this they declare that they were "not able to obtain satisfactory information upon the subject of these expenses, from the books or officers of the bank."

In the same way with regard to the \$180,000 charged in January, 1840. They saw the names, the dates, the sums. If they were in Mr. Cowperthwaite's time, he had gone to the chairman and offered the explanation—if they were since Mr. Cowperthwaite's time, Mr. Dunlap had explained to them that this committee of directors were the persons to apply to.

But this committee would do nothing. They did not ask the committee of directors; they would not listen to Mr. Cowperthwaite. One thing, however, at least, was perfectly certain, that, whoever made these disbursements, I could by no possibility have had any thing to do with them. And yet they were made by me, and make every body believe that these expenses were incurred by me. Observe the artifice by which this conclusion is made to be believed. "Among the expenditures of the bank," says the committee, "there is entered at various dates, commencing May 1836, sums amounting in all, &c. &c. Commencing May 5, 1836, but they do not say where ending. That important fact is studiously hidden, because it would have been seen at once, where my responsibility ended, and that these \$280,000 were disbursed after I left the bank.

You see, then, that this committee of investigation, knowing perfectly well that these \$280,000 could by no possibility be imputed to me, have deceived the stockholders into the belief that I had received the money.

You see again that this committee declare that they could get no information from the books and officers of the bank, when the books with the facts were before them, and both Mr. Dunlap and Mr. Cowperthwaite had given satisfactory information in writing, and made every body believe that these expenses were incurred by me. In all these disbursements for the service of the bank my agency was no matter of form than of substance. When necessary for any purpose, some committee, some board, or some authorized person made the disbursement, and the

vouchers to pass the account were signed by myself without of course receiving, or indeed having any thing to do with the sums in question, but merely as an evidence that such sums might be or had been disbursed. That for instance was the case with the sum of \$89,000, the cashier giving his voucher, and the committee giving their authority in writing, though it was more commonly done by verbal instructions; and in case of discounts by the committees. Of course after a lapse of years an officer would find it difficult to recall what was the object of any particular disbursement, or after many changes in the board of directors to show any written authorities or receipts of any committee; but still this confidence in verbal order is as natural on the part of those engaged together daily in a great multiplicity of transactions, that written orders and instructions are not habitual. Knowing full of the details of these disbursements, my confidence was that all of them would pass through some review by a competent committee before they were finally disposed of.

Accordingly, with regard to these identical disbursements, made during my administration, the whole of them were duly examined, reported upon by a committee and confirmed by the board before I left the bank, the chairman of the committee so reporting them, being the same individual who is now chairman of the committee of directors.

On the 2d July, 1838, the dividend committee, consisting of Messrs. Lippincott, (chairman), Wals, Cabot, Lewis and Vanderkemp, made their report. They presented the profit and loss account, in which the leading item was—

DR.
July 2. To bonus and permanent expenses, \$3,510,694 39
This consisted of two items—
\$2,512,622 80
And the permanent expenses, 668,031 99

Making exactly the \$3,510,694 39

The committee say that "the amount of profits arising from discounts, exchange, interest and other sources during the last six months is \$1,992,202 02. Deducting from this sum all the expenses and charges of the institution for the same period amounted to \$149,238 53, the net profits will amount to \$1,792,413 47." So much for the current expenses. Now for the permanent expenses. After giving some details of the committee's proceedings, the committee proceeds: "These sums, together with \$5,255,972 92, the balance remaining to the credit of profit and loss as reported by the last dividend committee, form an aggregate of \$7,727,325 39. Against which there are now charged the sums paid for the charter, and the permanent expenses of the bank, amounting together to \$3,510,694 39, leaving a balance of net profits of \$1,216,657 80." And having so settled it, the committee proposes—"That a dividend of four per cent. be now declared on the capital stock of this bank.

Signed, JOSHUA LIPPINCOTT,
Chairman of the dividend committee."

Here then is the report of the dividend committee, who before making the dividend are of course to examine the expenditures. Those merely current they deduct at once from the current profits—those not arising from current expenditures—and to be gradually spread like the bonus over the whole surface of the profits, and make every body believe that this is an item of profit and loss. Mr. Lippincott and the dividend committee report both—they have of course examined both, and recommended to the board what to do with both. The committee then report, charging the current expenses against the current profits—and charging to profit and loss the expenses of a more durable character under the head of permanent expenses.

Remark the phraseology—"against which are now charged"—that is, for the first time charged. These disbursements were recorded as "permanent expenses," on a book called the "state of the bank," which was on the table of the directors every day they met. And now the dividend committee for the first time transferred them to the profit and loss account.

It is this very transfer—this change of place—this handling these accounts and vouchers, which proves that the dividend committee with Mr. Lippincott at their head, had examined them and assigned to them a new place. That he and the committee should not have examined all these expenses with their vouchers is inexcusable—and what makes the case much stronger is that at that very time he was actually chairman of the committee of directors of the bank, that he and the committee had the duty to examine these vouchers and expenses.

Now this sum of \$688,081.99 thus charged by the board to profit and loss, contains all the expenditures made during my administration included in this sum of \$618,000.

I repeat therefore what I began by asserting that the committee knew perfectly well that nearly three hundred thousand dollars of these expenditures which they ascribe to me, were made since I left the bank, and that the remainder was charged to profit and loss by the board of directors on the recommendation of its very chairman of the committee of investigation himself.

And now my dear sir, let me ask, did you ever hear of any thing like this on the face of the earth—any thing so ungenerous—so unfair—so unjust.

With great respect, yours, N. BIDDLE.

DEBATE ON THE PROSPECTIVE PRE-EMPTION BILL.

[CONTINUED FROM PAGE 143.]

In senate, Friday, January 22, 1841.

The pre-emption bill being under consideration, and the question being on Mr. CRITTENDEN'S motion to recommit the bill to the committee on public lands, with instructions to amend it by allowing to actual bona fide settlers on the public lands the right of pre-emption of any quantity not exceeding 320 acres, and to restrict this right to actual settlers whose estate shall not exceed the value of \$1,000, and also to make provision for the distribution of the proceeds of the public lands among the several states of the union.

Mr. BUCHANAN addressed the senate in reply to the remarks of Mr. CRITTENDEN on the day previous.

He was sorry, he said, that the remarks of the honorable senator from Kentucky, (Mr. CRITTENDEN), had rendered it necessary for him again to trespass on the attention of the senate, so far, at least, as to answer one or two of the questions propounded to him; although he felt that the condition of his bodily health was such that he should gladly be excused.

And, first, (said Mr. B.) permit me to observe that, although the senator to a very frank manner disclaimed any intention to impute to me the having sneered at our cabinet, or spoken in disparagement of the judgment recently expressed by the people, all such suppositions, if made from any quarter, are totally without foundation. I came to congress this session in the expectation that it would be a business session; that the political agitations which have convulsed the country would be suffered to subside; and that, instead of the senate and councils interrupted and disturbed by party disputes, we should address ourselves to bringing up the arrears of the public business. If this senate has been converted into a political arena, I, at least, have not been the cause. I have scarcely opened my lips since the session began, and never volens in necessary self-defence.

I have another reason for desiring to abstain from taking part in this debate. I know that this question of distribution has been recently before the legislatures of my own state, for whose decisions I shall ever entertain and express the utmost respect. I am not one who, after the sunshine of prosperity is past, is going to shrink from the succeeding storm. My opinions in regard to the doctrine of instructions shall never be departed from in the hour of apparent gloom and adversity. I have forbore from entering into the discussion of the great subject of the management of the public domain. I have the strongest reasons for this. I am not a devotee of pre-emption; nor had I the remotest idea that it would have been the subject of discussion in my legislature. I am glad to find the senator from Kentucky himself in favor of the general principle of pre-emption, and in justice to him, that if we let the project for the distribution of the proceeds of the public lands shall become a law, (as I distinctly foresee that it will), a provision in favor of pre-emption will be inserted and made a part of it. I am willing to await the event. I shall wait till general Harrison is in power, and then I will judge the tree by its fruits. But I am compelled in candor to say—and I am sorry to say it—that if the new president shall appoint the senator from Kentucky on any object, he will esteem that as the greatest public good which I esteem the greatest of evils, viz: the establishment of a national bank. I shall not now enter on that subject further than to say that, financially speaking, at this period of execution on the part of the banks to resume specie payments, the establishment of a new national bank must inevitably ruin or cripple all the state institutions which have got capital, or must create a national debt to sustain it. So much of that.

Let me now come back to my proposed task; which is briefly, and very humbly, to show that the

charge of extravagance advanced by the senator from Kentucky, (Mr. CRITTENDEN), against the existing administration is not well founded. The senate will judge between us.

In May, 1840, a report was made by the secretary of the treasury, which concluded by stating that the aggregate amount of the ordinary and regular expenditure of the government during the whole period between 1824 and 1839, both inclusive, has averaged but thirteen millions of dollars. By the ordinary and regular expenditures I mean all of the civil list and of the army and navy—all this is needed to carry on the government in peace. Of that amount I have heard none complain. The national expenditure from 1824 to 1839 had risen from seven to thirteen millions; and the cause of this increase is as palpable as the fact. In 1824 we have admitted new states—we have increased our army and our navy—we have erected new territories—and all the expenses of congress have enormously increased. Gentlemen might as well now say to me that the little army and navy of child of right or two years, which is sufficient to protect him from the winds and suns and rains of heaven, must be sufficient for the same child when risen up into a full-grown man, as to argue that the small army and navy of the present generation of government twenty years ago shall not increase with the growth of the nation to the present hour. Now, as to expenditures of the class I have mentioned, nothing has been, or, as I apprehend, can be, but the complete and entire absence of ordinary and necessary expenditures under Mr. Van Buren's administration, but to extraordinary expenditures only. And I am happy—I congratulate myself on—I congratulate my country—that, though we called us first ago as May, 1840, ago, we have come on the other side to place their finger on the definite items of expenditure, instead of doing so, they call on us to justify our expenditure item by item. Why, say, who would the senator from Kentucky have been so complacent as to do an account containing ten thousand items, and take each one and demonstrate that it was a proper expenditure?—That, as he well knows, would be reversing all the common sense and common law. I tell him the aggregate with all the details of particulars. If he says that the expenditure has been extravagant, it is his duty to lay his hand upon the item, to point out what particular has been extravagant. I have shown that the ordinary expenditures have not been complained of, and the extraordinary expenditures, the secretary has enumerated them item by item; and with which of them has the honorable senator found fault? But the senator is right. He is right in saying that the senator is right in finding himself to great charges that collected together has done to descending to particulars. Nations have to pass through difficulties of various kinds; circumstances change with changing years. At one time we enjoy a season of great prosperity, while at another they are plunged in a disastrous and disaster. Heavy expenditures are often compelled by necessity. The sums disbursed at one period may be much larger than at another, without the least reflection on those who are entrusted with public affairs. Is it not the strangest thing in the world that an administration that happens to be at the helm during one of these periods should be denounced merely because the amount of money then expended was great? Economy does not consist in hoarding up money and doing no good with it, in refusing to lay the means of defence and of prosperity; but in applying the public money to wise and salutary objects at the cheapest rate possible. It is almost impossible to take up some one of the items of which this charge of waste and prodigality has arisen. One fruitful source of such charges has been the expenditure on the public buildings. Why, sir, who is it against those appropriations? Did any member of the senate resist its vote in opposition to them? Yet they alone have amounted to near four millions. Then there are not less than three millions appropriated for prisons. Did any gentleman object to the expenditure of that money? Was not the money given by a grateful and patriotic people to the broken relics of a past age, who left to our charge their widows who had shared their perils at home while their husbands were in the battlefield? But, be it good or be it evil to pay these persons, had the administration any thing to do with it? Did not congress pass the pension law? Did not the senator from Kentucky vote for them? I do not wish to convict gentlemen on their party votes. I know, from the nature of the man, that he would be one of the last to refuse. Was it then just that there are some expended in purchasing Indian title, and the removal of the Indians to the west. Had

the administration any thing to do with that? Could they avoid spending the money after the senate had ratified the treaties? Look at all these extraordinary expenditures, and you will find that in relation to all of them no discretion was left to the president; he was obliged to execute the law of the land, and to carry the treaties of the nation into effect. I hold, therefore, that it is unjust, and an act of injustice, to put down these items in order to swell the total, and then charge him with expending \$130,000,000 in four years. One or two of the growing charges are of an extraordinary character, that I cannot help referring to them. There is the item of indemnities, amounting to between six and seven millions. What are they? Gen. Jackson, during his fortunate administration, succeeded in getting all our claims with foreign governments. There were the five millions from France, and about a million from Denmark; and, at the same time that his government thus cleared off our old scores with foreign nations, it kept the country at peace with all the world. The money thus required into the public treasury, and constituting a sacred trust, acquired by the most active exertions, and obtained for the benefit of the people of the whole country, is brought into the account, and used to carry the treasury to the verge of bankruptcy. Mr. Van Buren; and after carrying up a charge against him, they managed to get up a large sum, then they tell us they go for footings and not for particulars; that they look not at items, but at aggregates. Is this just? Is it fair to say that the aggregate of expenditures, and declare about that, and then, yet, when the whole account is laid before you, to refuse to put your finger on a single charge and say, "this was wrong"? In this a generous and becoming course towards the President. I should have rejoiced had this administration been exposed till general Harrison had come into office. The new administration will have all the books and papers, and then they can investigate these things to their heart's content. Forgive me, I now give notice that if I shall then be here, I shall call on gentlemen to make good his charge they now bring, and to show from the public documents our view of economy. In the 126,000,000 dollars with which we are reproached, there are added to about \$200,000,000 of a national debt. See the instance with which we are treated. The administration is first charged with the expenditures for the public service; to meet these it is compelled to make itself a debtor to the public for the debt itself. Thus, that which extinguishes the debt, is the administration is charged as an additional outlay.—[Here Mr. B. read from a treasury document the amount of debt extinguished on treasury notes.] It has been observed that the administration has incurred enough for having been compelled to create this debt; but to charge us with the debt, and then charge us with paying it too, is truly astonishing. The senator from Kentucky employs a man to build him a house, and he charges him with the cost of the house; and he is charged with twenty thousand! Now, fortunately for this government, no administration can be very extravagant, but in one particular. Not a dollar can it expend but in one appropriation made by law, and in this manner the public money is always protected by proper guard.—Hereafter, while a poor hungry wretch who sells five dollars by hour bread for his children was sent to the penitentiary for larceny, a man entrusted with the public money, who squandered it and then fled, was considered as a mere trustee, and escaped the hand of public justice. The sub-treasury bill first put the public money in the hands of the president, and sent the defaulter to the penitentiary, and not on a mission to Paris or London. A president of the United States has but one way to be extravagant in regard to the public money. It is through his party measures. If it is the majority, may make extravagant expenditures. The proper way to test the matter is to investigate these expenditures, item by item, to see if they could have been avoided; to see if any party opposed them, or whether the accused did not vote with the majority to appropriate the money. We have obliged gentlemen to take course, and now, after the election is over and the administration is put down, we get the specifications of extravagance.—Suppose them to be well founded, happy, happy, indeed, is the country where, after so large a sum has been expended, the known talent and ingenuity of such a man as my friend from Kentucky can get up a charge of extravagance. No country is so open to the charge of extravagance as this. It is the glory of our country, to the honor of its laws and constitution, and to the high praise of its public morality, that, after a report of public expenditures extending through nearly four years

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FOREIGN ARTICLES.

The steamer *Britannia* arrived at Boston on the 5th inst., in thirty-eight hours from Halifax bringing Liverpool dates to the 20th ult.

The *Caledonia* which left Boston on the 1st, and Halifax on the 4th ult., reached Liverpool on the 13th and 14th inst. and arrived at Boston on the 17th.

No intelligence had been received respecting the steamer *Errol*, and the most intense anxiety was felt for her safety. Insurance could not be effected under 50 per cent.—75 had been paid. Their last lingering hope appeared to rest upon the possibility that she might have gone into Bermuda; we have accounts from thence that prove that hope to be fallacious.

The President had not been heard of at Fayal, on the 28th of March; at Terceira, on the 27th of March; or at St. Michael's on the 26th of April.

"His majesty upon leaving Borkingham palace for Windsor castle, left commands that immediately upon news of the safety of the President reaching London, a special messenger should be dispatched with the intelligence."

O'Connell is again busy in Ireland pushing the repeal agitation.

Parliament not being in session, nothing has occurred in the domestic policy of England worthy of notice.

The county of Kilkenny in Ireland, is represented to be in an alarming state of anarchy and disturbance. We do not generally notice similar accounts with which the London papers so frequently abound but to this instance we find it in a government paper.

Sir George Arthur, late lieutenant governor of Upper Canada, had arrived in London, and had long conference at the foreign office.

Some detachments of troops were under orders for the British possessions on this continent, but they evidently were rejects for others ordered home.

The lord mayor of London gave a splendid entertainment at the Mansion house on Easter Monday.

At a public meeting held at Liverpool on the 12th ult., to consider a petition to parliament for the repeal of the corn laws, the proceedings were greatly interrupted by charlatans.

The range of Windsor Great Park has been conferred upon prince Albert.

The duke of Saxe has entirely recovered from his late illness.

Commodore Napier arrived at Liverpool in the steamer *Oriental* on the 13th ult.

The London correspondent of the N. Y. Courier writes on the 19th, "The general intelligence received by the *Caledonia* has been considered satisfactory, but not sufficiently decided on several subjects of great importance, including the affair of Mr. McLeod. That this recently so exciting a business will pass away without either danger to the peace of Great Britain and the United States, appears to

be so generally the opinion of the country, that very much less has been recently said about Mr. McLeod—though the intelligence of his final liberation is much to be desired."

The state of the money market continues to be sound, and the foreign exchanges remain satisfactory—but the intervention of the Easter holidays, has materially diminished the speculative business of the last two days. The English funds have improved about 3 per cent. since the arrival of the *Caledonia*, and the general state of the money market is decidedly towards an extension of the currency, and a decrease of the rate of interest by the Bank of England, with a consequent advance in the value of mercantile and monetary property of every description in the course of the present year.

In American securities the business has not been extensive, but the late improved inquiry has been sustained, and there is this morning business in \$10,000 of Pennsylvania stocks at 75, and numerous transactions in the shares of the bank of the United States, though out at a better quotation than 25 and 25 10 per share. The other stocks are all saleable at the rates of the enclosed list, though no actual business has taken place in the course of the present day.

The arrangement for the postponement of the payment of the debentures of the bank of the United States, due on the 15th inst., has been completed without any difference from the account given to my last communication, that the holders do not receive any present payment—the 10 per cent. of the capital which was first proposed to be paid, being relinquished, and the first of extension reduced from two to single year. The prospects of the share holders, bond holders, and all concerned in the fortunes of this institution, now centre in the future value of the stock securities held or hypothecated to so enormous an amount, but all informed parties are confident of a rapid improvement in the credit of the individual states after the meeting of the extraordinary session of congress, when it is expected that the grand financial projects of the new government will be developed to the opening speech of Gen. Harrison, and that either a consolidation of the state debts, or a distribution of the land revenues may be fully hoped to be consistent with that regard for the rights, credit and general welfare of the individual states—not only no opposition to which—as antagonistic to the general system—but the almost consistent deference to which pervaded the inaugural speech of the new president of the United States.

On the morning of the departure of the Great Western steam ship, arrived the overland mail from India, with intelligence of the final settlement of the disputes between the English and Chinese.—The particulars of the settlement had not been arranged—but the Chinese have yielded the island of Hong Kong to the English and to pay \$6,000,000 for the expenses of the war. An express which was despatched from London on the morning of the arrival of the overland mail from India, arrived at Bristol two late by about two hours, and therefore the *Caledonia* takes out the important intelligence of the removal of the blockade of the Chinese coast and the termination of the general hostilities.

The island of Hong Kong which has been ceded by the Chinese to the British, is represented to be very favorably chosen for a British settlement. It is of little extent, being but about fifteen miles in length, but it forms, with the neighboring islands, one of the finest ports in the world. Some affect to fear that this possession, in the hands of the British, will be worth little more than Macao is to the Portuguese. There is, however, a wide difference in the character and power of the two people.

The reports from the manufacturing districts are not so improving as might have been anticipated from the favorable termination of the difficulties with the United States. The cotton market appears to be heavy at Liverpool, and there is a decline of 1/4d. per lb. in London on East India cotton, during the last four days.

Parliament re-assembles to-morrow, after the Easter recess. The business, however, is not expected to be so important until the 30th inst. the day of the opening of the budget of the year. This important exposure of the financial situation and prospects of Great Britain, you will therefore receive by the following steam ship.

The corn markets remain stationary, and none of the duties were altered on Thursday last, the rates being still 22s. 8d. per quarter on foreign wheat, and 13s. 8d. per barrel of flour of 100 lbs. The weather has been cold for the last few days, and the vegetation has been greatly checked, but this is not important to the prospects of the growing crops, which remain of a more promising kind than for a number of years past.

American funds.—London, April 10, 1841.	
India 5 per cent. sterling	1863, 64 66
Kentucky 6 per cent.	1868, about 80
Louisiana 5 per cent. sterling	1844, 45 about 80
Maryland 5 per cent. sterling	1858, buyers 74
New York 5 per cent.	1850, 81 82
Ohio 6 per cent.	1850, 82 83 86
Pennsylvania 5 per cent.	about 75
United States bank shares,	25 to 25 05
The Morning Chronicle of the 14th says in reference to the post notes of the Bank of the United States which would fall due on the 15th:	
"We learn that an arrangement has been effected with the principal holders of the post notes which will fall due on Thursday, to the effect that the principal sums shall be remitted over for another twelve months upon a further deposit of \$25,000,000 of Pennsylvania stock as an additional security."	

FRANCE.

The Paris papers contain no very momentous news. M. Grotz had announced in the chamber of deputies, that negotiations pending between Great Britain and France promised a satisfactory conclusion of the difference between two countries; but he would not give further explanation, which was demanded.

The chamber of deputies had voted by a large majority, all the extraordinary credits for 1841, required for the department of war, marine and public works, amounting to a sum of upwards of 200,000,000 francs.

SPAIN.

Madrid. The regency was still the all-engorging topic of discussion and speculation in the capital, but the question had as yet made no advance towards a solution.

PORTUGAL.

Lisbon. Senhor Manoel Goncalves do Miranda, Portuguese minister of marine, died at Lisbon on 5th instant. His successor had not been named; but Baron Bomfim was ordered to take charge of the portfolios on the 1st of April.

We are informed by the papers that the bank, the Condessa company, and the capitalists of Lisbon, have jointly refused to enter into any transaction with the government. The advisers received represent money matters in a very embarrassed state.

SWITZERLAND.

Private letters from Berne of the 6th inst. state, that notwithstanding the recent decision of the federal diet, the Argovian government was proceeding as actively as ever with the spoliation of the convents of the Canton. The Catholic population, on the other hand, emboldened by the admission of their rights by the legislature, were preparing, with the aid of their pastors, to defend themselves against the decrees. The conservative party at Locarno were prepared to support the Catholics of Argov by force. The representatives of Austria, Russia and England had taken a strong part in urging the diet to oppose the proceedings of the Argov government.

GERMANY.

Berlin. The council of state is engaged on the new penal code, which is to be completed by the end of the year. At present, the new enactments for the prevention of duelling are under discussion. The penalties are much less severe than hitherto, duelling being treated as murder, and threatened with the same penalties, but the punishment was never inflicted. The law too made an improper difference between noblemen and citizens.

The latest intelligence from Persia, dated Teheran, Feb. 14th, conveys the important information—that the differences existing between Persia and Great Britain had been satisfactorily arranged, the schah of Persia having declared himself ready to cede the fortress of Gurian, taken by his troops in the last war." It was consequently expected that the British embassy would return to Teheran forthwith.

TURKEY.

News from Constantinople, brought to Marseilles on the 11th inst. by the French mail steamer *Monsieur* comes down to the 20th inst. Several extraordinary councils had been lately held at the porte, or in the residence of some of the ministers, in order to deliberate on the reply which was to be returned to Mehemet Ali. Persons generally are informed affirm that the affair was on the point of being definitely adjusted in a satisfactory manner, and that the divan had adopted a decision which, to avoid all further difficulties, had been referred to the approbation of the Loodoo conference.

From the *London Morning Chronicle*, of April 19th. Change in the Turkish ministry. The long unexampled ministerial revolution has taken place in Constantinople; at least so says the Austrian *Observer* of the 10th, the official Vienna journal. Its account is as follows:

"Advisers from Constantinople of the 20th ult. received by express, state that Reschid pasha has been dismissed from his post as minister of foreign affairs, and replaced by Rifat bey formerly ambassador from the porte to the court of Vienna, who has been also made pasha. The minister of commerce, Felhi Achmet, pasha, has been replaced by the capitan pasha, said pasha, who is brother-in-law to the sultan and Talir pasha has been appointed capitan pasha in his stead."

The "recommandation" of the conference of London to the porte, "namely that the sultan should have been wiser; but it has had the untoward result of upsetting in Constantinople that minister and that party most attached to the liberal ideas of the west.

On the 16th March, the Turkish fleet, with only 600 of the 31,000 men who manned it on its reaching Egypt, re-entered the Bosphorus. The sultan had repaired in his steamer to the Kioks of the scraggi-bouras, in order to witness the event. The "Mahmoudieh," a ship of the line, the sultan went on doubling the point of the peninsula, fired a salute of 21 guns, which his highness ordered to be immediately returned. All the other vessels of the fleet followed the example of the "Mahmoudieh."

The fleet consisted of twenty-six sail, eight ships of the line, ten frigates, two corvettes, and six brigs, and other light vessels. The entire population of Constantinople and its environs lined the banks of the channel, and crowded the heights which overlooked the city, in order to enjoy the spectacle. In the course of the afternoon the sultan went on board the "Mahmoudieh," accompanied by all the pashas, and complimented admiral Walker, in the most flattering terms, on his conduct throughout the recent occurrences.

Major Bruce, a Scotch, and brother-in-law of Baron Brunow, the Russian ambassador in London, has entered the service of the porte, and is at Beyrout, in command of a Turkish regiment.

EGYPT.

On the 17th ultimo, Mehemet Ali had returned from Cairo, leaving Ibrahim pasha there, invested with all administrative powers over the interior, as well as over the affairs of the military and marine of Egypt. They had liberated Sheriff pasha, ex-governor of Damascus, from the arrest in which Abbas pasha held him, and had appointed him chief inspector of finance in the room of Hussein bey, lately disgraced. Councils had been held in Cairo, and serious inquiries made into the recent mismanagement in Syria. It was declared that 60,000 men were necessary for the effective government of Egypt, and said bey had been sent up the Nile to concert measures for a new conscription, as the pasha has only half that force on foot at present. The increase is rendered necessary by the hostility of the natives of Abyssinia, led by a chief who, many years since, destroyed the pasha's son, Tulsoun, and the threatening attitude of the western Bedouins, who, it is said, were in a conspiracy with the late Said El Ghelbi against the pasha. The eastern Bedouins had also recommended their attacks on the government convoys in the Suez desert. The pasha had paid off the long arrears of his army, and was now discharging those due to his marine and to his children. He was building barracks for the sailors in Alexandria. The national guards of both cities were still constantly exercised. A marriage was on the tapis between the son of Ibrahim pasha and a daughter of Soliman pasha.

Lieutenant colonel Napier had sailed with the Maronite Emirs and Dervishes for Syria on the 9th of March, in one of the pasha's corvettes, and had encountered a severe gale.

Storms and rains had set in at Alexandria from the 10th to the 14th of March, and the cases of plague had risen to fifteen per day.

Mehemet declares his fixed resolve not to do more towards acknowledging the supremacy of the sultan, than paying a few hundred thousand dollars a year as tribute. He disregards the hatti-scheriff, appoints colonel Gause a bey of £250 a year, and sets him to fortify the sea shore; droves of manacled conscripts are arriving. The pasha's governor of Canak, Ahmed, has been defeated by Mokis Nour, of the Upper Nile. The Gersise Arabs have entered Egypt near the native lakes, and spoiled the tribes of Gebaz. The pasha has stopped the supply of coin to Egypt annually sends to the holy cities.

CHINA.

Final settlement of the differences with China! Excellent in England on the subject. From the *London Morning Chronicle*. We received last night an extraordinary express from Paris of Wednesday evening, bringing our Marseilles correspondence summary of the news brought by the India mail.

Our dates are from Chusan to the 20th December, from Macao to the 27th of January, from Singapore to the 25th of January, from Calcutta, to the 18th of February, Hong Mandra to the 20th of February, from Seinde to the 23d of February, from Bombay to the 1st of March, and from Alexandria to the 25th of March.

In consequence of the inhumanity and tardiness of the Imperial commissioner, an attack was made on the morning of the 9th of January on the outposts of the Bogue forts. In two hours the fort was in possession of the English, with a loss of only three killed and 23 wounded; that of the same time the fort of Tschow was attacked by another squadron. A heavy fire was opened on the fort, and promptly returned, but the Chinese guns were speedily disabled, and a party of seamen landed to seize the fort. The Chinese made a valiant resistance, but were soon overpowered and the fort captured. The first lieutenant of the *Samarang* was wounded in the assault.

The steam vessels then attacked the fleet of junks lying in Anson's bay, but owing to the shallowness of the water, only the *Nereus* could approach them, towing 12 small boats from *St. Mary's* ships. Her first rocket set fire to the powder magazine of one junk; 18 others were blown up by their own crews, and the rest escaped into the inner waters. Next morning her majesty's ship *Blenheim* began to attack the battery, and at 11 o'clock, when she was preparing to attack the fort at Ansoning, when the Chinese commander-in-chief made a communication to capt. Elliot, who thereupon desisted from further hostilities. On the 20th of January, a circular was addressed by the British plenipotentiary to her majesty's subjects in China, announcing that preliminary arrangements between the Imperial commissioner and himself had been made to the following effect:

"1. The cession of the island and harbor of Hong Kong to the British crown. All just claims and duties to the empire upon the commerce carried on there to be paid as if the trade were conducted at Whampoa.

"2. An indemnity to the British government of 6,000,000 dollars, 1,000,000 dollars payable at once, and the remainder in equal annual instalments, ending in 1846.

"3. Direct official intercourse between the countries upon an equal footing.

"4. The trade of the port of Canton to be opened within ten days after the Chinese New Year, and to be carried on at Whampoa till further arrangements are practicable at the new settlement. Details remain matter of negotiation.

"5. The trade of the port of Canton to be guarded by the 18th Royal Irish, and the harbor protected by the two eighteen gun vessels. The plenipotentiary has published officially his intention to urge the opium indemnification claims upon the British government, with a concurrence also of the governor general of India."

The following particulars, in addition to what is given above, are gleaned from the correspondence of the *Morning Chronicle*:

Bombay, March 1.

Her majesty's ship *Columbine* has proceeded to Chusan to recall the whole of the troops, as possession of the island is now to be returned to the Chinese.

The Imperial commissioner has despatched an order to Ningpo, directing the release of all the prisoners detained there.

The plenipotentiary seizes the earliest occasion to declare that her majesty's government has sought for no privilege in China exclusively for the advantage

of British ships and merchants, and he is only performing his duty in offering the protection of the British flag to the subjects, citizens and ships of foreign powers that may resort to her majesty's possession.

Pending her majesty's further pleasure there will be no port or other charges to the British government (at Hong Kong).

The plenipotentiary now permits himself to make a few general observations.

The oblation of past and redressed injuries will follow naturally from the right feeling of the people. It is to be feared, it should be remembered, to the extent of modification resulting only from political intervention can be efficacious in the steady improvement of our condition, unless it be systematically seconded by conciliatory treatment of the people, and becoming deference for the institutions and government of the empire, upon the threshold of which we are about to be established.

The plenipotentiary can only presume to advert very briefly to the zeal and wisdom of the commander of the expedition to China; and to that rare union of order, patience and forbearance, which has distinguished the officers and forces of all arms at all points of occupation and operation.

He is well assured the British community will sympathize cordially with him in these sentiments of lasting respect for his excellency and the whole force, which he is assumed to express in such inadequate language.

He cannot conclude without declaring, that, next to these causes the peaceful adjustment of difficulties must be ascribed to the truly good faith of the very eminent person with whom negotiations are still pending. [Keshen.]

Her majesty's plenipotentiary considers it incumbent upon himself to lose no time in assuring the community that he trusts that he will use his best effort with her majesty's government to secure an early and entire advance of their claims for indemnity. [The opium clause.]

And, mindful of the interest of parties in India, he cannot fail respectfully to state the right honorable the governor general of India to second these purposes as far as may seem just to his lordships.

(Signed), CHARLES ELLIOT,

Her majesty's plenipotentiary.

Withdrawal of the force from the Bogue. On the night of the 23d of January his excellency commodore Sir Gordon Bremer arrived in the roads accompanied by several ships of war and steamers. The English colors were removed from, and Chinese hoisted in their stead, on Chuenping. Thursday last the ships of war have we learn left the Bogue, and part of them will proceed to Hong Kong immediately to take possession of that island to the name of her majesty.

At Macao, don. 21. Chusan it is understood, will be evacuated, and no port will be open to the northward. The future course of the opium trade does not seem to have formed a subject of discussion; but we understand opium may be imported into the new settlement although still contraband in China.

The general trade, this season, is to be carried on at Whampoa; and until we learn the proposed measures of the British government with regard to Hong Kong, we cannot pretend to say where it is likely to be diverted to the new settlement. Altogether we look upon the arrangement as a very unsatisfactory description of compromise, and we fear the only real and tangible result will be the payment of 6,000,000 dollars with the small sum, annually collected by the additional impost on the foreign trade. We do not learn that any reduction of the existing heavy duties is in contemplation, or any modification of the objectionable Hong system; but we trust, when the details of the arrangement are promulgated, we shall find these matters will be properly arranged, and some hope be afforded of a more secure system of trade for the future.

The crop of tea is generally stated to be about 25 to 400 cogs of Congou, a very small quantity of Souchong, and a few cogs of Oolong. The quality is generally very good. Of green tea the actual arrivals are as yet small, but the quality is said to be about the same as last year. The market was opened by the purchase of the Congou of the *Stromboli*, belonging to the *Charles Kerr*, John O'Gaunt, and Lloyd's, from 24 to 35 T. for Gongong, and we suppose the rates will not decline materially.

We do not hear of any Fokien Batches having been imported, and of the *Stromboli* used in the manufacture of Canton Batches we believe there is very little, while the market is entirely bare of old tea; there will, therefore, be low priced tea, available for a considerable time. Under these circumstances, and with a scarcity of tonnage as available for

England, we look for a moderate report in season, and probably a total export not exceeding that of either of the two preceding years. We submit a memorandum of the small export of tea up to the present time, and a comparative statement of the supply sent home in previous seasons, which may prove interesting.

Only the supply is small, only about 2,500 bales, we understand, being actually down, and the market is likely to open at high prices.

Excitement in England relative to the treaty with China. As will be supposed, the terms of arrangement agreed upon by captain Elliot and the imperial commissioner have been the subject already of a great deal of discussion. The prevailing feeling is, decidedly that of dissatisfaction.

Liverpool, April 16. A meeting of the East India and China association was held on Thursday last for the purpose of taking into consideration the late proceedings in China. The result of the deliberation of the association was the adoption of a letter to viscount Palmerston, in which the members express their dissatisfaction at the arrangements entered into by captain Elliot with the Chinese authorities. The letter was signed, on Saturday, by all the houses engaged in the trade with China, and forwarded in the evening to London.

A subject of the copy of the great memorial presented to the right hon. viscount Palmerston, her majesty's secretary of state for foreign affairs.

My lord: We, the undersigned merchants of Liverpool, engaged in the trade to India and China, venture to address you on the subject of the intelligence which has reached us by the last overland mail announcing that a preliminary treaty had been entered into between her majesty's plenipotentiary and the Chinese commissioner, and which so under deep feelings of disappointment and alarm.

In the treaty to which we refer, as officially communicated to the British residents in China, on the 20th of Jan. last, we cannot recognize the fulfilment of any one of the great and important objects avowedly sought to be obtained by her majesty's government in the mission of the formidable armament which proceeded to the coast of China during the last year; nor can we trace in its provisions any thing calculated to afford a prospect of redress for past loss and suffering or to allay distrust and apprehension in entering upon new dealings with the Chinese.

We refrain from alluding to intelligence, however worthy of credit, which has reached us from private sources in China, and abstain from speculating upon the nature of the details that are stated to remain to be negotiated; but we find, in the contents of the circular itself, issued by her majesty's plenipotentiary, ample reason for reproaching your lordship with urgent entreaties that her majesty's government will not ratify a treaty, the avowed and prominent conditions of which are calculated to degrade the British character in the eyes of other nations, and which contains neither that reparation for the past nor that security for the future which the country was led to expect she had a right to demand and was in a situation to enforce.

We have the honor to remain, my lord, your most obedient servant, &c.

Liverpool, April 16, 1841.

London, April 19. It is understood that lord Palmerston has appointed Wednesday next, at five o'clock, to receive a deputation from the merchants of London on the subject of captain Elliot's negotiations with the Chinese.

The above important news had created a great deal of excitement. The arrangement of captain Elliot were wholly unexpected, and did not appear to give unbounded satisfaction. The *Liverpool Journal* of April 17th has the following remarks on the subject: "The news of the negotiation of a convention or treaty with the government of China by capt. Elliot of which we gave the outlines in our last has by no means been received with unqualified approbation. This was to be expected. Unreasonable expectations in which many people indulged, were not likely to be satisfied with reasonable stipulations. Besides the whole body of the holders of tea cannot but say that they were leaving at a settlement which so very much reduced the value of the commodity, of which they held large stocks; and the whole of the residents in Canton, and many of their correspondents here, are so deeply interested in the opinion that it was to be expected they would be extremely dissatisfied with any thing short of a recognition of its legality.

But leaving these considerations out of the question, it must be admitted that there is ample room for doubt that any treaty is one altogether so satisfactory in description, as that lord John Russell's promise to obtain 'indemnity for the past and security for the future' is realized by the officers of the go-

vernment. Much depends upon the value of the island of Hong Kong, which is known to be an excellent harbor, and in every respect suitable for a military and commercial depot. But it is contended that its situation and distance from Canton, nearly, we believe, one hundred miles, makes it of little use for purposes of traffic; that Canton is the great mart, and that the other nations will go there, we must go there too; and that, in solid advantage, very little is gained. Perhaps the most valuable concession on the part of the Chinese government is that of treating with the British government on the footing of a perfect equality, and on the interpretation of this every thing depends."

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT:
Thomas Dudley, to be postmaster at Baltimore, Maryland.

Henry Curtis, surveyor of the revenue at Madisonville, La. vice W. Batterman, deceased.

Thomas J. Charlton, collector of the customs at Edenton, N. C. vice Robert M. Noxon.

THE NEW CENSUS. The Madisonian has compiled from the census returns a statement of the aggregate population of each state in 1840, as distinct returns by the marshals of the several districts and now nearly perfect; to which it attaches an imperfect list of the officers of the federal government in the several states, postmasters not included. The census returns are as follows:

	Population
Maine,	501,793
N. Hampshire,	284,574
Massachusetts,	737,699
New England,	1,000,018
New York,	1,068,530
Vermont,	281,948
New York,	2,428,921
New Jersey,	373,306
Delaware,	1,744,923
Delaware,	75,085
Maryland,	466,232
Virginia,	1,230,797
S. Carolina,	594,398
Mississippi,	375,634
Tennessee,	829,210
Florida,	64,207
Dist. Columbia,	43,712
N. Carolina,	733,110
Georgia,	967,197
Alabama,	1,569,453
Louisiana,	351,176
Kentucky,	1,777,397
Ohio,	1,819,467
Indiana,	688,231
Illinois,	474,404
Missouri,	381,102
Arkansas,	93,642
Michigan,	211,705
Wisconsin,	75,752
Iowa,	48,068

Total population returned, 17,100,572

FINANCES AT THE CLOSE OF THE LAST ADMINISTRATION. *Treasury department, March 2, 1841.* In pursuance of a suggestion by the president, the secretary of the treasury submits, with his resignation, a general statement of the fiscal operations of his department, since the last annual report, in order to show its condition till the close of his connection with it.

So far as yet ascertained, the ordinary expenditures for the year 1840, have since that report, proved to be less than those in 1839 by \$1,000,000, three estimated between two and three millions of dollars.

The revenue has turned out, also to be nearly the same, as then calculated, making the actual result—though affected by fluctuations in imports almost unexampled—little or no variation from the estimates in 1839, beyond what has been the average annually, for the last quarter of a century.

The available balance in money in the treasury, at the termination of 1841, including, as it were before computed, what stood to the treasurer drawn by collectors, receivers and the mint, subject to draft, has proved to be about as much as was anticipated in December last.

Returns from nine counties wanting, seven of which contained in 1830, 55,881.

Returns from five counties not included. Four of the five counties contain, according to the marshal's returns, 95,701.

Returns from Carter county wanting. The amount of population in seven counties of Georgia in 1830, and that of four counties of Alabama, mentioned in this note, are included in the sum total.

The number of officers and functionaries of the federal government, (postmasters, clerks, &c. at Washington, and sundry agents not included), is as follows:
Officers of the army, 1,366
" of the navy, 1,299
Civil functionaries, 2,590
Do. fixedly employed in the several states, 2,232

Total,
Do. employed stationed at Washington, 619
Native of foreign countries, 233

There are 1,421 officers of the federal government in the United States, 85 employed at Washington. The federal population of the United States will probably exceed 16,000,000; so that if the ratio of representation in the next congress is fixed at 60,000 there will be over 400 members in the next house! We hope it will be put to 80,000 at least.

The only material difference, and which has been since explained to the proper committee, was caused by some new charges imposed by congress, through new appropriations, which would otherwise have fallen on 1841, and some failures by the indebted banks to pay so much in 1840 as was expected.

The power remaining on the 1st of January 1 fiscal treasury notes, constituted another of the fiscal means of the present year, and it has been ascertained to exist in an amount somewhat greater than had been estimated.

Since the year 1837, the year commenced with resources on hand quite equal to the anticipations previously formed. The differences before named were, fortunately, of a character not to change the fiscal condition of 1841—in proportion to their respective amounts the recession in that year will probably be larger, and the expenses smaller.

Notwithstanding that, it was deemed very important, as detailed fully in the annual report, to obtain at an early day the aid of some subsidiary means, and a plan was adopted against fluctuations and contingencies generally, as well as to equalize the receipts and expenditures during 1841, the latter being likely to fall very heavily on the first quarter of it.

Accordingly, as had been done on some similar occasions since the public debt was discharged, and the current revenue diminished, these means were requested by the department the first moment practicable after the session began, being the annual report issued, and a view to delay was already in this and other years, urging a compliance with such requests, were made only to develop new facts and reasons which had in the mean time occupied, favorable to the previous recommendations.

Although the aid was at first intended to be furnished as early as desired, yet the department has succeeded in commanding its funds so effectually as with the existing resources on the first of January, and the current receipts afterwards, to meet all the authorized claims that were due and presented during the severe pressure experienced in that month.

Since the desired aid was furnished by the passage of the new act concerning treasury notes, in February; no necessity has arisen to issue any of them, and a view to delay was already already payable. But in consequence of the public convenience being much promoted by advances of money for March, before they would fall due, on the 4th of March, those advances have been made, and an amount of \$1,000,000 has been issued, subsequently been issued equal to about \$500,000. This is not so great as \$150,000, as the sum which has already been forwarded on account of those advances. No greater amount for any purpose, and probably not so great as the difference, is likely to be called for before the 4th instant. Hence it appears that other available means in the treasury have, as yet, proved more than enough, in the aggregate, for the discharge of all engagements of every kind sanctioned by congress, whether old or new, in arrears, or otherwise, which were due, and have been presented for payment.

It may be proper to state further, that the receipts since the year commenced, have fully sustained the computation made at the close of the first quarter made by the department, in January last. The accruing revenue from duties payable three and six months hence, has been much larger in January than would be required monthly to make good the deficiency in the receipts in 1841, equal the amount estimated in the annual report.

The revenue received in February, not yet fully ascertained, has probably been nearly the same as in the preceding month, but the accruing duties are believed to be considerably less. It is computed, however, that these duties, taken in money together, have been quite as large as would be their proportion in order to make the receipts for the whole year, from this source, equal to the annual estimate. As the year's expenditures since the year commenced, materially exceed the amount expected. It is gratifying to be able to add, that, after all the payments above described, the balance of available money now in the treasury is more than a million of dollars, including what stands subject to draft, and to the credit of the treasury in the mint, and with collectors and receivers. Deducting trust funds of every kind, which have seldom been so small in amount, and none of which that should be invested remain uninvested, the balance will still exceed three-fourths of a million.

During the last three months also, as well as in all the former exigencies, since your administration commenced, that balance has never been less than from half a million to a million of dollars, and even much the treasury may, at times, have been exposed to embarrassment at particular points, in the various crisis to which its affairs have been exposed, in the

performance of such large, distant, uncertain and sometimes unexpected operations. But any good fortune in preserving him and scrupulously the pecuniary credit of the general government, under such perils, should not be suffered to impair the force of the recommendations that have from time to time been submitted to congress for a provision of additional means, to guard well against sudden deficiencies in receipts and large fluctuations and inequalities between them and the expenditures to different parts of the year.

The first recommendation for some such precautionary measure was presented as long ago as 1835, immediately after the discharge of the national debt, and the termination of the necessity for keeping a large balance on hand to aid in defraying it.

The situation of congress has been annually varied to the subject with earnestness and in several different forms. In respect to our present financial condition, judging from that part of the year already expired, and from the existing means to hand, there appears to be danger of embarrassment, unless it is hereafter caused by the circumstances pointed out in the last annual report.

Should congress before the expiration of the present session, or before the year closes, burthen the treasury with a new grant of appropriations (those were called for in December last, the expected means of defraying them, as then explained may prove proportionately inadequate. So a continued suspension of specie payments, by most of the banks west and southwest of New York, would lessen the receipts of the treasury, as was then, also, stated. The sudden suspension again of several of those banks, in February, after resuming for a short time, has already exercised some malign influence on the revolving business of the country, and this circumstance was immediately submitted to the consideration of the appropriate committee.

But though it may continue to operate unfavorably on mercantile credit, there is nevertheless no good reason to deem that if the appropriations are not increased beyond what was called for in the annual estimates, the means now on hand, with the current receipts and the existing power to issue five millions of treasury notes after the third of March, will prove amply sufficient to meet all our engagements. If they do not, almost the department to extinguish the whole of the temporary indebtedness caused by the issues of these notes, it will be owing to the recent and unexpected suspension again of many of the banks, so sensibly injuring the prospect for increased receipts, which is attributed to a very fluctuating extent early in December.

But congress having not yet passed appropriations exceeding in the aggregate, the whole estimates, no serious danger seems to exist, unless some future action of that body during the middle of the year, should augment the expenditures.

Nothing of course, is easier than the adoption of measures which must increase the expenses of 1841, so as to exceed its authorized fiscal means, and thus not only to cause embarrassment, but impair the pecuniary credit of the general government, and leave no alternative except greatly increased taxation of some kind, or a permanent national debt.

But it is a matter of congratulation that these financial evils have hitherto been avoided, though severe commercial convulsions, protracted Indian hostilities, and a periodical reduction of the revenue from customs, have at times pressed heavily on our operations. Without doubt they can be longer endured by a country which has so many engagements, though perseverance in economical retrenchment, and the careful abstinence of causes for new or increased expense. Indeed, it must be a source of sincere satisfaction to the president personally as well as to the community at large, to see his administration close without foreign domestic insurrection, or any other calamity, requiring heavy burdens of any kind to be imposed on the people by the general government—without the creation of any permanent public debt whatever, or even of a temporary one, that should be discharged within the year, if proving as prosperous as many have anticipated, without any increase of taxes, but, on the contrary, many old ones reduced—without any claims due and authorized by congress and the accounting officers which have not, as a general rule been paid with specie or its equivalent, and with promptitude, however much the department has been incommenced by revulsion in commerce and bank suspensions, and, in fine, without a treasury either empty or bankrupt.

LEVI WOODBURY.

Secretary of the treasury.

WAR DEPARTMENT. Report of Mr. Polkett on tendering his resignation. War department March 2, 1841.

Sir: In tendering to you my resignation of the office of secretary of war, I think it my duty to set forth the reasons which induced me to resign, which I have conducted for the last four years.

More than forty thousand Indians have been removed peacefully, and are happily settled beyond the frontier of the western states. Tranquillity has been preserved, and raised throughout the whole of that border, and there exists no cause which are likely to lead to its disturbance. The Indians are generally contented, and are gradually advancing in the peaceful arts of life.

The position of universal peace is the condition of the Indians in Florida. There, too, I am happy to have it in my power to say that hostilities are being rapidly brought to a close by the successful interference of the Seminole chiefs, who have been brought there from the west. Contented with their lot, they reside beyond the Mississippi, they are anxious to persuade their brethren to abandon a hopeless contest, and join their kinsmen in the west. My last advice seems to regard these peaceful efforts as likely to prove altogether successful, and the war may be considered virtually at an end.

The necessary employment of the militia of Florida during the late recess of congress, will give rise to arrearages amounting to about \$600,000, but, according to the provisions of the statute for settling claims of this character, not more than one-half of this sum will probably be found valid, which will have to be discharged from the appropriations that have been asked for the purpose. Besides this, the balance of the claims of the Choctaw, Creek and Seminole, and half, and the balances of former appropriations for Indian affairs, which still remain in the treasury, and amount to about a million more. How much of this may be required to discharge arrearages is not known; though it is not supposed that the whole will be necessary for that purpose. It was never contemplated by the department to invest the amounts for the interest of which the faith of the United States is pledged by treaty. It is deemed correct to keep the premium of the interest for settling claims annually the amount of interest due thereon, to the several tribes. They are not, therefore, considered as a part of the arrearages.

The amount due for pensions in the present month and September next, have also been sent to the several pension agents, so that nothing is due on that account.

Immediately on the passage of the act authorizing the issue of treasury notes, I directed that all the outstanding claims against the department which were ready for payment, and for which appropriations had been made, should immediately be liquidated. All those for work done on the fortifications and at the arsenals and armories, have accordingly been provided for, except only about sixty thousand dollars, the payment of which has been delayed only because the accounts have not been presented.

For other various objects entrusted to the department, the unpaid claims are estimated to amount to not more than \$200,000, which have not been paid for a similar reason.

According to the reports of the different disbursing bureaus of the departments, the unliquidated in their respective branches of the service, at claims for fine, are probably not more than \$100,000, and greater than they were four years ago; so that the amount of payments made since I took charge of the department, fully equals all its liabilities created within that period.

The army is in a high state of discipline, and is composed of 10,069 men, part in Florida and the remainder stationed along our extensive frontiers. Notwithstanding the many causes which have existed during the last four years, tending to increase the expenditures of the army, growing out of its increase in number, the reduction of the force, and the employment in the removals of Indians, and along our northern frontier by the enforcement of a system of rigid economy and accountability, the relative expenditures have been considerably diminished. In a report recently made by this department to the house of representatives, it is shown by an average made of the whole expenses of the army during each of the four years, that the expense of each individual has been gradually reduced, with the exception of the commissary, who is obliged to keep the place that was necessarily incident to the raising, organizing and equipping the additional force. The expense for each person in the army in 1837, was \$400 15, and in 1840, \$373 96; showing a reduction of \$26 19, or more than six per cent.

The ordnance department has been rendered very efficient, and regulations adopted for its government,

and for the better ordering of all matter connected with the foundries engaged in manufacturing cannon for government. Since the return from Europe of the board of ordnance officers, models for guns of the several calibres, authorized to be used in our service, have been submitted to that department of war, and have received my approval, and orders have been given to furnish the artillery regiments with their proper arms.

The engineers office has been conducted in a manner to insure the entire satisfaction. The force have been, and continue to be as rapidly completed and repaired as the amounts appropriated for that purpose will permit. The institution of a corps of sappers and miners will tend to keep them in good condition, and to insure the most accurate descriptions.

The corps of topographical engineers is organized and employed so as to produce the most useful and beneficial results to the country. The manner in which its duties have been, and continue to be, performed, has been highly satisfactory to the department.

The improvements introduced into the medical staff, render it equal to that of any service in the world.

The quartermaster general's department has discharged its duties in a manner to secure the most economical disbursement of the public funds committed to its charge.

Through the agents of the commissary general of subsistence, the army is abundantly supplied, as diminished in the department, warlike stores. The duties of the commissary general of purchases are likewise performed in a satisfactory manner, and the army is regularly furnished with substantial clothing of our domestic manufacture.

The army is regularly paid at stated intervals, in legal currency, and the extensive duties of this branch of the service have been performed during the last four years without any loss to government.

The long contested claims arising out of Indian reservations within the territory, are very unwelcome brought to a close. More than three thousand have been decided by this department since 1838, and those arising under the contract made by government with Wagonmou are being decided by the special commissioner appointed for that purpose, and await only the final action of the department.

Having in many cases found that either the title to the lands on which forts and fortifications are situated were incomplete, or the proper evidences of the title were in the department, warrants were promptly taken to remedy this deficiency. This desirable and important object has been accomplished, and the titles are all now believed to be perfect, except that of Fox Patch Island in the river Delaware the right to which the department has not yet succeeded in settling, notwithstanding every effort has been made for that purpose.

The expenses of the department have been gradually reduced, notwithstanding the cost of conducting hostilities in Florida. In 1837 and 1838 the gross amount of expenditures was between eighteen and twenty millions, owing chiefly to the profligate appropriations of those and the preceding years; in 1839 they were reduced to less than fifteen millions, and in 1840 to less than ten millions, a reduction of more than eight millions in the annual expenditure, without injury to the service. Very respectfully, your most ob't serv't.

J. R. POINTSETT.

To the president of the United States.

THE ARMY.

Tremble at Fort Snelling. The Galena Gazette says: "There have been rumors in town for several days past, of difficulty between the Sioux and the United States troops at Fort Snelling. The following comes from a gentleman from Prairie du Chien, and is most likely nearly correct. He says, an Indian attempting to get into the garrison at Fort was shot by a soldier. The Indians, upon this, declared war, and threatened the severest punishment. Upon the demand being refused, they surrounded the fort, and exhibited such indications of hostility as to induce the commandant to send an express to Fort Crawford (Prairie du Chien) for reinforcements. The commander of the fort, however, we apprehend no serious difficulty from this source. There are several boats above, and we expect to hear later news in a day or two."

We understand that boats from the Upper Mississippi, since the late of the above, being sent as a which should induce the belief that any further difficulties had occurred.

[St. Louis Repub. April 28.]

THE NAVY.

Commodore Beverly Keenan has been ordered to the command of the navy yard, Washington, D. C.

labor) more than one-third greater. The extreme natural richness of the western country, then, gives it great agricultural advantages over any part of the United States. [Cen. Chron.]

CONNECTICUT.

A state military convention was to be held at Hartford on Thursday last. Its object was to take into consideration the present militia system, and to adopt efficient means to improve its condition.

NEW YORK.

Finances of the state. Report of the committee on finance, on various reports referred, of the state officers, in senate, March 23, 1841.

Mr. Verplanck, from the committee on finance, to whom were referred the annual report of the comptroller, that of the commissioners of the canal fund, and other reports and documents, report:

That the committee have had the several reports and papers referred to them under consideration and have concurred in various estimates and recommendations therein contained. Bills in conformity therewith, have been prepared, some of which have already been introduced, and are now pending, and another is herewith submitted. The present bill being intended to aid in presenting hereafter the financial condition of the state to the legislature and the people, in a more clear and simple form than heretofore, the committee regard this as a proper occasion to present their general views of our financial state and policy, and to give in a condensed form the results of the estimates upon which the measures and appropriations recommended by this committee were founded. In the examination it is important first to state the real amount of the debts, and the public property of the state.

Of the debt of \$7,737,81 contracted before 1825, for the original construction of the Erie and Champlain canals, there remains, after extinguishing \$5,683,963, a debt which, (with the exception of \$36,000), cannot be redeemed before 1846, unless with the consent of the holders. This amounts to \$2,054,808.

The means for the redemption of the debt are already provided. These consist of,

1st. The loan to the U. S. deposit fund bearing an interest of six per cent, and invested in the several counties in bond and mortgage \$917,355
The moneys received from time to time from these bonds are directed to be applied to the redemption of the debt, until after the extinguishment of a smaller similar debt to the general fund.

2d. Loan to the city of Albany at five per cent, which is in a progress of gradual redemption annually, so as to be extinguished in 1845 162,000

3d. Deposits in banks drawing an interest of five, and five and half per cent, payable at 60 and 90 days' notice 944,510
Making, without interest, subject to immediate draft 46,069

Adding an aggregate of productive funds applicable only to the payment of the above debt, of \$2,079,944
There is also another debt purely nominal, which has continued led to misstatement.

1st. The general fund appears a debtor for loans from the canal fund without interest, according to the act of 1836, to the amount of \$1,627,603
This is the aggregate amount of the general loans applied out of the excess of the canal revenue to the general expenses of former years, when the other revenues fell short; under the act authorizing such deficiency to be supplied by a loan not exceeding 400,000 dollars in any year from the surplus canal revenue. This being a mere matter of account between two funds, both belonging to the state, is no real debt.

2d. Loan from the canal fund, made in 1837, for the use of the U. S. deposit fund to complete the full amount of investment of mortgages in the several counties, and which has since been in gradual progress of reduction. It is now 917,355

This loan being invested in bond and mortgage, is perfectly secure, and is not a debt of the state, but simply so much of the fund for the redemption of the old canal debt, invested in bond and mortgage in the name of the commissioners of the U. S. deposit fund. This amounts to \$2,551,988

Making, with the old canal debt of 2,079,964

The aggregate of \$4,634,952

appearing as debt in our accounts, which is either wholly nominal, and matter only of account, or is fully provided for by well invested funds, producing an interest exceeding that annually paid.

Throwing these debts out of the calculation, the general real debt of the state will be found as follows:

General fund debt.
Astor stock at 5 per cent. \$561,500
Due to the bank savings fund 695,066
\$1,256,566

Canal debt.
For the Erie canal and improvements \$6,500,000
For the latter canal finished, (as Oswego, Cayuga and Seneca, Crooked Lake, Chenango and Chenung canals), and unfinished, (the Black River and Genesee Valley canals) 7,161,784

Total canal debt \$13,661,784
Of this amount, about ten millions have been expended on works which are not yet finished, and consequently produce no revenue.

There are besides some present contingent liabilities of the state, being loans of state credit to incorporated companies for objects of internal improvement. For the payment of principal and interest of these, the several companies are bound in the first instance, and the state is secured by the pledge of their whole property invested in the several works to a much larger amount than the respective loans.

The loan of credit to the Delaware and Hudson canal \$600,000
Ditto to several rail road companies, (see comptroller's report of Jan. 26, 1841) 2,185,700
Since issued 300,000
\$2,285,700

Thus there appears to be, besides the amount of contingent and guaranteed debt last stated, a total amount of other state debt of \$14,905,737
These debts, and whatever additional amounts may hereafter be added, were contracted doubtless upon the general credit of the productive aggregate wealth of the state, of which the official valuation of 1840 gave, of the real estate the value of \$17,728,170
And of the personal property 121,449,330

Making a total amount of \$638,173,000
As this valuation does not include any of the public property, or that belonging to towns, cities, &c. nor the property invested in colleges, academies, schools, churches, &c. and as the valuation of the real estate, made for the purpose of local taxation, is well known to be placed almost every where below its real and market value, and in very many counties, very far below that value, there is certainly a property of not less than one thousand millions of dollars in this state which may be subjected to a state taxation, (if from which it is now wholly exempt), in case of any partial deficiency of ordinary revenue.

This consideration, however, is important mainly as to the stability of our credit abroad and at home, there being, as will be shown, no probable necessity for resorting to such taxation.

The property which the state holds in its own right, and not merely as a right of eminent domain over the property of its citizens, is that to which we most look immediately for annual revenue, and for the means of paying present and future debts.

In estimating the public property of the state, that which is subject to general use is alone to be taken into account. The public buildings of the state, with its prisons, arsenals, asylums, &c. are therefore not taken into this estimate, any more than the well invested funds specially devoted to aid local taxation and the collegiate and academic corporate funds, for the purposes of public instruction.

These funds, however, in this general view of our financial condition, it is proper to state for the purpose of information.

These consist of the original common school fund \$2,083,808

The lands belonging to the same, estimated at 196,341

The U. S. deposit fund, applied under the act of 1838 to the purposes of education 4,614,520

The literature fund, for similar purposes, has, besides its unproductive lands, a fund of 268,778

\$6,813,347

Throwing out of the calculation these funds, sacred to special purposes, justly cherished by our whole people, the remaining productive state property will be found to consist:

1st. In the canals, the tolls of which produce, after paying the expense of superintendence, a clear and increasing income of \$1,350,000, equal, in their present state of partial completion, to a capital of \$25,000,000
The rents derived from the salt springs, about \$150,000 annually, equal to a capital of 3,000,000

\$28,000,000
This income, like the canal revenue, is progressive, though not regularly so, as more distant markets are opened for the salt, or a greater demand arises from our increase of population.

The next important point of inquiry is the comparison of the amount of annual expenditure, and of interest upon funded debt paid by the state, with its income.

This comparison will be simplified by throwing aside from the estimate on both sides, the payments to the purposes of education from the specific funds above stated, as well as the income from them; and also the expenses for the penitentiary establishments, so far as the same are met by their specific income; and those of the marine hospital, and other establishments, defrayed from the seamen's and passenger's fund.

These, and similar receipts and expenditures, would, if stated, merely well and complicate the account without producing any difference in the result.

The legislative, judicial, executive and militia expenses paid by the state, amount annually to \$300,000

The Indian annuities and expenses, geological survey and miscellaneous expenditures, may be estimated at 60,000

Public buildings, new state-hall, asylum, &c. 100,000

Annuitants to institutions for the deaf and dumb, blind, &c. 66,500

Interest on state debt, other than that for internal improvement 61,600

\$588,100
This estimate includes the sum of \$125,000 for the erection of the new state-hall and the main building of the state asylum, and for a geological survey, all of which will be completed in 1841.— This amount may be hereafter applied to similar objects or unexpected demands of some other nature.

The aggregate payments for the last year were swelled beyond this amount, by the expenditure of \$145,941 for erection of buildings; of \$42,000 for surveys for internal improvement, and also by the purchase of Indian lands to be re-sold; none of these forming the ordinary annual expenditure.

The ordinary revenue arising from our salt rents, may be computed at present at \$150,000
From auction duties 175,000
From fees of officers paid into the treasury, and some smaller revenues 65,000

\$390,000

The above estimate of revenue from the salt springs is made without any calculation of the progressive character of this fund as a wider market is opened for our salt; whilst the estimate of the auction duties is placed below the actual receipts of many former years, which have sometimes exceeded \$250,000, and were last year reported at \$25,000 dollars.

It is therefore believed that the state revenue, from these sources, will commonly hereafter a good deal exceed the amount stated, but it has been thought preferable to avoid the chance of any over estimate, and to place the amount at the receipts of the present year, leaving any future increase to meet any unexpected increase of expenditure from unforeseen causes.

Thus the ordinary deficiency of the state revenue on this low estimate, exclusive of that derived from our public works, to meet the probable annual expenditures, will be \$197,000, or a sum not exceeding 200,000 dollars, which may, with economy as to building and miscellaneous expenses, be reduced to about \$100,000.

It may also possibly, in some years of more free expenditure, be increased to \$300,000.

An amount of \$200,000 from the canal revenues will meet the average deficiency of the other state funds.

The present gross amount of our canal revenues may be safely estimated from the returns of the last

year's season of navigation, two months of which fall within the present fiscal year.

The amount from tolls was \$1,775,747

Income from water rents, &c. about 9,000

The revenue of the lateral canals was about \$75,000, or \$68,040, exclusive of the Genesee valley, part of which was open for a short time at the end of the season. The revenue from that canal during the year may be estimated at \$20,000, and the whole income of the totals at 90,000

Making, in round numbers \$1,875,000

The expenses of repairs, superintendence, &c. including the usual allowance for those extra repairs which are rather new constructions and improvements, but which have been frequently classed under this head, are about \$550,000

Interest on present enlargements about 330,000

Upon debt for the construction of the lateral canals, 357,000

1,237,000

Leaving an excess of income of \$638,000

From which there is also to be deducted the payments necessary to meet the ordinary state expenditures 200,000

Leaving the sum of \$438,000

to meet the interest on any additional debt or other contingent charge, or else be applied directly to the cost of construction.

The total cost of work still under contract, (the greater part being for canal under contract during the year 1825), amounts to \$6,316,454. Should the sum of \$4,000,000 be appropriated this year to be applied to these contracts, the future progress of public works and their annual expenses will be rather under the control of the legislature, without any risk of disappointing the arrangements of contractors or exposing the state to heavy responsibilities for consequent damages. This expenditure on our public works, after the application of the present year's appropriation, and about three millions in addition may be enlarged or reduced, as the revenue may justify or the wants of trade require, whilst the future additions to our canal debt and the rate of progress of our public works may be estimated and regulated as we please.

What that future revenue and rate of progress may be, is of course a matter of estimate and probability only. But such estimates need not rest upon mere conjecture. They may be drawn from the observed laws of population and trade, since the canal transportation cannot but continue to hold some regular proportion to the increase of population and wealth in our own state, and in the vast regions beyond, which must furnish the outlet to the Atlantic through our artificial channels of internal communication. Such estimates, though, like all human calculations upon probabilities, liable to error and disappointment as to their particular application at any given time, and in all events but approximations to the actual results, are in the main, and on the long run, safe guides for action when prudently used.

The canal board, in their special report to the legislature of April 11, 1840, have also shown the comparisons of the tolls for the last year, with the tolls which increased with remarkable regularity, at the rate of seven and a half per cent. annually, for the period of ten years; that is, not seven and a half per cent. in regular progression successively upon each last year, but 75 per cent. in the ten years increasing regularly during the whole term. This term was selected as being one sufficiently long to embrace the ordinary fluctuations of trade, and yet not so long as to reach beyond the probable operation of any one cause.

The probability of this estimate is not only supported by the former experience of the canals, and especially that of the last season of navigation, since the report and agreeing with its estimate, but is confirmed by various considerations from the general laws according to which population has hitherto augmented; and the interference and consumption of domestic and foreign products have been regulated.

It may, therefore, be assumed as a safe and probable basis of calculation of our future revenue, and consequent means of prosecuting the public works, either now in progress or in contemplation. Yet notwithstanding its probable truth, prudence may dictate that in the use of all similar calculations, some probability must not be regarded as certainty, but that the means of compensation for any unexpected error should always be provided. Assuming,

then, this estimate as the basis of calculation, it must be borne in mind, that should the actual results of revenue fall short of the estimates, that deficiency must be balanced by a corresponding increase in the amount annually applied to our production in the amount annually applied to their construction. The aggregate canal revenue during the ensuing six years, on this estimate, will be \$12,593,165, giving an average income of 2,098,860 dollars annually, and leaving at the end of the term an annual income of about \$2,600,000.

Out of this average income of \$2,265,800 must be deducted for the ordinary expenses of the canals, \$300,000

Extra expenses and contingencies 150,000

Interest on present canal debt 687,000

Payment in aid of general expenses 200,000

1,337,000

728,800

Leaving an average excess which would amount during the 6 years to \$4,572,800

Assuming moreover during these 6 years, that the debt added after the four millions of the present year, of twelve millions spread over the succeeding five years, the aggregate amount of the interest thereon, calculating from the first year of making the loan in each successive year, would be about 2,870,000

This actual amount would exceed or fall short of this sum, as the loans were larger or smaller in 1842-43, and more thrown upon later years.

This would leave an excess of \$1,402,800 to be applied to the construction, which, by way of a loan, would amount to about seventeen millions and a half, and complete the several works now in progress. Or in another point of view, this would allow an error of \$253,800, in the estimate of the annual average canal income, the estimate of the interest on other sources of income. Such a result would fall a good deal short of the calculation of seven per cent. average increase for periods of seven years, as it would be far below the amount of the interest reported above referred to, which is the aggregate receipts. In this case the completion of these works must be delayed for at least another year.

All these proportions of annual expenditures and loans must be judged of by future legislatures, who will be able to examine the questions without being under the compulsion of providing to meet heavy immediate contracts. Adverse circumstances, or the assumption of new works may make it necessary, if we would avoid any recourse to direct taxation, if we would support internal improvements, to spread our expenditures over a still longer term of years.

If again the requirements of trade manifested by increased transportation, and consequently increased revenue should demand an earlier completion; or if the natural increase of that canal revenue, or the addition of new revenues from the new probable distribution of the income at the public lands, should justify new and extensive undertakings, the annual expenditures above estimated, would be crowded into four or five years.

In either case the whole amount of debt contracted would be involved in permanent and productive works of equal value to themselves, with the works of equal value to them, and adding far greater value to the commerce and industry of the state. The real redemption of the debt would commence whenever the necessity of new loans ceased, and an ration of the only really permanent sinking fund, the annual increase over expenditures.

The views and estimates above furnished, lead the committee to the conclusion that there is no probable necessity of being compelled to increase direct taxation upon that large and increasing amount of private property now assessed only for purposes, and town or county charges.

Such taxation was recommended by some of the state officers in former years, as by comptroller Wight, in 1830, in 1831, in 1832 and in 1833; and in 1834 to 1839 inclusive. No one of the successive legislatures of those ten years, concurred in that recommendation, and the representatives of the people, of the resources and prospects of the state, was correct. Whatever future necessity may arise, such taxation hitherto would have been only a useless burden upon industry, enterprise and capital.

Should, however, such a necessity arise hereafter, we may still entertain the most perfect con-

science that the sums to be raised would not, as in some other states and countries, be equal, or any where nearly so, to the whole amount of our expenditures and annual interest, but would be merely the excess of such expenditures and interest, above the large canal and state revenue; so that such a deficiency need never be very large, or the taxation required to supply it very burdensome.

A prudent measurement of those funds, and a careful adjustment of our future appropriation to our revenue, would make any such deficiency highly improbable in any event. But if these funds should be engaged for the distribution of the income of the public lands, in any manner, such a deficiency could not occur in all human probability even in a larger extension of our public undertakings, and a more rapid rate of completion of the works now in progress.

Time is, moreover, still another ultimate resource, which, should the calculations of increased revenue, thus founded upon uniform experience and high probability, be nevertheless disappointed by the result, or delayed for some years, may still prove a sufficient compensation for any such error. This is to be found in the enlarged Erie canal itself.

The great end to be effected by the enlargement, is the diminution of the cost of transportation, by which, as well as the augmented facility of transportation, the redundant agricultural abundance of the west, may be economically and rapidly exchanged for the products of the industry or commerce of the Atlantic coast. When this is effected by the enlargement, should the increase of trade and revenue, answer our present reasonable expectations, the great economy obtained in the cost of mere transportation, would allow if necessary, some increase in the tariff of tolls.

It is the duty of the public who should by no considerations, private or public, which it becomes an obstacle to any such means, unless it become very important to the credit and revenue of the state. But in any such emergency it might be necessary to resort to a moderate degree of tolls, still safely resorted to, in a moderate degree, as it still leaves a very great reduction in the aggregate charges of transportation, as compared with those on the present canal. By means of the enlarged and improved canal, the average expense of transportation will be reduced about one-half.

This calculation is founded on the law of traction, as well as, as ascertained by numerous and accurate experiments, and reduced to mathematical formulas and rules of calculation by De Bael, and other high authorities in mechanics, and is founded upon theoric estimates, (if an estimate founded upon such data be entitled to that name) is confirmed by the calculations and experience of practical men engaged in the business of internal transportation, as to size of boats, number of sails and horses employed, &c.

The average cost of transportation of goods, by canal, now averages about one-fourth more than the amount of tolls. Thus the tolls on flour from Buffalo to Albany, are 35 35-100 cents the barrel, whilst the cost of transportation is stated to be about 44 cents.

This ratio varies in different degrees as to other articles in proportion to their cost of transportation from weight or bulk; but as flour forms one of the greatest and most valuable articles of internal trade, it presents as good an average example as can be taken.

Now the improvement of the canal navigation, it is calculated, will reduce that cost of transportation to 22 cents. It is then evident that for an equal business the canal would not be injured by an addition of twenty per cent. on the present tolls, when the seven cents thus added to the present aggregate charges on each barrel of flour, would be then compensated by twenty-five cents reduction in the cost of mere transportation, leaving a clear gain on the whole expense of transportation to tide water, of fifteen cents the barrel by reason of the enlargement. Such an increased rate of tolls upon the great increase upon the present business, and estimated at from fifteen to twenty-five per cent. on the existing rates, would secure an income of half a million a year, a sum amply sufficient to meet any probable demand by the state's income, whilst the business it would impose upon the trade would be light in comparison with the benefits it must receive from the enlargement.

The committee have deemed it proper to point out this measure, not as a measure recommended by them, nor in their judgment likely to be required. They rather look to such a state of business, some years hence as would justify a further reduction of tolls. But it is impossible to guard against every adverse contingency, and such a resource within the power of the state, though it may never be used, is calculated to give great stability to our credit and confidence in our public enterprises.

In the mean while it appears to the committee that the arrangement of the accounts advised by them last year, and this year recommended in the annual report of the comptroller, would be of great service in giving clearness and simplicity to our annual statements, and enabling future legislatures to understand more distinctly as well as more easily the true condition of our finances in every year.

This is in effect, to apply to the books of the treasury, the principles upon which the several statements of our present revenue and expenditure presented in this report have been made. It is,

1st. To make all the deficiencies of the lateral canal to meet the interest on their debt and cost of superintendence chargeable directly upon the surplus revenues of the Erie and Champlain canals, and the payment of the same out of the interest for which they are specifically pledged.

2d. To put an end to the form of borrowing from the canal revenues to aid the general fund, and instead thereof, to authorize the application of a sum not exceeding \$200,000 annually, out of the canal income to the general purposes of the treasury; and on the same ground,

3d. To balance and close the account between the two funds for nominal amounts, and to strike out of our books and notes the non-existent debt thus made to appear as owing by the state to the fund of which the state is the sole proprietor.

In assembly, April 24, 1841.

Report of the committee of ways and means, on so much of the governor's message relating to the debt, revenues and expenditures of the state, &c.

Mr. Holley, from the committee on ways and means, to which was referred so much of the governor's message as relates to the debt, revenues and expenditures of the state, and the report of the comptroller, and the engrossed bill from the senate entitled "an act to provide funds for carrying on the public works now in progress," reports:

That at an earlier period of the session the committee had supposed that all the information necessary to enable the house to act upon the subjects so referred, was contained in the reports of the canal commissioners, the commissioners of the canal fund, and of the comptroller, and other reports and documents before the legislature, but from some events which have since occurred, calculated to produce anxiety in regard to the financial condition of the state, the committee have concluded to submit some considerations to the house on those subjects, in the hope of promoting more fully the interests of our fellow citizens in relation to our great works of internal improvement.

The expenses of the enlargement of the Erie canal, according to the corrected estimate, will be \$21,264,831. Of that amount the state has expended the sum of \$8,726,250. The estimated cost of the Genesee Valley canal is \$4,688,030, of which the sum of \$2,452,500 has been already paid. The estimated expense of the construction of the Black River canal is \$1,337,577, and there has been paid on account of that canal \$1,317,597. The amount of public credit pledged to the New York and Erie rail road company was \$3,000,000, of which stock to the amount of \$1,569,000 has already been issued. The aggregate sum required from the treasury, to carry into effect all these enterprises, as ascertained from acts heretofore passed and from the corrected estimate of the canal commissioners, was \$33,286,355. Of that amount the sum of \$19,998,447 has been paid, and the balance leaving to be raised for those works the further sum of \$13,286,908.

All these undertakings were commenced under a previous administration. Of the sums expended in their prosecution, \$10,646,917 were paid under laws passed during the same administration. The whole debt of the state is \$14,905,370. Of this sum \$3,250,000 were authorized by the last legislature, and all the residue, with the exception of \$50,000 borrowed from the Erie and Champlain canals, by legislatures within the period before referred to. With the exception of about \$160,000 the whole sum of \$12,496,247, expended on the enlargement of the Erie canal, and in the construction of the Erie and Champlain and Black River canals, has been expended in the performance of contracts made by the predecessors of the present commissioners. There are now existing contracts requiring for their fulfillment, the payment by the state, amounting to June 1, 1841, of the sum of \$6,102,485. Of this amount only the sum of \$430,850 is payable upon contracts made by the present canal commissioners. The sum of \$5,771,121 will be required to comply with existing contracts, which will expire before June 1, 1842; the sum of \$2,306,379, to fulfil former contracts expiring previous to April 16, 1843, and the sum of \$7,983 on further contracts, which will expire before June 1, 1843. No new work

except the improvement of the Oneida river, at an estimated expense of \$75,000, and the purchase of the Oneida lake canal and feeder for \$50,000, has been undertaken during the present administration. When all the existing contracts shall have been performed, only about the fifth part of the construction of the public works undertaken under the previous administration will have been completed.

These references in a former period, are not made with a view to raise any question concerning the expediency of all or any of the public works, but with a view to illustrate more clearly the policy which has been heretofore pursued, and that which seems to be indicated for the future. Since the declaration that mistakes and miscalculations were made by the predecessors of the present commissioners in their estimates of the cost of the public works, and since our experience of the revolutions of commerce and the prostration of credit throughout the union, all agree that it would have been well to have made a more careful and judicious provision in the prosecution of public works had been adopted by our predecessors. Yet there are very few persons who affect to have at that time foreseen the present condition of the country.

It is not to be denied that there are the undertakings in which the state was engaged, and the rate of progress established, when its interests were committed to the hands of those by whom they are now conducted. It was soon discovered that new and insuperable difficulties were to be encountered, in the disastrous condition of commercial affairs, and that the estimates made of the sums to be provided, fell short almost one-half of the actual cost of the works which had been commenced. The state has been obliged to suspend the completion, and after a careful examination into the fiscal condition of the state, it was announced, that with retrenchment and retardation the public works might yet be completed; and that although the awakened expectations of our fellow citizens in various parts of the state in regard to these and projected improvements must necessarily be delayed, they need not be ultimately disappointed.

Fully convinced of the ultimate ability of the state to prosecute its present system of improvements to a successful result in due time, and in answer to the just expectations of all portions of the state, it is important, nevertheless, to notice such circumstances and events of recent occurrence as ought to be known and taken into consideration in determining the action of the present legislature.

The policy of borrowing money to carry on our public works, relying on their surplus revenues, when completed, to reimburse the principal and interest, is certainly not our system of improvements, and we are indebted to that policy for all the benefits we are now reaping from the adoption of that system. Until very recently, most of the funds required have been obtained at a rate of interest not exceeding six per cent. In the daily quotations of the stock markets at home and abroad, it is certain that money cannot now be obtained without an advance upon that rate; nor is it probable that the rate of interest will be reduced until the action of congress upon fiscal subjects at the special session, which has been called shall be known.

Since the 25th of January last, the market value of five per cent. stocks of this state, redeemable at the pleasure of the legislature, has fallen from \$100 to a range from eighty-one to ninety-one per cent. The latest quotation was at eighty-three. If money should be borrowed, the rate of interest upon a stock having the same period to run, would, according to this estimate, be in order to loan money at a rate of not less than five per cent. and five-eighths to six per cent. and three quarters. An addition of three quarters of one per cent. per annum to the interest upon a million of dollars, would amount in twenty years to the sum of \$1,250,000. The sum of the seventeen millions of dollars to two millions five hundred and fifty thousand dollars. The importance of procuring long loans at low rates of interest, is therefore evident since the ability of the state to carry on its system of improvements, in proportion as the amounts paid for interest are increased. Although the rate of interest is not subject to our control, it may be affected by our action. It is certainly not to be reduced by offering higher rates from time to time. Indeed the offer of a large amount of stocks at high rates would operate very injuriously. The borrower who is found soliciting large sums in a season of commercial panic, and offering ruinous interest, is sure, speedily to destroy his credit, however great it may have been, and to increase the rate of the next auction. The principles which govern commerce are invariable, and neither individuals nor states have any exemption from them. These views show the im-

portance of a restricted use of the state credit in such emergencies. It may not be unprofitable to consider the nature of that credit, its present condition and prospects.

There is seldom a surplus of domestic capital in our new and enterprising country. Nearly all the money ever borrowed upon our state stocks, was obtained directly or indirectly from Europe, capitalists loan money to states and nations, because such loans are regarded as the safest and most convenient form for large investments. The hazards and delays of frequent investments are avoided, punctuality in the payment of interest is expected, while by reason of the convenience of the transfer of stocks, and the confidence generally reposed in the public faith pledged for their redemption, it is always easy to realize the utmost interest.

New York, in undertaking her system of internal improvements, entered the markets of Europe in competition with sovereign states of both continents. Her security is equal to that which any other state can give, and she possesses more wealth and resources and a greater surplus revenue in proportion to the debt she owes, than any nation in Europe, or any state on this continent. Although New York pays five per cent. interest, the Great Britain, and she is a great deal better off, the assessed value of property in New York is seven hundred millions of dollars, and her debt fifteen millions, while Great Britain, with a debt of nearly four thousand millions of dollars, has aggregated a fourth of probably not more than ten times that sum.

The hazards of war and civil commotion enter into the calculations of the lender, and affect the rate of interest. No country has more stable government than Great Britain, and she has never had peace than New York. None, in proportion to its extent, has greater resources, or more active energy in developing them. Nuna has a sinking fund so sure and unfailing as the constantly augmenting revenues of our canals. Other governments borrow money to pay previous loans, to defray ordinary expenses of government or to carry on wars destructive of the ability to reimburse the loans contracted. This state borrows only to increase and improve her sources of revenue. European states borrow without expecting to repay the principal, except by renewed loans. This state limits her debts by a rule which contemplates the reimbursement of the principal at the end of twenty years. The state is not a debtor to any individual, but individuals, has always a gradual and sometimes an unequal growth. The newness of our existence, the supposed instability of our institutions, the ignorance of capitalists concerning us, and the prejudice against our government, have caused the rate of interest on our stocks to be higher than that upon the debts of European governments. Nevertheless, an experience of twenty-five years has shown, that five per cent. is as high a rate as it has yet been necessary to pay, in a tranquil and ordinary condition of commercial affairs.

An allusion to the cause of the depression of our stocks will serve to convince us that that depression must be temporary. The interest upon all our stock has always been punctually paid. Every dollar of the principal of our debts that has fallen due has been promptly reimbursed, and we are now redeeming all our stocks that have not yet reached maturity. Without any resort to any direct taxation for the purpose of raising the principal of our debts of dollars. It cannot be possible, therefore, that the depreciation of our stocks results from any unaccounted in our fiscal condition, as the committee endeavored to show in the former part of this report, the state is, in no degree, being owing to the policy now pursued.

The supply of capital seeking investment in American securities is, like every other supply in trade limited. The stocks of our sister states have been purchased in the market at a high rate of interest than New York has thought wise to offer. These states, having perpetuity and sovereignty as well as ours, their stocks have been supposed as safe, for investments as ours, while the higher interest seemed to insure a greater profit. Misconduct in stock bearing an interest of ten per cent. An investment in her stocks yield, without compounding interest, a return equal to one hundred per cent. on the whole sum loaned, in ten years. An investment in our stocks yield, in the same time, the same principles of calculation, only fifty per cent.

The stocks of all the states have been forced into market in unusual quantities, and at great sacrifice, during a long season of commercial embarrassment. Apprehensions of the depreciation of the stocks of the states, that the interest on the debt cannot be paid without a resort to taxation, and some have already partially resorted to this mode. The perfectly popular structure of our state governments, has

been referred to as insulating grounds for supposing that taxes will not be better, and hence, that the American states may not have the virtue of value to be just, and preserve their public faith. In consequence of these and other causes, the stocks of several of the states have been sinking for the last two years. We have recently witnessed some of the effects of this depreciation, in the losses suffered by the stocks heretofore received as securities under the act authorizing free banking. The evil has not been mitigated by the loan and temper manifested towards state credit by the former executive departments of the union, and by the attitude of the United States; while the federal government has increased the embarrassment of the times, by becoming itself a borrower to large amounts in the domestic market. The apprehensions of a collision with Great Britain, growing out of the unsettled state of our relations with her, have not been barren to the credit of the state. Under these circumstances, the stocks of all the states have depreciated. Illinois 6 per cent are sold at 48; Indiana 3 per cent at 53; Arkansas 6 per cent at 70; Ohio 6 per cent at 48; and Pennsylvania 5 per cent at 50. It, as it is not to be doubted, Illinois 6 per cent will ultimately be redeemed, an investment in them is as safe as in our own. One hundred thousand dollars thus invested would bring a return of one hundred and thirty, with interest and redemption at 6 per cent. It is not surprising, therefore, that stocks so greatly depreciated, found a more ready sale than our own.

Very imperfect knowledge is had in European circles of the comparative condition of the several states, and consequently no careful discrimination is made among them. Our credit, and that of the other rich and long established states, has heretofore aided the credit of those who were less well supplied with funds, and, consequently, is slightly affected by their embarrassments. Under these circumstances, moderation and economy are urged upon us equally by public sentiment, by a just regard to the public interest, and by a desire to render our system more improved, and, consequently, more prehensive. While we should steadily persevere in the prosecution of the system, we are undoubtedly called upon to limit the issue of our stocks as much as possible, during the present year. Our sister states will, it is our confident belief, by good and judicious aid, aided by a wise and paternal policy on the part of the federal government, soon retrieve their credit. Their energies are only temporarily suspended, and by no means paralyzed. The indication of a change of policy, however, is not to be overlooked. But if this expectation, which every lover of our common country must indulge, should fail, a discrimination must then take place between our stocks and those of our sister states; and the effects as far as our credit is concerned, will be the same. Probably another year will disclose with certainty, one or the other of these results, and it will then be apparent, either that the rate of interest on our state stocks will return to a former standard, or that, as some suppose, there is a permanent advance in the rate upon all public securities, warranting an increase in the rate upon our own.

The committee apprehend little dissent from these views, so far as the undertaking of new works and the construction of new portions of the canal is concerned. But the questions remains, what course shall be adopted in regard to the sum \$6,102,485 required to fulfil existing contracts.—There are those who would advise a suspension of the public works. It is obvious, however, that we will be sure all the probable consequences ought to be considered. The public faith is pledged to our citizens, they have invested capital and pledged their credit to a very large amount in materials, machinery and implements, and have no person or persons to whom they have their agreements with subcontractors, and these again have others, and thus a very large number of persons are relying upon the faith of the state.

The abrupt suspension of the public works would bring new and unapprehended evils upon a community deeply suffering from pecuniary embarrassments. Provision must be made to indemnify the damages to those who have contracted faithfully with the state. The sum required for this purpose would far exceed the additional five-eighths or three-fourths of one per cent. when the state would expend in obtaining the requisite funds at the present rate. But the damages thus paid, even if they were promptly discharged, would fail to reach thousands of individuals and families, who, without unknown to the state, would be plunged into distress by a failure of their accustomed occupation and means of support. Besides all this, the unfinished portions of the public works would be expended by the contractors, would become discredited, and the ultimate injury to the revenues of the state from this cause cannot be estimated. This

spectacle of dilapidated works, of discontent and of suffering would be as unreluctant as it is unnecessary. A depreciation of labor, productions and property, must ensue from so sudden and unlooked for a contraction of business, while injuries of even a more serious character would result, affecting the value of all property in the vicinity of the public works. The policy of the state would no longer be known or understood. No such sudden change of policy ever occurs without serious injury to the public welfare and the permanent interests of the state, and years would be required to repair the injury thus produced. When these evils should be felt, it may be reasonably doubted whether it would be a sufficient atonement to the people, that our predecessors contracted for too large a plan or too rapid a prosecution of our enterprises, and it certainly would not be a satisfactory state, that the rate of interest upon money had advanced five-eighths or three-quarters of one per cent. beyond what was expected when the works were undertaken.

In view of the whole subject, it seems expedient and even necessary that provision should be made to complete existing contracts. But a careful regard for our permanent credit, requires that the amount appropriated during the present year, should be greater than absolutely necessary to preserve the canal, and avert injury to the state, or to those engaged in the performance of contracts. The committee believe, after much consideration of the subject, that the amount appropriated by the legislature in 1840, of one hundred and thirty thousand dollars, of which sum, \$2,150,000 should be apportioned to the Erie enlargement, \$550,000 to the Genesee Valley canal, and \$200,000 to the Black River canal. Though this reduction may occasion considerable inconvenience to contractors, it will prove too small for the absolute emergencies of the works in progress, yet if there should be any error on such a subject, in such times as these, it is better that it should be on the side of caution and economy.

The next legislature will have the advantage of knowing the settled and permanent condition of financial affairs in the country. Existing contracts will then be nearly completed. The state will then be enabled to reassess its existing obligations, and that the legislature will have the whole system more under its control, and its measures may be adapted to the actual condition of things, without being framed by the question of violation of contracts. It is not necessary to require a further discussion of unfinished portions of the works. If prudence shall then still require a retarding in our progress, or a modification of the system, the legislature will be at liberty to adopt a corresponding policy. But if, on the contrary, it shall then appear, as all must soon see, that the fiscal condition of the state is sound, that its surplus revenues exhibit a steady augmentation, so as to warrant increased expenditures, the legislature will find no embarrassments in adopting measures for further progress.

Considerations both of prudence and justice, seem to require that the same principles be extended to the New York and Erie rail road company, and that the same restrictions be imposed as to the amount of stock to be issued to that company during the present year; that the rate of interest upon the stock to be loaned to it be the same as upon that issued for the canal, and that the same restrictions be imposed upon its operations in such a proportion as shall be necessary to conform to the restricted policy pursued in regard to the canal.

The particulars in relation to the debt of the state, its extension and expenditure, and the disposition of the public works, have been fully stated in the reports referred to the committee, and especially, in a very full and satisfactory report made by the financial committee of the senate, that we do not hope to shed any new light upon those subjects.

PENNSYLVANIA.

The revenue bill passed, and the legislature adjourned. The revenue bill, or retail bill, passed the senate of Pennsylvania on Monday, by the constitutional majority of two-thirds, notwithstanding the governor's veto, and was sent to the house for concurrence. It was there discussed with much earnestness on Tuesday morning, and the vote being taken, there appeared for the bill 48, against it 43. So the bill was lost, there not being a majority of two-thirds in its favor.

At the commencement of the afternoon session, a motion to reconsider the above vote, was made and carried by a vote of 48 to 28, and became a law of the state, without the signature of the governor. It includes the same sections relative to the United States Bank.

A modified revenue bill had passed the house, on Monday, embracing nearly the same provisions as the bill above mentioned, except so much as relates to the United States Bank. After passing the senate, it was returned to the house on Tuesday with amendments, which the house immediately concurred in. At this took place prior to the reconsideration and passage of the bill above mentioned.

At 11 o'clock, P. M. on Tuesday, the legislature adjourned sine die.

The Journal of Commerce publishes the following as the substance of the revenue bill.

The governor shall negotiate a loan not to exceed three millions at five per cent. No certificates for less than \$100.

The banks of the commonwealth (the United States Bank excepted) shall be authorized to subscribe to the loan, which they may pay into the state treasury in their own notes of the denominations of one, two and three dollars, redeemable in state stock whenever presented to the amount of one hundred dollars at the counter of the banks which issued them. The notes thus redeemed to be marked "cancelled." The bank charter to be declared "forfeit," if the redemption is refused for ten days. A fine of from \$500 to \$2,000 to be inflicted upon every director, president, cashier or clerk who shall refuse to redeem the greater amount of these small notes than the bank (which he is attached) shall possess of the state stock, and shall be personally responsible in his private property for the amount of such issue. The banks, after issuing said notes, shall be bound to retain on hand with stock, receive one per cent. from the commonwealth for the loan.

The banks, however, shall pay the interest of five per cent. per annum to the holders of the state stock which they issue in redemption of their own small notes, and they shall deduct the interest thus paid from the dividend tax due the state. If the interest exceed the tax, then the state shall refund.

Banks are to subscribe for loan and issue notes in payment thereof in the following proportions: for their capital paid in of \$300,000, five per cent; of \$700,000, twenty per cent; of \$2,500,000, seventeen per cent; above the last named sum, six per cent.

Small notes thus issued shall be receivable for debts due the commonwealth, and may be re-issued by the state treasurer or by the bank, and shall be receivable by the bank for debts and on deposit, and payable in full currency; provided this permission shall not be applied to special contracts for the payment of deposits.

Banks which do not pay taxes on their dividends (excepting the Bank of the United States) may deposit with the auditor general portions of the funded debts of the state as security for the redemption of notes which they may issue. Such banks then may issue notes of denominations less than \$5, in the sum proportioned to its stock as previously stated, and under the same penalties with regard to over issues; and the state officer will, when these notes are presented in amount of \$100 issue scrip, be returned to the banks whose notes are redeemed. Interest on scrip to be suspended while in the hands of the auditor general.

Bank notes issued under this act to have a uniformity of phraseology.

The banks not subject to the payment of more than six per cent. interest when sued for the payment of notes, allowed to declare dividends of five per cent. per annum (in specie) for the year 1840, relative to the forfeiture of charters is suspended—excepting all such banks as shall refuse or neglect to accept the conditions of this bill. Those accepting shall have the benefit of issuing the amount intended to be issued (in specie) for their stocks.—Banks to notify the governor of their stock account within forty days after the passage of the bill.

The following are the provisions relative to the United States Bank.

If the stockholders of the bank meet on Tuesday, or at any other general meeting, shall decide by a majority of votes (according to the scale of votes allowed at the election of directors) to make an assignment, it shall be the duty of the directors, in the corporate name of the bank, to make and execute such an assignment, and to deliver up all the property of the bank to free or more trustees, to be elected by a like vote; and while in these trustees shall be vested all the goods, chattels, rights, &c. of the bank, there shall not be necessary any inventory or appraisements, nor shall security be required.

The assignment shall contain instructions to the trustees as to their duty and compensation.

Trustees to hold their office until January next, when the same or other persons shall be elected by a like vote by the stockholders, and so on from year to year until the trust shall be completed.

The corporate power of the bank, after the assignment, shall cease and determine, excepting for purposes of suing and being sued, and continuing suits now pending, making assurances, transfers and other acts necessary for the trust; and for calling the trustees to account, and compelling them to execute said trust, and for choosing directors to receive and distribute among the stockholders any surplus after the payments of the debts.

The courts of the commonwealth to have jurisdiction of the trust, and the legislature may, without consent of the stockholders, change the provisions of this act as it may deem expedient.

The banking privilege to cease so far as it regards loaning money, issuing notes and bills, and to be confined to the settlement of its affairs and the disposal of its effects.

No proxies valid unless issued within sixty days of the election or meeting.

Vote passed from the governor, of the "act" to provide revenue to meet the demands on the treasury, and for other purposes."

On Saturday, the 1st inst. governor Porter sent to the legislature the following message, giving his reasons for withholding his assent to the relief bill. *To the Senate and House of Representatives of the commonwealth of Pennsylvania:*

GENTLEMEN: In returning to the legislature the bill entitled "an act to provide revenue to meet the demands on the treasury, and for other purposes," without my approval, I feel that I am discharging one of the most responsible and painful duties that has devolved upon me, since I have been entrusted with the executive functions of the commonwealth of Pennsylvania, by the people. I have examined the various provisions of the bill, with an earnest and anxious desire to give it my sanction; but I could bring my mind to the conviction, that it was not wholly incompatible with the public interests; but after the most careful consideration, I am constrained, by an overwhelming sense of duty, to refuse it my assent. No person can read this bill, however hastily, without perceiving that it is one of a peculiar character. It provides in the first instance, for the redemption of a loan of three millions of hundred thousand dollars, and the sum distributed in the amount of notes of a large portion of which is under the denomination of five dollars, to be based upon the loan by certain banks required to take it, described in the bill. The manner in which this loan is to be taken and repaid, at the expiration of one year, or sooner, at the pleasure of the legislature, and also in which the notes are to be issued and finally cancelled, is somewhat intricate and complicated, but is still, perhaps, sufficiently clear to be carried into practicable operation, without any great difficulty.

The bill also provides for a limited augmentation of the amount of tax upon certain classes of citizens, likewise for the depositing of certain portions of the funded debt of this state, as security for the redemption of notes of denomination not less than five dollars to be issued upon the credit of said debt, by the banks of this commonwealth, except the Bank of the United States. And in the seventeenth section, it provides that the penalties, imposed upon the banks, of paying a greater rate of interest than six per cent, and the provisions of the acts of assembly, and various acts of incorporation, which point out a mode for the forfeiture of any charter of any bank, or by reason of the non payment of its liabilities on demand, shall be the same as upon the banks of other States, in this action, and until the legislature make provision for the re-payment of the loan authorized by the first section of this act; and repeals the resolution passed the third day of April, 1840, entitled "a resolution providing for the redemption of the loan authorized by the banks, and for other purposes." The succeeding sections authorize the stockholders of the Bank of the United States, to make a general assignment of all its real and personal estate, goods, chattels, &c. to trustees, for the purpose of securing and paying the debts and obligations of that institution, and execute such trustee or assignees from the operation of such parts of the general laws of this commonwealth as require that they should file an inventory, or appraisement, of the property assigned or conveyed in trust; and also from giving security for the faithful discharge of their duties, and leaves the whole of these important guarantees for the faithful execution of their trust, to the discretion and regulation of the trustees. And in the twenty-third section, is found a singular and extraordinary provision, that after subjecting the trustees appointed by the stockholders to the exclusive control of the said stockholders, the courts of this commonwealth shall have jurisdiction of the trust, and that if it were created under any general law of the state. This follows the provision, that it shall be lawful for the legislature, and the power is hereby expressly reserved, at any time or times,

with the consent of the said stockholders, at a general meeting for that purpose convened according to the charter, to change and alter the provisions of this act in such a manner as to the legislature may seem expedient. If there be any security whatsoever to the public in these last named inoperative provisions, I confess it is not obvious to my mind. Such is the general substance of this bill, so far as it relates to the banking institutions of this commonwealth. In addition to which it appropriates the sum of one hundred thousand dollars, to be paid in thousands of dollars, to various necessary and important objects connected with the government. On the passage of this bill depends the successful prosecution of the common school system, the payment of donations to academies and female seminaries, pensions and gratuities to old soldiers, the repairs of the rail roads and canals for the current year, payments of debts due for repairs made prior to first of November last, appropriations to orphan asylums and houses of refuge, a system for blind and deaf and dumb, to pay damages and the militia expenses, to pay all the expenses of government, to pay look keepers, wagon masters and other persons employed on the public works, to pay certain guarantees to the public for the redemption of the loan authorized for work done on the Erie divisions, North Branch extension, Wisconsin canal, and numerous other specified public improvements, to pay the canal commissioners, appraisers and engineers, and, in addition to all these, the bill provides for the execution of which appropriations of money are required. This bill, I believe, is the very first in the whole history of our government in which the necessary expenses of government, indeed the whole of our expenses of government, are provided for; it cannot meet on a day, have been connected with extraneous subjects of questionable character, and concerning which, it was not only possible but probable that conflicting opinions respecting their policy and expediency among the various departments, of some uniting assent was necessary for the passage of the law. It has been, hitherto, among the statesmen of Pennsylvania, the received opinion that the indispensable expenditure of government should be furnished at all events, whatever else might fall. But this bill, originating from that long established usage, has directly involved these expenses with the regulation and control of the banking system of the commonwealth, upon which, perhaps, more than upon any other subject, irreconcilable differences of opinion have existed. Without the sanction of the legislature to compel the executive to surrender honest and conscientious convictions of duty, to reference to at least two of the provisions contained in this bill, for the purpose of obtaining appropriations of money, and for the successful prosecution of the government, I must be permitted to say that, such might very readily be a system of coercion adopted by the legislature, by which they would be enabled to destroy entirely the independence of the executive, or to arrest at any moment the action of government. I take my stand at the threshold of these encroachments, and respectfully protest against the policy of connecting measures of undoubted public utility, with those of questionable utility, with a view of tendering what is just and proper a cover and a pretext for measures that are not deemed to be of that character.

I am aware that in a free government, like ours, consisting of independent co-ordinate departments, the legislative, the executive, and the judicial, other of those departments could, or should, compel the others to yield peculiar opinions of their own in all things, without mutual concession and compromise. I trust I shall never be found so unreasonable as to require the legislature to surrender its own convictions of duty, on subjects of great public policy, without testifying to my own entire willingness to meet them at least half way. It is true, when attempts have been made to reach certain objects, by the use of unconstitutional means, as, for example, by means which I deem unjust and improper, I have not hesitated, nor shall I hesitate, to take my position on that solid ground of official independence, wherein I am placed by the constitution. In such cases I have testified my executive authority to prevent the passage of laws, in which I clearly saw no great public interest was involved, without concession or compromise. Self-respect forbids my pursuing any other course. But when a measure, like the present bill, is proposed for my assent, and I feel sure it will be finally carried, and that it is not without a sincere and earnest effort on my part to prevent it, by every reasonable offer of mutual concession,

I will now state concisely the objections to this bill, which appear to me to be insurmountable.

In the first place, I consider the seventeenth section as giving to the banks an absolute exemption from the redemption of specie payable for at least the period of five years, mentioned in the first section of the bill. It is provided, among other things, in the seventeenth section, that all laws imposing penalties of interest greater than six per cent, as also the forfeiture of their charters, for certain delinquencies shall be suspended until formal legislative action, and until provision is made for the payment of the loan authorized by the first section of the bill. Now, had this subject of suspension been left entirely to the further action of the legislature, without compelling it with the provision for the re-payment of the loan of three millions one hundred thousand dollars, it would have been far less objectionable. But even then, what would be my condition? This suspension would continue till it was terminated by legislative action, and although the people might, by a large majority, will that it should cease, yet if the banks could find favor with either branch of the legislature, or with the executive, it would be impossible to carry that will into execution.

If it were, is it just, to surrender such power as this, to the banks, when in all contests heretofore had between these institutions and the people, they have proved victorious? But, by the bill before me, they are to be exempted from the necessity of any further legislation, but until the legislature provide for the re-payment of this large loan. How will it ever be repaid, if this bill should pass? The banks control and regulate the pecuniary transactions of the country, in such a manner as to create an amount of capital as they so evolved. They are directly interested in preventing the re-payment of this loan at the end of five years, or of ten years, because they enjoy exemption from the forfeiture of their charters as long as this loan remains unredeemed. It is not at all likely at the end of five years, or even ten years, the commonwealth will be able to pay of a loan of three millions of dollars, without making another loan for that purpose. From whom can this loan be procured? Surely not from Europe, for the principal of the loan would be paid already. Not from our own banks, for if they were to make a loan to the state, it would be to deprive themselves of the valuable privileges they enjoy, under the exemptions already mentioned. It is not from the people, for they are already interested in the bank, as to be restrained by that consideration; or they can probably find, as they have heretofore done, more profitable investments for their money. It is idle, therefore, to say, that this loan can be repaid at the end of five years, or even a greater length of time, with such strong interests in the way to prevent it.

An act of the legislature authorizing a loan to be taken for the re-payment of this loan of three millions one hundred thousand dollars, would be fruitless; the money could not be obtained upon it, and until it was obtained, the banks would be beyond the reach of the legislature, and would enjoy their right of suspension, in defiance of its action. It scarcely requires a prophet to predict, what would be the issue of a law like this. At the end of the five years mentioned in the first section of the bill there would be a renewal of the same loan, and the same system of operations for another period of five years. The banks would be enabled to thus have suspension which might be well considered as perpetual. We cannot foretell its consequences, we cannot foresee its end. The moment it is engrained upon our system, we may despair of all other remedy, and may be forced upon us until the system itself, by its own excesses and corruption, is annihilated. The specie still remaining in the vaults of the banks, and in the hands of the people, will vanish, and a dreary, hopeless era of currency, paper money, open upon this commonwealth.

It is not necessary to dwell upon the spectacle this scene, without feelings of the deepest repugnance. Nor can I believe it is right to fasten such a condition as this upon a measure independently necessary to the healthful existence of the functions of government.

The authority given to the stockholders of the Bank of the United States to make an assignment, and also the exemption of the trustees or assignees from giving, as is usual in such cases, security for the faithful execution of their trust, and also from giving out an inventory, and having an appraisement taken of the property assigned, seems to me, to be a dangerous and an unnecessary surrender of the proper control over persons entrusted with such an important duty. It is provided, that the stockholders of the bank, or any of them, shall have no power of regulating the conduct of the trustees or assignees, as vested in the stockholders of the bank, but from sundry recent disappointments in that in-

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FOREIGN ARTICLES.

COMPARATIVE REVENUE OF FRANCE AND ENGLAND. A late number of the <i>Paris Quotidien</i> contains the following from official returns. The sums are in francs.	
Customs	492,834,509 168,195,000
Stamps of all kinds	165,897,550 225,150,200
Excise in direct taxes	514,384,400 350,512,000
Direct and assessed taxes	65,661,100 392,764,907
Post office	11,025,000 45,159,000
Crown lands	4,178,500
Public instruction	4,165,500
Various products	4,942,900 11,308,000
Loans and repayments	29,113,000
Extraordinary means	57,255,232
Woods and fisheries	34,277,632
Total	1,118,600,000 1,184,323,365

GREAT BRITAIN.

The burning of the *Caroline*. The *London Times* gives the following statement:

Henry Dixon, a young man of color, and a native of Upper Canada, came before Sir John Cowen, bart, to ask his advice.

The applicant stated on a previous day that he came to England from New York in December last, on board the *British Queen*, to endeavor to get a situation in this country, but had been ever since unsuccessful, and in consequence of ill health he had been compelled to pawn his clothes, and had spent all the money he had brought away with him, which was nearly sixty pounds; he therefore wished to know how he was to proceed to get his clothes, to work his passage back to his own country. He further stated that at the time of the late Canadian rebellion he was steward on board of one of the passenger boats that plied between Buffalo and the city of Rochester, near the falls of Niagara, and finding the English were in want of troops he volunteered his services under colonel Kirby, and was elatedly employed in giving information of the movements of McKenzie and the enemies, through which he got introduced to the notice of captain Paget. He had been formerly waiter at the Eagle Tavern, Buffalo, and had assisted in pulling out the *Caroline* at Black Rock; and it was chiefly through his information that the vessel was burnt.

On that occasion Mr. Alderman Luceas advised him to get a certificate from the owners of the *British Queen* of his good conduct, and to call again. He in consequence brought a written certificate from the owners of the vessel, stating that he had come over as a passenger, and had paid £11 for his passage.

Sir John Cowen now asked him if he knew any one who could give him a good character, as he thought it would be dangerous to go back to New York, as he had been in the secret service of the British government, to which he replied that he knew capt. Paget, at Chelsea hospital, and had just been in that gentleman, who said that if he had

known he was coming over to this country he would have engaged him as a servant.

Sir John Cowen: What made you leave the service in Canada? Applicant: When the regular troops came, I was not wanted. My situation was worth fifty dollars a month before I enlisted.

Sir John Cowen: Have you any friends out there? Applicant: My father is dead, and my mother likewise. My father was a gunsmith, and was well known about Buffalo for 14 years.

Sir John Cowen: Did you ever hear any thing about col. McLeod being the person that fired the *Caroline*? Applicant: I did not know any thing about the persons who fired her; I was one of the persons who cut her out of the ice at Black Rock harbor.

Sir John Cowen: Were any human beings on board when she was fired? Applicant: There were eight persons on board. One was Hemmings, the other captain Appleby, a third was a man named Pory Johnson, but they all made their escape, except a lad, who was killed.

Sir John Cowen: The American government says that several American citizens were killed. Applicant: They said so, but they could not get the same of any one killed. When the *Caroline* was boarded, it was on an exceedingly dark night, and as the boarders got up on one side the crew went over the other, except Johnson who was too drunk to leave the *Caroline*, and he begged for his life, which was granted.

Sir John Cowen: When were you to go away? Applicant: I intended to go on Saturday, in the *Philadelphia*.

The alderman then asked Mr. Newman, the clerk, whether it would not be better to give the young man a letter of introduction to some one at the colonial office, for if he had served the government as he stated, the distressed condition to which he was reduced would, no doubt, be considered, of which plan Mr. Newman approved; but it was deferred to the justice room, and stated that poor fellow, (who was very intelligent and polite) then received a little relief, and was about to leave the office, to await the result of further investigation on the part of the alderman, when colonel Appleby came into the justice room, and stated that, having seen the reports in the papers, he wished to see Dixon. The colonel then put several questions to the young man about the officers and the circumstances of the time, to which he seemed to give satisfactory answers. Col. Appleby then had a private interview with Sir John Cowen, when the latter re-entered the office, and stated to Dixon that the gallant colonel intended to see Sir F. Hay on the subject of his application.

England and Texas. The *London papers* contain the treaty of commerce signed in that capital on the 13th November last between England and Texas. It is framed on the basis of strict reciprocity, but does not apply to the colonies. The conditions upon which Texas may trade with the colonies are to be regulated hereafter. Vessels wholly owned by citizens of Texas, and where the master and three-fourths of the mariners, at least, are citizens of the republic, are declared to be Texian vessels within the meaning of the treaty, although not built in that country. The treaty is to continue in force eight years, and further, until the expiration of 12 months after one of the high contracting parties shall have notified to the other an intention to terminate its duration.

[National Intel.]

FRANCE. Steam communication in the south of France is becoming of vast extent. The regular passage down the Saône from Chalons to Lyons is now much resorted to by travellers. At Lyons there is the "blue" Rhone, with its picturesque mountains covered with vines, its ruined castles of a "baron bold," and its antique towers, to tempt tourists from dusty diligence expeditions.—Take Arles on the route, and contemplate its mighty ruins, the arena, or amphitheatre, second only to those of Nîmes and Rome. From Arles you may plunge by the mouth of the Rhone into the Mediterranean, and seven hours' "steaming" under a southern sky deposits you in Marseilles. Take five hours more of coasting, and you go from Marseilles to Toulon, evincing the execrable roads between these two ports. A marine service is rapidly

forming; steamer sailors they may be, but if the "steam" be up, there is material for more crews.

Expenditures and resources. It appears from official statements submitted to the chamber of deputies, and the facts elicited in debate thereon, that the splendid military preparations of France, the expenses of her African conquest, and other costly schemes prosecuted during the last three years, have hounded her with a heavy debt. The liabilities of the government for the years 1840, '41 and '42, will, it is stated, exceed the revenue for those years in the sum of nearly one thousand millions of francs.

The following statement laid before the chamber by M. Gouin, ex-minister of finance, the correctness of which was not impugned by the ministerial party, will show the manner in which this debt has been incurred:

146,000,000	deficit on the ordinary budgets of 1840, '41 and '42
228,300,000	extraordinary civil public works.
140,000,000	fortifications of Paris.
75,000,000	fortifications in other places.
75,000,000	harbors & magazines.
12,000,000	artillery.
44,000,000	port of Cherbourg.
7,731,000	military works.
29,000,000	construction of steamships.
6,831,500	for the Levant.
15,800,000	extraordinary naval armaments.
20,000,000	extraordinary naval armaments.
33,800,000	extraordinary military armaments.
86,000,000	interest of the new loan.
1,120,940,886	grand total.
137,400,000	to be deducted as paid from existing funds.
983,540,886	to be met by extraordinary ways and means.

The answer of M. Thiers to this somewhat appalling array of figures is characteristic. "True," he says, "we have spent a milliard more than we had to spend, but we have spent it well; the passions of the country have been gratified; immense numbers of Arabs have been slaughtered; our capital will soon be surrounded by ramparts and ditches; and we have half a million of fine active young men taken from their natural employment to live at the public expense in the barracks we have just built for them."

The results so exultingly pointed to as benefits by M. Thiers, we hold, most of them, to be positive evils; and his speech confirms the opinion we have long entertained, that M. Thiers is a genuine demagogue, without a particle of genuine patriotism, and that, like certain other demagogues who have recently felt the force of public opinion in this country, he looks upon the people, whose interests he affects to have so deeply at heart, as a mass of puppets—puppets to be played upon through their passions and their prejudices. He will be found out at last, as his brother demagogues on this side of the Atlantic have been, and, like them, will become a mark for the finger of scorn.

Mr. Gouin in the course of the speech in which he submitted the financial statistics given above, observed, that his chief anxiety was directed, not to the means of stopping the gap, at the present moment, for that must evidently be done by a vast loan, and as the money is spent the less that is said about it the better; but he felt that it was of the most importance to ascertain whether reasonable expectations can be entertained of balancing the ordinary revenue and the ordinary expenditures of the country in future years, without reference to any of these occasional storms in the commercial and political world, which may drive the stoutest vessel out of its course. The result is, in M. Gouin's opinion, that France is threatened with a regular annual

deficit of 60 millions, which may amount to 100 millions if the system of armed peace is to be maintained.

This is, however, scarcely a fair supposition; since M. Guizot does not take into account the probable increase of the revenue. The revenue raised by direct taxes in France has increased during the last five years 20 millions of francs per annum, and there is every reason to expect a further augmentation, though not in proportion to the enormous ratio of increase in the expenditures during the last two years.

The government must retrench its expenses, and the permanent interests, the "passions," of the people, must be consulted in the appropriation of the public money; the "half million of fine active young men, taken from their natural employment to live at the public expense," must be restored to agriculture, commerce and manufactures; and the furor for military aggrandizement which has been so artfully stimulated by M. Thiers and his colleagues, must be superseded by a wiser, a calmer, and a more domestic spirit, before the income of the belle France can be made to balance her expenditures.

Common sense, and the material interests of the industrious and working classes, are happily fast undermining in Europe the passion for war—that most expensive of all luxuries for nations that have once come to understand the value of the blessings of peace, and the blessings which peace bring. Sovereigns, and feudal barons, who reap all the honors, and defray few of the expenses, of war, may rejoice like magnificent hunters in the excitements and perils of the blood sports of the chase; but when the masses, whose property is wasted, whose blood is poured out, and who indeed are the hunted, have now become too enlightened, and happily too powerful to be often or longer fooled into war to gratify leaders, or win laurels for military chieftains.

Even France, the most military nation in Europe, begins to count the cost of indulging in its ancient passion, and the following notice from a late London Spectator, (17th April), of the present state of feeling in that country, is gratifying, both as indicating that the peace of Europe, though much threatened, is not soon likely to be disturbed, and as proving, what these remarks were designed to establish, that war must go out of fashion, and common sense and enlightened self-interest obtain the ascendancy.

The expense of the mere preparation for war, coupled with judicious moderation on the part of the present government, appear to have produced a very considerable change in the feeling of the French lately. The fit of military ardor is subsiding. M. Thiers says that France is always under the influence of some passion, which dies only to give place to another. After the revolution of 1830, it was a passion for glory, and with a people excited for public works; and now that the neglected military passion of the empire is revived, all the paraphernalia for its gratification have to be repurchased or repaired, at immense cost. This damps the ardor of the passion military; and even M. Thiers, who was once willing to play the part of parader to the passion which he so critically describes, begins to count the expense. He left the ministry with vast schemes on foot, with reticulated and difficult foreign relations, and with a people excited to a pitch of furor by the passion which he had fomented.

His successors found the torrent for which he had opened the sluices too powerful to be suddenly stemmed, and they yielded for a while to the same proceeding in the same direction to which he had pointed. Having once committed themselves, perhaps almost unavoidably, to that seeming adoption of his policy, they were obliged for the sake of consistent appearance to continue it for a time, until they could gradually turn the stream. At that turn, M. Thiers takes an artful advantage of their position, and asks, if you do not mean to carry out my policy, why do you carry on my expenditure? He knows well enough, that he could be dangerous for them to do otherwise. In the first instance, and that it is not yet time for them to have effected a change; but no answer is ready for him, and he has the advantage of cleverly reducing them to a non-plus.

Meanwhile, the conditional demand for reduced establishments conveyed in this query, and still more the indifference with which M. Thiers speaks of the warlike policy, as a thing out of date—together with the French chancellor of the exchequer's assertion, finally contradicted, that France cannot support so enormous outlay like England—all arouse a remarkable alteration in the state of opinion in France. The daily sight of the rising wall which is to be in the Farnais, and of the regiments of the workmen to be fed with taxes,

will perhaps extinguish the remains of the passion military. It seems not impossible that the next winter will see the terrible passion may be a passion for pulling down bastioned walls.

Paris, April 5, 1841. Although the news brought by the Britannia, to the 16th of March, does not put us in possession of a single new fact to alter the position in regard to America, the English press, and the English brokers, and the English government, even, have hastened to take advantage of the want of positive warlike intelligence, to believe that there will be no further trouble between America and England. The altered tone of the English press, since the government has found out that there is really some fear of a war, and since it has been demonstrated that however defenceless we are, they are as little able to attack, is one of the signs of the times, which it does well to note. It is to be hoped that our new government will work assiduously for the future, to revive our navy, and to do justice to our army. Let them take warning by the present position of the British navy, powerful and numerous as it is in ships, the actual condition of it is to be laughed at and not feared. There are good ships in the Mediterranean, but they cannot be spared; their fleet in India is too far off—small as it is, to be of service. They have been fighting with ignorant people, unacquainted with the European mode of fighting, and without either of the warlike or commercial marine, and they have carried all before them. But they dare not go to war single handed against any civilized power, however weak it may be; and the late flaps up, to use a common term, between their own agents and the French, will not far France during the negotiation of last summer, because they were backed by all the other European powers. But when it came to be a question between America and England—when if war broke out, the latter must fight single handed against our nation as enlightened as herself, with the almost certainty that one, if not two, other powers, would eventually be brought into it, she began to look at the matter as serious and the consequence is, that now England talks of the folly, the wickedness, the impolicy of war, and, happily, hope is the word of the government papers, that America will not be so foolish as to declare war! Now, the chicanery of this whole talk is, in England, that our Brother Jonathan's ententes comitantes, and the first of war, that the first of the Atlantic it came from England, from the members of parliament in their places in the house, from the government papers, and from the mouth of every Englishman you met, either in London or abroad, was that there was no threatening at the moment we heard of Mr. Fox's letter to Mr. Forsyth. Mr. Pickens' report, although it overshoot the mark in some respects, opened their eyes, and they saw that there was some, and not a little reason in the language of his country, if not in all of them. They were alarmed to find that any man existed who did not fear England's supremacy, and that that boasted supremacy not so very supreme after all, they were glad of an opportunity to do what they longed to do when his failure was about to beg him, and exclaimed, "stop Dad's argument"—they then began to think it was best to stop and argue. From that time to this they have been glad to find any inkling of peaceable intelligence in the American news, and to make the most of it. The fact that the English consuls arrived on the reception of the news by the Britannia, which, as I said before is no news at all, giving us no new facts, only shows how easily the floods are prepared by interested persons, and how much more the passions are betrayed by the news of the day than we are in America. Some of the American whig papers, showing more partisan zeal against Mr. Pickens and his party than patriotism, have commented on his report in such a manner, and at such a length, as to afford the ultra whigs of this people of England ample opportunity to sneer at the people of the United States. A long article in the New York Express, written with a party recklessness altogether inappropriate to the occasion, has been extended and copied in the organs of the new administration, and of the authorized mouth-piece of the great majority which elected Gen. Harrison. Our papers, generally, I am sorry to say, too often furnish occasion to make us appear in a bad light, made use of as they are by the English press. Whatever may be thought of Mr. Pickens' report, and however inexpedient the publication of it may have been, it contained sacred truths which cannot be controverted—and it has had a good effect.

But to go back to our navy and army. We must prepare for war, for war we shall have sooner or later, and however we may wish to avoid it, however we may try to shut our eyes to the necessity for it, that necessity will force it upon us, and it is

time to take advantage of every day to be prepared for it. The English government see it, and they will not be in this present state of affairs. The fortifications of our coast, the increase of our navy, and manufacturing of the material for war, such as iron cannon and other arms, should not be delayed any longer. It is useless to talk, we must act, and they will probably be so in the present state of affairs, as an impetuous duty, and upon the people as the means of present safety and future prosperity.

We have no news of importance since my last, if we except the fact that a four-wheeled carriage, a perfect loss of a thing, has been built for the princess royal of Great Britain, to be drawn by two Shetland ponies, so gentle that even a child may drive them; and that the queen of Naples has got a daughter. [Cur. Host. Cor.]

SPAIN. The position of affairs in Spain at the present moment is particularly interesting. A newly elected cortes has just assembled, the political character of which is yet to be ascertained, on whom devolves not only the duties of ordinary legislation, but the responsibility of establishing a regency, on whom must devolve the powers of the sovereign during the minority of the queen. All eyes are of course turned to the successful general of the day, Espartero, who is distinguished by the title of *duke de la Victoria*. The leading question which has been agitated of late is whether the duke of Victoria, who is at present the head of the provisional regency—that is, the president of a board of three members—shall be constituted sole regent, or shall be elected one of three co-regents.

SANDWICH ISLANDS. The New Haven Register has received from an officer of the exploring expedition several numbers of the *Journal*, a paper published at Oahu, in the Sandwich Islands. A paper of the date of July, 1840, contains an interesting account of the loss of a small vessel, which was on a trip to an island about a hundred miles distant. Most of those on board were natives, and when they arrived at Oahu, they were swimming twenty or thirty miles. The following is an extract of a letter to the editor, giving an account of the calamity. Mauae, is the name of a native missionary, who was, with his wife, on board of the boat. [N. Y. Fed.]

Mauae will be afflicted to learn that the vessel Mauae is among those who were lost. His wife was saved, and they both swam twenty-five miles together before he died. What is wonderful beyond description is, that his wife carried him when he could no longer swim himself, and carried him till after he was dead. When she found he could go no further, she hid him hold to the hair of her head, and so she dragged him; but soon his head had slipped, and she tried in vain to raise him. She told him she must quit; but he commenced but could only utter a groan or two. She then put his arms around her neck, held them with one hand and swam with the other—When within a quarter of a mile of the shore, after swimming twenty-eight or thirty hours, she found he was dead and left him."

SOUTH AMERICA. From California. The following are extracts from a letter to the Boston Advertiser, dated "San Diego, March 2. In mine of January 15, I mentioned a report brought by the big Catalina, concerning the coasting trade, since which, official notice has been received that from and after the first day of January, last past, the coasting trade is prohibited to all foreign vessels that may arrive subsequently to that date; they may enter their vessels at Monterey, but must be unloaded and reloaded, and must not deposit their goods, and then proceed in ballast to each port one to make their sales, and afterward transport the amount sold in the same vessels under the Mexican flag.

"Such I believe are some of the principal features of the new regulations. Two vessels from the Sandwich Islands arrived at Monterey, but were not allowed to enter in consequence of having salt and sugar on board. The brig Thomas Perkins is now here, and came without the knowledge of the government to take some hides which are here belonging to Messrs. Pierce & Brewer. She is, however, ordered off and sails to-morrow morning.

"The country is in a deplorable state, in consequence of drought. There has been no rain yet below San Francisco, excepting two or three showers a few days since, and to add to the distress, the country from Sonoma to San Diego has been burnt over. The fire is still raging in many places, and has destroyed numbers of cattle and horses. There is neither grass nor water for them except in small quantities, and if there is not rain soon, great numbers must perish with hunger, in fact some have died already.

MEXICO.

The dates from Vera Cruz are to the 21st ultimo. A few cases of yellow fever had been reported by the authorities at Vera Cruz. The mail box was also going to a considerable degree.

The censor states that the internal duty of 15 per cent. recently laid, has entirely failed—not producing 5 per cent. on the old duty, for the reason that the Yucatan vessels, loaded with goods recognized by the tariff, coast along and smuggle at every point, defeating the whole revenue project. The smuggling has not been confined solely to Yucatan vessels, for the American schooner Sarah Ann, captain Boushous, has been captured in the illegal traffic off the bar of Sanaboy, and sent to Vera Cruz for trial.

TEXAS.

The national debt of Texas, consisting of bonds, treasury notes, &c., is \$7,000,000. The amount of one year's taxes is estimated at \$1,000,000; and the expenses of the government for the same period \$500,000, per annum.

The Texas congress have passed a law, which has been approved by the president, forbidding the sale of any slaves, or indentured free negroes under any process of law, except it be under a decree of court for the final settlement of a deceased person's estate. No creditor can, by any process, force a sale of the negroes.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT.

William C. Lord, collector, Wilmington, N. C. vice Lewis H. Marshall.

Abraham Inskeep, appraiser, New Orleans, vice Sheldon S. Clark.

Com. William M. Crane, to be a member of the board of navy commissioners, (April 29th).

FUGITIVES.

Charles Martin, at Chillicothe, Ohio.

Celeb Foote, at Salem, Massachusetts.

James H. Turner, at Washington, Conn.

John Wall, at Winchester, Virginia.

DIPLOMACY. The Washington correspondent of the New York commercial writes—"It is said that the hon. John M. Clayton goes to England as minister plenipotentiary, and a specimen of American statesmanship cannot go there. He is a man of splendid attainments, and will do honor to our country at that court. I have no doubt that you will find the report confirmed by the official satisfaction of the fact very shortly."

Charge d'affaires to Texas. The president has appointed the hon. Joseph E. Yee, of Kentucky, charge to the republic of Texas. This is an important appointment, and it has been bestowed upon a firm and indefatigable patriot—one who will in all stations and conditions maintain the honor of his country.

[Frankfort Courier.

CUSTOM HOUSE COMMISSIONERS. The two commissioners will proceed with the investigation at once. A room will be prepared for them in the new custom house.

[N. Y. Express.

PRESIDENT HARRISON'S REMAINS.

In relation to the resting place of the remains of the lamented president Harrison, the Shelby (Ky.) News has the following paragraph:

We learn from Col. Todd, that on his way to his residence in this county last week, he, in the performance of a sacred duty, called upon the venerable widow of our lamented deceased president—Whilest there, he was invited by that lady to a consultation with herself and her only remaining son, as to the ultimate depository of the remains of her distinguished and beloved husband—the great and good president. It was determined, at this consultation, to remove the remains immediately to North Bend, to be deposited upon a beautiful and elevated natural mound, where the monument may be seen for several miles up and down the Ohio river.

* * * There, the traveller at distant ages, will be refreshed by a visit to the tomb of the warrior, who was never defeated; of the patriot, who died poor; and the statesman, who, from the proud height of president, "fell, like a star struck from its sphere, covered with glory and renown."

PRESIDENT TYLER AND THE INALIABLES.

From the Baltimore Sun.

His excellency, John Tyler, president of the United States:

Sir: In your recommendation to the people of the United States, on the 13th inst. to observe the fourteenth day of May next, as a day of fasting and prayer; but whereas, in the introduction you say, when a Christian people feel themselves to be overtaken by a great public calamity, it becomes them to humble themselves under the dispensation of

Divine Providence to recognize his righteous government over the children of men.

I most respectfully request you to inform us, if the words a Christian people it becomes them, should be construed as excluding those who do not belong to the Christian church, or profess peculiar Christian ideas.

A. WEGLIN, president,
Of the Baltimore Hebrew congregation, Bond st.
Baltimore, April 30, 1841.

To J. Weglin, ex-president of the Hebrew congregation, Bond street, Baltimore, Md.

Washington, May 1, 1841.

Sir: In reply to your letter of the 30th ult. I have the honor to state, that in using the expression "Christian people" in the first part of my recommendation, I certainly never designed to be exclusive; so far from it, that I esteem it equally incumbent on all to bend in adoration before the common Father of mankind, to ask his protection and blessing and to improve his guardianship and care.

No people have ever had more cause to acknowledge the truth of this than the people of Israel.

The last paragraph of the recommendation ought to be sufficient to put yourself and all others at ease upon this subject, since by it every sect and every religious denomination, according to its own forms of worship, is requested to unite in the religious observance for the 14th inst. of the year. The chief magistrate of the United States, I am restrained by the express prohibitions of the constitution from all interference with the consciences of men, and Heaven forbid that I should in any manner usurp the judgment and choice which belong solely to the Most High God. Let us then all unite in imploring, on the day designated, benedictions on our common country. I salute you as a fellow citizen.

JOHN TYLER.

MR. VAN BUREN. From the Albany Argus we learn that Mr. Van Buren came up the river on Saturday last, in the steam boat Albany, reaching Sayres Landing at the afternoon of that day. It was received by a large concourse of his townsmen and citizens of the county, between one and two thousand with a cordial welcome and escorted to the village of Kinderhook, where he remains, preparatory to taking possession of his residence, the inauguration of the late W. P. Van Ness, near that village.

MR. WEBSTER. who reached New York on Friday morning 14th inst. from Boston on his way to Washington, to day, (17th), accompanied by Mr. Southard and other friends, paid a visit, by invitation of capt. Bolton, to the United States frigate Brandywine, lying off the battery.

The customary salute was fired on his leaving the ship and he was gratified, we do not doubt, by the appearance of this noble vessel, which, in his view, is in crack order.

ONEIDAS GOING WEST. Five boat loads of Indians from Oneida passed through this city yesterday (May 11) on their way to Green Bay—the men dressed with coats and hats like white men—the women in the ordinary costume of their unfortunate race.

[Rockster Dem.

MCLÉOD CASE. New York supreme court, May 17, 1841. Chief justice Neilson and judges Corwain and Bronson presiding.

A large crowd was again collected within and about the court room this (Monday) morning, being the day appointed for bearing the arguments in this case. At half past 9 Mr. McLeod, accompanied by the sheriff of Niagara, entered the court and took his seat in the recess of one of the windows. At 10 o'clock precisely, their honors took their seats, and inquired if counsel were ready in the criminal case set down for that morning.

Mr. Spencer replied that he was ready on the part of the prisoner.

The attorney general not having arrived, however, some preliminary business was disposed of, and Mr. Hale soon after appeared with Mr. Wood on the part of the people. Mr. Spencer and Mr. Bradley, counsel for McLeod, who took his seat at the table by their side.

A discussion then took place, as to which side had the right to open the argument. The attorney general contending that having interposed in demurrer, the right to commence was on his side.

It was not a vital question, as the people who should have the last word, and directed the counsel for the prisoner to proceed.

Mr. Bradley then read the return of the sheriff to the jury, stating that McLeod was in his custody when he received the court's order, and that on March term, 1841, under an arraignment on an indictment for murder, also by virtue of a writ of

capias respondendum on the part of the people for trespass, and an order for commitment for entering upon, damaging and destroying the steamboat "Salvator," having done damage at \$50,000, and ordering him to be held to bail in the sum of \$7,000.

A note from Mr. Fox to Mr. Webster, dated March 12, 1841, was next read—it was as follows:—"Her majesty's government have had under consideration the subject of the arrest and imprisonment of Alexander McLeod, on a pretended charge of arson and murder, and I am directed to make known to the government of the United States that the British government entirely approved of the course pursued by me. I am instructed to demand formally, and in the name of the British government, the immediate release of Alexander McLeod, for the reason that the transaction was one of a public character, planned and executed by persons duly authorized by the colonial government, to take such measures as may be necessary for protecting the property and lives of her majesty's subjects, and, being therefore an act of public duty, they cannot be held responsible to the laws and tribunals of any foreign country."

The counsel also read extracts from the published correspondence between the authorities at Buffalo and the president, and that between Mr. Fox and Mr. Forsyth; the object, as the counsel said, being to show that the case was a national affair, and that the president had considered it so, when he stated by Mr. Forsyth that it was a proceeding which would oblige them to make a demand for reparation from the British government.

Mr. Wood then stated the reasons for opposing the motion—

First, because the return of the sheriff showed that the prisoner was detained on an indictment for murder, in which he had pleaded not guilty, and the court could not investigate such indictment *plea*.

Secondly, because the matter set forth in the allegations did not show that his imprisonment was illegal; but referred merely to the question of his guilt or innocence, which was not now before the court.

Thirdly, because the steamer on the steamboat Caroline, a boat owned by a private citizen, unconnected with the insurgents, and navigating the waters in a lawful business for the benefit of the country, under a license from the United States, was made while owned in the state of New York, and made without the jurisdiction of Canada.

Fourthly, because the government of Upper Canada or Col. McNab had no authority to send persons to commit the act in the state of New York, and consequently each individual was responsible for his acts.

Fifthly, because Angus Duffee who was murdered, was a peaceable citizen of the U. States, unconnected with the insurgents, guilty of no offence against the laws of this state or the laws of Upper Canada, and that it was not necessarily connected with the attack of the Caroline, or necessary for the protection of her majesty's subjects.

Some discussions then arose as to the question before the court, and as it appeared to take a different course to that he expected, he asked to be indulged with further time, to prepare for the argument, and the court postponed the further hearing until to-morrow morning 10 o'clock.

[N. Y. Express.

COMMERCIAL RELATIONS WITH GREAT BRITAIN.

The letter of Mr. Hume, member of the British parliament, in relation to the duties on the importation of wheat, which we publish below, will be of interest to our readers as referring to a subject that greatly concerns the United States and the grain growing sections of the union especially. It is quite obvious that a powerful effort will be made at the next session of the British parliament to change the corn law system in England, so as to admit foreign wheat into the United Kingdom upon easy terms.

One strong inducement to this change is drawn from the apprehension that Great Britain does not alter her exclusive and liberal system of prohibitive duties, other nations will be bound in self-protection to retaliate by similar restrictions upon British productions. Deprive the English manufacturer of the foreign market and his occupation gone. Yet how can England expect that other nations will continue to receive her manufactures while she persists in excluding their commodities from her ports?

The relations of trade between two countries should always rest upon the bases of mutual interest. The present would probably be a favorable opportunity for contracting a special treaty with England by which American breadstuffs might be received at the same rate as the corn of Great Britain, in view of the fact that the American market is one of great importance to the British manufac-

ture. It would be to the interest of England to draw her supplies of flour from this country rather than from the regions of the Baltic, because in the latter case she would have to pay for them in specie; here payments could be made in commodities of her own production. A year or two ago there was, as we all recollect, a heavy drain of bullion and coin from Great Britain to pay for Baltic wheat which the failure of the English crops for that season compelled her to import. The consequences of that drain of the precious metals were felt in this country very severely—and the more so because it happened that our own crops were deficient that year, not so much from the badness of the season as on account of the speculating and hoarding away multitudes of our citizens from the cultivation of the soil.

It would seem to be the duty of our government to take the ground of countervailing duties at once; in order that we might be able to have power to make proper discriminations in favor of England proportionate to the favors which she might be willing to extend to us. The operation of such duties would be likely also to go a good way towards conciling her suspicions of the impolicy of their present restrictive system.

The opening of the British market to American breadstuffs would be an event worthy of general congratulation. At present, with the exception of Brazil and the West Indies there scarcely any foreign market of importance open to our flour. Nothing but a fair outlet to the productions of the interior is wanted to make Baltimore a city of the first magnitude. The immense supplies from the middle and western states coming to this port, would render our market exorbitantly high. A trade in wheat and flour might be opened with England that would bring wealth and prosperity to all classes of our industrious citizens. *[Balt. American, May 2, 1841.]*

To the editors of the *National Intelligencer*.

GENTLEMEN: I send you the enclosed which I received by last mail. As it refers to matters of general interest in regard to our commercial relations, I see no reason why it should not be generally known that our citizens are being made in Great Britain to modify the duties and restrictions upon American products. And as congress is about to meet, the subject of the tariff may be taken into consideration, when an opportunity will be afforded of so legislating as to make a proper discrimination in favor of those countries which reciprocate the acts of the American government in a reciprocal spirit. Very respectfully, your obedient servant,

D. JENIFER.

Messrs. Gales & Seaton.

SIR: I have the honor here to enclose a copy of resolutions agreed to at a meeting of members of the British parliament, and sanctioned by upwards of one hundred and twenty of that body.

The subject of free trade and the extension of our commercial relations with the rest of the world by simplifying our tariff, and thus leading other nations, by such an example, to co-operate with us for the attainment of so important and so desirable an object, has lately engaged much of the public attention in this country; and the general feeling manifested in favor of such changes will, we confidently hope, soon induce the government and legislature to take the proper steps for carrying out extensive measures of commercial reform. In the report of a select committee of the house of commons, with the evidence given before it on the subject of import duties, in the last session of parliament, has been chiefly instrumental in producing a state of public opinion favorable to a liberal commercial policy, by clearly proving that the restrictions and prohibitions of the present commercial code of the British empire, are, in the highest degree, prejudicial to the best interests of the nation. Allow me, therefore, as the late chairman of the committee, to convey to you, in the name of that report and evidence, and to request the favor of your most earnest consideration for it.

The liberal course recommended by the committee will be found applicable to the wants of all countries; and, in a matter so deeply interesting to the peace of the world, and to the prosperity of nations, I venture to hope for your zealous support in the conviction that the enlightened friends of free trade may be appealed to with peculiar propriety at the present moment, at a time when the liberal movement in the different parts of the commercial and civilized world cannot fail to be attended with most important and beneficial results.

I send you, also, a copy of the last report of the Manchester chamber of commerce, and containing the opinions of the merchants and manufacturers of that great commercial community are strongly and favorably expressed.

Public meetings of the merchants and inhabitants of Liverpool, Glasgow, Edinburgh, Dundee, Bolton, Ashton, and many other cities and towns, have already been held, where resolutions have been agreed to, strongly approving of the course recommended by the select committee and by the meeting of the members of parliament.

It will give me much satisfaction if you will favor me with any suggestions likely to forward the great object we have in view; and, on my part, I shall be most happy to supply any information which you may deem it desirable to obtain, and which it may be in my power to afford.

I have the honor to remain your obedient and humble servant, JOSEPH HUMF.

To the hon. Daniel Jenifer.

THE APPROACHING SESSION OF CONGRESS. Within three weeks from the present date, the new congress will have assembled at the capital, according to the proclamation of the late lamented president, issued a few days after he entered upon the administration of the government.

The near approach of the session naturally sets us to thinking of the purposes for which it has been called together, and the measures which are likely to occupy its attention.

At peace with all the world, possessing in profusion all the elements of national and individual prosperity, this people had yet been for several years suffering under circumstances so adverse to both, that a sense of the pain at length roused them to a perception of the necessity of exerting their own power to relieve themselves from it. In a crisis in which the dispute in the foreign policy was so visibly the consequence of bad administration of the government, the remedy was too obvious to be missed or mistaken. The power of the people was applied accordingly; and they dismissed from authority the chief agent who had by mismanagement forfeited all claim to further confidence, and installed another in his place.

This change of one president for another was not in itself the reform in the administration of public affairs desired and expected by the people, but was the means by which the reform was to be brought about. It was a removal of the original cause of disease, the first care of every skillful physician. That great purpose has been accomplished by the people. What is next to be done, the defects of the administration of those measures which are necessary to restore to the deranged functions of the government, and thereby to the industry and enterprise of the country, their natural and wanted vigor, is a duty which devolves upon the representatives of the people in congress.

It was therefore that president HARRISON found it necessary, within the second week of his official term, to issue his proclamation, requiring the senators and representatives to meet in the capitol, in the city of Washington, on Monday the 31st of May, "in order to receive such information respecting the state of the union as may be given to them, and to devise and adopt such measures as the good of the country may seem to them. In the exercise of their wisdom and discretion, to require." The reason assigned for this convocation of congress is, "that sundry important and weighty matters, principally growing out of the condition of the revenue and finances of the country, appear to call for the consideration of congress at an earlier date than its next annual session."

Such are the terms of the proclamation issued on the 17th day of March by the late president. His lamented death has indeed developed upon another the duty of meeting the congress thus convoked; but the question of this early assembling of representatives of the people remain as expressed in the proclamation. And an undoubted confidence is entertained that president TYLER will exert all his just authority to carry out the reform indicated by the popular voice, and ratified by his own declaration in his late address to the people of the United States.

The extraordinary occasion, therefore, (in the language of the constitution), upon which congress has been called together, in the condition in which, upon coming into office, the present administration found the revenue and finances of the country. There is the seat of the disorder. It is to these functions of the government that the efforts at reform by congress, at the coming session, are to be mainly directed.

The disorder in the revenue and finances consists, in the first place, in a derangement of the currency, commerce and exchanges of the country, produced directly by the impolitic measures of the two last administrations; and, secondly, in a deficiency of revenue consequent upon that derangement.

It is not necessary now to go into a review of the impolitic measures of the late administrations

by which this mischief has been wrought—to relate the history of the demolition of the old national bank, begun by the illegal removal of the public deposits, and the effect of the unwise removals of the public deposits confided to them to inflate unhealthily the ability of the state banks; of their lavish discounts to speculators in public lands, public stocks, &c.; of the flood of revenue overrunning the public chest from sales of public lands, the stimulation of the consequent necessity of disposing of a surplus of revenue by distribution of it among the states; of the specie circular intended to check the sales of public lands, but having the effect to explode the state banks which the government itself had been unwisely to ensure their discounts; of the thrice-rejected but finally forced-down panacea, the sub-treasury, the last in the train of disastrous experiments; the fruit of ignorance of civil affairs and an "iron nerve" united in one president, and of overwrought confidence, and a fatuous reliance on predestination in his successor. Every reader is already familiar with the history of those administrations; the last of which, presumptuously declining to follow the examples of its great predecessor from WASHINGTON down to JACKSON, treated politics as a game upon which it staked the whole property of the country, trusting to the last to its lucky star to save it from disgrace and ruin.

Without looking back, or disputing about the merits of past administrations, it will be the business of congress to look at things as they are, and act accordingly.

The evils under which the country and the government now labor are practical, and require practical remedies. Though widely extended, producing every occasion of life, and affecting every class and order of people, the most sensible of these evils (that is, a vitiated currency) is believed to be within the power of the general government. Next to this, the evil most immediately demanding the attention of congress is a deficiency in the means of the treasury to carry on the government; a deficiency prospective as well as present. A third evil is the instability of the policy of the government in regard to its finances; the dependence upon expedients and makeshifts to supply revenue, instead of regulating the supply by long-handed legislation, so that the people may know what to expect to pay, and the government may know what to expect to receive; and which, if properly managed, be enabled to make their calculations accordingly.

This specification includes nearly all the objects connected with the revenue and finances which will claim the attention of congress at the extra session.

The last of these objects, though probably not the one for which an extra session of congress would have been deemed advisable, is perhaps the most important of the whole. Uncertainty and instability in the financial policy of any government are sources of helpless embarrassment to merchants, manufacturers, planters, farmers, artisans and capitalists, and hence to every interest of the people, as well as to the government itself. They should be avoided and guarded against by all the means within the power of the national legislature.

Among the causes which disturb the public policy is the fluctuation of the revenue springing from the public lands. We have seen the annual amount rise in one year from less than five millions to nearly fifteen millions of dollars, and in the next year to almost twenty-five millions of dollars; and we have seen the revenue from the same source, within two years after reaching this maximum amount, come down again to three millions of dollars.* Under such fluctuations, it is evident that there is a rift to a torrent, and dwindling again from a torrent to a rill, which at one season is hardly to be found in its rocky bed, and at another floods the plains with its abundance; what reliance can be placed? It is sufficient to say, that the revenue from the public domain actually belongs, is a dictate, in the sense of sound policy, in reference to the effect of such relinquishment, than of strict justice, the right of the thing being considered. The distribution during the several states of the proceeds of the sales of the public lands, upon the principle of the bill which was passed by congress several years ago,

*The following are the amounts received into the treasury from proceeds of sales of public lands during the years stated—extracted from the annual reports of the state of the treasury, viz:

In the year 1829	\$2,613,791
1830	3,967,761
1831	4,857,660
1832	14,761,600
1833	15,081,999
1834	6,776,226
1835	3,081,939

and which was arbitrarily and contemptuously prevented by president Jackson from becoming a law, will therefore, it would be the fortunate act of the extra session—first of the series of measures, which is, we fondly hope, to make that session memorable in history.

The distribution among the states of the proceeds of the public lands have been always regarded as a measure of justice and sound policy. It is no new opinion of ours. The measure is also one which, beyond the control of party discipline, we have seen approved upon its own positive merit, by almost every state in the union. It is a measure which gives satisfaction to us to know that this measure, which a majority of the states and of the people have always deemed expedient as well as just is now recommended by the additional consideration that it will yield to the indebted state (whom general depression of business has involved in the general embarrassment) the means, in part at least, of paying the interest upon their debts until they become able to pay the principal, and thus averting the otherwise inevitable bankruptcy of some states—a catastrophe little less to be dreaded and deprecated than the bankruptcy of the union—and involving indeed the worst consequences which would attend such a disaster. Happy is it not for the country that relief can thus be afforded to the debtor states without a violation of any principle, and especially without incurring the odium attached to the idea of an assumption by the general government of the state debt! Fortunate is it not that, by an act of simple justice, by paying the interest, whatever it may be by rights belongs to them, it is in the power of congress to do so much for the relief of the debtor state? More fortunate still, that the debtor state can thus be aided by the general government, not only without producing to the creditor states without advantage, by placing at the disposal of those states (their proportion of the revenue from lands) funds which they will be able to employ to the greatest advantage in purposes of intellectual and general improvement.

The disposition of the proceeds of the sales of the public lands will place it in the power of congress to impart to the financial policy of the government stability, that essential element of public prosperity. That an augmentation of the revenue is necessary to meet the ordinary expenses of the government is known to every body. For several years past it has been coked out by supplements of treasury notes; but that expedient is a miserable and partial resort on any other occasion than on extraordinary occasions. The amount of treasury notes at any time outstanding is neither more nor less than so much public debt; in the most troublesome form which it can assume; and the amount of public debt contracted without a given limit, whatever that limit is, is but the measure of the deficiency of the revenue. What the total amount of public debt now is, in the various forms of outstanding treasury notes, deferred payments to contractors and other public creditors, stocks due to Indian tribes, the fourth installment due to the states under the act of 1836, &c. we have not the means of accurately stating; but we may, without fear of exaggeration, set it down at forty millions of dollars of debt, all contracted within the last four years. The deficiency of the revenue, the expenditures of the last years must have been, on an average, some ten millions of dollars a year. Allow what you will for the falling off of the imposts caused by the blighting influence of the policy of the government, still the revenue which for four years has been so far short of the wants of the government cannot be expected to improve, even under brighter auspices, to an adequate amount without some enlargement of the sources of supply. The ordinary expenses of the government are increased by the necessity of a more economical administration; the extraordinary expense of the Florida war—extraordinary in every sense—which has been such a drain upon the treasury, may cease altogether; all this may happen, and yet the aggregate of the ordinary expenses of the government must be increased instead of being diminished. For not a doubt is entertained, we presume, in the mind of the present administration, that large appropriations of money are necessary for extending and strengthening the public works by land and sea, and that no consideration of false economy ought to be suffered to stand in the way of the accomplishment of this great purpose. Such, we know, was the opinion of the late lamented president, and such was the opinion of the president and his successor. "I shall shrink from no proper responsibility attached to my station," said Gen. Harrison, two days before his last illness, to a friend with whom he conversed. "I shall recommend to congress large appropriations for the public works. If they shall not respond to my recommendations, or shall refuse or neglect to provide the ways and

means to carry them into effect, with them will rest the responsibility, I shall have done my duty."—Believing that the sentiment of the late president reflects the true policy of the government, and the paramount duty of congress as well as the executive, we have no idea of any reduction of the aggregate amount of the expenditures of the government. An augmentation of the revenue to some extent, is therefore inevitable. Whether that augmentation is to be secured by a resort to direct taxation and excises, or by a modification of the duties upon imports, cannot be long, if for a moment, a question of expediency is admitted, if it were free, and who are determined to remain so.

A revision of the duties upon imports, therefore, with a view to revenue, is one of the main objects which require the attention of congress at the extra session. In modifying those duties, let no pretence be given for an anti-tariff clamor by any attempt to force or unduly favor particular arts or products of our own country by high duties or prohibitions. Not that in levying the revenue we would depart from the policy, common to all nations, and not incompatible with the most enlarged notion of free trade, of a discrimination in favor of American industry. But let a just arrangement be made, in which the principle of discrimination in favor of labor is not sufficient to represent a duty on a large portion of our imports left sufficiently free for all the purposes of a prosperous commerce.

The great object which requires the action of congress at the extra session is the condition of the currency, and the question of the currency is the most urgent and engrossing interest. The repeal of the sub-treasury act, that odious measure so unequivocally condemned by the voice of the people and the experience of the government, would appear to be a sufficient measure of course, and is so hardly a diversity of sentiment. Then comes the vexed question, what financial agent shall be employed, in lieu of it, to receive, keep, and pay out the public money? Our own opinion on that subject has been too often expressed, and it need not be known to our readers. Believing that all the difficulties and embarrassments under which the people and government have painfully labored—including our degraded currency, fluctuating exchanges, and the consequent depression of the market—have been the necessary consequence of the unwise policy of the two last administrations, we are of opinion that the true preventive of these evils is to be found in a restoration of the state of things under which the country has prospered, and in which the action of the government itself made them otherwise. In other words, we believe in the expediency, and indeed necessity, of a national bank, to discharge the double functions of a fiscal agent for the government and a regulator of the currency for the people. This is the opinion of the editors of this paper, in repeating which now and here they do not pretend, not being authorized, to represent the views of the executive.

That a central fiscal agent, under whatever form or modification of its details, is necessary and proper, if not indispensable, to the collection of the revenue and the regulation of the exchanges, (an essential element of commerce), we believe to be the conviction of nearly every intelligent person who has had occasion to examine the subject at all. What form that agent shall assume, what offices it shall perform, by what name it shall be called, where it shall be located, how governed, &c. constitute a mass of considerations, out of which only some central agent can be devised. If established, free from the objections of those who have conscientious scruples against establishing a bank or none, and from the objections against banks as now organized, or at least as now administered, it will be a great step towards the relief of the country.

If, owing to the scruples which have heretofore prevailed in some of the southern states against a national banking institution, it shall be found impracticable to unite a majority of the two houses in favor of such an institution, then there must be entertained those scruples bring forward their measure; and let that measure be tried.

The adoption of any rational system, under which the public revenues can be so managed as to establish some circulating medium of equal value in all parts of the United States (which nothing short of the power of the general government can effect) will restore tranquility to the public mind, which is preferable to continued agitation under any other system. We do not, however, have any opposition to the establishment of a central fiscal agent will not be found to be the sentiment of a majority of the representatives of southern feelings and interests, whatever it may have been heretofore. It is no school like academy. More than any other portion of the United States have the people of the southern states been ground down

by the experiments instituted by their late rulers, one after another, so as to try how many such they could bear and live. If, indeed, the signs of the times are to be at all relied upon, great changes of opinion have very recently taken place on this subject in the south; and we should not be very much surprised if, from some states hitherto most opposed to a national bank, we were to have in the present congress nearly an unanimous expression of sentiment in its favor.

Of all speculations as to what congress may or not do in reference to the currency, perhaps, after all, none more can now be set down as certain than that the extra session will not pass away without the establishment of some fiscal agency as a substitute for that which exists under the familiar name of the sub-treasury system.

The measures, in fine, which may be expected to become subject of deliberation in congress at the approaching session, are,

1. The distribution of the proceeds of the sales of public lands among the several states.
2. A revision and augmentation of the duties on imports, for the purpose of securing from that source a revenue adequate to the wants of the government.
3. The repeal of the sub-treasury law.
4. The establishment of a central fiscal agent, to aid the government in collection and disbursing the revenue and equalizing the currency.
5. A temporary loan, if necessary to supply the immediate necessities of the treasury.

These measures would strew the clouds that have so long overhung and yet obscure the prospect before us. These measures, taken together, would, we feel entirely confident, suffice not only to restore to the country its wasted vigor, but carry it forward with a firmer step than it has ever taken.

We have said nothing about the existing public debt, which it will be time enough to provide for at the regular annual session of congress, when its amount will have been better ascertained than it can yet be. Nor have we taken into consideration the question of a uniform system of bankruptcy, which seems to be within the contemplation of some of our friends as a measure to be agitated at the extra session, and on which another question of a general character. Because congress has been called together with a special view to the revenue and the finances; and it seems to be desirable, under every aspect of the case, that the deliberations of the two houses be concentrated upon the subject as far as possible, to the objects for which they have been convened. [Nat. Int.]

POLITICAL. Announcement of a candidate for the next presidency and organization in his favor. The Philadelphia papers furnish the following: The undersigned, democratic citizens, having assembled for the purpose heretofore mentioned, unanimously adopt the following preamble and resolutions.

Whereas, The name of com. Charles Stewart, of Pennsylvania, has been formally presented to the American people, as a suitable candidate to be supported for the high office of president of the United States—therefore

Resolved, That we will form a political association, the object of which shall be to use every honorable exertion to secure the election of com. Stewart to the office of president of the United States.

Resolved, That we will form a political association, the object of which shall be to use every honorable exertion to secure the election of com. Stewart to the office of president of the United States. Because, we believe him to be eminently entitled, by a long life of devotion to the public good, to the highest rank in the gift of his countrymen. Because, at a time when our gallant little navy, during the first term of the administration of president Madison, would have disbanded, had it not been for the timely interference of com. Stewart, and a few kindred spirits, who bravely stood by him, the enemy might come as they pleased, but by heaven they should never come by water.

Because the state of Pennsylvania having never had a president or vice president of the United States, we believe it is his duty to claim its share in the fact of it being one of the Old Thirteen, from its vast resources, its immense population, and its steadfast adherence to democratic principles of the government, throughout the most trying periods of its history.

Because, in selecting com. Stewart, we select a man who is in all respects a democrat, one who from early boyhood has been ardently attached to his country, one who has done more to maintain the honor and integrity of the Union than any one who ever lived, one who combines all the qualifications of a hero, patriot and statesman, and one whom Pennsylvania should delight to honor.

Resolved, That a committee be appointed to prepare bye-laws for the government of this association.

Resolved, That this association shall be known by the style and title of the "Old Iron Sides Club of Southwark, No. 1."

Resolved, That the democratic citizens who are friendly to the cause, be requested to attend an adjourned meeting, to be held on Thursday evening, the 15th inst., at the house of H. P. Mitchell, S. E. corner of Meeting and Fifth streets, at 8 o'clock, when an election for officers will take place.

WM. ENGLISH, chairman.

JOHN MCCOY,

THOMAS MARSHFIELD,

FRANCIS CLINTON,

THOMAS DALY,

STEP. B. LABALLEE,

JOHN H. NEWELL, } secretaries.

Wm. Dickson,

"Old Ironsides Club."

Pursuant to adjournment of the 3d inst. there was a large and spirited meeting of the democratic citizens favorable to the election of commodore Charles Stewart to the next president of the club, on Saturday evening, the 8th inst. at the head quarters of the club, corner of Carpenter and Sixth streets. The large room in which the meeting was held was filled to overflowing. The preamble, constitution and bye-laws of the club were read, unanimously adopted and signed by all present. The new resolutions were then unanimously passed, and ordered to be signed by the officers, and published in all the democratic papers.

Resolved, That the first election of officers of this association, shall be held on Saturday the 15th inst. and that the officers then elected, shall hold their offices until others are elected pursuant to the 2d article of the constitution.

Resolved, That up to 9 o'clock on Saturday evening, all persons who sign the constitution shall be members, and that the election for officers shall take place at that hour.

Resolved, That this meeting adjourn in meet at the same place on Saturday evening next, at half past seven o'clock, where all the democratic citizens of the city and county, favorable to the object of the club, are respectfully invited to attend and enrol themselves among its members.

G. SMITH, chairman.

R. K. SCOTT,

ROBERT P. DEVELPER, } secretaries.

POPULAR RIGHTS AND POPULAR WILL. The absurd and impious doctrine, that the voice of the people is the voice of God, is thus dignified by professor Henry of the New University:

It is the fundamental maxim of all political ethics that political rights imply political obligations: so much the more liberty a people enjoy, and so many the more rights they possess, so many the more their duties. Yet at the present moment, notions of popular rights appear to me to have sprung up and spread over the country which are false, absurd and dangerous. We have got the habit of taking for granted that the people have a right to do whatever they please to do; and that whatever they please to do is therefore right. Political right has thus become separated from duty, and has practically come to mean nothing but mere popular will.

We are continually told that the sovereign power resides in the people. This is a naked form, but a half-truth; and, as has been well said, a half-truth is often the greatest of lies. It is unquestionably true that the sovereign power, in a certain sense, resides in the people; but in the sense in which it is commonly understood it is a great and pernicious error. It is God's ordinance, and the necessity of man's nature, that man should exist in society. To do this he must exist as a state—that is, a community in which justice and social order are maintained. Government is the power of the state organized, embodied, and put in action, and the *form* of government is the particular mode in which the powers of the state are embodied and put in action.

Hence it is clear, that the foundation of government is not in the people, unlimited will of the people; and that the sovereignty of the people is not in mere natural right, but in duty. We are too prone in general to forget the great comprehensive truth, that rights and obligations ever go together. There is scarcely such a thing as the unlimited will of God, as the absolute right of doing what one merely wills to do. The only absolute right in the universe, is the right of not being wronged. In political affairs, neither the mere will of a majority, nor even of the whole people, can make a thing right, or justify their action. Nothing can be made right by mere willing to do it. Still, as a right which is to be dutifully exercised, I maintain the doctrine

that the sovereignty is vested in the people. And in the exercise of the sovereign power residing in them, the people of this country have organized our form of government—and have defined and distributed the powers of the state. They have done this in our constitution. Practically therefore to all intents and purposes, the sovereignty, at this moment, and so long as the constitution stands unimpaired, is lodged in the constitution. That is the exercise of the power of the state; there it resides in the sovereign power of the nation; and it resides there out of the reach of the present will of a mere numerical majority. The constitution can be changed only under particular circumstances, and by three-fourths of the states.

BLUE BOOK. The subjoined table has been compiled with all convenient accuracy from the Blue Book of 1840, and the returns of the census of 1840, so they have been prepared for printing at the state department.

Though not exact, they will probably be found very near the truth. There are a large number of officers and agents not named in the Blue Book, which are not included. And there are a number of purely honorary names, whose places of nativity are not designated. These are not included in the table.

The sum total does not comprise the list of post-masters in the United States, nor are the persons employed in Washington included.

STATES.	Population.	Army.	Navy.	Civil.	Employed in each line in each state.	Total.	Not employed in Washington.
Maine	501,729	30	27	186	151	344	16
N. Hamp.	284,574	24	30	96	27	187	19
Mass.	727,699	111	285	247	755	1,359	12
Conn.	323,015	43	42	120	51	256	23
R. Island	108,830	14	14	26	1	55	3
Vermont	291,948	31	15	26	24	106	4
N. York	2,428,921	183	169	393	674	1,429	38
N. Jersey	373,206	32	54	125	41	262	20
Penn.	1,724,022	137	148	220	160	665	67
Delaware	78,085	11	17	22	13	73	6
Maryland	468,222	116	124	328	87	655	10
D. C.	12,390,797	187	188	263	471	1,009	30
N. Carolina	594,388	25	46	52	47	170	14
Miss.	375,851	3	2	9	12	26	3
Tenn.	829,210	23	13	21	6	63	3
Arkansas	54,307	3	2	1	1	7	1
D. C.	42,712	45	41	150	1	236	8
N. Carolina	753,110	38	32	133	58	181	7
Ohio	1,419,467	17	26	29	47	119	18
Alabama	756,615	4	2	1	1	8	1
Louisiana	351,176	8	9	21	81	119	1
Kentucky	777,397	55	22	52	3	132	4
Indiana	1,419,467	31	16	15	52	114	4
Illinois	663,214	5	2	1	21	29	1
Missouri	474,044	5	2	4	23	34	3
Arkansas	381,102	21	4	13	46	80	3
Michigan	95,642	3	2	22	25	52	3
Wisconsin	211,705	3	2	26	90	121	4
Iowa	200,752	4	1	6	58	69	8
California	43,068	1	1	3	24	29	3
Ireland	1,200,000	20	12	60	111	203	26
England	12,000,000	22	6	55	83	200	20
France	32,000,000	5	1	12	18	4	1
Germany	32,000,000	5	1	12	18	4	1
Scotland	3,000,000	7	2	10	21	5	1
Norway	1,000,000	1	1	1	1	1	1
Spain	1,000,000	1	1	1	1	1	1
Canada	1,000,000	1	1	1	1	1	1
Prussia	1,000,000	1	1	1	1	1	1
Sweden	1,000,000	1	1	1	1	1	1
Italy	1,000,000	1	1	1	1	1	1
Portugal	1,000,000	1	1	1	1	1	1
Spain	1,000,000	1	1	1	1	1	1
Belgium	1,000,000	1	1	1	1	1	1
Greece	1,000,000	1	1	1	1	1	1
Switzerland	1,000,000	1	1	1	1	1	1

[17,100,572; 1,266; 1,242; 1,290; 2,292; 4,861; 619]

HISTORICAL REMINISCENCES.

Naval battles and surprising naval heroes. The recent defeat of commodore Stevens, has led us to ascertain the list of the dead and living commanders who shed no blood lustre upon our national flag in the last war. War was declared in June, 1812—Peace was signed at Ghent, December 24, 1814, and proclaimed by the President, February 15, 1815.

*Returns from nine counties wanting, 7 of which contained in 1830, 55,881.

*Returns from five counties not included. Four of the five counties contain, according to the marshals' returns, 88,701.

*Returns from Carter county wanting. The amount of population in 7 counties of Georgia in 1830, and that of four counties in Alabama, mention in this note, are included in the sum total.

There were fifteen naval actions: between British and American vessels of war. In eleven battles, fought by single ships, the Americans conquered; in four only the British triumphed—16 of which were by single ships, viz: Chesapeake, of 47 guns, taken by the Shannon, 32; and the Argus, 16 guns, taken by the Pelican, 20. The other two British captures were two to one, and four to one against us.

During the war, there were captured from the British, on the ocean, three frigates and fifteen sloops of war, and smaller ships; and on the lakes thirteen, several of them frigates and sloops. The whole number captured by the Americans were thirty-one. The British took from us, and destroyed at navy yard, but twenty-three armed vessels, viz: three frigates, (Chesapeake, President and Essex), twelve sloops and gun brigs, and eight schooners.

Of the commanders who fought the naval battles, there have died—

Deaer, who took the Macedonian, Oct. 25, 1812. Bainsbridge, who took the Java, Dec. 29, 1812. Lawrence, who took the Peacock, Feb. 24, 1813. Barrows, who took the Boxer, Sept. 6, 1813. Blakely, who took the Reindeer, June 28, 1814.

Also, the Aron, Sept. 7, 1812. Perry, of the Lawrence, Alcmey, of the Commodore, Cookin, of the Tigress; Senat, of the Porcupine; and T. Holdip Stevens, of the Tripps, of commodore Perry's squadron that captured the British squadron of six ships on Lake Erie, Sept. 10, 1813.

Macedonough, of the Saratoga, and Henley, of the Eagle, of commodore Macdonough's squadron that captured the British squadron of four vessels on Lake Champlain, Sept. 11, 1814. Allen, of the Argus, taken by the Pelican, Aug. 14, 1812.

The surviving naval commanders in the last war, who achieved victories, are—

Isaac Hull, who took the Guerriere, Aug. 20, 1812. David Porter, who took the Alert, Aug. 15, 1812, and fought the ships Plumb and Cherub on Valparaiso, March 28, 1814. Jacob Jones, who took the Frolic, Oct. 18, 1812. Lewis Warrington, who took the Epervier, April 29, 1814.

Charles Stewart, who took the two sloops Levant and Cyane with the Constitution, Feb. 29, 1815. Jesse D. Elliott, who commanded the Niagara in Perry's victory.

Stephen Turner, who commanded the Scorpion. Stephen Cassin, of the Ticonderoga, in Macdonough's victory.

Of the surviving commanders, all are post captains except commodore Champlain and captain Porter.

There are many survivors still on the list of our gallant naval officers who were distinguished by bravery and conduct, in the war, under the command of superiors, but the above are all the survivors of those who had immediate commands. The catalogue presents thirteen deceased and nine living.

[Noton Post.]

THE NAVY.

The rev. Charles Henry Alden, of Philadelphia, has been appointed a chaplain in the U. S. navy. Com. Charles W. Morgan, is appointed to the command of the Brazil station.

The return home of the Mediterranean squadron. Our readers will doubtless be surprised at the sudden return home of the United States squadron of vessels of war from the Mediterranean. So should we certainly have been, had not received information, some days ago, that advice had been transmitted by our minister at London to the commander of that squadron, of the great excitement in England on the receipt of Mr. Pickens' report, accompanied by some indication that the immediate return of that squadron to the United States was advisable, the station being one which, in the event of a war with Great Britain, it would be entirely unwise for it to attempt to remain in.

We have no doubt that our information on the subject, though unofficial, was substantially correct. That the commander so precipitate a return of the squadron to port at home, leaving the immense commerce of the United States unprotected in the Mediterranean, is very much to be regretted, and is besides calculated to spread an unnecessary alarm among our countrymen elsewhere, as well as in the Mediterranean, cannot admit of a doubt. We are admonished by the fact of such advice having been deemed necessary, how much nearer we have been to the point of actual hostilities with Great Britain, than we are at present. In this respect, nothing certainly but an absolute conviction of the probability of such a conflict could have induced our minister at London to take the responsibility of

whining the return of our ships of war from that

What a lesson ought not this to be against such indications as the report of Mr. Pickens, if considered and heedless as it was, and unsustained either by the people or the executive of the United States! What a warning against consulting committees of such importances as the committee on foreign relations out of mere party men, having no idea of any policy but what is suggested by party feeling! We do not mean to apply this observation to Mr. Pickens particularly, but to the party majority of one vote in the committee on foreign relations. Such sustained bodies of party men, making such a report, not only gratuitously in itself, but under the circumstances of our pending relations with Great Britain, positively mischievous.

The immediate consequence of the return of the squadron under commodore Hull will, we presume, be to expedite the departure of the squadron, under commodore Morris, which was understood to be fitting out for the purpose of relieving the squadron now returned.

The United States ship Cyane, William H. Lathrop, esq. commander, from the Mediterranean by the way of the islands of Madeira, Canaries, Cape Verde, the coast of Africa and the Windward West India Islands, last from St. Thomas, which port she left on the 2d instant, was towed up to the navy yard at Norfolk on Monday evening by the United States steamer Poloset, and exchanged salutes with the Pennsylvania, the flag ship of com. Shrubrick.

Expanding expedition. Capt. Lawrence of the ship Chaugnon arrived at Edgartown from the Pacific ocean, reports the U. S. brig Porpoise, capt. Ruggold, at Tahiti, Jan. 26, to sail on a cruise the next day. The Porpoise had visited many of the Frigate Islands, and several others not laid down in the charts; officers and crew all well.

The Norfolk Beacon says: The United States ship of the line Delaware, capt. McCauley, destined for the Mediterranean, dropped down on yesterday the anchorage of the naval hospital in the bay of the U. S. steamer Poloset. The Delaware moved down in beautiful style, it being supposed that she went at the rate of six miles an hour against a flood tide, and wind very light from N.E.

A man-of-war was at anchor before the White Point yesterday morning, probably the Cyane, from the Mediterranean. [Norfolk Beacon, May 17.]

We regret to learn that lieut. Shrubrick, U. S. navy, accidentally shot away a part of his face while on a scout in the Everades, on the 15th inst.

[St. Augustine News, May 11.]

We are much gratified to learn that the United States government have adopted for the use of the navy, explain Taylor's submarine exploring apparatus. Three of these suits of Marine armor are to be put on board the three first large ships of war, which leave this country—and three are to be deposited at the navy yards, to be used as occasion may require. [Boston Jour.]

The United States brig Dolphin, from the coast of Africa and last from the Cape de Verdes, arrived at Guadeloupe on the 5th of April, thence sailed for Martinique, where she remained four days and arrived at Fredericksstadt, island of Santa Cruz, on the 21st ult. Thence she was to sail for Porto Rico and St. Thomas, and then returned to the U. States.

Ten deaths in all had taken place on board the Dolphin—the last was John Jackson, a seaman who died at sea.

On board the Grampus there had been five deaths; midshipman Caldwell had been transferred from the Dolphin to the Grampus, and his place in the former was supplied by midshipman McLaughlin, from the Grampus.

The Grampus was to remain at the Cape de Verdes until the return of the Cyane, when she would sail for the coast of Africa, and then home, via the West Indies.

The National Intelligencer states that the frigate Brandywine is to return forthwith to the Mediterranean. The residue of the squadron, it is possible, if not probable, has received such information, after the Brandywine parted company with it, as to induce it to return to the Mediterranean station.

Coast squadron. Some few weeks since, we mentioned that it was to be contemplated to organize and put in commission a squadron of the protection of our coast, and we are now pleased to learn that what was then only a surmise, is now about to be confirmed. The secretary of the navy, with a view to the effective defence of our large and sufficient naval force. A portion of the squadron will be stationed off the southern harbors commencing at Charleston, South Carolina. Another off Norfolk

and that immediate vicinity. Another off N. York. Another off Boston—and the last to the neighborhood of St. George's Shoals and the Frying Bank. In addition to this the West India squadron is to be largely increased, and when all these additions to our present effective force shall be completed, we may begin to think ourselves in a tolerable posture for any emergency. Of the necessity for this step none can doubt, and we trust that nothing may occur to thwart the views of the department, for such important ends. As the work will doubtless be commenced as soon as practicable, we may expect busy times at our various yards and naval depots.

[N. Y. Sun.]

Submarine exploring apparatus. The National Intelligencer states that the U. S. government has adopted for the use of the navy, capt. Taylor's submarine exploring apparatus.

The Fredericksburg Arena states that commodore T. Ap. C. Jones has been appointed to the command of the Pacific squadron, and will hoist his flag on board the U. S. ship Independence.

U. S. ship Constellation. A letter from on board the U. S. ship Constellation, dated at Rio Janeiro, March 28, states that com. Kearney, after he took command of the ship, gave the men permission to go on shore, and that an apprentice boy by the name of Moore, of Charlestown, Mass. stabbed a man by the name of Miller, who died of the wound received.

It is stated in the New York Express that the sloop of war Fairfeld was put in commission on Monday, and a part of her crew placed on board. She proceeds forthwith to the North river, whence she will proceed to sea, when her complement of men shall be ordered. Surgeon Samuel Mosely has been ordered to the Fairfield.

RECIPROCITY OF TRADE.

From the Mobile Journal of Commerce.

The time is at hand when it will become necessary to remodel our system of duties, so as to increase our revenues to an amount adequate to the wants and necessities of government, or to adopt some other system of taxation for its support, if deemed by the majority more consistent with good policy, or congenial to the purity and permanence of our political institutions. That a great difference of opinion should exist on the subject, in a country like ours, where the mass are intelligent and capable of thinking for themselves, and discussing the most grave and intricate questions of national policy, is not surprising, or to be regretted.

It is to be hoped, when the congress of the nation shall be called upon to act on this important question, they will do so in a spirit of mutual kindness and forbearance, and that harmony and good feeling, divested of all local or sectional prejudices, may characterize their proceedings; that they may legislate as *Americans* should do upon a question of *American* policy.

Our present system of duties will doubtless occupy much of the time and attention of congress at its extra session; and the manner in which the subject was incidentally introduced into the debates of the last session, induces the belief that it will be approached with great caution, and no action taken without mature deliberation. The discussion of the subject will embrace such others as have any connection with, or even distant bearing upon, the question of revenue.—Finance, currency, free trade, protection, reciprocity and retaliation, commerce, &c. Although, nominally, there is but one object to accomplish, (that of bringing the receipts of the government to an amount equivalent to its expenditures), yet there may be said to exist four sets of opinions as to the best mode of doing so.

It is my purpose, briefly, to notice what appear to me the most flagrant errors of opinion on the subject of duties, which seem to prevail to some extent; though not with the expectation of doing full justice to a subject of such magnitude and importance; it requires an abler pen than mine. The views which I offer, are those of a merchant and not a politician.

I have said that four sets of opinions prevail in congress as to the most expeditious mode of enacting a revenue sufficient to meet the expenses of government. They may be classed as follows:

1st. The advocates of *unrestricted* free trade and direct taxation.

2nd. The friends of free trade, except so far as a duty is necessary for the support of the government, giving a preference to articles of luxury.

3d. The supporters of a protective system.

4th. The advocates of reciprocity and retaliative duties.

Though the advocates of "unrestricted free trade" are few in number, their position and standing in the councils of their country entitle their views, however absurd, to a passing notice. They would see our ports thrown open to every species of production and manufacture from other nations, while our products are either excluded from their ports, or made to pay a heavy tribute for the support of their governments. They would make us the abject dependants upon foreigners for many articles of consumption, and give them the power to dictate the price at which they will take ours. They would compel the poor man to pay more in proportion to his means, for the support of his government, than the rich man with his hoarded millions, who indulges in the luxuries of every clime. There need be no apprehension, however, that such notions of national policy will ever obtain currency in any civilized country, until all commercial nations shall agree to reciprocate.

The second, and probably most numerous, class in congress are those who believe in the policy of free trade, except so far as a duty is necessary for the purpose of revenue, and would select for their object articles of luxury, the product of countries that tax our products heavily; and such, also, as have the ability to produce ourselves, such as silks, wines, linens, &c., without wishing to interfere with the principle upon which the "compromise act" was founded, or disturb its previous any further than is necessary for revenue purposes.

They are opposed to free trade in its extreme literal sense but are so far its advocates, as to oppose any rate of duties beyond the wants of government, or equivalent to those paid upon our exports to foreign nations, at their ports. There are many, among the advocates of this course of policy, who believe in the expediency of the protective system, but feel themselves pledged, to consider that question settled by the compromise bill.

Among the many who a few years since were strenuous in their support of the "protective system," but few remain who so pertinaciously adhere to their opinions as to openly avow and advocate them, and refuse to consider the settlement of the question between the two antagonistic parties at that time, as binding. Whether the so called "American system" was one of sound policy, and calculated to promote the best interests of our country, remains for future generations to judge; the present one has been too much agitated, prejudiced for and against excited too deep and violent, to permit an unbiased decision, and the discussion of the principles involved in its policy, has been almost entirely abandoned by common consent, under the influence of a patriotic love of country and attachment to the union, alike creditable to its friends and its opponents.

The extraordinary discrepancy between the duties levied by many foreign nations upon our products, and the rates of duties required in our ports upon products and manufactured articles from these nations, has led some of our most enlightened statesmen to advocate a system of "reciprocity and retaliative duties."

The term "retaliative" may grate somewhat harshly upon the sensitive ears of statesmen, whose opinions of national wealth and political economy are founded upon fine spun theories; which, though they strike the mind as conclusive, will not stand the test of practical experience. But let us enquire if the exigencies of the case do not call for the adoption of such a course of policy in our commercial relations with foreign powers, as shall in-

duce them to extend to on the same liberality we have ever manifested toward them.

It is an axiom in political economy, that the wealth of a nation depends upon its exports more than its imports; in other words, that it sells more than it buys. If the reverse is the case, it sinks into poverty and bankruptcy. It has, therefore, been the policy of every enlightened government so to legislate as to increase the one and diminish the other. One means by which this has been accomplished to a great extent, particularly by England and France, has been by effecting such treaties with other powers as to secure the admission into their several kingdoms, of their products and manufactured goods, on the most favorable terms; and, at the same time, levying enormous duties upon the products of other countries, particularly upon articles of luxury, which materially lessens consumption.

Both England and France, which make great pretensions to "reciprocity in trade," receive annually at their custom houses, more than double the amount of duties upon their imports from abroad than is paid on a much larger amount of exports at the custom houses of the several nations to which they send their productions.

Let us contrast the position of Great Britain with her restrictive and prohibitory policy, with the United States and her free trade, or "no-natal duty" system. The United Kingdom, with a population of 30,000,000 located upon two little islands, which possess no variety of climate, and a soil not capable of producing even its own bread stuffs, exports, annually to the amount of five hundred millions of dollars, exceeding its imports over \$200,000,000, which excess goes to increase her national wealth. She is the wealthiest and most powerful nation upon the globe. Almost every nation is her debtor, and she has become the centre of the financial and monetary world.

The United States, with a population of 14,000,000, occupying an almost boundless extent of territory, which embraces nearly every grade of climate between the two extremes, a fertile and productive soil capable of producing every necessary of life, and nearly all of its luxuries, exports annually one hundred million of dollars, against an import ascending that amount, taking the average for 10 years past, of nearly 25 per cent per annum. She owes a foreign debt of nearly \$250,000,000,* her citizens individually and collectively embarrassed, her currency unsound, confidence at home and abroad impaired, and nothing but her vast natural resources of soil and climate, and the physical and intellectual energies of her people, could save her from bankruptcy and universal poverty. This difference in the condition and prosperity of the two most enlightened nations in the world, inevitably leads me to the conclusion that there is something wrong in our commercial policy, that the evil grows out of our excessive imports and limited exports, and that legislation may and should be so applied as to remedy it by diminishing the one and increasing the other. This may be done by the adoption of a system of duties which shall permit the free introduction of foreign products into our ports, upon precisely the same terms that our products are received into theirs. If England will admit our cotton, tobacco, and flour into her ports free of duty, let us admit her silks and manufactured goods on the same condition, if she places a duty of 50 per cent, let us do the same. In this way, we can bring other nations to reciprocate and act upon our free trade principles; but without the adoption of some such course, we may continue to toil on for the benefit of

other nations, enriching them, and finding ourselves more deeply in debt every year.

Were it possible by treaty or otherwise, for us at once to secure the admission of our products into all the ports of foreign powers upon as favorable a footing as we receive theirs, I venture to assert, that in less than 10 years our exports would be double what they now are, while our imports would not increase 50 per cent. In support of this opinion, I will make two articles of production which we have the ability to produce to an extent almost sufficient to supply the entire demand of Europe, if their restrictive duties upon them were reduced to the maximum of ours, namely, tobacco and flour. Upon tobacco, which costs at New Orleans but 5 to 10c. per pound, the duty in England is 3 shillings sterling, or about 75 cents (equivalent to 1000 per cent on its cost); and about the same throughout the continent of Europe, which to a great extent forbids its introduction and use, as it is too expensive a luxury for the poorer classes to indulge in; but remove the restriction so as to place it within the reach of the laboring classes, which embrace 9-10ths of the whole population, and the consumption would increase 100 per cent per annum for the next 5 years, cause a demand that would extend its cultivation in this country, enhance prices by which the planter would realize a good profit, and in a few years become as large and important an item in our list of exports as cotton.

Were the heavy duties on flour removed, we could export annually to England, the West Indies, and elsewhere \$200,000,000 or more.

While England charges a duty of 72 cents per 100 lb. on cotton, \$2 to \$4 per bbl. on our flour, and 3c. on tobacco, we are taking from her, silks, linens, worsted-stuffs, &c. free of duty, amounting to more than \$20,000,000 a year.

In our trade with France, of our imports, which are more than double our exports, more than two-thirds are admitted duty free, and the balance pays a mere nominal one of 10 to 25 per cent, while not an article that we export is admitted into their ports except at a heavy duty, our cotton paying 5 per cent more than Egyptian.

Similar discrepancies in the rates of duties to those above pointed out, characterize our whole commercial intercourse with foreign nations. In evidence of this fact, I herewith annex a table embracing our principal exports to, and imports from Havana, with their value, the amount of duties paid, &c. for the year 1840. It is proper to remark, that on all Spanish products, imported into the island of Cuba, the duty is materially less—as for example, flour in foreign vessels pays \$5, and in Spanish vessels \$2 per bbl.

EXPORTS.				
Articles.	Quantity.	Average cost.	Value.	Rate of duty.
Beef	3616bbls	\$11 pbl	\$25776	2.14%
Butter	61843	20 p q	123690	4.25%
T. and H.	60820	19 do.	117548	4.18%
Spiced	1309	36 do.	47134	9.86%
Codfish	29217	3 do.	87651	9.86%
Flour	55049bbls	5 p bl	275247	10%
Hams	21123	10 p q	21123	2.50%
Lard	36194	7 do.	253336	4.18%
Pork	26616bbls	12 p bl	319368	4.18%
Onions	721860	3c. bch.	21654	0%
Potatoes	19666bbls	11 p bl	21626	7.08%
Rice	113807	\$23 p q	277130	2.10%
Sisal	613	4 do.	2452	3.00%
Sisal	9792	5 do.	48960	1.75%
Lumber	29446c.	9 p m	190694	6.00%
Sundries			27800	
			1692976	196950 21

IMPORTS.				
Articles.	Quantity.	Average cost.	Value.	Rate of duty.
Coffee	17427215	102c. lb.	3091127	free.
Sugar	686471	320 bbl.	3039410	4.18%
			1150537	496362 00

*Buothes—1 Pounds weight—1 Boxes of 415 lb. each.
*The duty on sugar, under the compromise act, for the present year (1841) is about 1 4/10 cts.—after the first of January, 1842, 4-5 cts. per lb. as an estimated average of value.

From the above table, it will be observed that on our exports to Havana, amounting in round numbers to \$1,700,000, a duty is paid at that port of \$1,263,405, or 73 per cent, while on an import from thence of \$4,150,000, our government requires a duty of \$486,000, or less than 12 per cent; and after 1st January next, the same import will pay but \$220,000, or less than 5 per cent.

I am aware that the friends of a "reciprocity and retaliative" system of duties will be met by its opponents with the argument that all duties are a tax upon the consumer to the amount levied. This, with a certain class of statesmen who can theorize eloquently upon the science of commerce, discuss by the week abstract questions of trade finance and currency without knowing practically the origin character or use of a bill of exchange, is deemed a conclusive and unanswerable argument against the expediency of increasing the present rates of duty upon articles of luxury. To adopt it as a settled principle that the consumer pays the duty, is as erroneous as it would be to assume that it was paid by the producer. No general rule can be made to apply, as the fact is contingent upon circumstances. If the duty be a mere nominal one, it is paid by the consumer, as the laws which regulate supply and demand are not interrupted by it; but if it be a heavy one, consumption is proportionately lessened—consequently the producer must sell at a less price than the falling off in consumption may be checked, and a market kept up for his products. For example, we can sell our flour in Cuba unless we produce it at a price and of a quality that will enable it to pay a duty there of \$10 to 100 and compete with Spanish flour which pays but \$2. A few years since coffee was subject to a duty of 24 cents per lb; the duty was removed, but the price did not decline, and has ruled as high since as before, the producer putting the 24 cents in his pocket, and the consumer receiving no benefit from it.

Let any one examine the list of our imports, and he will find that such articles as are the most heavily taxed have steadily declined in price, particularly those that we have it in our power to produce or manufacture; while such as are admitted duty free have remained stationary, or have advanced. The article of silk, on which there is no duty, and of which we imported last year over \$300,000,000 worth, has steadily advanced for the last ten years.

An increased duty on port imported from Canada, which was levied a few years since by Great Britain, compelled the farmers on the frontier, whose most accessible markets were Montreal and Quebec, to produce or sell it at a less price than before to compete with Canada and the mother country.

Many facts may be presented which prove conclusively that the producer, in all cases where the duty is an exorbitant one, pays a large proportion if not the whole of it. The consequence is that under our system of nominal duties and free trade, the producer of flour is made to pay an enormous tax for the support of the government of Cuba, the grower of tobacco is a tax payer to France, England, &c. while the duties here on the cigars from the one, and the wines from the other, being merely nominal and insufficient to check consumption are paid by the consumer.

The tobacco planter, if he is a consumer of wine is taxed for the support not only for his own government, but also for that of France ten times as heavily as for his own. Why this should be so I can see no good reason, and it is time a remedy were applied.

This subject has not been taken up and discussed by the press so generally as its importance seems to demand. The time is short, our congress meets, and it is desirable that public opinion should be fully expressed. A duty upon silks and wines was objected to last season by certain members of congress, because, said they, "if we refuse to take these articles

*While the United States from her excess of imports above exports has contracted a debt of \$250,000,000 in 10 years, the excess in the value of exports from Great Britain over her imports in the same time reaches the enormous sum of 1856 million of dollars.

from France, she will not buy our cotton and tobacco in other words, if we do not put two dollars worth of her wine, France will not buy one dollar's worth of cotton from us. This is a singular kind of reasoning. Suppose a pleoter was to come to Mobile with his crop of cotton, worth \$4000, and on offering it for sale, he should be told that no purchaser could be found, unless he would agree to purchase \$8000 worth of merchandise, would he not laugh in the face of his informant? As before stated, we take more than twice as much from France as she takes from us, and pay her three times as much duty on our products, as hers pay at our ports, and it is perfectly ridiculous, *childish*, to suppose that a duty of 20 per cent, or even 50 on her products would induce her to do without our cotton, an article she *must* have, and cannot produce herself. If an additional duty on these articles should have the effect to lessen consumption, so much the better; we should be so much richer for it, in a national point of view; and certainly more temperate.

It is a humiliating acknowledgement of vassalage to a foreign power, to manifest an apprehension, that an increase of duty by our government on its products, would induce her to do without ours.—Fortunately we are not dependant entirely on France for a market, should she be disposed to *punish* us for daring to regulate our own commercial affairs.

I have above stated that could the exorbitant duties levied by the several powers of Europe upon our tobacco be removed, it would soon become as important an item in our list of exports as cotton. This fact, a slight examination into the subject will prove. Our exports of this article are about 100,000 hog-heads per annum, valued here at \$90 per hhd, amounting to \$9,000,000; the duty which it pays at foreign ports amounts to some \$30,000,000. The United States consumes three times as much tobacco as Great Britain, with less than half the population, and more than England, France and Spain put together. It is used throughout Europe to the same extent as in the United States, with the improvement in price which would certainly follow an increased demand, would soon swell the value of our exports of this article to \$50,000,000, and in less than 10 years to \$100,000,000. In proof of the influence of the rate of duty upon consumption,—in 1792 the duty on tobacco in England was 1s per pound, the consumption 1,767,000 lbs, in 1793 and 4 the duty was reduced to 6d., and consumption suddenly increased until in the latter year it reached nearly 10,000,000 pounds. In 1795 and 6 the duty was increased to 8d and consumption fell to 6,000,000 pounds, in 1798 it was again increased to 1s and consumption was reduced to 4,800,000 pounds.—From 1860 to 1830, a space of 30 years, under a duty varying from 2s 2d to 4s, notwithstanding the increase of population, the increase of consumption was but about 300 hhd. In 1785 under a moderate rate of duty, France took from us 35,000 hhd. Under her existing system of monopoly and high duty, she takes but 6000 hhd. While France has been heaping onerous restrictions upon our commerce, we, in our excessive liberality, under the influence of free trade notions, have been removing the nominal duty that formerly existed on her silks, wines, brandies, &c, which enables her to sell us \$40,000,000 per annum of these luxuries, for which she *counterpays* us but \$23,000,000 per annum of our cotton, &c, if we will consent to pay 50 per cent more duty than other nations pay.

The power of cotton may say, he has no interest in forcing a market for the farmer of the west, or tobacco planter of Virginia, so long as he finds one for his staple. Such a conclusion could only result from a very superficial and contracted view of the subject.

In addition to the interest which every American citizen should feel in the general prosperity and increased wealth of his country, which is promoted by large exports of its products, the cotton planter

has a direct individual interest not only in facilitating and encouraging a large production and exportation of tobacco, rice, sugar and molasses, but also in firmly establishing as a principle of our government in its commercial regulations, a system of countervailing duties. The very moment England finds she can obtain a supply of cotton from her East India possessions, that moment she will place a duty on ours sufficient to exclude it from her ports, or compel the planter to produce it at a price as much below the present, as will meet the duty levied, making the producer the payer of the tax; and if the experiment she is now making in the culture of cotton in India succeed, of which there is every prospect, *that day is not far distant*.—If however, our government shall adopt a course of policy by which foreign nations may be made to feel, that to remain us as a market, they must open their ports to our products on terms of fair and honorable reciprocity, they will do so; as they know we are their best customer. It is a fair and legitimate proposition for a grocer to say to a dry good merchant—buy your sugar from me or I cannot buy your silks' and it is equally so between nations, and one to which they can take no exceptions.—Another benefit which the cotton producer, in common with every other interest is to derive from increased exports is, it leads to more equal and better division of the physical force of the country in its application. Open a market for our tobacco, and a portion of the slave labor in Tennessee, North Carolina, the northern portion of Georgia, Alabama, Mississippi and Arkansas, now employed in the culture of cotton, would be applied to its production—also probably employment given to the slaves of Virginia, Maryland and Kentucky, enhancing the value of the slave labor throughout the South.—Open a market for our sugar and molasses, or increase its consumption at home by excluding foreign sugars, and that portion of our cotton lands south of 32° of latitude may be used in their culture. Place a foreign silk and wines, half equal to the duty paid on products at the ports of France and England, and in less than 20 years there is scarcely a plantation in the cotton growing states of any magnitude, that will not have a silk nursery or vine-yard attached to it as one of its chief sources of profit. Every planter knows that the less cotton he makes the more money he gets for it—reduce the supply and prices advance at once, as a general rule.

It is of the highest importance to the cotton planter that profitable channels of employment, other than the one single staple presents, should be open to him, that when prices go to a point below the cost of production, he may turn his attention to something else, and that he be not necessitated to rely upon a single production as his only source of income. There is no one class in the country whose interest would be more directly promoted by the adoption of reciprocal and relative system of duties, than the cotton planter of the south.

To show that the measures here suggested as a means of relieving our commerce from the onerous burdens imposed upon it by foreign powers, are not new, or novel, I give the views of several of our most distinguished statesmen.

In 1793, Mr. Jefferson, who was secretary of state under general Washington, made a report to congress on the subject to the then existing restriction on our commerce by foreign nations, in which he says

"Such being the restrictions on the commerce and navigation of the United States, the question is, in what way they may best be removed, modified, or counteracted?

"As to commerce two methods occur: first, by friendly arrangement with the several nations with whom these restrictions exist; or, second, by the separate act of our legislature for countervailing their effects. There can be no doubt of these two friendly arrangements as the most eligible," &c.

And, after arguing the benefits of navigation and commerce reciprocally free with all nations, he says:

"But should any nation, contrary to our wishes, suppose it may better find its advantage by continuing its system of prohibitions, duties and regulations, it behooves us to protect our citizens, their commerce and navigation, by counter prohibitions, duties and regulations, also. Free commerce and navigation are not to be given in exchange for restrictions and variations; nor are they likely to produce a relaxation of them."

In another part of the same report, he says:

"The following principles being founded in reciprocity appear perfectly just, and to offer no cause of complaint to any nation:

"First, When a nation imposes high duties on our productions, or prohibits them altogether, it may be proper for us to do the same by theirs," &c.

Prior to this, in 1785, Mr. Jefferson presented a remonstrance to the French government, on this subject, in which he said that the government of the United States would be compelled to resort to countervailing duties, if the French government did not modify the burden. It is proper here to remark that this threat had the desired effect, the burden was in part removed for a time, but subsequently imposed again in a more onerous and objectionable shape, and now exists.

Our respectable and distinguished representative to the government of France, general Cass, made persevering efforts to induce that government to remove the restrictions placed by it upon our commerce, but without success. Some 18 months since he addressed a communication to the secretary of state on the subject, in which he seems to despair of success by negotiation, and recommends as a necessary measure *relative* duties, as will be seen by the annexed extract.

"I have nothing now to add, but that the matter is beyond the reach of ordinary diplomatic discussion, and that its solution must depend on the measures which the executive and which congress may see proper to adopt. As long as France, in carrying out the restrictive system she has adopted, can export to the United States twice as much as she imports from there, without any fear of a change of measures on our part, so long the present state of things will continue, exhibiting one of the most striking examples of inequality in the trade between two nations which is to be found in the history of modern commerce."

Mr. Tyler, now president of the United States, in his reply to interrogatories propounded to him by a committee of Henrico county, Va., on the subject of duties says:

"The power to lay duties is given by the constitution in express terms. The right to select the articles of import on which to levy the duties, is unquestionable. Every duty imposed, operates *pro tanto* as a bounty on the production of the same article at home, and it has been considered a wise policy on the part of all administrations so to impose the duties as to advance the production of such articles as were of national importance. I certainly do not doubt the policy or expediency of such a course. The duties, however, should be laid with reference to revenue, *except when they are laid to counteract the policy of a foreign government, and with a view to the regulation of trade.*"

Those who know Mr. Tyler, will not for a moment doubt, that at an early day as president of the United States, he will call the attention of congress to this subject, and recommend a course of policy in accordance with his opinions as above expressed.

In my next I propose to consider the effect of a reciprocal and relative system of duties upon the currency and financial affairs of our country.

Commerce.

STATES OF THE UNION.

MASSACHUSETTS.

Worcester district congressional election. The votes for number of congress in the fifth congressional district were yesterday counted by the governor and council.

The whole number of votes was 5,362
Necessary for a choice 2,682
Charles Hudson had 3,999
Isaac Davis 1,752
Cyrus P. Grosvenor 533
Nathaniel Wood 94
Others 54

It will be seen that the hon. Charles Hudson is elected by a majority of 536 votes.

The Western rail road. Twenty-eight miles to Chester, next beyond Springfield, will be opened for travel next week, making (with 12 miles opened 4th inst. from Pittsfield onward), forty miles in use since the 4th inst. Thus will the travelling by coach between Boston and Hudson city, on Hudson river, be reduced to 22 miles.

[Bot. Trans.]

RHODE ISLAND.

The legislature of Rhode Island met at Newport on Wednesday last, and the government was organized under the recent election. The hon. Henry Y. Cranston was nominated for re-election as speaker, but declined the honor, and Charles Jackson, esq. of Providence, was chosen. The votes were counted, and gov. King, lieutenant gov. Dimon, and the whole whig ticket were declared elected. Gov. King was absent, in consequence of the death of his wife. It is not customary in Rhode Island for the governor to deliver a speech or message on his inauguration, or on the opening of the session.

On Thursday the committee appointed to count the votes for members of congress, made the following report, which was accepted. That the whole number of electors voting was 2,725; necessary for a choice 1,363; that Robert B. Cranston received 2,516; Joseph L. Tillingham, 2,436, and that they were elected. The judges of the supreme court, the judges of the court of common pleas for Bristol county, the clerk and the sheriff, were re-elected.

CONNECTICUT.

The annual session of the legislature commenced at Hartford on Wednesday, the 5th inst. Hon. Samuel C. Selden was elected *pro temp.* of the senate, and C. J. McCunly, speaker of the house. The house adopted the principle of choosing its clerks beyond its own body, leaving the members untrammelled in their representative functions by extra legislative duties.

The message of governor Ellsworth is a concise and satisfactory document. It expresses himself strongly in favor of a protective tariff. Of the financial condition of the state he gives a good account. She owes "no man any thing," and has a school fund of \$2,000,000, yielding an annual income of \$113,000. The annual expenses of the commonwealth do not exceed \$50,000. Over legislation is an evil under which Connecticut does not seem to labor, since all her public statutes, enacted during a period of two hundred years, are contained in one volume. The militia force is 40,000 men.

Altogether the state appears to be in a most enviable condition. [Star.]

Election—Official canvass.

New London county.

Towns.	Nichol. Ellsworth.	F. B.	H.
New London	334	382	420
Norwich	325	525	493
Bozrah	63	95	82
Cochester	139	187	134
East Lyme	80	93	89
Franklin	87	101	89
Gristwood	67	151	36
Groton	199	128	211
Lebanon	116	106	216
Ledyard	155	142	165
Lisbon	97	99	109
Lyme	114	205	181
Montville	136	165	99
North Stoughton	186	134	227
Freton	176	124	100
Salem	64	89	73
Stonington	143	302	202
Waterford	140	95	194
2,817	3,241	2,148	4,313
Litchfield county.			
Hartford	514	1,220	766
Avon	31	129	35
Berlin	265	299	301
Bristol	156	250	196
Burlington	91	117	83
Bloomfield	89	113	100
Canton	100	209	101
East Hartford	222	281	284
East Windsor	165	350	225

Enfield	95	232	150
Farmington	116	182	120
Litchfield	276	186	344
Granby	194	247	235
Hartland	99	77	120
Manchester	127	173	145
Marbleborough	73	82	88
Simsbury	178	186	195
Southington	192	186	197
Suffield	259	243	314
Wethersfield	266	296	283
Windsor	210	192	244

3,860 5,194 4,496 6,216

New Haven county.			
New Haven	625	1,215	841
Bethany	235	68	167
Brandon	148	85	177
Cheshire	161	190	133
Derby	224	271	255
East Haven	73	161	89
Guilford	180	238	214
Hamden	149	100	210
Maisron	181	179	141
Meriden	184	156	216
Middlebury	32	163	42
Milford	82	315	64
North Branford	94	93	100
Orange	147	130	162
Prospect	28	114	67
Oxford	172	155	171
Southbury	61	68	47
Waterbury	136	117	149
Woodbridge	303	393	373
3,336	4,520	4,012	5,100

Fairfield county.			
Fairfield	247	184	339
Danbury	386	426	429
Bridgewater	278	392	280
Broomfield	152	133	156
Greenwich	44	94	63
Huntington	292	248	307
Monroe	135	114	145
New Canaan	162	87	172
New Fairfield	185	185	120
Newtown	96	94	94
Norwalk	210	279	280
Reading	114	326	199
Ridgefield	110	154	201
Stamford	104	214	255
Sherman	167	305	382
Stratford	105	105	64
Trumbull	127	161	125
Weston	129	142	114
Wilton	181	129	197
Westport	74	168	119
3,252	4,079	3,862	5,152

Windham county.			
Brooklyn	82	150	110
Ashford	156	230	186
Canterbury	91	168	89
Chaplin	61	87	63
Hampton	119	97	137
Killingly	216	255	259
Plainfield	169	196	190
Pomfret	92	168	120
Sterling	91	100	97
Thompson	177	295	253
Voluntown	104	249	321
Woodstock	165	275	226
1,807	2,343	2,188	2,790

Litchfield county.			
Litchfield	354	436	386
Barkhamsted	101	165	119
Bellevue	92	72	75
Canaan	182	189	266
Colebrook	117	88	130
Cornwall	154	173	166
Goshen	71	165	96
Harteston	64	133	82
Lebanon	167	190	175
New Hartford	76	176	98
New Milford	299	375	416
Norfolk	89	145	109
Plymouth	177	212	209
Roxbury	116	84	122
Salsbury	203	198	247
Sharon	226	290	232
Torrington	85	194	130
Watertown	141	138	173
Winsted	87	168	97
Winchester	137	170	173
Woodbury	194	191	229
3,811	3,998	3,796	4,642

Tolland county.			
Tolland	118	180	129
Colton	89	61	91
Columbia	64	87	106
Covey	152	285	166
Ellington	82	134	61
Hebron	112	159	140
Manfield	147	184	162
Somers	218	268	243
Union	65	74	78
Vernon	72	188	78
Wilmington	93	126	95

1,872 1,784 1,809 1,991

Middlesex county.			
Middleton	568	499	622
Chatham	302	185	359
Chester	107	87	111
Clinton	58	125	77
Durham	129	121	138
East Haddam	182	220	210
Haddam	241	210	272
Lillingworth	137	63	161
Smythbrook	126	287	246
Westbrook	89	110	76
1,908	1,879	2,275	2,276

Recapitulation.

New London county.			
Hartford	3,860	5,194	4,496
New Haven	3,336	4,520	4,012
Fairfield	3,252	4,079	3,862
Windham	1,807	2,343	2,188
Litchfield	3,211	3,998	3,796
Middlesex	1,903	1,879	1,809
Tolland	1,872	1,784	1,809

21,389 26,986 468—21,851

Scattering 468—21,851

Ellsworth's majority 6,185

For lieutenant governor. 26,532

Charles Hawley 21,373

Benjamin Pinney 529—21,902

Scattering 436

Hawley's majority 4,366

For treasurer. 36,998

Hiram Rider 21,372

Edwin Benjamin 889—21,261

Scattering 4,637

Rider's majority 4,637

For secretary. 26,867

Royal R. Hinman 21,328

Robinson S. Hinman 526—21,854

Scattering 5,013

R. R. Hinman's majority 5,013

For comptroller. 26,938

Henry Kilbourn 21,370

John DeWitt 481—21,851

Scattering 8,107

Kilbourn's majority 8,107

Members of congress—Hartford county. 6,142

Joseph Trumbull 3,867

Thomas H. Seymour 67—3,924

Scattering 1,295

Trumbull's majority 1,295

New Haven and Middlesex counties. 6,228

Wm. W. Boardman 5,234

Charles A. Ingersoll 245—5,477

Scattering 745

Boardman's majority 745

New London county. 3,220

Thomas W. Williams 2,565

Erastus Coit 17—2,582

Scattering 645

Williams' majority 645

Fairfield county. 4,059

Thomas B. Osborn 3,269

Wm. S. Pomeroy 19—3,287

Scattering 792

Osborn's majority 792

Litchfield county. 3,893

Truman Smith 3,157

John C. Smith, jr. 38—3,151

Scattering 778

T. Smith's majority 778

*Four hundred and five of these votes were thrown out by the board of canvassers, the name being spelled wrong. As these were intended for Mr. Benjamin, we add them, thus showing his correct vote.

Windham and Tolland counties.
J. R. Brockway 2,076 4,121
Chauncy F. Cleveland 106—3,182
Scattering

Brockway's majority 930

Trade. According to Hunt's Merchant's Magazine, the amount of capital in the state invested in foreign trade, is \$48,808,401. The number of retail dry goods, groceries and other stores in the state is 12,968, with a capital of \$11,481,553. The total number of consumers in the state of New York engaged in foreign trade is 459, of which 417 are in the city of New York.

The total number of commission houses in the state of New York is 1,049, of which 918 are in the city of New York.

Agriculture. The legislature of New York has made the judicious appropriation of \$8,000 a year for five years, for the promotion of agriculture and household manufactures in that state. It is the duty of the officers of the state and county agricultural societies to regulate and award premiums on such articles as are best calculated to promote the agricultural and household manufacturing interests of the state giving the reward for the most economical or profitable mode of competition. An accurate written description of the whole process in raising the crop, or feeding the animal, as may be, is to be given by the person claiming the reward.

The patron case. Every reader of the newspapers will recollect something of the controversy between the heirs of the late Stephen Van Rensselaer and his tenants, so high was the excitement, and so great were the rights and interests involved in the question that commissioners were appointed by the governor of New York to investigate the subject and if possible to adjust the difficulties. The following, from the *Troy Whig* is the clearest and the most comprehensive account of the subject that we have seen.

Report of the Commissioners appointed to effect a settlement of the disputes existing between the landlord and tenants of the manor of Rensselaer.

Hugh Maxwell and Gary V. Sackett having been appointed by the governor, commissioners for the above purpose, entered upon their duties during the last summer, and visited the western portion of the manor, where disputes between the late Stephen Van Rensselaer and his tenants had existed, for the purpose of obtaining information necessary to a proper discharge of their duty in regard to the state, the tenants and the landlord.

The manor of Rensselaer is about twenty-four miles in length from Barn Island in the Hudson to the Chocoma falls, and extends east and west from the Hudson river each way, twenty-four miles, excepting an extent of land one mile wide and sixteen miles long on the west side of the river, and including the greater part of the city of Albany, and also excepting the land on which the city of Troy stands and those portions of the counties of Albany and Rensselaer of which the fee simple has been surrendered. The tract which now constitutes the manor was purchased by Killian Van Rensselaer of the Indians during the several years extending from 1639 to 1637, under the sanction of a charter granted by the states general. After the conquest of the province of New York by the English, a new charter was granted by queen Anne to Killian Van Rensselaer, the then proprietor, in the year 1704. The charter conferred upon the patron the right to hold a court leet and court baron, to receive all fines, issues and amercements at such courts and at the assizes of oyer and terminer in assizes, distrain for rent, and to exercise all other powers granted to lords of the manor under the English law.

The American revolution left the proprietor in the enjoyment of a fee simple in the manor, but stripped him of his feudal rights and privileges.

In 1775, the manor came into the possession of the late Stephen Van Rensselaer who found a large portion of it unoccupied and unimproved. But by the use of liberal and judicious measures, he had the gratification at the end of fifty years of his active life, to see the manor settled, occupied and improved by an industrious, enterprising and intelligent population.

The policy which the patron adopted was to grant perpetual leases of his land, in quantities of one hundred and twenty acres each, with a reservation to the proprietor of all mines, minerals, streams of water—such fire wood and timber as the proprietor should find necessary for building or repairing mills and mining operations; also the right of egress, way and passage, and the liberty to lay out roads in any part of the land; the tenant was likewise bound to pay to the proprietor, a yearly rent in

wheat and also to deliver annually at the manor house four fat hogs, and to render one day's service with his wagon and horses; also to pay all taxes and assessments upon the land.

There was also reserved a certain portion of the consideration money upon every alienation of the estate, otherwise than by devise or last will and testament; and there was a covenant that the tenant should pay such proportion of the price obtained at any sale. This right or claim is usually termed *quarter sales*.

On account of the indulgent disposition, however, of the late Stephen Van Rensselaer, many of his tenants became remiss and negligent in the payment of their rents, and at the time of his death, the rents in arrears exceeded four hundred thousand dollars.

The present patron of that portion of the manor which lies in Albany county, having urged the payment of these arrears upon his tenants, having, moreover, insisted upon the performance of certain provisions of their leases onerous in themselves, and inconsistent with the spirit of our institutions, became involved in serious disputes with a large portion of them. To settle these disputes, commissioners were appointed by the governor, with the authority of the legislature: from whose report we learn that general Van Rensselaer refused the payment of all arrears to be made by the 1st of March next, with interest from the late patron's death; and if the whole cannot be paid by that day, an acknowledgment to be given of the balance, to be paid at a reasonable time thereafter.

In cases of utter inability, poverty, misfortune, &c. the settlement of the arrears to be in conformity with the provisions of the late patron's will. If the arrears of rent are thus settled, he will release the quarter sale on a farm for \$30.

He will consent to receive a money rent of \$30 for a farm yielding 22½ bushels of wheat, one day's service and four fowls.

He will release the water privileges for a reasonable price.

All arrears of rent are paid he will release all his interest in any farm for \$2400, payable one-fifth in hand, and the remainder in four equal annual instalments with lawful interest to be paid annually, to be secured by a bond and mortgage on the premises.

The following terms are only intended to include the towns of Rensselaerville, Bern, Westerlo and Knox.

In reply to these terms the tenants submitted the following proposition; that the rent in wheat be valued at one dollar per bushel, and all restrictions be taken off; and that the tenants have the privilege of purchasing the fee at a sum, at seven per cent. interest, which would amount to a given number of bushels of wheat. Meaning thereby, in pay for 400 acres of land (being the size generally of the farms for which they pay 22½ bushels of wheat) \$221 42; or about \$3 per acre.

In this situation do the affairs of the landlord and his tenants remain at present. The commissioners say they "have thought they should best perform their duty to the parties and to the public, by suspending the interference for the present, and until some indication shall appear of a disposition on the part of the landlord or that of the tenants, to reconsider the terms submitted, and approximate towards those offered by the other party. The disposition manifested by a great majority of the tenants, induces us to hope that finally a settlement will be effected between them and the landlord. The interest of the landlord, as well as that of the tenants, will be most advantageously secured by mutual concession and compromise."

NEW JERSEY.

Census. We have been favored this morning by general Darcy, the United States marshal for this district, with the following table of the corrected census as taken by the census takers, and as it is seen that the population of N. Jersey is 874,462. The first returns of the deputy marshals appear to have been remarkably accurate:

Bergen co.	14,379	Hudson,	24,780
Hudson,	8,463	Mercer,	21,502
Essex,	4,621	Monmouth,	32,909
Passaic,	16,734	Burlington,	32,931
Morris,	25,844	Gloucester,	23,438
Warren,	20,366	Atlantic,	8,726
Camden,	11,779	Salmon,	16,024
Somerset,	17,455	Cumberland,	11,374
Middlesex,	21,893	Cape May	5,824

[Newark Daily Ad.]

874,462
874,415

Returns of the marshal's assistants,

Difference,

PENNSYLVANIA.

Congressional election. The Van Buren convention met for that purpose at Uniontown, Pennsylvania, on the 8th instant, nominated Gen. H. W. Benson, as a candidate for congress in place of Enos Hogg, resigned.

Charles Ogilvie, member of congress, died on the 16th inst. at his residence in Somerset, Penn., of consumption.

The relief bill. We have been informed that the following banks have refused to accept the relief bill, viz:—Philadelphia, Commercial, North America, Western and Southward. [Pennsylvania.]

The revenue and improvement bill. The motives of the democratic members of the legislature, who voted, on the afternoon of the adjournment, for the bill, an act to provide revenue to meet the demands on the treasury, and for other purposes, having been most grossly impugned in the Philadelphia Spirit of the Times, of yesterday, (no doubt from erroneous information) several of the political friends of those members, who know that they acted from the purest motives, and with an intention of abandoning the principles of their party, deem it proper that the reasons for their votes, which has been placed upon the journals of the house of representatives, should be laid immediately before the people of this state. This course has been adopted without any consultation with the members alluded to, as they have left the seat of government. "Strike, but bear me," is a motto peculiarly applicable in the present instance, and one which, under the peculiar circumstances of the case, will forcibly address itself to every patriotic democrat of Pennsylvania.

Extract from the journals of the house of representatives, Tuesday, May 4, 1841.

Having read the statement on the final passage of the revenue bill, "an act to provide revenue to meet the demands on the treasury, and for other purposes," we respectfully ask leave to enter on the journals of the house the reasons for voting as voted.

It has been our anxious desire throughout the session to obtain the passage of such a bill to meet the public exigencies, as would accord with the views of our immediate constituents, and carry out the policy which has for many years been contended for by the party to which we are attached. The journal of the house will bear evidence that we have been our course of conduct on every bill which has been presented this session to provide the ways and means to maintain the honor and credit of Pennsylvania. But being in a minority, our views and wishes have not been sustained by the power of a majority, entertaining different opinions of public policy from those which we have always cherished. In this emergency no other alternative was presented to us, than to permit the legislature to adjourn, and to make use of any measure to sustain the plighted faith of the commonwealth, to prevent a portion of her citizens, to whom she is indebted from being reduced to a state of beggary, or to vote for the bill which has just become a law. In adopting this latter alternative, we have not abandoned any of the principles upon which we were elected. We have been governed solely by our solemn convictions of public duty. We have been willing in a patriotic spirit of conciliation to make such a compromise with our opponents on this floor, as to be satisfied by the majority of the state of the public treasury. The executive with which it is our duty to deal, had pointed out to him the most excellent vote message, the ground upon which he was willing to meet the majority of the legislature. But that majority having the power in their own hands, were unwilling to make a temporary sacrifice of many of our preconceived opinions. From the commencement of the present session, we have been strenuously opposing the objectionable features of this bill—we have used all our energies to obtain one more in consonance with our views, and we have endeavored the majority to meet us upon terms of a fair compromise—but our opposition

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the manufacture of salt, iron, of lead, of copper, and other metals, and in mining coal, for domestic use, and for exportation. As arts flourish and manufactures multiply in proportion to the abundance and convenience of the materials from which they are derived, or by which they are supplied, and as these have an intimate connexion with mineral treasures, certainly that policy which leads to a development of those treasures must have its foundation in true wisdom. Nor do the benefits accrue to arts and manufactures. Agriculture is promoted by the discovery of mineral manures and the composition of soils, a knowledge of which geology inculcates. In an branch of industry is more important than has been made in agriculture since our acquaintance with geology has been cultivated in this country.

The report which has led to these remarks is comprised in one hundred and thirty-two pages. To give an outline of its contents would swell this communication to an unreasonable length. Those who wish to be informed of its valuable details will resort to the report itself. But there is a portion of it which merits a wider circulation than that of a legislative document. I allude to the observations of professor Rogers upon the *infusorial stratum* of the tertiary formation, which he discovered during the last year's investigations. Besides the novelty of the organic remains which it includes, this bed has a peculiar and interesting character. It is described in a scientific point of view, from the fact of its composing a distinct subdivision of our great tertiary formations, and thus of age anterior to that of the infusorial stratum sparsely found in some of the tertiary strata. The position of the stratum is probably, but little different from that of the polar section of Bohemia.

Believing that an extract from the report of professor Rogers will be acceptable to many of your readers, I now send you his general remarks upon the infusorial stratum, which, if published by you, will be followed by another extract containing a more detailed account of this interesting formation in connexion with its associated bed of tertiary.

W. E. LOCKE.

Extract from the report. The peculiar feature of these tertiary beds, in view of which I have proposed devoting to them a distinct consideration, consists of a very remarkable stratum, varying from a few inches to several feet in thickness, and almost entirely of microscopic fossils between the beds containing the eocene and those containing the mesocene impressions.

This stratum, which will be more particularly described under the subsequent head, giving no indications to the naked eye, or even under an ordinary microscope, of its real composition, was until recently regarded by me as nothing more than a clay of unusually fine texture, such as is not sufficiently met with in the group of tertiary strata. Nor was its true nature unfolded until, struck by its remarkable lightness and its almost exclusively siliceous composition, and adverted to the recent discoveries of microscopic fossils in Europe, I was led to inspect it through a powerful microscope, when I found it to be made up almost entirely of exquisitely minute and delicate organic remains.

These curious relics, too minute to be described by the most penetrating eye, thus accumulated in a compact form into a stratum of great thickness, extending to a class of objects which, of late years, have excited much attention in Europe, from having been found to constitute an important portion of the mass of extensive beds of earth and rock, and are in fact the remains and remains of various animals, of marine, analogous to those which are met with in countless numbers in the waters of pools and marshes, and in the sea, and which are denominated *infusory animals*.

It will be the recent discoverers of the celebrated Eocene disclosed the important agency of these minute beings in the production of some of the mineral masses belonging to former geological eras, as observed in Europe, no one had ever dreamed of. The whole strata, of great thickness, which they literally made up of these shells and other solid appendages; yet nothing is more certainly established than that these remains form not only the principal material of the light white earth which is known gradually to accumulate in peat bogs and in other moist situations, of the *Leat Tripoli* found in many parts of Germany in widely extended beds of many feet in thickness, of the semi-opal and other dense products met with in these beds, and of the common sand-stone found in layers of thickness running through strata of chalk, but that they compose, in the shape of calcareous as well as siliceous shells, and especially the former, nearly the whole substance of the vast strata of the chalk itself, over a greater extent of districts of Europe, to a depth, in many places, of several hundred feet.

In view of these interesting facts, the discovery of the infusory stratum above referred to, as one of the members of our series of tertiary deposits, cannot fail to be regarded as an important addition to our knowledge of the tertiary of the country, and has the greatest interest at present from being the first example yet discovered in the United States of the occurrence of infusorial remains in any but the most recent geological formations. [Nat. Int.]

NORTH CAROLINA.

The election for members of congress in this state took place on the 13th instant. The following are the names of the candidates with the vote in the several districts at the presidential election:

Wages.
1. Kenneth Rayner, 3,147 Robt. H. Ballard, 1,636
2. Wm. W. Cherry, 1,941 Geo. R. J. Daniel, 1,720
3. Edward Smith, 1,966 Wm. W. Anderson, 2,260
4. W. H. Washington, 2,563 J. O. Watson, 2,333
5. No ad. candidate, 2,142 J. J. McKoy, 4,219
6. No ad. candidate, 1,490 W. T. Hawkins, 3,025
7. Edw. Deberry, 4,870 No opp. candidate, 2,553
8. James Smith, 2,470 R. M. Saunders, 3,194
9. A. H. Stephens, 4,325 David S. Reid, 2,549
10. A. B. Rutherford, 2,638 No opp. candidate, 1,954
11. D. M. Battinger, 2,980 G. W. Caldwell, 2,556
12. James Graham, 6,354 No opp. candidate, 2,999
13. Lewis Williams, 4,999 No opp. candidate, 1,714
Wm. Russell, (opp.)

Total Harrison, 46,376 Van Buren, 37,742
[Messrs. Jesse A. Bynum of the 2d, Charles Sheppard of the 4th, Wm. Montgomery of the 8th, John Hill of the 9th, Chas. Fisher of the 10th and Henry W. Connor of the 11th, all V. B. and retire.]

Those marked with * were members of the last congress.

SOUTH CAROLINA.

A national bank—sufficiency. Some people have very large eyes—and believe other people to have very large ears. Nobody has ever proposed or imagined the possibility that the state would or could nullify the charter of a national bank. But the state might, and not improbably would, do the things following:

1. First declare in the most solemn form that such charter is a violation of the constitution, and as such ought to be repealed.

2. Enact that no branch or such unconstitutional corporation be established in South Carolina to impoverish her citizens and turn us into a colony of some northern city.

3. Enact that no bank chartered by this state shall receive or pay out the notes of such bank—under penalty of having their own paper refused in all payments to the treasury. We do not apprehend, however, that there will be any difference of opinion between the state and the banks on that point. South Carolina will regulate and protect her own local currency, but will not establish, preferably to the federal government its proper power to "coin money and regulate the value thereof and of foreign coins."

If a national bank is chartered, its charter will be repealed, and in that too, South Carolina will doubtless take part most cheerfully. [Charleston Mer.]

GEORGIA.

Important decision. The Augusta Chronicle states that Judge Andrews, of the northern circuit, (Oglethorpe held at the late term of the superior court, of Oglethorpe county—in a capital case—that a person could not be sworn as a witness in a court of justice, who did not believe in the existence of God, the obligations of an oath, and the future state, and whose testimony might be established, preferably to the federal government its proper power to "coin money and regulate the value thereof and of foreign coins.")

If a national bank is chartered, its charter will be repealed, and in that too, South Carolina will doubtless take part most cheerfully. [Charleston Mer.]

GEORGIA.

Criminal code. The laws of Alabama, as revised at the last session of the legislature, (says the Louisville Advertiser), make but one kind of crime punishable by death, while forty-two kinds are held punishable by confinement in the penitentiary, from periods varying from two to twenty years. Murder in the first degree is the crime in which the law makes punishable by death, but even this the court

can, at its option, punish by sentence of imprisonment in the penitentiary for life. Death in a duel is held to be murder in the second degree, and made punishable by confinement in the penitentiary for a period of ten years. To give, accept, or carry a challenge, disqualifies for holding office in the state, and is further punishable by confinement in the penitentiary for two years. Bribery of executive, legislative, or judicial officers, from two to seven years; steamboat racing, by which life is endangered, for two years; and loss of life, or injury to the person by negligence or want of skill in professional offices, from two to ten years.

MISSISSIPPI.

This state will not be represented at the extra session of congress. Gov. McNutt has declined calling an extra session of the legislature for the purpose of appointing a period for the election, and does not consider himself authorized to order an election, without the intervention of the legislature.

Lost case—state of Louisiana vs. W. H. Williams. This case, originating in the attempt on the part of the defendant to dispose of a number of slave convicts purchased from the state of Virginia, under a pledge that they were to be sold by the territory of the United States, has been decided against the defendant. It will be remembered that he landed his slaves in Louisiana last fall, after an attempt to land them at Mobile. The New Orleans Picayune of May 2d, has the following notice of the trial:

Criminal court. Before Judge Canonge. The state vs. W. H. Williams. This important suit, which for the third time commenced on Friday morning, terminated at six o'clock yesterday afternoon by a verdict of "guilty" against the defendant. When it is known that Williams was represented by counselors Grymes and Mazureau, it will be presumed that nothing which legal ability could direct in favor of the prisoner was left undone. The amount involved in the issue of this trial and the loss of the defendant, is the large sum of \$43,000, viz:

Cost of 24 slaves, at \$500 each,	\$12,000
The fare for each slave, \$500,	12,000
The amount of bonds passed to the state of Virginia, that he would transport the slaves beyond the territory of the United States, and now, we presume, forfeited,	24,000
Total loss,	\$48,000

LOUISIANA.

New Orleans, April 27, 1841. Our citizens have, within a day or two, been surprised and shocked at several instances of peculation and fraud on the part of certain officers of two of our banks. In the one case the book keeper of the Louisiana State bank is accused of having overdrawn his account in that institution fully eighty thousand dollars. His sudden disappearance led to an examination of the affair, when the defalcation was discovered. The excitement consequent upon the development of this delinquency had not subsided, when a rumor prevailed that two of the clerks of the Bank of Louisiana (the 1st book keeper and reviewing teller) had absconded, and the deficit of some \$75,000 had been discovered. As the banks in question have so far published nothing explanatory of these alleged malversations, there may be some inaccuracy with regard to the facts, but it is not probable that officers of large deficits having been ascertained and of the departure of the delinquents—most probably to Texas—there can scarcely be a doubt.

The Batture case. Municipality No. 2 of the Orleans County Press reports. This important case was yesterday decided in the supreme court, four judges being for the defendants, judge Martin dissenting. The result of the decision is, that the defendants are entitled to the batture now formed, and all that may be found hereafter. The immense amount of property involved in this question, renders the decision of great importance, inasmuch as it has settled a point which will for the future put at rest any question about the ownership of the land fronting the river and the right to the alluvion.

(N. Orleans Bulletin, April 8.)

ARKANSAS.

A gentleman who for some 12 or 15 years has resided in Arkansas, recently visited this, his native place. His statements were somewhat curious and interesting. The village where he lives is 1,800 miles distant from land; but in coming on by the White Mississippi and Ohio rivers, his route was 2,300 miles, on account of their sinuities. The Arkansas waters are materially shorter and milder than ours, and are so far from being cold in the summer in pure and healthy, though the heat is rather debilitating; and the day is followed by exceedingly heavy dews. The society is good in-

clinging physicians and members of the bar. Being a Presbyterian in religion, he rides 100 miles to commune with the church of which he is a member, as there is no minister of that denomination nearer. There are but three Presbyterian ministers to 100,000 souls.

Of fruit, they have an excellent variety; but the current will not grow there. Sweet potatoes abound. As to game, they have various kinds in abundance; and of wild turkeys, with the exception of two months in winter, they trap or shoot as many as they wish, if it be a dozen a day. In the autumn the pigeons visit the forest to feed upon the acorns. In that of 1831 or '32 he heard that the neighboring forest was filled with them. Early one morning, just at the dawn, the inhabitants were roused by a tremendous noise in the air, and discovered clouds of pigeons. They were about a mile wide, and so numerous as to fly two hours without scarcely a break, and so dense as to obscure the rays of the sun. They flew so low that they could be killed with sticks and stones—being too much crowded in fact to get out of the way.

OHIO.

Public works. We learn that the amount of loan effected by the fund commissioners has been approved among the public works of the state, as follows:

Wabash and Erie canal	\$130,000 00
Miami Extension canal	195,000 00
Hocking Valley canal	90,000 00
Welland canal	25,000 00
Nuskuungum improvement	125,000 00
Western Reserve and Nisnoore road	10,000 00
Urbana, Troy and Greenville road	5,000 00

Canal commerce of Cleveland. The Herald gives a tabular statement of property chargeable with tolls, which has passed through the canal from and to Cleveland, for the month of April, from which we make up the annexed particulars:

Arrived at Cleveland, during the month of April, 1841	14,925,742 lbs.
Last year, same month	12,906,407 "
Cleared, during last month	1,410,324 "
Last year, during April	1,315,539 "

The first arrival of property by the canal this year, was on the 17th of April—last year on the 7th of the same month.

The following are the chief articles which arrived, viz: 59,094 bushels wheat, 10,694 do. mineral coal, 26,561 barrels flour, 3,553 do. pork, 762 do. whiskey, 15,549 lbs. butter, 108,304 do. lard, 521,532 do. bacon, 304,224 do. iron and nails, 56,582 do. merchandise, 224 cords wood.

Among the articles cleared from Cleveland, we find the following, viz: 1,051 barrels salt, 1,822 do. lard, 108,985 pounds merchandise, 40,135 do. furniture, 136,855 do. gypsum, 50,901 feet lumber, 554 M. shingles.

MISSOURI.

The tragedy of the night of the 17th, at St. Louis. For some days past, the public authorities have been engaged in investigating some recent developments connected with the murder of Messrs. Baker and Weaver, and the burning of the store of Messrs. Collier and Pettus, and we have refrained from giving any of the particulars, lest our doing so might impede their operations. The object of secrecy being over, in the opinion of the officers, we feel at liberty to state the particulars so far as they have been developed.

A negro man named Edward H. Ennis, who has been for some time past in the employ of a barber named Johnson, on Market street, opposite the National hotel, made the disclosure. The communications it seems, were made by him, by one of the parties, that Ennis being uneasy about it, and very afraid, because of the excitement, and also of the murders, to tell what he knew, went on Friday last to Butcher, a yellow man, who resides in Brooklyn, on the opposite side of the river, and told him all that he knew, and asked his advice. Butcher refused to give any advice; on Sunday he went over again and went to Alton, when Butcher communicated the facts to two constables, who arrested Ennis, and after taking his statement, came here with expectation of catching one of the parties, (Warrick) but he had left before their arrival.

The circumstances of the horrible affair, as detailed by Ennis, are as follows:—About 10 o'clock, on Saturday night, Ennis went from the barber shop to his boarding house, kept by Leah, a free yellow woman, and Peter Clarteville, a free man, on Third, between Market and Walnut streets. Shortly after he had gone to bed, a negro slave named Madison, came to the door, knocked and was admitted. Soon after being admitted, Madison exclaimed, "G—d—n the luck," and on an inquiry why, he stated "I have done more murder to-night than I ever did before, and have not been paid for it!" and after re-

marking, that there would be an alarm of fire shortly, he stated in substance, that he and three yellow men, viz: James Seward, alias Sewell, Warrick and Brown, had gone on that night to Mr. Pettus' counting room, that the door was unlocked; Madison entered alone, Mr. Baker was sitting down with his boots off, reading a newspaper, Madison walked up and presented a bank bill to him, and asked him if it was good, and as Baker turned to look at the bill he struck him over the head with a short bar of iron, which he had concealed under his arm; the others then came in, and they repeated the blows until he was quite dead, his skull and one side of the head completely smashed. After searching the body for keys, they rolled it up in the bed clothes and placed it in the bed.

They secured the door and went to work on the vault to open it. Whilst at this work, Mr. Weaver came to the door and knocked, and called to Jesse, (Mr. Baker) to let him in. Some dispute ensued between Brown and Madison, which should kill Weaver; and it was insisted that Madison should be killed Baker, but he refused, saying that he had done his share and would do no more. Brown opened the door and placed himself behind it, and Madison Weaver passed into the room, struck him over the head with the bar of iron; on the second blow he fell, and attempting to rise, Brown thrust a sharp iron through his head. Ennis, in his statement, does not seem to firing of the bar of iron, but he says, that having heard Weaver was shot he asked Madison about it, and he told him that no pistol had been fired, and that they had no weapons but the bar of iron. Madison, from the statement it would seem that he had been concealed under the arm, and then some further effort at the vault, finding they could not get into it, Madison left. Warrick, Sewell and Brown remained a short time, then fired the house in five different places, came out, and the door, and went up the alley north from the house, and there was the key away. Brown took with him a gold watch and a blue rock, which he said he threw away for fear of detection.

It seems from the statement that Ennis, on the morning following, was in company with all of them, and many of the facts he got from others besides Madison. Warrick and Sewell said but little about it. Madison had with him, on the morning following, a small pistol, which he had taken from the house, and Ennis having learned the office it had performed, took it and threw it into a privy in the rear of Leah's house. The vault was yesterday searched and the bar found. We understand it proves to be identical with the one which was used to cut the chain on one end and claws on the other, one of the claws partly broken, agreeing fully with Ennis' description.

There are many other minor statements—but the above is the substance. The communication to Madison appears to have been made without any solicitation, and without any injunction to secrecy. Leah and her husband confirm Ennis' statement as far as the time he came home, and the time Madison came in. They heard the conversation, but not sufficiently distinct to understand it. It may be well, however, to remark, as a further confirmation of Ennis' statement, that yesterday Madison's coat was found in the lot of Leah's house besmeared with blood. From all that we can gather, it does not appear that the scheme had been long concocted, or that they had very well matured their plan of operations.

We subjoin such a description of the murderers as we are in possession of, and trust it may be sufficient if they have not been already apprehended to lead to their detection.

James Seward, alias Sewell, is a dark mulatto, and of New Orleans—has been here some time running at large, and if we are correctly informed, was sent here to avoid a prosecution in New Orleans. He is a stout, copper colored man, near six feet high, about thirty years old, very bold and impudent in manner. We understand that a short time since, he took a trip on his own hook, to Helena and Chicago, and lately returned to this city. It is believed he left here on the Wednesday following the murder, on board the Missouri, for New Orleans.

Brown is a dark mulatto, about 5 feet, 10 inches high, about 30 years of age, and it is said resided in Cincinnati. He seems to have been here a very short time. He is said to be on board the Goddess of Liberty, bound for Cincinnati.

James Seward alias Sewell, is a dark mulatto, about 5 feet 9 inches high, stout made, and a bold, cunning and very well educated negro. It is said he has a wife and a sister very well, originally from New York, has resided at New Albany, and during Madison's sojourn at Chicago was with him there. He is supposed to have left in the steamboat Atlanta, for the Ohio river.

Warrick was a barber, and has kept a shop for some time past in this city, on Franklin avenue. He is a very dark mulatto, slender made, about 5 feet 9 or 10 inches high, aged about 26, and remarkable for a bold impudent and haughty manner. It is believed that he left on the Chicago, bound for the Missouri river, and that his purpose was to join the company going to the Rocky mountains.

Officers have been despatched in every direction named, and it is reasonable to presume that they will be apprehended, should they unfortunately fail, it is hoped that all good citizens of every quarter will lend their energies to apprehend them and bring them to punishment. Ennis, the witness will remain in custody.

It would be impossible in us to bestow praise on any of the officers who have been engaged in this affair. The two constables of Alton, the mayor and the city police, the city constable and several citizens have spared no pains trouble or expense to ferret out the guilty, and we trust that they will, in addition to the reward offered, have that higher reward; the pleasure of seeing the inoffensive majority of the law, fully stood for. [St. Louis Gaz.]

The Louisville Journal of the 7th instant says:—The captain of the steamboat Fulton informs us that one of the party, who was arrested at the house in St. Louis was recently discovered and arrested at Cairo on board the steamboat Atlanta. He confessed his guilt, and was put on board the Pre-emption to be taken to St. Louis. The excitement against the wretch was very great, and many expected that, on his arrival at St. Louis, he would be burned at the stake. It must be confessed that the conduct of a St. Louis mob upon a certain other occasion afforded some ground for such a horrible expectation.

St. Louis. What a change has twelve years effected in the appearance of this city! we joyously exclaimed, as the Monson landed us at the St. Louis wharf a few days since. We have visited St. Louis, and the city has changed so much in a few years has made come up so vividly before us as at that time. Twelve years ago, there were but few good looking buildings in the city. Now Front or Water street shows half a mile of substantial three or four story houses, with a great deal of merchandise from all quarters of the globe. Main street is metamorphosed from a muddy lane, with a few well paved streets, with many scattered ill-looking houses, to a well paved street, filled up on each side with well built and neatly finished houses, with a great deal of Broadway itself. Here the retail merchants, to a great extent, vend their dry goods, and, of course, in such a street the smiling faces of the St. Louis beauties are very every day. The cross streets have improved in the same ratio. So have 3d, 4th, 5th, 6th and 7th streets, some of which, twelve years ago, had not even a single building to mark their locality. Twelve years ago, the First Presbyterian, the old and ill-shapely Catholic, and the Methodist, were the only houses of worship—now a new Catholic, Presbyterian, Unitarian, Methodist, Episcopal and other churches are to be seen, some of which are truly magnificent and highly ornamental to the city. Then, there were but few genteel hotels; now, there are quite a number, but the emperor of them all is the mammoth Planter's house, kept in tip-top style by Stickney and Knight. Then, the Republican was printed there, a weekly paper, and it was printed at that time, weekly, and another paper, which died for want of patronage; now, the Republican, Bulletin, Evening Gazette, New Era, Pennant, and Argus are in a flourishing condition, and the Argus, which was first published in 1829, have kept more than an even pace with the other improvements. The Argus was the only loco loco paper in St. Louis twelve years ago; the Argus is the only loco loco paper in St. Louis now. This is one of those emphatic truths which are to be acted with all over the land, showing that the people encourage those papers and those alone which advocate their interests. We might also mention the improvement in the city, and the facilities now compared with what they were twelve years ago when the arrival of a steamboat was a great curiosity; but we must forbear. Instead of a few isolated and poorly constructed boats, the levee now shows a line of those magnificent craft, which are to be acted together, and extending from the foot of Market street to another cross street full a mile off. St. Louis is now a great and beautiful city, and, from her position, is destined to grow and become greater and more beautiful still. [Herald-Eye.]

MICHIGAN.

Resources of a new country. The following interesting sketch is from the Niles Republican, a paper printed at Niles, on the St. Joseph river near the western side of the peninsula of Michigan—

POSTSCRIPT.

FOREIGN NEWS.—By the *Caledonia* at Boston. The steam ship *Caledonia*, capt. McKellan, arrived at the Boston wharf on Wednesday morning last, in fourteen and a half days from Liverpool, where she sailed on the 4th inst. We give below an abstract of the most interesting items.

No intelligence of the President steam ship had been received, and although her safety seems to be abandoned. She cost £25,000, and was insured on leaving Liverpool \$60,000.

A large meeting of American residents was held in Liverpool on the 30th ult. in relation to the death of President Harrison. Francis B. Ogden, of New York, presided. A series of appropriate resolutions were passed.

England. The ministry sustained a defeat on the Irish voters bill on the 27th April. The corn laws is to undergo a speedy revision.

The health of prince Albert is stated to be very poor. The duke of Wellington, as a godson of Spain, invested him on the 1st of April with the insignia of the order of the golden fleece.

Major gen. Sir John Harvey has been made governor of Newfoundland. The British funds are heavy. But little business doing in the commercial market. The tea trade, however, is brisk.

Cotton has declined 1 8 to 1 4—demand limited. The Great Western railway terminus, Bristol, has been destroyed by fire—loss estimated at from 19 to £20,000.

Serious disturbances have broken out in Ireland. France. The king and queen of the Belgians arrived at Paris on the 30th ult. The ministerial revolution which took place in Constantinople recently is considered a triumph of the French government. The works of the fortifications of Paris have been commenced.

Spain. In this country the regency question is still unsettled.

CHRONICLE.

ARMIES. *Interesting statistics.* The standing armies of Europe bear a proportion to the population of their respective populations of the kingdoms and states as follows, abstracted from a late work on the subject:

England	1 soldier to every 140 of its population.
France	1 do. to do. 110 do.
Austria	1 do. to do. 100 do.
Russia	1 do. to do. 90 do.
Prussia	1 do. to do. 80 do.
Poland	1 do. to do. 65 do.
Württemberg	1 do. to do. 60 do.
Saxony	1 do. to do. 57 do.
Denmark	1 do. to do. 53 do.
The Roman states	1 do. to do. 300 do.
Tuscany	1 do. to do. 300 do.

It may be well to add that the proportion of the U. States army to its population is 1 to 1,600.

In China, according to the most accurate accounts, the population exceeds 360,000,000, and the army is rated at 700,000, making a ratio of 1 soldier to every 514 persons.

BANK OF THE U. S. OF PENNSYLVANIA. The Pennsylvania of the 17th inst. (1841). The adjourned meeting from the 3d instant was held at the banking house yesterday, and was fully attended. A report was made by Mr. Lippincott, closing with a resolution, which was adopted, accepting of the provisions of the "relief bill," and agreeing to come under any laws which may hereafter be passed for the regulation of banks. A resolution offered by Mr. Randall was also adopted, authorizing the board of directors to give public notice, according to law, of an application to the legislature for a reduction of capital and a change of name of the institution, and another, authorizing the board of directors to exercise their discretion as to the time and manner of pledging certain notes for the payment of the circulation and deposits of the bank. A preamble and resolutions offered by Mr. Drake were adopted, condemning in the strongest terms, the management of the bank under its former administration.

BANK NOTES. An experiment was yesterday made by an English gentleman, on the notes of one of our city banks, in the presence of the directors of the Bank of England, by which he demonstrated his ability to efface totally and without leaving a solitary trace, every ink mark existing on the face of the notes. The impression made by the ink was removed by the father point of a quill imbued with some chemical preparation compounded by the gentleman in question. He then established with perfect ease that certificates of deposits and other bank documents in writing can be altered for purposes of counterfeiting. After this experiment, he wrote a few lines on a piece of ordinary writing paper, and then, in the most experienced chemist in the city, declaring that it was impossible to remove it.

We understand he has offered to give his secret to the various banking institutions, at a reasonable rate. We likewise learn that the same gentleman has made known his discovery to the Bank of England.

[New Orleans Rec.]

A NATIONAL BANK. The Washington correspondent of the *Charleston Courier* says: "The secretary of the treasury has prepared a plan for a national bank, which he has submitted to the cabinet, and is to be reported at the commencement of the coming session. In its main features it will resemble the late bank, but will be surrounded with such checks, guards and restrictions, as experience has indicated as useful or necessary. He will propose a capital of thirty-five millions. He has not determined, it is said, upon the locality of the national bank."

COTTON. At Charleston last week 1,465 bales of upland sold at 9 1/2c; Sea Island 21 1/2c. Stock, 4,240 upland, 12,381 Sea Island.

MADEIRA. May 8. The sales since Wednesday morning were \$2,800 bales on quality of middling fair and above have been established a slight advance, owing to their scarcity. Business this season will close at least one month earlier than usual. Liverpool—clarification—end 9 1/2c; mid. fair 10 1/2c; fine 11 1/2c; fully fair 11 1/2c; good fair 12 1/2c; good fine 13 1/2c; fancy copra 14; N. Alabama and Tennessee 9 1/2c.

The Orleans chamber of commerce has appointed a committee to endeavor to procure an alteration in the period for making up the annual statement of the cotton and sugar crops. The 31st of August is generally the date of the close of the season.

CONGRESSIONAL ELECTIONS. *Transact.* 1st district—Thos. D. Arnold (whig) is elected without opposition. 2d district—Abm. McClellan (V. B.) re-elected. 3d district—Joseph L. Williams (whig) re-elected. 4th district—John C. Calhoun (V. B.) re-elected. 5th district—Robt. L. Carver (whig) elected by a large majority.

No other district heard from.

NEW CAROLINA. Reports say that the whigs have gained two or three representatives at the recent election.

THE FLORIDA. From the congressional district lately represented by Mr. Randolph, Andrew Kennedy (V. B.) is elected. This is the strongest whig district in the state, and the whigs defeated themselves by running a democratic minority.

Whig representatives are elected from the other districts of the state.

THE COAL TRADE. The *Miners' Journal* says: The Shamokin coal trade commenced on the 25th ult. by the Danville and Potomac road to Sunbury. A large increase of coal will be mined at Shamokin this season, nearly all of which will be required at Danville and the surrounding towns, to supply the iron works in that quarter.

The water was let into the Delaware and Hudson canal on the 26th ult., and the transportation of coal from the Lackawanna region commenced this week. This region will furnish this season a supply of from 100 to 170,000 tons.

Very little if any coal will be shipped from the Lehigh region before the middle of July. The supply will be regulated in a great measure by the time they commence business.

The Schuylkill canal trade will commence about the 17th inst. The supply from this region will be entered in a measure by the demand in the early part of the shipping season, and the prices obtained for the article. The great prostration of the coal trade of our coal last two years, has crippled the resources of our coal to an almost ruinous extent and it is certain that without their obtain fair remunerating prices for their coal in the early part of the season, a full supply of coal cannot be expected.

DEATHS during last week—at Philadelphia 130, of which 49 were under two years of age, and 17 of consequence. At Baltimore 44, of which 19 were under two years of age, 7 free colored and 4 slaves, died of consumption.

FLUKE at New York is down to \$4 50; 84 1/2c—a large supply arriving from the west. At Baltimore the price \$4 25; 84 1/2c; city mid. \$4 75. The inspection of the week 11, 412 bales and 306 half bales.

FIRES at Toronto, U. C. about twenty-five dwelling houses were destroyed by fire a few days since—loss estimated at £15,000.

AGENTS. The *AgENTS' cotton press*, Magazine street, with 350 bales cotton, value estimated at \$15,000.

LUMBER. The steambark Relief, captain Sanner, arrived from Port Deposit, having in tow a raft containing five millions cub of lumber, consigned to colored Weatherly and others. Baltimore is the principal port for the products of the Susquehanna valley, and it only requires a small amount of enterprise to make the market one of the first in the country, for many articles of admirable use. Among the products of the great valley, none is more valuable than the lumber, of various kinds and qualities, which float down the river in great quantities, and which, when properly marketed, will tend to bring purchasers "all along above."

[Balt. Sun.]

MALT. The following is a return of the quantity of malt used in distilleries, for the years 1839 and 1840, in England, Scotland and Ireland:

	Bushels.	Bushels.
England	237,072	238,163
Scotland	3,321,754	2,912,619
Ireland	486,540	486,540
Total	4,223,342	4,037,122

It will be seen from the above, that while there has been a small increase in the quantity of malt used in the distilleries in England during the last year, and only a very slight decrease in Scotland, the falling off in Ireland has been nearly one-third. So much for the labors of Father Mathew!

MICHELLE. The FORGER. Officer Bowyer received Governor Seward's requisition on Lord Sydenham, and proceeded to Montreal. Captain Comau of the Montreal police accompanied Mr. Bowyer to Burlington, and as soon as they reached the American waters formally surrendered the prisoner in the name of her Britannic majesty. Mitchell is said to be perfectly calm and to show his determination to plead guilty of the crimes with which he is charged. He is in the N. York prison.

ST. LOUIS TRAGEDY. All four of the persons accused of the atrocious crime of murder and arson perpetrated on the 15th April, have been arrested, three of them had reached St. Louis in time, and Madison, their leader, was on his way on the 5th inst. strictly guarded.

"SCOLARMASTERS ABROAD." The Boston Journal of Monday says: The three Normal schools in this state, will send out during the present year, over one hundred and fifty teachers—more thoroughly prepared, unacquainted with any other number have ever been before at any one time.

THE STEAMER. The steamer *Britannia*, capt. Chalmers, left Boston on the 16th inst. at 3 o'clock for Halifax and Liverpool. She had eighty-three passengers; and twelve who wished to go out in her, says the *Boston Transcript*, were unable to obtain berths, they having all been previously taken up. Only four of the passengers on the 15th April, have been arrested, and thirty additional. Two measures are now on the ocean, leading for the United States. The Boston steamer, now thirteen days out will arrive this week, and the British Queen a week from port—the steamer, "Sloop."

SLAVES CAPTURED. A letter received at New Bedford, from H. Carroll, esq. U. S. consul at St. Helena, dated March 26, 1841, states that five Portuguese slave-ships, captured on the coast of Africa, by the British naval force on that station, with upwards of 500 slaves, were on board. The slaves had been landed at St. Helena, and remained on board subject to the orders of the British government.

STOCKS. At N. York, May 17, \$100,000 N. York stock at 29; 20s sold at par. Indiana sterling bond sold at 98. Illinois 1870 at 55. Bank of U. S. shares \$18.

FEET. A draft on the sub-treasurer of one of the sub-treasurers, in the city, for \$30,000, was presented yesterday from a bank in Wall street, with a particular regard that it might be paid in bank notes. But the sub-treasurer had more silver than paper at his command, and the bank was compelled to receive the amount in specie.

[N. Y. Com. Adv.]

TEA. New York auction sales, May 17. 6 months—Gunpowder—34 half chests at 47 1/2c; 49 1/2c and 130; boxes at 50 1/2c. Boxes without iron. Imperial—24 1/2c; boxes 55c; 47c and 1,061 1/2c with drawers. Hyson—49 1/2c; boxes at 51 1/2c; 300 bbls. with drawers. 200 bbls. Hyson—130c; boxes at 55c; 85c and 400 bbls. with drawers. 49 1/2c; 49 1/2c; 49 1/2c; 49 1/2c. Congo—10 half chests 34 1/2c; 30 do. and 100 chests with drawers.

Tobacco. The *Huntbills Journal* says that northern Maryland is fully supplied with any other part of the United States in producing the article of tobacco and hemp. It is believed that 1,000 to 1,500 loads of tobacco will be shipped at St. Louis alone this season.

New Orleans. May 8. Our tobacco market remains without any material alteration. We estimate the quantity available for sale at 4,000 to 5,000 bales. Sales of the week are upwards of 1,000 bales at very steady prices.

WEATHER AND CROPS. The St. Louis Republican of the 4th ult. says: The weather continues cold, and the corn and chaff. It is supposed that heavy rains must have fallen to the north of this. The river is high, and for a day or so past has been at a stand, having risen about two feet the day or two previous.

The Newark *Advertiser* of the 4th ult. inst. says: The season so far has been unpropitious to the planters. Not an acre of corn has yet been planted in this neighborhood, which we know of, and very little of the wheat has been sown. The prospect is gloomy for the farmer; but they should not forget the promise, that "after the rains come, the time and harvest." The fruit buds on well, we believe.

WHEAT. At Baltimore, Maryland wheat is quoted at 95 to 91; old 82 1/2c.

[Balt. Sun.]

[Vol. LX.—Whole No. 1,549.]

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certainly one of the most important of the poor man's comforts. He proposed to leave the duty on colonial sugars, as now, at 21s. per cwt.; and to reduce the duty on foreign sugar from £3 3s. per cwt. to 36s. retaining in both cases the 5 per cent. added last year. He estimated his gain from the reduction of the duty on foreign sugar at £1,000,000 from the timber, would give a total of £1,300,000. The duties attaching upon corn, if the measures contemplated by government were effected, would provide for any remaining defalcation; but at all events, he was determined to make up the deficiency out of the other sources.

Lord John Russell gave notice that on Monday, the 31st May, he should move for a committee of the whole house to take into consideration the acts relating to the trade in corn. (Loud cries of hear, hear, hear, and the ministerial benches, which are followed by one or two of the opposition benches, as we ever witnessed in the house; after the cries of hear, hear, heard subsided on these benches, the tory members cheered repeatedly, over and over again, in a manner between irony and mere vociferation.) The speaker, after a short quiet interval, of the utmost excitement, during which Mr. Sergeant Jackson handed to Lord Stanley a pocket book, which that noble lord handed across the table to Lord John Russell. This was also followed by a renewal of the tory noises. Ultimately, it turned out that the day was to be a holiday by the house. The noble lord (John Russell) shortly after fixed his motion for the first order day after that he had first named.

[The following are extracts from the debates on the Budget.]

-Now, as to sugar: For the last two years the lower classes have suffered severely from the high price of this article, now almost a necessary of life.

They must see that this involved a question of great interest and of vast importance. He should state, and had stated, only this point, with respect to what he considered would be the effect upon the revenues of the country. His right honorable friend, the president of the board of trade, as belonging to his department, would submit to the committee measures which, with safety to the revenues, would be referred to parliament for the revocation of certain duties that had been levied (hear, hear). The whole question was a measure of finance. He had come before the house to state to them the revenue and the income likely to ac-

Mr. Hume. If he understood rightly, the plans of the government embraced a remodelling of the corn laws. (Cheers.) They were about, also, the right honorable gentleman had declared, to alter the duties on timber and sugar, the two most important articles. He thought that the right honorable gentleman did right in putting forward those articles as a means by which the revenue might be kept up. He hoped they would be so. But suppose the duties on the expenditure, but suppose they kept up the expenditure, he thought that the changes to be made with regard to those two items, and in the article of coffee and other articles, to

which the president of the board of trade was to call the attention of the house, would be productive of advantages to the commerce of the country beyond any measures that had been brought forward in his time; changes effected not only without defalcation, but with an increase of revenue; changes by which not only would our commerce be increased, but the working man, who had hitherto been neglected, would take the means of earning his livelihood, and would not be driven to depend on the poor laws, or any other dependence; and he would tell the noble lord who had charge of the poor law bill that much of the elation that distracted the country, much of the complaint against the neglected poor laws, would never have been brought forward if the government had, two or three years ago, when the bill was brought in, offered the measure now proposed; and if, when they threw the workman on his own resources, they had at the same time thrown open the markets of Europe for their food, and the markets of the world for their industry, thus enabling them to free themselves from the workhouse. (Hear, hear.) No people in any part of the world labor like Englishmen; and was it not that the destructive laws should be allowed to exist to deprive him of the means of labor, and of food, its reward? He was glad to hear the right honorable member for Tamworth, on a former occasion, state that he did not object to a reconsideration of the corn laws, and hoped that now, when the occasion offered, he would not disappoint the just expectations of the people on this head. He was obliged to the chancellor of the exchequer for the promises he held out in favor of an enlarged free trade, and he hoped that to treating of this important subject the honorable gentleman opposite would treat it as a great national question, and not as a party question. (Hear, hear.) For his part, he was prepared to take the right honorable gentleman's promises in the spirit in which they were given, having no doubt that in the end they would result to the increased happiness and prosperity of the country.

Lord John Russell. With regard to the general principles on which the government propose to act, I stated before the house, at the close of the Easter holidays, that we had made up our minds as to the change which it was necessary to effect in the regulations of trade. I do believe that sound as those principles are on which we mean to proceed, unanswerable arguments have been advanced which have been urged by great writers and statesmen as applicable to them, this is the occasion, and the critical state has arisen in the affairs of this nation, which require the application of those principles. (Cheers.) Not only has an opportunity been presented for a prudent application of those principles; not only can you enjoy the advantage of maturely considering the laws which have hitherto prevailed on the subject, but this is the particular time that great mischief, not to say great peril, can be avoided by your settlement of this question. (Cheers.) And if you determine, I will not say to adopt this proposition or the other, but if you determine to reject some such change in duty on corn as that which I mean to submit; if you determine to make no change in the commercial policy, but to stand by the principles of monopoly and exclusion, this is the particular time that such a course will have an influence, and a most unfortunate influence, on the prosperity of this country. (Cheers.) Thus persuaded, as the government fully believe, and as I stated they were on a former occasion, it will be for my right honorable friend (Mr. Labouchere, we suppose), to proceed with his propositions at as early a period as will be consistent with their due consideration, and for the rest of the measures to be carried on the corn laws of which I have given notice. I trust that what I have said as to the general principles on which I mean to proceed will rather have a good than a prejudicial effect; and if I expose myself to the disadvantage of giving the effect of the measure without urging the grounds and reasons on which it is supported, I must be content.

Mr. Labouchere said he did not rise to trouble the house with any lengthened observations on a question which, as the government fully believed, and as I stated they were on a former occasion, it will be for my right honorable friend (Mr. Labouchere, we suppose), to proceed with his propositions at as early a period as will be consistent with their due consideration, and for the rest of the measures to be carried on the corn laws of which I have given notice. I trust that what I have said as to the general principles on which I mean to proceed will rather have a good than a prejudicial effect; and if I expose myself to the disadvantage of giving the effect of the measure without urging the grounds and reasons on which it is supported, I must be content.

He said the chancellor of the exchequer, the government, in proposing to revise the duty on corn, did not do so in connection with reference to that single question, but that inasmuch as they had come to the conclusion that it was necessary for the great interests of the community that the whole commercial system should be revised, it would be both unjust and inequitable to insist upon revision without the first instance, grappling with the greatest difficulty, namely, the duty on corn. (Hear, hear.) Indeed, he should be ashamed of the position in which government would stand, if, while they were prepared to favor the manufacturing interests by changes in the tariff, they might neglect the interests of certain classes of the community, they should shrink from this question, merely because the great interests connected with it might raise a powerful opposition. He thought that if government had pursued that course they would have been open to the reproaches of the house and of the country. Some remarks had been made as to the right of his honorable friend having made the corn law a budget question. As a mere question of revenue, his right hon. friend had not brought it prominently forward; all he had done was, that while dealing with great commercial questions, while recommending great fiscal alterations, he could not ask the house to impose taxes; to vote money which he had hopes he should be able to raise by some of those alterations. (Hear, hear.) Incidentally, therefore, this question had become a budget question, but it would have to be considered in conjunction with many others which had not yet been alluded to—considered with the utmost care and deliberation. All he, (Mr. Labouchere), hoped was, that, having arrived at a great crisis, speaking not only financially, but commercially, the house would show an intention of acting in the right direction. Some honorable gentleman had alluded to the report of the import duties committee, and seemed to suppose that some great man, who had been put in motion to spread that report throughout the country. He knew that the feeling was on the subject throughout the country. There never had been a more intense, a more general feeling, although the feeling had not been in the form of any popular declamation. He could assure the house, and he appealed for corroboration to those honorable gentlemen opposite who were connected with the manufacturing and commercial interests of the country, that the meetings which had taken place in the autumn of last year, and which had character, but had consisted of men of all shades in politics, who had merged all their differences in anxiety for the general good. (Hear, hear, hear.) Was it to be supposed for a moment that the merchants and manufacturers of England were so ignorant men as to propose a great and important change merely on the report of a committee of the house of commons? It was not the opinions of the witnesses, but the statements and the figures they gave, which formed the great basis of the effect. (Cheers from Lord Stoddard.) His noble friend opposite charged. He (Mr. Labouchere) thought that many statements in the report were wild and exaggerated, but many of them, he must also say, were exceedingly valuable. He would remind the house of a petition which had been presented—a petition which, from the signatures which were attached to it, deserved the serious consideration of the house. As it was exceedingly short, he would draw the attention of the house to its contents. The petitioners stated that the present tariff was a great injury to our commerce, and pressed heavily on the consumer while giving an undue protection to our colonies, and they concluded by praying for a revision of those duties. That was a rational petition, and he hoped that the measures which were proposed, they would see that, since the petition which was presented by the present Lord Ashburton at the time Mr. Huskisson introduced his great commercial measure, no petition had been presented representing a portion of the mercantile community, and the intelligence of the city of London. To state that the excitement on this question had nothing in it of a party character, he had only to mention the first name attached to the petition, that of Mr. Horsey Flower, a gentleman who, without remarkable intelligence and station, was totally opposed to the present government. (Hear, hear.) The name of that gentleman was followed by those of some of the leading firms of the city of London, a fact which clearly proved that the agitation had not been brought about by speculation or by any such influence as was suggested by the report of the committee. In reality, the feeling had been excited by a sense of suffering, by the evil effects which the present protective system was producing on our commercial relations with the foreign countries. A petition was presented that the time was come when some important change was absolutely necessary. With regard to the manufacturing interests, he could only say that

he had received deputations from Lancashire, composed of men of all parties, and he had never seen a stronger feeling displayed than that which animated those gentlemen. He hoped that the house, in considering these questions, would not leave out of view the points which had been alluded to by his right honorable friend, the chancellor of the exchequer, namely, the condition in which we stood in reference to the two countries which were the great consumers of our manufactures—the U. States and Brazil. The U. States were our best customers, and next them Brazil; indeed, in the article of manufactured cotton, the latter was our best consumer. With regard to the U. States, the question stood thus: There would be a special meeting of congress at the end of the ensuing month, for the consideration of commercial affairs. The Americans were in the same state as ourselves with regard to revenue, and at this congress there would no doubt be a struggle as to whether the deficiency should be supplied by additional duties laid on foreign manufactures, or in a way similar to that which his right honorable friend had proposed. Mr. Clay's act would then have expired, so that the congress would be completely free to consider the propriety of remodelling the tariff, and he had no doubt that their proceedings would be greatly influenced by the steps which might be taken by this country. It was notorious also that our commercial treaty with the United States was about to expire, and that the great dissatisfaction existed at our pursuing a system which prevented our receiving, in return for our manufactures, the only produce which the Brazilians had to offer. He had no doubt that, if the present system was continued, we must make up our minds to lose a trade valuable at present, but which, under a proper system, would soon become much more extended, in consequence of the new channels which steam was opening to us in the interior of the country. (Hear, hear.) The right honorable member for Tamworth had twitted him with the opinion he had expressed on the motion of his honorable friend the member for Wigan last year. He was prepared to repeat what he had then said, that this was a subject which he had not been in the habit of doing, and then carefully considered the subject in all its bearings, with reference to the interests of our colonies and our trade in general, and he had come to the conclusion that the best way to protect our colonies would be to give them, not a monopoly, but a free trade. The colonies and consumers of this country, would not promote their interests, but a moderate and reasonable amount of protection. He believed that such an amount of protection was better than a monopoly, inasmuch as it would give our colonies a free trade; whereas monopoly would stimulate excessive production; and glut, highly destructive to commerce, would be the consequence. It has been said that this question should not be discussed as a party question. In that question he heartily concurred. And he knew that, whatever might be the feeling within the walls of that house, out of doors it would be considered also as a party, but a national question. (Hear.) He hoped that in subsequent discussions there would not be any of that acrimony which had that evening been unnecessarily introduced, as if the measures had been introduced for a mere party purpose. As a party measure it was not likely to be advantageous—indeed, he had never seen any party reap much advantage by interfering in a question of this kind. He could assure them that, although a warm partisan, so deep was his sense of the importance of this question, that he would rejoice if the honorable gentlemen opposite were to introduce it, in which case he would have his earnest thanks to offer. (Hear, hear.) London, May 1841. The duke of Devonshire, on a petition having been presented from the India merchants, against the recent proceedings in the shape of a settlement of Chinese affairs, stated that the failure of the expedition appeared to have been occasioned by the want of proper instructions to explain the condition and condition of the British armament in the Chinese seas. Lord Melbourne declared that no official accounts has been received by the government.

The two brothers Wallace, who were sentenced to transportation for life, for having cast away the Dryad, the purpose of which was to destroy the insurance companies, have made a full confession. They admit having been connected with the wilful loss of four other vessels, and implicated one of the most respectable and wealthy merchants and shipowners in Liverpool in the same business.

The fitting up of the royal nursery cost £4,000. When will the people open their eyes to such folly and wanton extravagance?

A frigate and corvette lately been dispatched to China. M. Jousigny and M. Page, the latter ac-

and wise deliberation. It cuts down the delegation of some of the old states, while adding largely to those of some of the younger members of the union.

[*Journal Com.*]

NATIONAL INSTITUTION FOR THE PROMOTION OF SCIENCE. The National Intelligencer says: This new institution is advancing rapidly in its sphere of usefulness for the diffusion of knowledge. It has recently been removed to the commodious apartments of the basement of the new patent office building, where it can better accommodate the immense collections received from the exploring expeditions. Already it has received one hundred and fifty large boxes and packages, containing, among a great variety of other specimens in natural history, about eighteen hundred birds, many of which are rare and beautiful. They are now undergoing a preparation for exhibition in the hands of a very superior artist, Mr. Townsend, from Philadelphia. Another shipment of twenty tons from the same squadron has arrived at New York; and it is understood another one may be expected in the course of the summer.

A very handsome donation has been received from Dr. George C. Leeb, of Philadelphia, of three hundred specimens of North American birds.

A liberal patronage is also received from numerous other sources, by the donation of a variety of valuable articles.

EXPEDITION FOR LIBERIA. *New Orleans, May 14.* The bark Union sailed for Monrovia, on the 13th inst. having on board forty-two emigrants sent out by the American Colonization society. They are good, honest, industrious and intelligent persons, well provided with farming utensils, household and kitchen furniture, school-books, and other articles necessary for their comfort and usefulness.

The bark had on board several thousand dollars worth of goods, &c. sent out for the use of the colony.

The Union goes in the service of a large commercial house of this city, with a large cargo on board, for the purpose of trading with the natives; our fellow-citizen Joseph G. Walton, esq. goes out as purser.

This is a new era in the commerce of this city. The trade of the western coast of Africa is immensely important, and we are glad to see our enterprising citizens engaging in it. We hope the day is not far distant when many such expeditions will leave our city.

[*N. O. Bulletin.*]

THE ARMY.

Major general Seth B. Bankhead arrived here in the steambot from Richmond yesterday afternoon, and we learn that major general Macomb, commander-in-chief of the army, is expected this morning by the steambot from Baltimore. The object of the visit of these distinguished officers, it is understood, is to inspect the military works at Fort Monroe and the Rip Raps.

[*Norfolk Herald, May 20.*]

General Wool, of the U. S. army, is now on a tour of inspection of the fortifications of the United States.

Married. At Brownville, N. Y. on the 19th inst. by the rev. F. Rogers, lieut. Larkin Smith, U. S. army, to Miss Catharine Storow, daughter of the late major general Jacob Breen.

St. Augustine, May 28. The steamer Wm. Gaston, captain Griffin, arrived here on Saturday last from southern ports. We learn by this arrival that Wild Cat, (Cocochee) had been in at Fort Pierce (Indian river) with fifteen warriors and went again on the morning of the 25th inst. He was, as usual, very insulting to the officers, and demanded of them powder and lead, and other things which was refused. He acted in his usual pompous manner, as though he did not care for any of them.

Several Indian signs have been seen at New Smyrna recently.

We regret to learn that lieut. Shubrick, U. S. navy, accidentally shot away a part of his face while on a scout in the everglades, a short time since.

[*Savannah Republican.*]

Florida, May 15. Dear sir: On the 26th ult. about 26 miles from Tampa Bay, the mail rider and horse were killed. A friendly Indian gave the news at Tampa soon after the deed was done. The commanding general ordered out a command of dragoons, under captain B. Beall, and dragoons, who as soon as possible, proceeded to the place of the murder, buried the express rider, and pursued on the track made by the murderer. After several hours pursuit, he came upon a camp regularly fixed and comfortably situated, occupied by one Indian, who was leisurely opening the mail and burning the letters. Captain Beall shot him in his occupation,

but saved but one entire letter of the mail. This Indian proved to be Maxey Hadjo, of famous memory in these parts. Captain Beall was complimented in orders for his long and arduous pursuit after this savage murderer, and for bringing him to condign punishment.

May 17. Dear sir: I am happy to announce a second shipment of Indians, which took place at Tampa on the 7th inst. Two hundred embarked for New Orleans, under charge of capt. McKavett, 3th infantry. Alluek Tust-nuggee has sent in 19 warriors to consult with the general.

[*Savannah Georgian.*]

Later. Letters of the 18th and 19th May, confirm the foregoing account. Amongst the two hundred and twenty Indians shipped from Tampa on the 7th was the heretofore inveterate and troublesome chief, Cusaa Tust-nuggee. Hitherto he has resisted every effort to bring him to terms, and not until the Arkansas delegation had an interview with him, did he feel inclined to hold any intercourse with the whites; now he is on his winding way to Arkansas, whither most of his band have preceded him.

Alluek Tust-nuggee, the gentleman so handsomely welcomed by the general, Alluek last winter, has, in view of that dripping, concluded to emigrate. A delegation from his majesty has reached the general, and announced that he will soon be in at Tampa to treat. Cocochee (Wild Cat) has been at Fort Pierce with twenty-four of his band. They obtained provisions and promised to go in soon at Tampa.

Col. Worth has left for the Carolanahatchie with one hundred picked men. His object is to secure Hovatska.

Many of the troops in the territory are now suffering severely from illness. The 1st infantry have removed to Cedar Keys for their health. Two hundred and fifty of their number are now sick with fever. One hundred of the 7th at Mowick are also sick with fever. Seventy of the 24 are sick in hospital at Fort King, also with fever. Forts Russell and Holmes continue very healthy.

THE NAVY.

The U. S. brig Dolphin, arrived at New York on the 23th inst. from the coast of Africa. *List of her officers:* Commander, Chas. H. Bell; lieut. James H. Ward and Timothy A. Hunt; purser, Douglas Gibson; assistant surgeon, R. W. Levee; passed midshipmen, Maxwell Woodall, Midshipmen, Jas. Barry, Peter Wager, Augustus McLaughlin; master's mate, Adam Young; captain's clerk, Thomas N. Meeker; purser's steward, John B. Fulkington.

Captain Conner and lieutenant Tracy, of the United States revenue cutter Vigilant, on the Rhode Island station, have been dismissed from their situation. The Vigilant, under the command of these officers, was somewhat conspicuous during the late political contest.

The U. S. ship Boston, arrived at Cape Town, Cape of Good Hope, on the 10th of March—officers and crew all well.

Extensive desertion. Thirty-four of the seamen belonging to the *Brandywine* have deserted while she has been in port. A reward of \$25 each is offered for their apprehension.

The U. S. ship of war *Preble*, from Malta, bound W. was passed, 5th ult. off Cape de Galt, by the *Mordao*, at Boston.

The U. S. brig *Porpoise*, capt. Ringgold, was at Tampa Jan. 26, to sail on an cruise that day intended to visit the Society Islands. The *P.* has now been from home about two years and a half, has discovered some new islands, and visited many of Fejee and other islands never before explored. The officers and crew were very well at the above date, and wished to be reported.

[*Hatch's New Bedford Express.*]

The court of inquiry at Brooklyn, instituted to ascertain the truth or falsity of certain anonymous charges against com. Jas. Renshaw, convened on Monday at the navy yard, Brooklyn—com. James Biddle, president; com. Geo. C. Read, esq. David Comer, members; Phil. Hamilton, esq. judge advocate. The preliminary steps only were taken, and commander H. Paulding has been, at his own request, relieved from his duties as commander of the navy yard, Brooklyn, and commander Joshua N. Gaus ordered in his stead.

STATES OF THE UNION.

RHODE ISLAND.

Showing proper resentment. At the last session of the general assembly in this state, a bill was passed exempting the property of negroes from taxation, on the ground that they were debared from participation in social and political privileges. The exemption gave offence to some of our able citizens, who have accordingly got up a petition that

the law be repealed, and that taxes be imposed upon them in the same way as upon white people. They say that if they are taxed, they have claims upon the general assembly which they cannot otherwise urge. We question, says the Providence Journal, if history will furnish another example of a body of men reconstituting against being exempted from taxation.

VIRGINIA.

Elections. We find in the Winchester Republican, prepared to our hand, a correct statement of the result of the recent elections in this state. The names in *italics* are Van Buren. Those designated thus * are gains.

Congress.

First district,	Francis Mallory,
Second district,	G. B. Cary,
Third district,	J. W. Jones,
Fourth district,	W. O. Goode,
Fifth district,	E. J. Hubbard,*
Sixth district,	W. Cotes,
Seventh district,	Wm. L. Groggin,
Eighth district,	Henry A. Wise,
Ninth district,	R. M. T. Hunter,
Tenth district,	John Taliaferro,
Eleventh district,	E. J. Harris,
Twelfth district,	T. W. Gilmer,
Thirteenth district,	Linn Banks,
Fourteenth district,	Cuthbert Powell,
Fifteenth district,	R. W. Briston,*
Sixteenth district,	John M. Botts,
Seventeenth district,	A. H. H. Stuart,*
Eighteenth district,	G. W. Hopkins,
Nineteenth district,	G. W. Summers,*
Twentieth district,	H. L. Heya,
Twenty first district,	Leah Steward,*

In the ninth district there were three candidates; Mr. Corbin, a wing; Mr. Braxton, Van Buren; and Mr. Hunter, who is termed an "abstractionist," and does not profess to belong to either party. Exclusive of Mr. Hunter, the delegation from this state in congress will be equally divided; in the last congress the whigs had eight members, and the Van Buren party twelve. Nett whig gain, two members.

State senate.

Berkley district,	C. J. Faulkner,
Richmond, do,	James Lyons,
Pittsylvania, do,	W. P. Tunstall,*
Charlotte, do,	L. C. Bonidin,
King George, do,	Col. Cairer,
Washington, do,	Wm. M. Walter,
Harrison, do,	W. K. Shum,
Roxingham, do,	J. Maffitt,

The senate consists of thirty-two members, eight of whom are elected every year. In the last senate parties were equally divided; the next will consist of seventeen members friendly to the administration, and fifteen opposed to it.

House of delegates.

Acomose	Bayly, <i>Whig</i> .*
Albemarle	Southall, <i>Coles</i>
Alleghany	Hollaway
Amherst	Davis
Angusta	Kinney, <i>Baldwin</i>
Anelia	Harvie
Bath	Maye*
Bedford	Mitchell, <i>Winfield</i>
Berkley	Hunter, <i>Newkirk</i>
Brooke	Jones
Botetourt	Robinson
Brunswick	Riddick, <i>Harrison</i>
Buckingham	Jost, <i>Haskins*</i>
Cabell	Moore*
Campbell	Tolor, <i>Nowlin</i>
Caroline	Samuel*
Charles city, &c.	Apperson
Charlotte	Coxwell
Chesterfield	Cox
Culpeper	Crowder
Cumberland	Buck
Clarke and Warren	Payson
Dinwiddie	Brown
Elizabeth city, &c.	Simple
Essex	Thomas*
Fairfax	Scott, <i>Foster</i>
Fauquier	Payne
Fayette and Nicholas	Payne
Fluvanna	DeKins
Floyd	Woods, <i>Early</i>
Franklin	Wood, <i>Byrd*</i>
Frederick	French
Giles and Mercer	Robbins
Gloucester	Guerard
Goodland	Carroll
Grayson	Erkine
Greenbrier	Spencer
Greenville	Clarke, <i>Watkins</i>
Halifax	Vance, <i>Pugh</i>
Hampshire	Thompson
Hanover	

Mardy
Harrison
Henrico
Henry
Isle of Wight
Jackson and Mason
James city, &c.
Jefferson
Kanawha
King and Queen
King George
King William
Laurester, &c.
Lee
Lewis and Braxton
Logan
Loudoun

Louisia
Lunenburg
Madison
Marshall
Mathews, &c.
Mecklenburg
Monongalia
Monroe
Montgomery
Morgan
Nassau
Nelson
Norfolk county
Norfolk borough
Northampton
Northumberland
Nottoway
Ohio
Orange and Green
Page
Petersburg
Piedmont
Pittsylvania
Poeshonias
Powhatan
Preston
Prince Edward
Princess Ann
Prince George
Prince William
Randolph
Rockingham
Rockbridge
Rockingham
Roanoke
Richmond city
Russell
Scott
Shenandoah
Spotsylvania
Southampton
Smyth
Stafford
Surrey
Sussex
Tazewell
Tyler
Washington
Westmoreland
Wood
Wythe

Mullin

Kincheloe, Armstrong

McRae

Griggs

Holmes

Smith

Bowden

Moler, Kennedy,

Smith

Davis

Wallace

Leahy

Edmonds

Woodward

Cox

one member

Taylor, McIlhenny and

Raney

Holladay

Marshall

Benka

Martin

Dugan

Byrd, Scott

Morgan, Harrison

Caperton

Davis

Orlick

Hill

Ligon

Watts, Etheridge

Taylor

Verby

Smith

Flagerfeld

Edgington

Holmes

McPherson

Wallace

Cheatham

Hunt

Keene, Williams

Grimes

Hopkins

Brown

Wilson

Day

Heath

Brouner

Elliot

Snodder

Dorman, Lymburn

Shipman, Smith

McCurry

Daniel

Craven

Quinn

Crawford, Gatewood

Crotchfield

Urquhart

Telford

Ford

Warren

Walker

Bowers

Martin

Goodson

Mayo

Jackson

Leffew

Administration 68—Opposition 66.

The foregoing is made up from the best information in our possession, and it is believed to be correct. The whole loss and gain are as follows:

Whig gain.	Whig loss.
Stafford	1 Frederick
Fairfax	1 Caroline
Southampton	1 Petersburg
Minorce	1 Powhatan
Bath	1 Buckingham
Montgomery, &c.	1 Nelson
Giles and Mercer	1 Prince Edward
Jackson and Mason	1 Marshall
Cabell	1 Tyler
One senator	1 Accomac
	1 Wythe

The whigs have, therefore, carried both branches of the legislature, and one-half of the congressional delegation.

ARKANSAS.

Census statistics. We are enabled to furnish our readers with an abstract of the official census of the state of Arkansas in the following tables.

1 No return.
1 We place Mr. Harrison with the opposition, although he is a conservative, and, we are informed, voted for Harrison and Tyler at the presidential election.
1 Continued

SEXES.		MALES.										FEMALES.										TOTAL.									
		5	10	15	20	25	30	35	40	45	50	5	10	15	20	25	30	35	40	45	50	5	10	15	20	25	30	35	40	45	50
ER COPIES.		under 5	5-10	10-15	15-20	20-25	25-30	30-35	35-40	40-45	45-50	under 5	5-10	10-15	15-20	20-25	25-30	30-35	35-40	40-45	45-50	under 5	5-10	10-15	15-20	20-25	25-30	30-35	35-40	40-45	45-50
Johnson		331	222	142	156	261	351	196	192	19	14	587	551	296	156	156	156	67	35	15	5	51	44	11	1	1	1	1	1	1	1
Madison		332	245	157	163	127	102	69	41	15	3	287	228	171	108	108	164	55	51	39	4	5	1	1	1	1	1	1	1	1	1
Remond		244	165	132	133	123	127	102	69	41	15	226	147	132	111	124	85	45	25	1	1	1	1	1	1	1	1	1	1	1	1
Union		219	155	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121	121
Albany		108	81	66	51	113	70	56	21	9	1	73	78	51	53	75	43	31	9	5	3	1	1	1	1	1	1	1	1	1	1
Albany		108	81	66	51	113	70	56	21	9	1	73	78	51	53	75	43	31	9	5	3	1	1	1	1	1	1	1	1	1	1
Albany		108	81	66	51	113	70	56	21	9	1	73	78	51	53	75	43	31	9	5	3	1	1	1	1	1	1	1	1	1	1
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Albany		108	81	66	51	113	70	56	21	9	1	73	78	51	53	75	43	31	9	5	3	1	1	1	1	1	1	1	1	1	1
Albany																															

rule, but be so adjusted as to aid our industry against foreign competition. We cannot yield to the doctrines of free trade, for the obvious reason that such a trade does not exist, and will not be reciprocated to us. Among advanced nations, it has hitherto existed; and if we may judge from the past or present state of the world, we cannot anticipate it for the future. However beautiful in theory, such is the diversity in the natural and superinduced condition of the chief nations of the world, that free trade would be found impracticable, and I am fully convinced it will never be in England and France, with whom we have the most of our commerce, will never consent to open a new, and hitherto unpractised trade with the U. States. Their restrictive policy is unchangeably established, and whether wise or unwise, liberal or illiberal, it enters so deeply into their political relations, into the very texture of their domestic and foreign interests, that we may not expect such a radical change in their commerce and system of taxation. If England would open even her colonial ports to a free trade, we should find more reason to distrust her policy, and hope for more free commercial relations, but we are not to be deterred by all reciprocity whatever; our grain, tobacco, and other products, if admitted at all into any of her ports, being burdened with enormous and ruinous duties. So long as England and France continue to lay such contributions annually for their wares, their silks, and other manufactured goods, we must protect ourselves by counter exacts, or forego our manufactures, never again to be revived. It is wise for a nation of eighteen millions of people, to shut up their own workshops and manufactories, and even open a new door to year a national debt, the inevitable consequence of large importations; and by rendering the market unsteady, or by opening it to the fluctuations incident to the trade of Europe, suffer our own establishments to be broken up, and an enormous depression of labor. Our products multiplied, as they must be, if agricultural pursuits become universal, will perish without a market, or sell at prices greatly reduced. The interest of the farmer and southern planter, are most certainly promoted by extending manufactures to diversify and diversify labor, and create a certain and convenient market. I am not an advocate for a tariff beyond the wants of the government; but let its necessary revenues be raised by a system of duties so adjusted, as to protect the industry of our citizens.

I entertain great confidence that such a tariff was the established and steady policy of the country, not to be broken in upon by any change of men or measures; and together with it we possessed the currency which we enjoyed for forty years, and which the trading intercourse of states, now fatally sundered, the gloom which has so long attended upon us would be dispelled, and hope and confidence, and courage shed a cheerful light over many an anxious and desponding heart. I express the exact character of a tariff, all arguments that a tax on consumption, or in other words, duties on imported goods, collected by government officers at the custom house, is the best and least expensive method of raising a national revenue. Whether these duties shall be laid by a uniform rate, or apportioned so as to avoid a harmful competition from the surplus capital and super labor of Europe, is the question to be decided. The compromise act, so called, passed in the year 1832, virtually gives up the principle of discrimination. Distinguishing statements in the south, who profess to break the compromise act, and to be free traders (how correctly I cannot say), assert that a discriminating tariff, with special reference to domestic industry, is independent and unconstitutional; that it will destroy the peculiar rights and interests of the southern planter, and is contrary to the very spirit of the constitution. Now I have sought in vain for any such limitation of the benefits of a tariff; and I am confident that the provisions of the constitution are broad enough and clear enough to sustain the advocate of American industry. In regulating commerce as in exercising other powers of the constitution, congress is obliged to seek after the greatest good, and surely it ought not to seek after or be satisfied with the attainment of any thing less. The advocate of the planting interests profess to believe that unrestricted trade with England and France would increase the demand for the produce of the price of southern cotton in Europe. He therefore pleads for the removal of every obstruction to commerce, and for the greatest encouragement of importations. He is not satisfied with free exchange which he now enjoys, but he would open his ports to the free import of all foreign goods. If it is his theory to manufacture little and import much, I am convinced this class of politicians are combating commercial impediments which have no exist-

ence but in imagination; and that their boasted theory in favor of free importations is intrinsically insensical principles. Neither experience nor reason will establish the fact, that southern cotton will not sell in Europe if our importations are lessened, and greatly lessened nor that the encouragement of a domestic market for cotton will not counterbalance the loss, there would be a loss, resulting from a diminution of foreign commerce. It is quite certain that hitherto the amount of cotton exported and of merchandise imported has not always corresponded in amount; and hence the theory against which we contend is tellacious and productive of injury. It is incorrect, in fact, only, which I judge England and France to purchase our cotton. Is it from any affection for us—do they not find this article to be for them the most profitable within their reach; and when either of them can procure a better from any other quarter, and especially from their own possession in the east, for which England is now putting forth the strenuous and unexampled efforts, will their ports be any longer open to our cotton, or will not this trade be brought within the exclusive policy which distinguishes all their laws of trade and manufactures? I have no doubt, that every American, whether he be a farmer, planter or manufacturer, is interested in extending the domestic market for cotton—a market which the American can forever and fully secure to himself, and which, until of late, has been regularly and increasingly increasing. The southern politician is mistaken in the cardinal principle of his theory, "that duty on imports is a duty on exports." It is a tax chiefly on consumption; to some extent on foreign capital and labor. If indeed it be true, that a duty on imports is a tax on exports, then every article of cotton affected by the tariff, and not the southern planter. The south in proportion to its population, consumes less, very much less, than the north, or the states of free labor, both on account of climate, and the character of their laboring population. Besides, it is nothing to offer employment to our countrymen, to render them comfortable and happy, and provide the means by which they may educate and establish their families! Is it nothing to secure to labor its just value, and ready markets to agricultural products, and to carry on the honest and industrious of a foreign debt, the millions paid to France for her silks, and to England for her numerous manufactures! This country abounds in the raw material used in the manufacture of many of the articles imported, and with proper attention these materials can be turned into goods, and rendered adequate to the supply of our wants. Why now send them abroad to be wrought? We have capital enough, water power enough, hands waiting to be employed; and in a brief period, might become to a great extent independent of foreign goods and shops. I ask it, therefore, is not important to make the most of our resources, to re-animate once more our manufacturing villages, and embellish this glorious land with countless flourishing and smiling hamlets, where content and plenty shall dwell securely? The policy advocated by certain southern politicians, if followed out in its consequences, would not merely impoverish the country—it would make us vassals of foreign capitalists, and wither the dearest interest of New England.

When the compromise act, so called, was passed, I was respected the gentlemen from the planting states asserted, on the floor of congress, that in 1832, when the act would take full effect, we should see that the planting states had been paying well nigh the whole of the national revenue, as they said, in the article of cotton. The compromise act, however, has nearly expired, but the discovery has not been made, while in the mean time both the north and the south have been greatly impoverished.

The policy of a protective tariff is so much affected by the growing out of another interest, that I trust I shall not be accused of asperity towards the south, or of officious interference in their concerns, by expressing the opinion that free labor throughout the nation, and especially the manufacturing portion of it, are interested in the removal of all powerful influences of slavery. But that I may not be misapprehended, let me observe that, in the government, we should not depart from the constitution of the United States, the supreme political law of the land, which we have sworn to obey, this day, to observe and maintain. I would give to this bond of our glorious union a hearty and vigorous support, in its several provisions, as the wisest and best compact which could at the time, or could now, be obtained. But I feel no obligation to protect at all beyond the limits of the former or perpetuate a system of slavery. I would in this matter observe good faith towards sister states, because I hold faith between states as inviolable as between man and man; while beyond this

concessions to slavery will not readily be made by those who look on it as a great wrong, and a ruinous institution. I have said the laborers affected generally by slavery. This is produced chiefly by the national policy and public measures to which it gives rise. It may be observed further, that few improvements by means of machinery and water power can be introduced into the regions where free finds its chief employment in raising cotton, tobacco and sugar; nor in time to come can slave labor derive much aid from those inventions which give immense facilities to free labor, and multiply its power beyond computation. Of the character and wants of free labor, and especially the policy which fosters manufactures, navigation and the fisheries, the planter has necessarily little knowledge, and with its peculiarities, little sympathy. Of this however, we do not complain. Perhaps our views are erroneous. We wish only to say, that where slave bears upon general interests, as in national affairs, we may with propriety speak of its tendency, and firmly maintain our rights against its power.

A national currency. I cannot pass from a subject so vital to our constituents as the protection of our industry, without expressing my regret that on this and the kindred subject of a national currency, nothing is settled in the government. One alarming disease of the country is its vacillation in public opinion, and especially in the policy of the policy of one year or one administration before the policy of the next. It is certainly true, after the experience of half a century, to discover where our true interests lie, and to pursue them by some established land marks in legislation, that labor and capital may be preserved in peace and order. If hitherto the country has been deluded and unwisely governed, if we have for so long a period been pursuing false theories, let us carefully search out the true path, and when it is found, persevere in it with free government. We must, however, take care that in our efforts to preserve liberty, we do not hazard every thing which makes liberty worth possessing; that in our ardor for equality and simplicity in social life, we do not permit the great ends of our political being to be broken up. It is believed in our country, that the policy of the present and past administrations has been to be too deeply imbued with popular sentiment, to be uniform and fixed in their policy; but, fellow citizens, the experiment is in progress, and we cannot but look to the final result with deep solicitude. I believe the policy of the present administration is to be too deeply imbued with popular sentiment, to be uniform and fixed in their policy; but, fellow citizens, the experiment is in progress, and we cannot but look to the final result with deep solicitude. I believe the policy of the present administration is to be too deeply imbued with popular sentiment, to be uniform and fixed in their policy; but, fellow citizens, the experiment is in progress, and we cannot but look to the final result with deep solicitude. I believe the policy of the present administration is to be too deeply imbued with popular sentiment, to be uniform and fixed in their policy; but, fellow citizens, the experiment is in progress, and we cannot but look to the final result with deep solicitude.

Resolutions of states. It will be seen by the resolutions to be laid before you, which I have received from the governors of Indiana, Vermont, Kentucky and Delaware, those states are in favor of amending the constitution of the United States, so that no person shall be eligible to the office of president. These resolutions, I doubt not, will have your careful attention. Should they not lead to the altar of union proposed, we may anticipate the influence of the patriotic declaration made by the late president, that he should not be a slaveholder. We do most heartily desire that the precedent may become an example.

In addition to the foregoing resolutions, others on various subjects have been received from several of the states, which will be transmitted to you on an early day.

Affairs of the state. In surveying the affairs of the state, I perceive but few subjects which demand your particular attention. Our territory is small; our laws not institutions few, uniform and without complexity. The concerns and interests of the state are for the most part well understood by the representatives of the people. We resemble an industrious, economical and well regulated family, presenting a republic which secures more good, and avoids more evil, than any other form of political organization. The concerns and interests of the state are for the most part well understood by the representatives of the people. We resemble an industrious, economical and well regulated family, presenting a republic which secures more good, and avoids more evil, than any other form of political organization. The concerns and interests of the state are for the most part well understood by the representatives of the people. We resemble an industrious, economical and well regulated family, presenting a republic which secures more good, and avoids more evil, than any other form of political organization.

propriety of his public acts. Since the performance in his part of the act which rendered necessary in my judgment for you to assemble here, that distinguished individual has been suddenly cut off by the hand of Providence from all participation in the affairs of men, and has ceased to be numbered among the living. And for one, I never may have been my objections to his election, and they were strong, sincere, uncompromising and decided on principle, I am perfectly disposed to spread the veil which covers human imperfection, on all his acts, without presuming to say that he had more than fall to the lot of other men; to do him the justice to suppose that in his official acts he was governed by a patriotic sense of public duty; and to remember his virtues only. But while I cheerfully accord to a distinguished and departed citizen, of honesty of purpose, and a lofty attachment to principles which he no doubt believed to be correct, I should be unmindful of truth and forgetful of all the principles, upon the sacred observance of which I believe our happiness and dearest interests, do not distinctly aver that in political sentiment so far as his public acts, I differ with him, and most of those by whom he was elected, in almost every essential particular. And perhaps, after all, an honest difference of opinion, candidly expressed, and confined within the limits of prudence, moderation and patriotism, affords the best guarantee for the continued preservation of our liberties and happiness.

It is impossible to recur to the signal disposition of an all powerful Providence, the death of the president of the United States, without being forcibly reminded of the extreme uncertainty of all the affairs of this fleeting and transitory life, and with the littleness and exceeding vanity of human ambition; and without being deeply impressed with the momentous weight of the awful and inextinguishable truth, that success in the accomplishment of the highest objects of earthly gratification, is but another step to that eternal and unchangeable state, to which magnitudes and people are alike hastening; and where no distinctions are recognized but those that flow from excellence and virtue. What is to be the effect of this unexpected event upon the administration of the affairs, and the general policy of the government? The public interest, for the remainder of the period for which General Harrison was elected, time, the great offender of events, can only determine.

The vice president, chief, will of course, according to the constitution, provide for the discharge of the duties, succeed to the powers and duties of the president of the United States for the term of four years from the fourth of March last.

From a general view of the present condition of the various departments of the public interest, I am not aware that any thing will importantly require the attention of the legislature, except the subject which brought you together.

In your high public character, however, as representatives of the people, it will be entirely competent for you to embrace within the sphere of your deliberations any subject which, in your judgment, the public interest may require. But from the very short time which has elapsed since your last adjournment, and considering the busy and interesting season of the year at which it becomes necessary to call you from your families and accustomed occupations; and especially, taking into view the important consideration of public economy with a just sense of which I have no doubt you will be fully impressed, to entertain the expectation that your interest as citizens, and your duty as representatives, will alike indicate the necessity of prompt attention to the important subject which rendered it necessary for you to assemble, and of a speedy return to the bosom of your families.

A. P. BAGBY.

UNITED STATES BANK.

ANOTHER REPORT FROM THE INVESTIGATING COMMITTEE.

An adjourned meeting of the stockholders of the United States Bank was held at Philadelphia, on Tuesday the 18th instant. After organization, the minutes of the former meetings were read and confirmed. Mr. Lippincott, the chairman of the investigating committee then handed the following report—

The committee appointed at an adjourned meeting of the stockholders of the Bank of the United States, held on the 2d April last, in pursuance of a resolution adopted at an adjourned meeting held on the 4th May instant, to take into consideration the condition and prospects of the bank, and also any laws passed by the general assembly of Pennsylvania, tending to interfere with or restrain such measures as the committee might deem expedient, respectfully report:

That on the 30th of April last, an act of the general assembly of Pennsylvania was passed, entitled "an act to provide revenue to meet the demands of the treasury, and for other purposes," which presents two distinct propositions for consideration:

The first proposition is under the seventeenth section, which contemplates the continued existence of the bank, and provides for its relief from the penalty of 12 per cent. and from the forfeiture of its charter for the non-payment of its circulation and deposits in gold and silver on demand, upon the condition that the stockholders shall consent to be subject to any general laws hereafter to be passed for the regulation of the banks of the commonwealth.

After taking into consideration the condition and prospects of the bank, which requires time only to render its ample measure available, the committee do not hesitate to recommend the adoption of the first proposition. They, therefore, respectfully report the following resolution:

Resolved, That the 17th section of an act of the general assembly of the commonwealth of Pennsylvania, passed at the last session of the general assembly, entitled "an act to provide revenue to meet the demands of the treasury, and for other purposes," is it provided, that being the bank of the United States, shall be subject to the benefit of the said section, the stockholders of the said bank shall, by a resolution adopted at any general or adjourned meeting held in pursuance of the charter, and duly certified by the governor under their corporate seal, to the effect, to consent to be subject to any laws hereafter passed for the regulation of the banks of the commonwealth; and

Whereas, It is deemed expedient by the stockholders of the Bank of the United States, duly convened at an adjourned meeting held in pursuance of the charter, to avail themselves of the said 17th section; therefore

Be it resolved, And it is hereby resolved by the stockholders of the Bank of the United States, convened at an adjourned meeting held in pursuance of the charter, That, for the purpose of obtaining the benefits of the 17th section of the act of the general assembly of the commonwealth of Pennsylvania, entitled "an act to provide revenue to meet the demands of the treasury, and for other purposes," passed at the last session of the general assembly, the said stockholders do hereby consent to be subject to any general laws to be hereafter passed by the general assembly of the commonwealth of Pennsylvania, for the regulation of the banks of the commonwealth, and that the president of the bank be, and he is hereby authorized and requested to make this resolution known to the governor of the commonwealth of Pennsylvania, according to the provision of the said section.

JOSHUA LIPPINCOTT, chairman.

Bank of the United States, May 18, 1841.

In reply to a question asked, as to the condition of the bank, Mr. Bayard read the following statement, which was handed to him by the president, Colonel Drayton.

Relative position of the assets and liabilities of the bank, May 17, 1841. The liabilities of the bank, for post notes issued to the other city banks, amounting in \$5,078,444—were secured by an assignment of assets amounting to \$7,772,226. The liabilities of the bank in Europe, were \$153,869,282—secured by deposits of assets, amounting to \$24,718,715.

It was further proposed to ascertain other liabilities of the bank, for circulation, deposits and balances due to other banks amounting to \$5,449,925, by a special pledge of assets amounting to \$1,921,839. These arrangements would leave the amount of \$1,787,436 in assets unpledged; and of liabilities, \$3,224,588.

Joshua Randall, esq. then called up for consideration the following resolution, which was adopted, with little or no opposition, as follows:

Resolved, That the board be directed to give public notice of the agreement to the condition and laws of the commonwealth, of an intended application to the next legislature, to alter the name and reduce the capital of the bank, together with such other alterations as may be deemed expedient.

Mr. Drayton, the president of the bank, then, in reply to some remarks from Mr. Finch, made reference to the state of the institution, remarking that it was a subject definitely referred to a committee, who were actively engaged in the duties devolved upon them. He said that the directors of the bank had found it difficult to carry into effect a resolution of the stockholders, authorizing an assignment in favor of holders and depositors, as trustees could not be found to labor without compensation, which had not been provided for by the directors.

After some explanation, Mr. Randall offered the following resolution, which was adopted:

Resolved, That the board of directors be, and they are hereby authorized to exercise their own discretion as to the expediency, as well as to the time and manner of carrying into effect the resolution adopted at the last meeting, for pledging certain assets in trust for the payment of the circulation of, and deposits in, the bank.

Mr. Lippincott, chairman of the committee of investigation, then handed in a report of the committee, which was read. The following is a copy of the document:

To the stockholders of the Bank of the U. States.
It is with considerable reluctance that the members of the committee of investigation, appointed at the meeting of the 4th of January last, request the attention of the stockholders to a few remarks on certain statements made by Mr. Nicholas Biddle, in his letters to "the hon. John M. Clayton," lately published in the newspapers.

In submitting their report, they performed a duty which was to them as unexpected as painful; yet having assumed the responsibility upon them, it is a duty from which they could not shrink. Information of the causes which had occasioned the prostration of a bank of so large a capital, and which had been declared by its president, but two years before, to be a safe and sound property, was demanded by the almost unanimous voice of those who had been heretofore due to the stockholders, due to the community, and due to the character of the members of the committee themselves, that the answer should be an honest and candid statement upon them. It is a style of a simple narrative of facts, which had occurred in its history since it became a state institution. To all who could think and calculate, these facts were amply sufficient to account for its actual situation. If the inference fairly deduced from them is unfavorable to any of those who had been heretofore entrusted with its management, it was for them to exculpate themselves before the stockholders or the public. The committee were not a judicial tribunal, and it was not their province to arraign at their bar the officers and directors as persons interested. They therefore confined their examination to the banks, and when explanation on any particular subject was needed, sought for it from those who were supposed to be able to furnish it.

A candid and honest statement of the measures and policy of his administration was certainly to be expected from the former president, and had his publications been limited to this, the committee would have remained silent. But a personal attack having been made upon them, and upon the community, they were compelled, and some of the facts presented in their report having been formerly denied to be true, some notice of charges grave as these seems absolutely necessary.

It will be remembered that the committee were appointed not only to verify, but to examine the details of the report of the directors of December 21, 1840. We did proceed both to verify and examine those details. We succeeded that we had an undoubted right to inquire how the immense mass of stocks on hand had come into the possession of the bank; an inquiry which at once conducted us back to the authority originally granted to the exchange committee, to the loans and settlements which had been made, and with officers, to the cotton operations, and to the causes which had produced the prostration of so large and valuable a part of these securities for debts abroad. No doubt was entertained that the stockholders intended such an examination to be made, and the public expectation in regard to the forthcoming report showed that the community in general looked for something more than a mere verification of the assets. The committee were further confirmed in these views by the resolution of the board of directors, inviting them to investigate the affairs and transactions of the bank, and "the causes of its actual situation," and "expressing the wish that such an investigation should be made, in order that the results might be laid before the meeting of the stockholders of April following." It is probable that this resolution is to be attributed to the "alarm and confusion" which followed the last suspension, and was meant by the directors as an appeal to the committee for the purpose of relieving themselves by throwing the blame upon the directors.

Whether this was or not, it is enough at present explicitly to deny that it was received with any understanding such as that referred to. Nor is it necessary to add after what has already been said, that it is not the province of the committee to determine whether the committee had before determined to pursue. If no such resolution had been passed, a full and thorough examination of the affairs and transactions of the bank would have been attempted; and if access to the books and papers for the purpose had been refused, the fact would have been reported to the stockholders, and they would have been left to adopt

such measures as they might have deemed proper under the circumstances.

It has also been asserted that the investigation was "a conspiracy got up by the managers of the Schuykill Navigation company aided by a few weak persons who did not see that they were the dupes of their selfish associates," and that the report was "the vengeance of the Schuykill Navigation company against the Bank of the U. States for lending money to the Reading rail road." The stockholders have already been informed that four of the six members of which the committee was composed did not, and do not, own a single share of Schuykill Navigation stock or loan, nor have they interest of a single dollar in that improvement.

As additional evidence it would seem, of these assertions, it is stated that Mr. Layton, the chairman of the committee, was the owner of only five shares of stock in the bank, and Mr. Murphy of but two. The important fact, which the very books from which this information was obtained would have furnished, is not noticed, that the remaining members were the proprietors together of five hundred and fifty-five shares, which the whole board of twenty directors, elected in January last, (in which election, it is understood Mr. Biddle had a considerable agency) owned in all but one share and fifty-four shares. Now ought Mr. Biddle to have been so incensed, by advertising to this subject, as to invite the remark that Mr. Massey's interest of two shares was just double his own.

Much pains have been taken to inspire the belief, that the labors of the committee have been, or are likely to be, injurious to the interests of the stockholders. Now the facts are, that the stock of the bank had fallen upon the publication of the statement of December 21st, 1840, from 61 to 59, and upon the suspension of February last, to 16, and the notes to a premium of 16 per cent. Whether the losses of the stockholders are to be ascribed to the policy and measures which caused prostration, as the committee thought, or to the occurrences which made that prostration known to the world, as Mr. Biddle contends—in either case, the mischief had all been done before the committee made their report.

But it was evidently one of their leading objects to re-assure the stockholders, by attempting to present them with a fair and honest picture of the present and probable future of the bank, and to carry down the worth of their assets in better times, and under more favorable circumstances, and thus encourage them to hold on to their stock. This was a prominent feature of the report, utterly inconsistent with any intention to break down the bank, or carry down the Reading rail road, and thus increase the profits of the (Schuykill Navigation) company.

A single observation may here be appropriately made on the subject of the condition in which Mr. Biddle left the bank. The reports of the directors and committees, and the published resolutions and statements of the directors have been referred to, and much relied on by him. The readers of the report may be safely left to examine pages 41 and 54 of the appendix, and form a judgment on this question for themselves.

It will be there seen that the stock account in April, 1839, amounted to \$17,657,745 42
Stock remittances to Europa 2,170,349 88
Special loan to the commonwealth 671,900 00
And the following:
The bank having not entered, but for agreements entered into previous to April 1, 1839:
Bonds of Planters' bank, \$656,000 00
Mississippi 5 per cts. 2,000,000 00
Michigan 6 per cts. 2,154,687 00
\$20,487,637 50

\$24,830,942 80
To this may, with great propriety, be added the following items in the account of April 1, 1839, as being essentially of the same nature with the foregoing:
Bills discounted on other than pre-sonal security, \$15,814,500 44
Real estate, 952,046 93
Banking houses, 427,761 93
Bonds and mortgages, 313,627 13
\$20,638,336 49

So disproportionate an investment of assets in such securities would render any bank essentially unsafe and unsound; and looking at the fluctuating character of the stock market, make it highly problematical whether an institution thus circumstanced would not be obliged to succumb to the first commercial revolution that might occur.

It cannot be denied that this course of policy crippled the bank, and compelled her to sue for

money in Europe; and can it be satisfactorily explained, if Mr. Biddle left her prostrated on the 29th March, 1839, how it happened that not quite five months after, and before any of those occurrences to which the prostration is now ascribed, before the "protest by Messrs. Hoffington & Co." before "the sales of post notes in the fall of 1839," before "the publication of the first of January," before "the resumption," and before "the third suspension." On the 22d of August, 1839, Mr. John Massey Massey's name and Biddle's for \$50,000, and trills them, "life or death to the Bank of the United States is the issue."

We proceed now to a brief review of those points in regard to which the accuracy of the facts presented in the report have been called in question.

1. As to Mr. Biddle's own account.
The first item of that account at p. 51 of the pamphlet is as follows:

"Jan. 30, 1840. His note due Feb. 2, 1842, with interest, being for 700 shares of Reading rail road stock, purchased of the bank by his agent."

Jan. 3, 1839, \$31,500 00
Mr. Biddle affirms that it was not until December, 1839, long after he had left the bank, that he bought this stock of a stock broker.

The journal entry of the suspended debt department in relation to this item is as follows:

Feb. 3, 1841. Nicholas Biddle, to bills discounted suspended, for amount due from N. Biddle, according to the following statement, with interest, from Jan. 30, 1840, \$31,500 00
"Sold by Thomas Biddle & Co. for account, J. M. Coperthwaite, cashier, 1839, Jan. 29, 100 shares Reading rail road, at 61s, \$31,500 00
Interest 12 mos. to Jan. 1840, 1,890 00

\$33,390 00
Commission 1/2, 83 48
\$33,306 52

1839, Dec. 11. To cash paid, 1,000 00
1840, Feb. 1, do. do. 806 82—1,506 52

Balance due by N. Biddle, eqs. \$31,500 00
on 700 shares, which is payable in 12 months from Jan. 30, 1840, with interest, at 6 per cent. per annum.

(Signed) THOS. BIDDLE & Co."

Thus it appears, if this entry is to be relied on, that the stock was bought on the 29th January, 1839, made payable with interest in 12 months from January 30, 1840, and that when its maturity arrived, February 2, 1841, not being paid, it was transferred to the suspended debt department; and Mr. Biddle there asked and obtained an extension of 12 months more.

The second item of the account is as follows: "Jan. 2, 1840. His note due Jan. 6, 1842, with interest, originally a debt to the bank, guaranteed by Mr. Biddle and now assumed by him, \$100,000 00"

In the original impression there was a typographical error, the word *new* printed for *now*, which was not discovered until after some four hundred copies had been struck off. As soon as discovered the correction was made in the form, and with the pen in as many as had been printed. It is possible, however, that a few copies may have been given out before this was done. This is the only error pointed out in the second item, which as it was an absurdity as originally printed, would have led almost any one to suspect a typographical mistake.

The third item of the account is:

"Balance of loans from bills receivable, \$29,500 00"

Now it is true the committee were shown a letter from Mr. Coperthwaite, declaring that he had obtained this money from the bank for Mr. Biddle, without his authority; but it further appeared that Mr. Biddle had authorized Mr. Coperthwaite to purchase for him the lands in Dauphin county, for which the deed was given, and that after the fact was brought to his knowledge that the money had been taken from the teller's drawer, and while he was president of the bank, and charged on the books to him, he had admitted the debt by the payment of interest upon it.

It is thus to be seen that the account of Mr. Biddle, as submitted, was, setting aside the typographical error, correct, and fully sustained by the books of the bank; yet he has not hesitated to pronounce it a "falsification of representations."

The committee continued themselves to so much of this account as was standing unpaid or unsettled that they gave further back it would have appeared that the following loans had been made to Mr. N. Biddle, and entered as "bills received."

January 1, 1838, \$70,000 00
February 13, 1838, 10,000 00
February 28, 1838, 5,000 00
June 30, 1838, 25,000 00
September 1, 1838, 10,000 00

amounting in all to which remain unpaid up to March 25, 1839, upon which day it was paid in full with interest.

If it is asked, why parade Mr. Biddle's account before the world? the answer is a simple one. It is because the committee were told that it was an officer—the chief officer—and bound as such to set an example to those in subordinate office, and because, as he himself expressed it, "officers of banks ought not to be borrowers at all—never large borrowers."

2. The account of Mr. S. Jaudon.

The statement of the expenses of the agency, London, and Mr. Jaudon's commission, were introduced, not for the purpose of casting censure upon him, but in order to show one of the consequences of the policy of the bank, which had subjected it to heavy discounts and expenses in London loans to Europe; and also to exhibit the loans manner in which the agreement with that gentleman had been made, so that he could still charge extra commission to so large an amount, while it appeared that he was to be part of the understanding with him that for the ordinary compensation stipulated he should devote himself exclusively to the business of the bank.

Mr. Jaudon had also been a borrower. The committee referred to and gave for account in the appendix, where the amounts and dates of his several loans, and the amounts and dates of his cash payments with the list of his collateral securities are all stated in detail. "Here are a parcel of statements," says Mr. Biddle, "called facts, and I suppose they are so; but they are separated and the great truth which they contain is studiously hidden." This great truth seems to be, that Mr. Jaudon had reduced his debt to \$117,000; that his cash payment amounted to \$307,400; deducting which, from his receipts for services, showed that the latter only exceeded the former by about \$29,000.

Yet this, we are told, "gives an entirely new aspect to the whole question. For after all," says Mr. Biddle, "what debtor of the bank has paid so much or so well during that time. I doubt whether there is one single man who has paid as well as Jaudon, like the same proportion of his debt." Perhaps there may be other heavy debtors of the bank, who would engage to pay even in full, if employed in an agency or office at a salary or commission of one hundred thousand dollars per annum, four times the salary of the chief officer of the United States, and eleven times that of an American ambassador abroad.

Mr. Jaudon's accounts would not have been again introduced, had not Mr. Biddle chosen to charge the committee with "slandering and separating the facts, so that the great truth which they contain is studiously hidden." This is a very strange assertion for any one to make with the report before him. At page 16 Mr. Jaudon's indebtedness at the time he was elected foreign agent is stated at \$408,000 25, and in the very next line that on the 1st of March, 1841, it had been reduced to \$117,500. And again, at pages 49 and 50, his whole account is given debt and credit—side by side on the same page. What closer juxtaposition, what more full disclosure could have been desired?

3. THE EXCESSIVE OPERATIONS.

We have here fully examined Mr. Biddle's first letter in relation to the cotton operations, without having been able to discover that a single fact stated in the report on this subject, has been directly controverted. It is intimated, however, that these transactions were publicly known at the time they were going on, and that therefore the board of directors could not have been ignorant of them, though it remains unexplained, why their formal consent was not asked and obtained to so large an appropriation of the funds of the institution for so unusual a purpose.

The evidence referred to in order to sustain the position, that the directors could not have been ignorant of it, is an extract from Mr. Biddle's own published letter to Mr. John Quincy Adams, of the date of Dec. 10, 1838, in which it is to be remarked, that in the letter it was said that it was seen that the capital and industry of the country had time to subside into their accustomed channels, these operations were relinquished, and now they have totally and finally ceased. So that, according to Mr. Biddle, the position was after the fact was seen to be closed; and supposing that it stated them correctly, it would be of no avail as to the point in question. But it by no means stated the operation as it really was. It contained this language: "As

the bank could not purchase these staples, it made advances upon them in the south." The bank, however, did not advance to the southern planter or shipping merchant, as the paragraph implies. On the contrary, its funds were used by Mr. N. Bidle and his partners in interest, to enable them to purchase cotton and ship to England, in order that it might have the privilege of purchasing their bills or the bills of their agents, for the proceeds in which to make remittances.

Now, the evidence that the operation never was authorized or sanctioned by the board of directors is:

1. That not one syllable in relation to it is to be found on the minutes of the board, either at the time of its inception or during its progress.

2. The preamble and resolution of the committee, Messrs. Cabot, Wain, Niff, Connell, Eyre, Price, Lewis, Martin, Handy and Taylor, adopted unanimously on the 21st of December, 1840:

"As it appears by the report of the committee on advances, that large transactions have been going on for several years without the sanction or knowledge of the board of directors, and as it further appears that these transactions were mostly if not wholly for the account and to the profit and loss of the executive officers of this bank at those times, it is due from this board, that their just condemnation of such things should be fully expressed and recorded in the resolutions."

Resolved, That the large advances made by the officers of the bank in the periods of 1837-8, and 1838-9, being totally unauthorized and unknown to the board of directors, merits and receives our just censure and condemnation."

3. Mr. Bidle's own admission. "I determined that as it must be done I would do it myself."

Indeed, it is very apparent, that Mr. Bidle, especially during the latter years of his presidency, considered himself as the bank, and still considers himself to have been so. This he told us in several other parts of his letters, besides that which has just been adduced. For example, in speaking of the resumption in January last, he says: "Had I occupied the position I once did, I would not have permitted that resumption." Referring to the assurance given by the bank to the directors, he says: "The first I took in hand myself, making the necessary advances to carry them through their troubles, and they were accordingly saved. With the house of Thomas Bidle & Co. I would not interfere, but I requested a committee to examine their affairs, and if they thought it expedient, I would consent to it."

It is true, that by the sale of the bank, laid upon the directors' table at every stated meeting, the amount of these advances on merchandise, was included in the amount of "foreign bills of exchange." It is true, also, that the committee thought when they made their report, and still think, that so large an item ought to have attracted attention, and an explanation and detail of the particulars called for and examined. Still it is fairly open to this result, that as the dealing in foreign exchange had always been regarded as the favorite, because the most profitable, and at the same time the safest branch of the business of the bank, the directors who inspected the statement were doubtless gratified rather than otherwise, in observing the extent of that line, and certainly had no reason to suspect any thing improper under such a head.

On quoting the passage of the report in which this is mentioned, Mr. Bidle exclaims: "thus to this blind rage for more vengeance, they thus reveal what completely answers all that they have previously written; and never, certainly, was seen at the quarterly sessions a witness caught more completely in his own trap." The committee can only say that every part of the report was well weighed, and this part as well as every other. The facts which it states are not controverted, and they show, what the paragraph was intended to show, with what improper laxity the business was transacted—what a mere form the board of directors and its standing committees had become, and how entirely satisfied the president seemed to be of his own ability, unassisted, to direct its affairs.

On a re-examination of the whole matter, the committee are fully borne out in their position that the "advances on merchandise" was an operation undertaken and carried on, without the authority, sanction, or even knowledge, of the board of directors.

Some facts, however, have been stated in relation to this business, which were not known to the committee, and which require a few remarks, in order that their proper bearing may be clearly understood.

1. We supposed that the \$800,000 drawn from the bank, and distributed among the parties, were for profits actually then realized.

It now appears from the statement of Mr. Joseph Cabot, published by Mr. Bidle in his first letter, that one-half of this amount was for anticipated profits. We take the statement as correct, although there are some plain mistakes in the calculations.

So that we have it from the best authority, that on the 25th of August, 1839, when Mr. Jaudon, the agent in London, wrote Mr. Messrs. Bidle and Humphreys for the advance of £50,000, telling them "if 5,000 bales of cotton must go, let them go, be the loss what it may," and on the following day for £50,000 more, in consequence of which, as is pretended, the cotton was sacrificed,—at that very time Mr. Bidle and his associates in this business were in possession of an amount drawn from the bank as estimated profits, which without doubt would have been sufficient, if in the hands of Mr. Jaudon, to have prevented the necessity of the sacrifice.

2. It appears that Mr. Bidle undertook this operation "without the least idea of pecuniary advantage to himself," and that the object was not profit, but simply to enable the bank to make with safety the large remittances necessary to meet its obligations in London, which then were the means of protecting and saving the agent of the bank and of course the bank itself from prostration."

If then the whole operation was undertaken for the benefit of the bank, in order to enable it to transmit its funds, how is it that, after the \$800,000 had been withdrawn and repaid, and a dividend of a part of this sum to make good subsequent losses, the transaction suddenly changes its character? It becomes all at once, according to Mr. Bidle, "a question, how far, looking at it as a simple commercial operation, the only possible light in which it could be regarded," he, "a stranger, no longer connected with the bank, ought to bear the burden of this sacrifice."

If according to "the only possible light in which it could be regarded," it was "a simple commercial operation" of Mr. Nicholas Bidle, then here was the chief officer of that institution, employed at a salary of \$5,000 per annum, in order that he might devote his whole mind to its business, engaging in a large commercial operation for his own benefit; and what is more and worse, using to the extent of means, the money of the bank for that object, without the approbation or even the knowledge of the board of directors.

If, on the other hand, it be regarded as an operation undertaken solely for the benefit of the bank, to enable it to make remittances to meet its payments in Europe, then when it becomes absolutely necessary to make a sacrifice in order to sustain the agent of the bank and the credit of the bank, the very object of the whole operation, on what principle, consistently with this view, could the parties refuse to repay the money appropriated to them selves under the name of profit?

Had the \$800,000 never been drawn, it is evident that the bank would still have been a loser on the whole business to the extent of \$141,462 27. For the reason of the report will remember that, to enable it to account, the parties interested claimed and were allowed a deduction for loss on southern funds, and in the purchase of cotton, of \$310,071 30, which was a proper allowance, if it was an operation designed for the benefit of the bank, but was not such if it was intended for the benefit of the parties in which it could be regarded? was that of a simple commercial operation of individuals.

One or two other matters remain to be briefly noticed in connection with this branch of the report:

Mr. Bidle states that it was after he had left the bank that Mr. Cabot presented to him the statement of the profits realized and expected on the sales of the cotton, and that when he received this account he presumed the matter was correctly stated, and he was so settled accordingly. Mr. Bidle assigned the presidency on the 29th of March, 1839. The committee cannot of course say when he received the \$100,000, his pretended share, in hand, but the books gave the following as the dates at which the money was drawn:

March 28, 1839,	\$150,000
April 19, "	50,000
May 21, "	100,000
May 21, "	200,000
May 21, "	\$800,000

More than one-half the sum that was actually drawn before Mr. Bidle left the bank; and whether he received it on those days or not, it is certainly a curious coincidence that upon the 29th of March, 1839,

the date upon the first of these drafts, he paid his debt to the bank as heretofore mentioned of 70,000 dollars with interest.

2. Another circumstance to be mentioned relates to the letter signed "T. Dunlap, president," to Messrs. Bevan & Humphreys of February 28, 1840, in which he requests them to direct Messrs. Humphreys & Bidle to raise funds by the sale of any or all the merchandise consigned to them, and, "if this sale should be attended by any sacrifice on its cost," undertaking that the bank would make up the difference, and "that the same difference would be made up on that day they had already sold." It is to be observed that this letter never received the approbation of the board of directors, and was without their knowledge. The committee have also good reason to believe that it was drafted by Mr. Bidle himself, urged by him upon Mr. Dunlap, and signed by the latter gentleman with great reluctance—as an error, for such it undoubtedly was, which he afterwards rectified, as far as it was possible, by insisting in the final settlement, upon the liability of the parties to refund the loss, and by making the best arrangements in his power to repay his own share.

3. The permanent expense account. Before proceeding to remark upon these portions of Mr. Bidle's letters, which relate to this account, we may be permitted to state, as far as we are able to ascertain in the history of the account of \$40,000 to "losses chargeable to contingent fund" for the parent bank notes, to be found in this appendix to the report, (p. 68), and mentioned also at (p. 25), as not having been satisfactorily explained.

It appears that the account of January, 1836, the amount of \$40,000 in the first letter of February, 1840, \$145,511 49. Of this sum \$40,000 were the receipts of the president, for moneys paid him on the cashier's orders. This amount of sundries on the following day, March 1, 1836, stood at only \$1,048 90. The balance of the account of \$40,000 had been taken out and cannot now be found. About the same time a quantity of bank notes was burned under the supervision of a committee of the board, and among them ten post notes of \$40,000 each, which had been entered in the post note register, but marked "burned." The cashier's order of the bank, authorizing the burning made out as usual by the officers, was signed by the chairman of the committee, and presented to the board.

This report included the amount of the post notes destroyed, and the general head of parent notes. An entry of it was made in the general ledger of that day, and the whole amount destroyed and carried to the credit of the account of parent bank issues in the general ledger. Some time after, June, 1839, the clerk who kept that account found, to his surprise, that the balance was on the wrong side, by which it seemed that more parent bank notes of the particular denomination had been destroyed than had ever been issued, and having satisfied himself that there was no mistake in the calculation, reported the fact. It became necessary to balance this false entry by a corresponding entry upon the other side, which was accordingly done upon the 27th of June, 1840, and the amount as we are carried to the account of losses chargeable to the contingent fund.

Thus, then, the amount of \$618,546 15-100, distributed by the officers of the bank without account, since the recharter, is to be added this sum of \$40,000, expended on or about that very period, making in all the sum of \$1,018,546 15-100.

In regard to these expenditures, the objects of which the committee were ignorant, the committee addressed the president of the bank for information. His answer was in substance, that as to those amounts which had been expended before the period of his presidency, he could not furnish the committee with any information; that as to \$99,500, charged in March and April, 1839, he had been burned under the directions of a committee of a board, appointed under a resolution of March 3d, 1840. Similar letters were then addressed to Mr. Bidle and Mr. Cowperthwaite. From Mr. Bidle no answer was received. Mr. Cowperthwaite, as it has been stated, called on the chairman of the committee, and informed him that he had been at bank, where access to the vaults had been refused to him. The chairman wrote upon a small piece of paper, and requested Mr. Cowperthwaite to add and sign this further, in which he had been written that he was willing to furnish the committee any information he was possessed of. This was not signed by him nor addressed to the committee. The only variance between this statement and that of Mr. Cowperthwaite is, that he said he had been asked by Mr. Lippincott, what "this recollection was" respecting the vaults; that he, (Mr. Lippincott), expected it might be put down in writing, and a short memorandum was accordingly made. Yet Mr.

State.	Copies of scrip.	Amount rec'd.
Mass	909	1,115
New Hampshire	1,990	874
Vermont	2,769	1,458
Maine	10,529	16,630
Massachusetts	1,361	6,243
Rhode Island	52,681	36,418
New York	2,138	8,332
New Jersey	13,134	9,708
Pennsylvania	6,585	2,830
Maryland	912	731
South Carolina	2,419	6,887
Georgia	225	872
Alabama	2,231	2,862
Mississippi	139	2,577
District of Columbia	8,234	4,914
Ohio	912	731
Indiana	1,632	2,124
Illinois	1,322	394
Michigan	350	30
Missouri	1,045	1,377
Kentucky	1,688	2,374
Tennessee	1,139	697
Virginia	392	952
Louisiana	150	
Arkansas	472	111
Wisconsin, Iowa }		
Florida }		

Great attention has been paid to distributing the Bible among emigrants, 75,859 of whom arrived at this port within the last ten months. Books have been sent to many foreign countries and the following grants of money have been made to promote the circulation of the scriptures abroad:

To aid distribution in Prussia	\$942 85
" " " Prussia	1,000 00
" " " Belgium	500 00
To aid in preparing and distributing in Northern India	1,000 00
To aid in publishing a Hebrew Spanish Arabic Testament, at Vienna	6,000 00
To aid preparation, &c. at Ceylon	4,000 00
For the same at Constantinople	8,501 82
For the same at Madras	6,000 00
For publishing the Hawaiian scripture at the Sandwich Islands	5,500 00
For printing gospels in the Grebo tongue on the west coast of Africa	350 00

The report states that \$50,000 is the least sum which should be provided for the coming years. Resolutions were presented and passed, relative to the general designs of the society, and addresses were made by rev. Dr. De Wit, of this city, rev. James W. Dale, general agent of the Bible society, rev. John Coleman, of Philadelphia, rev. J. W. Yarnall, of Trenton, N. Jersey, rev. Prof. Emory, of Baltimore, rev. George Scott, from Stockholm, Sweden, rev. H. Bingham, from the Sandwich Islands, and the rev. Mr. Thompson of London.

AMERICAN SEAMEN'S FRIEND SOCIETY. This society held their anniversary at the Tabernacle last evening. Although the day had been very wet yet quite a crowded audience assembled. Some very brief abstracts from the report of the society were read. With regard to the foreign operations of the society, it stated that there was, at present, no agent at Honolulu in the Sandwich Islands. The agent of that station, while on a voyage for his health, had died, another had been appointed who was expected soon to sail for the Island. At Sidney in Australasia a new station, had, during the past year, been established. At Havre in France, at Stockholm in Sweden, at Lisbon in Portugal, and at the other foreign stations the labors of the chaplain had been attended with much success. The domestic operations of the society had been attended with the like happy results. At several of the New Orleans and Mobile, chaplains were regularly stationed at the most important ports on the sea coast. The Bethel churches under their charge were increasing, and the condition of the seamen within their influence was improving. Reading rooms had been established in connection with several Bethel societies. The number of boarding houses for seamen had been increased, and the number who resorted to them had been greatly augmented. Their influence on the character of the sailors who boarded at them had been such as to cause a reformation in their morals; their ways instead of being thrown away, were either deposited at inebriate or sent home to friends. At the boarding house for colored seamen, newly established, there had been more than 400 during the last fourteen months. The operation of the society on the western lakes and rivers had exerted a happy influence.

The various auxiliary societies had besides sustaining their operations paid into the treasury of the society \$700 during the past year. These societies

had in their operations expended \$40,000. The expenditure of the American society during the past year had been 25,692 55, and it is at present considerably in arrears.

The audience then listened to interesting addresses from Mr. Spaulding, the rev. Mr. Scott, chaplain at Stockholm in Sweden, Mr. Dana, of Boston, Mr. Stillman, and Mr. Biogham, of the Sandwich Islands. [Jour. of Com.

THE FOREIGN EVANGELICAL SOCIETY. The Mercer street church was filled with an intelligent and attentive audience last evening on the occasion of the anniversary of this society. After the religious introductory exercises, the president, honorable Theodore Frelinghuysen, made some opening remarks relative to the position and importance of America, in carrying forward the great object of this society, and as having connected with it circumstances calculated to furnish to the Christian and the patriot grounds of the strongest hope. Mr. Clester then read the report of the treasurer, from which it appears that the receipts of the past year from the several churches of this city, from other cities and sections of our country, and from various benevolent societies, amounted to above \$14,000 while the disbursements for the various purposes and operations connected with the object of the society amounted to about \$8,000. Rev. Mr. Kirk read extracts from the extensive and interesting report of the executive committee, giving an account of the present condition and future prospects of the various missionary stations connected with the society. Europe was first mentioned. The number of Tylic colles, sent to print the report, and accompanied the motion with remarks on the duties and responsibilities of the American churches. Mr. Kirk offered several resolutions setting forth the principles of the society and the objects which it proposed to accomplish. Rev. Mr. Cleverly, rev. Robert Baird and rev. Mr. Scott from Stockholm, gave most interesting accounts of their efforts and success in disseminating evangelical truth, and exciting a more deep-toned piety in the several countries of the old world. The meeting was closed by some remarks from Mr. Kirk. [Tribune.

NEW YORK AND AMERICAN SUNDAY SCHOOL UNION. Under the direction of this association, the children of the Sabbath schools throughout the city were presented and marching in procession to the principal streets to Castle Garden. The celebration of the society was held at the Tabernacle in the evening, the exercises commenced with a prayer by the rev. Dr. Macaulay, rev. Dr. Ferris being in the chair. An abstract of the annual report was read by the corresponding secretary. The number of Sunday schools in the city reported to the society was stated to be 81; there were 12 not reported. In these there are 17,032 scholars, 6,889 of which are in the classes reading the scriptures. There are engaged in these schools 1,249 male and 1,521 female teachers, these 2,770 are professors of religion. Bibles, pamphlets, &c. to the value of some \$300 these various schools have libraries containing Bibles, Hymn books, Question books, &c. to the amount of about 12,000 volumes. In the penitentiary school, about 800 persons have received instruction during the year. The influence of this school is said to have been very sensibly beneficial.

After the report was read, an address was delivered by rev. Dr. Huttof of this city. He spoke particularly of the influence of Sunday schools upon society, and of the good of it, at some length, as being a means of doing good, at once the humblest and most powerful, the most limited and yet the most far-reaching, the least costly and yet the most valuable, the most direct and all embracing inculcating instruction, and addressed all that are burdened as religious duties, as the most trying and yet the most pleasant, the most unpromising and yet the most hopeful among all the agencies employed in disseminating religious and moral truth. Eloquent addresses were also delivered by prof. A. C. Kendrick of Hamden college, rev. Joel Parker, D. D. president of the Union Theological seminary in this city, and rev. Mr. Teusely from the western part of this state. The attendance was large and a general interest was manifested in the exercises and in the cause of Sabbath school instruction. [Tribune.

AMERICAN HOME MISSIONARY SOCIETY. The report of the executive committee of the American home missionary society, read at its anniversary meeting on Wednesday, represented that six hundred and ninety missionaries, ten more than last year, had been this year in commission, in 862 congregations and missionary districts, which are to be found in 21 different states and territories, in Canada and in Texas.

The receipts of the year were \$85,412; being an increase of \$7,068 upon those of the year preceding. Older congregations in the east had ceased to need aid, and new ones in the west had taken their places.

110 of the churches there had been interesting revivals of religion, and 3,283 had been reported from all the churches as hopeful subjects of renewing grace. Between 50 and 60,000 Sabbath schools and Bible class pupils were connected with the congregations, and between 50 and 70,000 subscribers to temperance pledges.

The society had already pledged to the missionaries for the coming year, \$34,683; and it needed \$50,000 more another year, than it had received last time, to enable it to meet the most pressing necessities of our infant settlements.

AMERICAN TRACT SOCIETY. The sixteenth anniversary of the American Tract society was held in New York on Wednesday. The annual report showed the extent of the operations of the society for the past year. Seven volumes have been stereotyped during the year. The number of new tracts and tracts issued is 26; total publications 994, including 93 volumes, approved for circulation in various languages abroad. Total printed the past year, 4,136,710 publications, or 254,710 volumes, including 254,710 volumes; total circulars 4,124,372 publications, or 30,821,565 pages, including 133,310 volumes. Total circulation since the formation of the society, 59,383,771 publications, including 1,596,150 volumes, making in all 1,122,282,811 pages.

NEW YORK COLONIZATION SOCIETY had its 9th anniversary on Wednesday. The treasurer read his report for the past year. The subscriptions received amounted to \$19,250, which was expended in various outlays for goods sent to the colony at Liberia and other necessary expenses. The report of the board of managers contained many encouraging facts in relation to the progress of the colony in Africa and the colonization cause in general. A resolution was passed that the clergymen and churches of every denomination in our country be solicited to take up a collection on the 4th July, being the anniversary of our independence, in behalf of the funds of the colonization society.

AMERICAN ANTI-SLAVERY SOCIETY. The old organization of the abolitionists held its anniversary at the Broadway Tabernacle on Tuesday morning. Mr. Lindley Coates, president of the society in the chair. Mr. Gibbons presented an abstract of the annual report, stating the inauspicious circumstances under which the society assembled. The collision in its ranks, the alienation of the Emancipator, and the transference of the books, plates and apparatus of the society, amounting to \$10,000, were spoken of as prominent causes of discouragement. The society was deprecated. The exclusion to secession. A new press, the "Anti-Slavery Standard," has been started; an agent is laboring abroad to secure the co-operation of European abolitionists; and the conventions which have recently been held in western New York are alluded to as cheering indications of prosperity. The exclusion of their delegates from the World's convention is mentioned, and the report stated that "an impression unfavorable to the society had been produced in England, chiefly through the efforts of James G. Birney." Political action was deprecated. The treasurer's report, read by Mr. O. Johnson, stated the receipts of the year at \$6,821 40, and the disbursements at \$6,671 96, leaving in the treasury a balance of \$149 44.

The resolutions were then offered and an address was made by Wm. Lloyd Garrison of Boston. He lamented the poverty of the English language to express the emotions excited by the horrors of slavery; declared that the American people were liars, and filled with a most unrighteous and hateful prejudice against the colored portion of our population; and avowed himself proud of the deterioration in which he knew he was held from one end of the land to the other. He closed after reading extracts from the writings of several foreign abolitionists. The convention was further addressed by Alvin Stewart, of Utica, Nathaniel E. Rogers, of New Hampshire, and Charles C. Burleigh, of Philadelphia, when it adjourned until afternoon. On coming together again, some amendments were made to the report, and a spirited discussion arose upon an expression of the report, in which the Emancipator was said to have been "transferred to the stable hands," in which Messrs. Fuller, Garrison, Burleigh, Dwyer, Rogers, Benson and Miss Abby Kelly took a prominent part. The expression was finally changed so as to read "hostile to an organization," &c.

course of the "World's convention" in excluding from its deliberations some who presented themselves as delegates, was also the subject of considerable remark. [Tribune.]

AMERICAN AND FOREIGN ANTI-SLAVERY SOCIETY. The first anniversary of this society was held last evening, at the church corner of Houston and Thompson streets, at which Mr. Arthur Tappan presided. It appears that this society is composed of seceders from the old anti-slavery society, in which there was a great deal of dissension last year, and so great a difference of opinion as to the measures to be adopted, and the rules for their government, that a separation took place, and this society took the name of the American and Foreign anti-slavery society, and carried on its operations entirely distinct from the old society. The assembly, composed of blacks and whites promiscuously, was not very large. After a prayer, an abstract of the annual report was read by the secretary, the Rev. James Leavitt. It did not contain anything startling, but was rather a general view of the progress of the anti-slavery cause all over the world. The executive committee have published a journal called the American and Foreign Anti-Slavery Reporter, which has been widely circulated. Some account was given of the great anti-slavery convention in London last summer, and the doings of the delegates from this society. It is proposed to hold another similar convention in London next year. The executive committee have been compelled to dispense with the services of their two secretaries, Messrs. Birney and Stanton, for want of funds for their support. The past year has been one of comparative inaction in the anti-slavery cause; still the committee are assured that its progress has not been retarded. Many more churches had resolved not to receive slave-holders to their communion.

The Amistad case was referred to, and the conduct of the late administration in relation to the attempt to deliver up the negroes to the Spanish authorities severely annunciated on. The opinions of various southern politicians, and their speeches in congress and elsewhere were cited to prove that the subject of emancipation was beginning to be thought of seriously at the south.

The first speaker was the rev. Mr. Brisbane, of Cincinnati, formerly of Charleston, where he was a slaveholder, but who freed his slaves some years since, and has been since an active abolitionist.—His remarks were generally on the hackneyed topic of treatment of the colored people, and the cruelties of the system, and presented nothing new. He was followed by Mr. Stuart, of Utica, on the subject of political abolitionism. Mr. S. insisted on the obligation every one, particularly the friends of emancipation, were under to give their opinions by their votes, and maintained that it was the duty of abolitionists to maintain a distinct political organization. Mr. Sturges, of England, then made a few remarks on the progress of the cause in England, and various parts of the British empire. Another gentleman, whose name we did not learn, said a few words, and then the meeting dissolved. [Express.]

THE LIBERATED AFRICANS. A meeting was held at the Tabernacle on Wednesday afternoon, at which the Africans of the Amistad schooner were present, and in which they took the most prominent part. The meeting was organized by the election of hon. James G. Birney, chairman, and the exercises were opened by the prayer of rev. Mr. Rush, colored minister in Zion's church in this city. Mr. Lewis Tappan then made some remarks apologetic for the absence of hon. John Quincy Adams, by saying that he was engaged in writing out his argument in this case. He then read the resolutions the abolitionists from a charge preferred against them by rev. R. J. Breckinridge, in the Baltimore Religious and Literary Magazine, of having made use of the circumstances attending the Amistad case to further their own designs. They were denied, and proceeded to state the objects of the meeting as being—1. To show the improvement these Africans have made since they have been in this country; 2. To excite an interest in the mission to the interior of Africa, which was proposed at this rate; and 3. To raise money for their support. He stated that they would probably return to their own country, which is about 800 miles from the African coast, within a year. A letter was read from a gentleman in Monrovia stating that the cabin boy Antonio, whose return to Cuba was ordered by the court, was safe in that city.

Of the 33 Africans who were shipped at Havana, 9 died on the way, and 8 died at New Haven, and the 26 survivors, 18 were living, including Cinquara. Mr. Booth, who has been their teacher at New Haven, gave a brief account of his efforts and

success in instructing them to read, and related many very interesting incidents and marks of their character which he had observed during his intercourse with them. He also presented some statements with regard to their native country, in which some twenty days' labor will procure subsistence for the year. The people live in small villages, have laws, and are exceedingly hospitable and scrupulously honest. Whenever a father has a son old enough to work, he himself works no longer—the children always living with their parents. The negroes read portions of the Bible in succession, and one of the lads, about 18 years old, made an address in English, giving the history of their captivity, &c. and containing many piquant though of course homely remarks on American character and manners. Cinquara then, in addition to his native language—delivering it in a remarkably energetic style, abounding in violent gesticulation, and occasionally appealing to the others for confirmation of what he was saying, who always responded by a shout, and cheering him on in his native language, and appeared highly pleased with the interest they excited. [Log Cabin.]

LAW CASES.

NO SLAVERY IN OHIO. An interesting and important decision has just been made by the supreme court of Ohio, sitting at Lebanon, in the case of A. T. Brooks and others, vs. the state, being a writ of error to the court of common pleas of Warren county. Chief Justice Lane and judge Hitchcock on the bench, the chief justice delivered the opinion of the court, deciding that if the owner of a slave voluntarily bring him into this state, or permit him to come, although it should be only for the purpose of visit or residence, or to sell him, or to use him in any way, the slave in such case, becomes a free man; the moment he touches the soil of Ohio, and consequently that if, under such circumstances, the former owner, or any person, should attempt to detain in bondage, or to use him in any way, or to sell him, against the will of the latter, such pretended owner or other person would thereby become himself a violator of the laws, and might lawfully be resisted and prevented in his purpose in like manner as any other person might be found attempting the commission of a crime.

It will be observed that this decision in no degree interferes with the provision in sec. 27 article 4, of the constitution of the United States, that "no person shall be held to service or labor in one state, under the laws thereof, contrary to the basic laws, and in consequence of such service or labor; but shall be delivered up on claim of the party to whom such service or labor may be due."

MRS. GAINES' SUIT—Court house scene. The following scene occurred the other day in New Orleans in the suite of Mrs. Gen. Gaines before Judge Buchanan. The PEYTON says—Here an informal discussion was entered into, in consequence of Mr. Peyton pressing his right to read the evidence which he held in his hand, and when this was denied him, of giving the substance of that evidence orally, instead of—as he was called on to do by the judge—valuing what it was that evidence would go to establish, if it were ruled by the court that it should go to the jury. It ended by the court calling peremptorily on the counsel to desist and follow no further the course he had been pursuing, otherwise he would find him liable for a contempt of court and a violation of all the rules of practice.

Mr. Peyton said he might have been guilty of an error, but before no other tribunal would that be construed into a contempt of court. If, however, the right of giving evidence were denied him—it is a bad, a vile way to treat a man, and he would at once withdraw from the defence of the case; and hereupon the learned gentleman took up his hat, bid good day to his fair client and the jury, and left the court.

Here Gen. Gaines and Mrs. Gaines suddenly started from their seats.

Gen. G.—"May it please the court, the lady will take charge of the case herself, she is prepared to do it."

Mr. G.—(taking the book in her hand which Mr. Peyton had been prevented from reading)—"Yes, I will proceed with the case."

The judge—"Do you intend to offer the testimony in that book as evidence?"

Gen. G.—"Yes, I do."

The judge—"Well, then, I cannot permit you to proceed."

Gen. G.—"Then I thank my God! I can go before the judges of the United States supreme court, and I will not expect a just trial, unless I can do so; which I cannot expect here, where I see such partiality."

The judge—"General Gaines, this is language which I shall not suffer. Decorum must be preserved in this court; there are no privileged classes here."

Gen. G.—"It is not my intention to be indecorous to the court. I know my rights and will maintain them in despite of any outrage, and despite of New Orleans and its sixteen banks."

The judge—"Order must be preserved in this court."

General Gaines—"Has not your honor acted as counsel for the opposite parties in this case before you were raised to a seat on this bench?"

Mrs. G.—"Yes, he had and he is now sitting in judgment against us."

The judge—"Mrs. Gaines, I again repeat that I will not sit here as a judge of language as this to be made use of, even by my woman."

During this singular discussion one of the officers of the court was sent for Messrs. Grimes and Chinn, the associates of Mr. Peyton for the defence, to take charge in dispute of any language, but neither of them was forthcoming, and Mrs. Gaines addressed the court, urging the right of the defendants to a liberal construction of the law of evidence.

General Gaines again rose and alluded to the controversy which closed previous to Mr. Smith's address to the court.

The judge—"I have said nothing, Gen. Gaines, against the lady. I am sure I acted with great forbearance. I did not prevent the argument of any question of law, but I interpreted to prevent a scene of wrangling and impropriety. I let the language pass from my ear to the idle wind. Since my wife has been alluded to, I insist upon her right to be heard."

The judge—"I do not deny her right to address the court, but, for the evidence closed?"

Mr. Smith, for the plaintiffs, argued that from the nature of the pleadings put in by the defendants the evidence was necessarily closed.

The judge then gave his decision on the points of law at issue between the parties. He first ruled that the evidence offered was inadmissible, except in as far as it related to the perpetration of Ellen O'Connell. The counsel for the plaintiff, (Mr. Rosellus), said yesterday that my remarks relative to one of the parties to this suit were impertinent. This I never suffered any person to tell me before, but coming from the confederate, I let the language pass from my ear to the idle wind. Since my wife has been alluded to, I insist upon her right to be heard."

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Gen. Gaines then said, as the evidence was closed on him, and as he was deserted by his counsel, he would take the case in his own hands. It then appeared in the uniform of a United States officer, it was a mark of respect to the court, than as a badge of privilege.

(Here the judge explained what he meant by "mark of privilege.")

The fact of his wife being in court, he said, was no subject for a sneer. She was deeply interested in the issue of this case, and he thought that she, or any well educated lady, or indeed any woman of an intelligent mind, was capable of forming a correct opinion of the merits of the case, and he thought that she also could well understand it, as she could the proper subtleties and flourishes of her gown.

With the permission of the court, Mrs. Gaines then rose and read to the court and jury several pages of the evidence, and then, in a short and plain manner, she alleged wrongs, and of the artifices and devices of Richard Reel, Beverly Chew and others, to keep her from possessing or enjoying the property of late Daniel Clarke, bequeathed to her by him, whom she had a daughter, and was, and not his natural child as they have alleged.

It being now four o'clock, the judge discharged the jury until Monday week—the first day on which a jury sits in that court.

INVENTIONS, &c.

London, April 3, 1841. Captain Taylor, of New York, has just had awarded to him the sum of £2500 for his invention of a new electric machine, for his discoveries in electric magnetism, whereby he proposes to supercede steam on rail roads, and for pro-

elling machinery. This gentleman, some months back, exhibited a very beautiful model of his electro-magnetic engine, at the Colosseum here, which set forth the application and advantages of the men of the higher practical knowledge and scientific attainments. On that occasion the engine was devoted to turning a lathe, and most admirably did it perform its functions. The inventor has now constructed a machine of considerable power, which he expects to be enabled to get ready for service within the present year.

No anguine is the captain, that he emphatically declares he does not intend to return to America until he can go back by lightning. But this is not the only wonder which he claims. For he has been exhibiting to the astonished gaze of the natives of Cokerseyshire, for he has a patent for steaming wood and then, when in a soft state, slicing it like soap, and forming the same forthwith into shingles, staves, garden paling, &c. &c. He has fitted up some extensive premises for this purpose, and also for making casks by machinery, and to such perfection has he brought the latter, that his lady visitors can manufacture a cask in less than five minutes, without the aid of a cooper. At the present moment the worthy captain is all rage in town, and he is also, as might be imagined, playing the very deuce among the coopers in England.

Mr. Wells, an American gentleman, who is the proprietor of the late cotton spinning company in London, who have commenced the manufacture of this very peculiar fabric. The works are at Leeds, and great success has attended the experiments. Orders have been given to the company which will take some years to execute. I have visited the depot in town, and been highly gratified with some very splendid specimens of this admirable discovery. The cloth you are aware, is made without either spinning or weaving.

General Monmouth, from your far west, are zealously laboring in the provinces here for the purpose of making proselyts to their strange faith. In some parts they have been successful, and several simpletons have been induced to dispose of their property here and set sail for the United States, to make the general belief. In some towns the missionaries have been very roughly handled.

CONGREGATE ROCKETS. The report just received of the attack on the Chinese fleet and shipping, has produced the most extraordinary excitement as part of our means of defence which was called into operation. These auxiliaries to our artillery were supplied, no doubt, from the stores of the East India company, who keep a large stock at all times in India. Among the many causes of excitement, and astonishment which the "temper of the sun and moon," with his strange people, will have had, as the consequences of this collision with our forces, will be the circumstance of the superiority of our fireworks. It is a fact, we believe, that the Chinese are the real inventors of the rocket as an artificial firework, and even as an instrument of war: its capability, however, for this aerodrome object, in their hands, being confined—so trifling is its projectile force—to a simple means of annoyance, instead of destruction, for conquest, the ranks of artillery. It is to the late Mr. William Congreve, after many years of practical experiment, that this weapon owes its present character for destructiveness and precision of flight. To him belonged the merit of manufacturing rockets almost unlimited weights of bringing up the range, for instance, of the 33 pounder to 3,000 yards, and of gradually increasing the power of even the 12 pounder to the penetration, at 1,200 yards distance, of a solid bank of earth to the depth of 20 feet. The rockets, and the inventions of the late Mr. Congreve, the substitution of strong iron for paper cases, and the fixing of the stick by a screw in the axis of the rocket, instead of by binding on the side, so as to give it the straightness of the arrow. These improvements have been the conservation of the celestial nation with such a visitation of their native and familiar plating, with its appalling roar, and to them, new and gigantic dimensions and powers of destruction: in the case of the Congreve rocket, it is thought that one period just to give the inventor a pension of £1,200 per annum, which he enjoyed for very many years, and now to continue to the widow £300 of that pension. Yet it is notorious in the ordinance department at Woolwich, that the Congreve rocket has never been observed to preserve its secret though handsomely paid for, which would have been a much easier task than in many other cases, as it was mere specification in writing will not adequately reward the art without the aid of practical workmen, and many of these have been taken on board as common laborers. There are two individuals who, from the first, as directors and masters of the only war rocket works in England, should be the de-

positors of all the essential particulars for the manufacture of these articles. The deposit of such particulars, with drawings of the machinery and tools, in custody of the master general and head of ordinance, would seem to be a measure of prudence and could hardly be overlooked. We doubt very much, however, if even this precaution has been taken. With all due deference, let our rulers look to it, says the London Times.

CULTURE OF WHEAT. There is good reason to believe that the export from Lake Erie of this great western staple will not fall below ten millions of bushels during the present season. Any improvement in the production of so article of such immense importance to the commerce of Buffalo, and to all classes who desire an abundance of good cheap bread, cannot fail to interest our readers. Hence no apology is necessary for devoting considerable space in our columns to detailing the practical results of careful experiments made in Great Britain with a view to cheapen the expense of culture, and augment both the quantity and quality of wheat grown to an acre in the highest degree.

Colonel La Cour, of the island of Jersey, has recently made some important discoveries in the propagation of wheat plants, their adoption to peculiar soils both natural and artificial, and, in the whole process, of obtaining the greatest amount of the product at the least expense of manure. From some strange oversight, his valuable work upon "wheat," and his "essay on pure and improved varieties of wheat lately introduced into England," which received a prize of twenty sovereigns, have not been republished in this country. We are indebted to Mr. L. Cras, lately a resident of the island of Jersey, for the perusal of these works, and the privilege of making an abstract of such portions as we deem of most service to the wheat growers of the United States.

Colonel La Cour has succeeded in producing, by crossing the different kinds of wheat formerly cultivated, over 160 varieties and sub-varieties of this grain. He commenced his experiments some six years ago by selecting a few of the best heads of the wheat of the last season, esteemed varieties cultivated in England. The kernels in these heads were all carefully counted and planted in separate parcels, and treated alike in every respect as to soil and culture. The result demonstrated as astonishingly the difference in the product, and the quality of these several varieties of wheat. No kernels were counted except such as grew, and the experiment was most satisfactorily conducted in every respect. Sixty-one grains of white Dantzic gave 3 lbs. 3 oz. of wheat, and 3 lbs. 5 oz. of straw; 59 grains of red wheat gave only 1 lb. 10 oz. of wheat, and 2 lbs. 5 oz. of straw. No. 8, a downy variety of white wheat, gave 4 lbs. 4 oz. of wheat, and 3 lbs. 3 oz. of straw, and 55 grains of wheat, which grew better in this country would be rejected to cultivate a variety of wheat which would yield him a good crop of straw bearing an amount of grain one third larger in weight than the straw itself. And yet this was obtained at the first experiment, as stated above.

The author selected five or six of the best varieties of these 164 several parcels, and cultivated some of them at great pains in their pure state, while he commenced a judicious system of crossing with actual mixtures of the pure and the inferior, superior to any of them. In this he was quite successful. To prevent mistake and undesirable mixing of different varieties of wheat when in blossom, only one pistil on a head was preserved, while all the other pistils were carefully removed. The result was fructified by the selected pollen, and only one kernel was produced, which, when planted, sometimes yielded 1,600 kernels of the new variety. By pursuing this course for a series of years, and cultivating the pure and the mixed, he produced, from these kinds only which produced the most and best flour with the least bran, Colonel La Cour now obtains over twenty-four hundred pounds of super-fine flour to the acre, and his wheat is so very fine skinned, that 52 bushels per acre upon an acre give only 542 pounds of bran, middlings and shorts. A hundred pounds of the flour of his improved wheat will make, as repeated and most careful experiments have demonstrated, from 6 to 12 per cent. more than the same quantity of the best common flour in the market.

It is estimated that there are five millions of acres sown to wheat annually in Great Britain; and it is considered quite practicable to increase the product without any additional expense, eight millions of acres in the same millions in the same way, more than supply the home consumption, and enable the British nation to export many millions of bushels of wheat. How important is it then that the pro-

ducers of a great American staple should fully understand the best method of its cultivation, to compete successfully with the science and skill of English husbandry. The struggle heretofore between civilized nations in agriculture, and in the war even, will depend far less upon superiority in mere physical force, than the combinations and deductions of practical science. The steam power of Great Britain performs an amount of labor which, if executed by human hands, would employ all the able bodied men in the world. The vegetable, mineral, and arid ingredients which combine in nature and can be brought into contact by art, for the production of the most valuable wheat, ought to be studied and thoroughly understood by every cultivator of the soil. [Buffalo Com. Advertiser.]

SPLENDID ERUPTION OF A VOLCANO. We are indebted (says the Newark Daily Advertiser) to an officer of the exploring expedition for files of the Polyceanian, a useful little paper published at the Sandwich Islands, and transfer the following extract from a full account of the last volcanic eruption, which was briefly referred to by our correspondent in a brief notice having been witnessed by the officers of the squadron:

"Several days before the eruption, smoke was seen by the natives rising from the direction where the lava afterward burst out, but it was attributed to brush on fire. On the morning of Sunday, the last day of May, a bright light was seen from Hilo toward the south, which spread with great rapidity, and increased to such an intensity that it was immediately attributed to a volcanic eruption. This the report of the natives, confirmed by eye-witnesses to the eruption, was not a little surprising. It was judged to be thirty miles distant, and at night was the brilliancy of the light that the finest print could be read at that distance. This noon tide brightness, covering night into day, continued for two weeks in a great degree, but by eye-witnesses to have been a spectacle of unsurpassed sublimity. It was like the glow of a furnace on fire, and was seen for upward of a hundred miles at sea. It also rose and spread itself above the lofty mountain peaks, so as to be distinctly visible on the leeward side of the island, where the wind drove the smoke in dense and massy clouds.

"The lava continued flowing toward the sea, which it reached on Thursday, four days from its first egress. At times it would rush forward with a velocity of a mile in a minute, and at others, a short distance only, then become very sluggish and move heavily and slowly on. Its general movement was in immense semi-circular masses, owing to its great consistency. These would roll on, gradually accumulating until the mass had become too heavy to hold itself together, while the exterior was partially cooled and solidified; then bursting, the liquid interior flowing out would join a new stream, and thus aid in forming another. By these accelerated and progressive movements, the wave-like ridges were formed, which are every where observable on the outer currents. At times, if forced its way under the circumjacent soil, presenting the singular appearance of earthy rocks and trees in motion like the waves of the ocean.—Mr. C. was standing near the stream and watching its progress, when the load beneath him began to rise, and in a few minutes he was 100 feet above his companions, who were but a short distance from him. He had barely time to leave this dangerous position before he was again thrown down, and out. The color of the whole stream was of the deepest crimson. On the windward side its heat was not so powerful but that persons could approach and plunge sticks into the fiery mass and draw forth specimens. So great was its heat, that large rocks were seen floating down the water like cork upon the water. In one night the stream appeared from a few rods to half a mile in width.

"The spectacle, when this burning mass reached the sea, and the lava was seen to rise to its highest degree. The conflict between the two antagonistic powers, fire and water, was on a scale which the eye of man but seldom witnesses. The heavens were lit up in an intense glare, while the sea was covered with a white foam, glassing all in every direction. Ashes and sand were thrown to a great height in the air, and descended for miles distant in showers of fiery spray. Volumes of smoke and steam rolled heavily up, rendering the lurid glare still more intense, and were accompanied by loud reports of exploding gases, and the roar of the conflicting elements were distinctly heard twenty five miles off, like discharges of artillery.

"With such rapidity and to such a degree was the water heated, that the following day (June 5th) the fish floated, when dead, as far as Keau, fifteen miles distant, where the water was hot to the touch."

NILES' NATIONAL REGISTER.

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[Vol. LX.—WHOLE No. 1,549.]

THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

The steamer Acadia, arrived at Boston on the 2d inst., in 133 days from Liverpool, via Halifax. Liverpool dates are to the 19th ultimo. Not much of general importance had transpired since our previous dates. No findings of the steamer President. Every breeze from the broad Atlantic, to the anxious watchers, gave signs of woe, that all was lost. Every hope was abandoned to despair.

In the British parliament a succession of important debates had taken place on the corn laws and other financial matters, and this time they crossed the attention of the country. No very definitive action seems to have taken place. Among the less important subjects brought before the house of commons, we notice that Mr. O'Connell moved a committee to investigate the election riots in Canada.

Thomas Barnes, esq. for many years well known as the principal editor of the London Times, died during the second week in May.

Meeting has been held at Dublin, in order to make arrangements for a general meeting of the citizens to petition the queen to visit Dublin this summer.

In the house of lords on the 14th inst., lord Fitzwilliam, whose constant tirades against the corn laws upon every opportunity have been not unreasonably objected to, gave notice that no Monday next he should present a petition from the corporation at Manchester upon the subject of a total repeal, and should take occasion of entering fully upon the question, and particularly upon that part of it relating to our foreign trade.

Great as is the enthusiasm against the corn laws in England, it is much surpassed by the feeling which exists in Scotland, and there is scarcely a town or district of the least importance that has not petitioned, prepared to petition, or taken some other measures to accomplish the overthrow of the land-lord's monopoly. In addition to the immense number of petitions already presented to the legislature from Scotland, many, very many have been forwarded within the past week. From Edinburgh, petitions follow each other by dozens and half dozens at a time. The demonstration which "Auld Reekie" has made against the hated bread tax, by public meetings and by petitioning, is highly to the honor of the inhabitants of that great city, and is an example to the rest of the kingdom. Public meetings have been held at Greenock, Selkirk, Stirling, Kelso, Exeter, and many other places.

The Great Western arrived at Bristol on the 14th ult. in 14 days. The Columbia reached Liverpool on the 15th.

Horrid affair at sea. The ship *William Brown*, from Liverpool to Philadelphia, *Haver*, May 10, 1841. The *Louis Philippe* New York packet ship has this moment arrived. Information having reached the town that some shipwrecked seamen were on board, the report became general, and they belonged to the *William Brown*, the vessel was beyond all description. On the arrival in dock, however, a strong body of the gendarmes were in waiting, and immediately took into

custody the mate and eight of the crew of the ship *Wm. Brown*, bound from Liverpool to Philadelphia, which was sunk by an iceberg in the latter part of last month, for as yet I cannot give you precise dates for any thing except that three men were taken from the *Crecent*, which vessel had picked them up in their long boat. But a list of horror is to be told about them. It appears, from the vessel struck, thirty-three passengers, the mate, and eight of the crew, took to the long boat; the captain, three of the crew, and eleven passengers, took to the jolly boat; all the rest sunk with the vessel. The boats parted in the night. Some days after, the mate and crew determined (as they say, in order to lighten the boat) to throw seventeen of the passengers overboard, which they accomplished, and some of the most horrid and revolting scenes took place.

There were two brothers and a sister of one family; the brothers were thrown over, and the sister jumped in after them. One fine boy prayed for a few minutes to say his prayers; they refused, and hurled him into the sea. One man, close to the side of the boat, praying for mercy, but their hands were cut off, and they were pushed into the deep. Fifteen ladies and two men remained in the boat. After this manner, the *Crecent* tell us with the boat, and saved the survivors from this horrid deed. The passengers remained on board the *Crecent*; the crew arrived in the *Ville de Lyon*; they underwent examination before the American consul. Each separately examined, and to the same statement, and they were released by the consul under the persuasion that the extremity of self-preservation had rendered the act excusable.

The following statement has been sworn to by the crew and two passengers.

"The passage was very rough, accompanied by squalls and loss of sails. On the night of the 19th of April, in lat. 43° 39' N. and 49° 39' W. long, making all sail in open sea, and running ten knots an hour, we labored under the vessel side of an iceberg, which stove her in. At ten minutes past six we struck upon another. I then proposed to the captain to take in all sail as quickly as possible, which we did; and sending the pump, we found two feet of water in the hold. On going below, I found that the vessel was rapidly making water. All hands set to work to discharge the boats, and at 11 o'clock, they were alongside. I deeded into the longboat, with eight of the crew and thirty-three of the passengers; the captain, lieutenant, a lady and five sailors embarked in the jolly boat, and we listened the boats together. At midnight the vessel sunk, and carrying with her thirty-three persons. We remained along side each other until five o'clock in the morning. Capt. Harris then informed us of his intention of leaving us, and making the best of his way to Newfoundland, and advised me to do the same. My boat being full and heavy, I could not manage it; to pursue that route was impossible. I, therefore, directed my course south. In the afternoon we fell in with a large quantity of ice. Throughout the night the wind blew with violence from the north in squalls, with rain and hail, and a very heavy sea. Finding that the boat was being surrounded by small and large masses of ice, that the water was going upon her, I thought it improbable she could hold out unless relieved of some of her weight. I then consulted the sailors, and we were all of opinion that it was necessary to throw overboard those who were nearly dead, until we had room enough to work the boat, and take to our oars.

The weather becoming worse, it was almost impossible to keep the boat afloat and discharge it from ice. At daybreak we were still surrounded by icebergs. On counting the passengers, 16 were missing, and the rest were in a desperate state, and almost stiff with cold. At 6 o'clock in the morning, we perceived to the westward a sail steering an easterly course. We exerted every effort to approach it. The captain being aloft in order to steer his ship through the ice, saw our boat, and notwithstanding the danger to his own ship, made sail for us. On Thursday morning at 7 o'clock we were within sight of her, and before long she came up all on board, was struck by the ice, which stove the boat. We, however, succeeded in saving her. Banks and islands of ice were in sight as far as the

eye could reach. I then ascertained that it was the *Crecent*, of Portsmouth, New Hampshire, capt. G. F. Ball, bound from New York to Havre. We met the kindliest reception on board, and assistance in the way of food and clothing were lavished upon us. "Signed by the crew saved in the boat, and two passengers: Francis Rhodes, mate; Lemercal, steward; H. Murray, cook; James Patrick and Jas. Black, passengers; Joseph Stretton, Alexander Williams, Charles Smith, James Northon, Isaac Freeman and William Miller, seamen.

"The above is a correct statement of the loss of the *William Brown*, which I have been able to learn from the mate and passenger. Signed, S. J. BALL, captain of the *Crecent*."

FROM THE EAST.

The Egyptian question is, at last, it appears, really settled. The difficulties which had arisen as to certain points in the hatti sharif of February 13, involving Mehemet Ali with the government of Egypt, have been totally removed in consequence of the proceedings of the representatives of the powers who have signed the 15th of July treaty, and this affair has been terminated to the satisfaction of all parties.

But the Egyptian question had no sooner been satisfactorily adjusted than insurrection broke out in Candia, and the representatives of the Turkish empire, which promise to be as difficult to put down as the refractory pasha. The armed insurgents in the island of Candia, amounted, at the latest dates, to about 17,000, and they were receiving new accessions.

INDIA.

The latest intelligence from India is declared by the London papers to be very unsatisfactory. In an engagement at the fort of Rajput, on the 20th of February, col. Wilson, a meritorious and valuable officer, and a considerable number of men were killed. In a late action between some troops of the Bengal establishment and a tribe of the Khyberies, the latter were defeated; but two European officers, capt. Dunder, and lieut. Pigott, of the Bengal engineers, were killed.

CHINA.

No important news from China has been received since the departure of the *Britannia*. The overland mail brought dates from China to the 13th February, Calcutta to the 22d March, and Bombay to the 1st April. The Chinese chief commissioner Keshen, in an interview with capt. Elliot, evinced an intention to procrastinate, which added, to a report that warlike orders had been received from Peking, produces an impression that hostilities must be renewed. Trade continued suspended, and the blockade was not raised. The government appears to be dissatisfied with Mr. Commissioner Elliot's proceedings, and colonel sir Henry Pottinger has gone out by the overland India mail as envoy, to supersede him, and with full power to settle all differences.

NATIONAL AFFAIRS.

PRESENTATION. The Chevalier Gaspar Jose Lisboa, minister resident of his majesty the emperor of Brazil, arrived in Washington on Friday evening, and on Saturday was presented, by the secretary of state, to the president, to whom the new minister delivered his letter of credence.

DOCUMENTS. The documents accompanying the president's message to congress consist of—
1. Correspondence between the secretary of state and the minister of Great Britain, concerning the case of Alexander McLeod.

2. A report from the secretary of state to the president of the United States, on two subjects connected with the commerce of the United States.

3. Report of the secretary of war to the president of the United States.

4. Report of the secretary of the navy to the president of the United States.

5. Report of the postmaster general to the president of the United States.

The report from the treasury department will of course be made, as usual, directly to congress.

THE PAWNEES. The Pawnee Indians number 6,244; but are entirely unimproved—dress exclusively to skins—manufacture no cloths, and have no agricultural implements. Singular as it is, they

are said to be entirely free from the deleterious effects of intoxicating liquors. Their religious views are generally consistent with actual civilization. They are extremely superstitious, and give ready credence to the impostures of jugglers. Their women perform all the labor of raising vegetables, dressing skins for tents and beds, building houses, preparing food—in short, they do every thing, but kill the buffalo. [Boston Rec.]

TREASURY NOTES. Treasury department, June 1, 1841. Amount of treasury notes issued under the provision of the acts of congress of 1837, 1838, 1839, 1840

Revised of those issues

Amount outstanding

Issued under the act of Feb. 1841:

Since Mar. 4, 1840, issue

Redeemed of those issues

Aggregate outstanding

T. EWING, secretary of the treasury.

DIPLOMATIC MINISTERS TO ENGLAND. The following are all the persons who have represented

this country at the court of St. James, since the establishment of our legation and embassy:

Gov. Morris, N. Jersey, commissioner, October,

12, 1793. Thomas Pickney, South Carolina, minister plenipotentiary, January 12, 1792.

John Jay, New York, envoy extraordinary, April 10, 1794.

Rufus King, New York, minister plenipotentiary May 29, 1794.

James Monroe, Virginia, and William Pickney, Maryland, jointly and severally, envoys extraordinary and minister, May 11, 1806.

William Pickney, Maryland, minister plenipotentiary, February 26, 1808.

John Quincy Adams, Massachusetts, envoy extraordinary, February 28, 1815.

Richard Rush, Pennsylvania, envoy extraordinary and minister plenipotentiary, December 16, 1817.

Rufus King, New York, envoy extraordinary and minister plenipotentiary, May 10, 1826.

James Barbour, Virginia, envoy extraordinary and minister plenipotentiary, May 28, 1828.

Lewis McLane, Delaware, envoy extraordinary and minister plenipotentiary, February 10, 1831.

Martin Van Buren, New York, not confirmed, but recalled, 1831-2.

Andrew Stevenson, Virginia, envoy extraordinary and minister plenipotentiary nominated in 1831.

STATEMENT OF THE TOBACCO, SNUFF AND MANUFACTURED TOBACCO, EXPORTED FROM THE UNITED STATES ANNUALLY, FROM 1821 TO 1840 inclusive.

Years	Hogheads	Value.	Average value per hoghead	Pounds of snuff.	Pounds of manufactured tobacco.	Value of snuff and manufactured tobacco.	Total value of tobacco trade.
1821	66,854	\$5,648,962	\$84.49	44,552	1,332,949	\$149,043	\$5,798,005
1822	83,169	6,222,822	74.92	41,602	1,414,424	157,192	6,380,020
1823	90,995	6,284,072	69.46	36,094	1,544,553	154,927	6,439,000
1824	77,853	4,555,566	62.34	45,174	2,477,990	320,769	4,876,335
1825	75,981	6,114,623	80.48	53,920	1,871,368	178,253	6,292,976
1826	64,098	5,547,305	83.42	61,801	1,779,774	210,131	5,757,436
1827	107,025	6,377,122	60.74	45,812	2,720,258	229,024	6,606,147
1828	96,779	5,269,960	54.73	35,655	2,637,411	210,747	5,480,707
1829	77,131	4,942,974	64.60	19,999	2,619,399	206,296	5,149,370
1830	52,510	6,536,260	66.36	29,425	3,199,151	216,717	6,855,112
1831	92,245	\$5,669,291	\$66.11	47,131	32,460,328	\$1,946,410	\$58,335,701
1832	86,719	\$1,992,336	\$66.40	27,867	5,832,556	292,475	\$8,164,363
1833	106,806	5,999,746	66.18	11,775	3,456,071	295,771	6,295,540
1834	83,153	5,755,966	69.29	13,435	3,790,310	288,973	6,044,941
1835	87,279	6,058,600	74.96	47,008	3,556,579	328,409	6,923,714
1836	94,233	6,237,122	67.01	36,412	3,608,188	315,111	6,650,181
1837	109,442	10,050,641	91.94	56,476	3,256,675	435,464	10,486,101
1838	100,232	5,795,647	57.82	40,093	3,065,591	427,836	6,223,483
1839	100,583	7,392,049	73.45	75,083	3,008,147	571,420	7,963,469
1840	119,484	9,983,957	81.05	42,467	4,314,943	616,212	10,499,155
	967,735	\$74,457,222	\$76.83	371,343	\$3,746,026	\$3,620,171	\$85,193,437
Total	1,792,000	\$131,346,514	\$73.21	788,477	57,196,254	\$5,366,581	\$167,029,138

Statement showing to what countries the larger portion of the tobacco is exported.

Years	ENGLAND.	FRANCE.	HOLLAND.	GERMANY.	Twelve other countries.	TOTAL.
	Hds.	Value.	Hds.	Value.	Hds.	Value.
1821	10,695	\$1,995,667	3,478	\$391,048	13,216	\$968,760
1822	36,746	2,436,904	4,665	550,591	23,841	1,339,618
1823	31,999	2,511,846	7,061	929,859	30,260	1,384,665
1824	19,418	1,646,444	4,469	529,301	13,190	1,159,083
1825	22,285	3,071,474	6,096	808,966	21,938	1,553,047
1826	32,854	2,741,000	10,738	927,913	15,468	945,279
1827	29,911	2,210,518	5,963	1,027,557	25,553	1,192,898
1828	35,176	1,619,321	8,989	680,760	21,216	814,815
1829	21,516	1,580,109	6,838	936,737	21,522	1,053,050
1830	19,911	1,537,744	7,102	915,996	22,674	901,911
1831	241,919	\$9,392,176	65,922	\$7,555,116	318,871	\$10,847,222
1832	26,272	\$1,851,717	1,672	\$151,094	13,915	\$1,014,132
1833	36,746	2,511,846	5,775	686,262	21,000	1,151,962
1834	32,773	2,242,723	4,792	624,416	19,622	\$83,625
1835	30,681	2,937,024	4,792	623,077	19,101	1,012,442
1836	27,565	2,325,411	6,213	661,351	21,911	990,911
1837	36,822	4,222,592	7,856	901,676	19,146	1,037,830
1838	39,723	1,750,065	9,110	1,232,127	17,558	930,657
1839	34,312	2,678,618	10,511	1,237,127	17,558	930,657
1840	36,265	3,027,174	16,445	1,631,071	25,334	1,593,415
	292,721	\$29,802,298	81,012	\$8,406,185	315,025	\$10,525,237
Total	324,640	\$50,191,467	116,854	\$16,361,341	123,707	\$21,967,469

The preceding tables, furnish a view of the tobacco trade, from 1821 to 1840.

It appears that during that period, there were exported 1,792,000 hogheads, valued by the treasury department, at \$131,346,514, being an annual average of 86,600 hogheads, or \$66,567,325.

During the years 1821 to 1839, (we have not received the account of 1840), there were exported 758,077 pounds of snuff, and \$7,196,254 pounds of manufactured tobacco; valued together at \$5,586,581 dollars.

For the first 10 years of the series, 1821 to 1830, there were exported 924,245 hogheads of tobacco,

valued at \$56,928,291; and during the last 10 years 1831 to 1840, 967,735 hogheads, valued at \$74,457,222, being an excess in the last 10 years over the first 10, of hogheads 143,510, or 17,567,922 dollars.

The average annual export in the first 10 years was 82,424 hogheads, or \$5,688,922; and during the second 10 years, 96,775 hogheads, or \$7,415,722.

The average price during the whole 20 years was \$73.21 per hoghead. For the first 10 years \$69.11, and for the second 10 years \$76.83, or it is 20 per cent taken as the average weight of the hogheads, the price during the 20 years will be 6 to 10-100 cents

per pound—first 10 years \$1.00, and second 10 years \$1.06 to 100 cents per pound.

It is to be regretted that an account of the quantities of tobacco, the produce of the different states, has not been kept, as the quality of each varies, as does also the size of the hogheads.

It will be observed that owing to the short crop in 1839, the average price exceeds that of other years very considerably.

It is remarkable how nearly uniform, has been the quantity annually exported, for the last 20 years, with the exception of 4 or 5 years.

The second table, presents a view of the exports to those countries which receive from the U. States the largest share of our export of tobacco.

The whole amount sent in the 20 years was

To England 524,640 hds. \$80,194,466

France 146,834 " 16,361,346

Holland 43,707 " 21,967,469

Germany 372,918 " 10,721,186

All other countries 322,901 " 24,149,631

Total 1,792,000 \$131,346,514

In the first 10 years there were shipped 924,245 hds.

In the second 10 years there were shipped 967,735

262,721 " \$1,012,442

Being an increase in the last period of 40,802 "

The average annual export in the first 10 years was 82,424 hogheads, or \$5,688,922; and during the second 10 years, 96,775 hogheads, or \$7,415,722.

To France in the 10 years, 1821 to 1830, were exported 65,822 hds.

To France in the 10 years 1831 to 1840, were exported 61,012 "

Being an increase in 10 years of 15,190 "

The annual average to France is 7,841 hds, or \$818,967.

To Holland there were exported from 1821 to 1830 43,707 hds.

To Holland there were exported from 1831 to 1840 43,707 hds.

Being a decrease in the last 10 years of 18,631 "

The average annual export 51,189 hogheads, or \$1,095,373.

To Germany from 1821 to 1830 were exported 389,515 hds.

To Germany from 1831 to 1840 were exported 389,515 hds.

Being an increase of 4,886 "

The average annual export 19,099 hogheads, or \$956,709.

To all other countries the exports were in 1821 to 1830 158,310 hds.

To all other countries the exports were in 1831 to 1840 164,591 "

Being an increase of 6,281 "

Of other countries, Gibraltar on an average of the three last years received annually 5,130 hds.

Sweden and Norway, 1,564 hds. Belgium 1,253.

Italy 1,660. Cuba 769. Africa 1,108. Spain 1,067.

Scotland 854 hds.

We are indebted to the register of the treasury for the statement of exports of tobacco in 1840, in anticipation of the report on commerce and navigation.

In the preceding columns will be found various other tables and statistics of tobacco.

It appears by the article published this week relating to British commerce, that the duty paid in Great Britain in 1840 on unmanufactured tobacco was \$2,555,956 against \$2,481,908 in 1839.

The quantities imported in 1840, was \$3,626,266 against \$5,692,228 pounds in 1839.

[Hazard's Am. Reg.]

THE ARMY.

General orders, No. 29. Adjutant General's office, 7th March, 1841.

The local and faithful services of a general of arms in Florida, during two campaigns, under a former commander, and now, as commanding general, entitle him to be relieved from this arduous duty; in accordance with his own desire, he will relinquish the command and report in person at the headquarters of the eastern division.

The secretary of war deems it but an act of justice to tender to gen. Armistead the thanks of the department for the services he has rendered, and that he has encountered the complicated difficulties that have hitherto obstructed the execution of the objects of the government in the treaty with the Indians of Florida.

11. Col Worth, of the 8th infantry, the officer next in rank with the troops in that quarter, will relieve gen. Armistead and assume the command of the army of Florida; and he will adopt all efficient and

proper measures necessary for the speedy termination of hostilities, as well as to afford the most perfect protection and security to the frontier, and to such citizens as may be disposed to penetrate the country for lawful purposes of trade or settlement.

III. The president directs that hereafter all officers of every branch of the service, assigned to duty with the Florida army, shall only be relieved, or be transferred to orders of the general or other officer commanding the troops; and, when it may be necessary to withdraw any officer of the army from duty there, the requisite instructions will be communicated through the adjutant general's office.

IV. Offices of the general staff, serving in Florida, will report to, and receive the instructions of the officer assigned to the command of the army.

By order of ALEXANDER MACOMB, major general commanding in chief.

R. JONES, adjutant general.

A blunt soldier. Ever since Jack Falstaff commanded his company with but two thirds between them, we believe it has been the fashion to consider bluntness of manner the peculiar property of the soldier, and that like Othello, he was to be "rude of speech." This perhaps was the mark of bygone times, and destined to remain amid the lore of the past; for a late event had not revived it, in all its original beauty. This, it is good news to be true, and if not only shows how have been gulled by some waggish friend.

On Wild Cat's interview with major Childs, at Fort Pierce, the other day, after exhibiting his consequence in several outbursts of impudence, he saw an iron pot, which he recognised as having once belonged to him. Pursuing his strain of untutored eloquence, "You call yourself a warrior," said he, "and yet you took that pot from an old woman. If it had been a man, and the argument the pot was borne off, to gladden the old woman again with the delights of sofly."

[St. Augustine Gazette.]

Florida. A correspondent of the Baltimore Repository, writes on Sunday May 19. As I predicted, when the volunteers were ordered to the Indians would break through the line formed in front of the settlement by the regular troops, and get up in the settlements on the Georgia line—to our surprise this has happened. On the 14th inst. a party of about 15 Indians were discovered on a Braided branch, a fork of the St. Mary's river, and killed in that settlement two citizens, Mr. Brown and Mr. Green. From there, this party passed eastwardly to the settlement on the south prong of the St. Mary, and killed a Mr. Barn and his child. The citizens are up in this neighborhood, and trying to obtain arms to intercept this daring party, but unfortunately there are few to be obtained, the United States officers having within a short time, on discharging the militia, took all our guns away, leaving us defenceless and at the mercy of our merciless foe."

THE NAVY.

The apprentice. This, (says the Boston Journal), is the name of a little vessel on our coast, and is the Charleston navy yard—and which will soon be launched. She will not be a great deal larger than the launch of a line-of-battle ship, but of greater proportionate beam, and a more elegant model—consequently deeper and rigidly constructed like a full rigged brig—with all the various spars, ropes, sails and other appurtenances usually found on board vessels of that class, of which the apprentice will be but a miniature edition.

This vessel is intended to be used as a sort of nautical seminary, for the lads who enter the navy as apprentices, and who are attached to the Columbian, receiving ship, on that station. She will be a good looking, strong, comfortable and what is more, safe vessel—and the advantages in sailing skill and knowledge, which the apprentices must derive from cruising in such a craft, and performing all the various manœuvres, practised on board a man-of-war, must be too obvious to require enumeration.

Death of our Captain. Valparaiso papers to the 16th of March have been received, brought by the ship Natchez, capt. Hays, at New York.

The following extract is from one dated March 14th:—"On Sunday, 7th instant, at Talcahuana, departed this life, *divisor* Charles H. Adams, commander-in-chief of the United States navy from the Pacific. Yesterday morning (the 13th), the most respectable portion of the inhabitants of this town, citizens and strangers, officers of the vessels of war anchored in the bay, and the authorities of the place, formed the brilliant procession which paid him the last honors.

It was headed by the band and marine corps of the frigate Constitution, and closed by the crew of the vessel and the musicians of the British frigate President. His death is lamented by numerous friends and acquaintances. He has left a disconsolate wife and child."

General naval order. Navy department, May 31, 1841. A notice of respect to the memory of our comrade Alexander Christie, late of the navy of the United States, who died on board the frigate Constitution in the port of Concepcion on the 8th of March last, while in command of the United States naval forces in the Pacific ocean, the flag of the United States station and vessel of the United States navy are to be hoisted half-mast and thirteen minute guns fired at noon on the day after the receipt of this order.

Officers of the navy and marine corps are directed to wear crepe on the left arm thirty days.

GEO. E. BADGER.

Naval surgeons. The secretary of the navy has appointed the following gentlemen a board of naval surgeons to convene at Philadelphia on the 1st inst. for the examination of assistant surgeons, candidates for promotion, and of persons desirous of being appointed assistants in the navy—

W. P. C. Barton, M. D. president, of Philadelphia; Bailey Washington, M. D. of Washington; W. C. C. Barton, M. D. of New York; Benjamin F. Baché, M. D. of Ohio; G. R. B. Hoener, M. D. of Philadelphia. Dr. Thomas Harris was appointed a member of the board, but declined serving in consequence of indisposition.

We learn from the Norfolk Herald that an agent (B. Homan, esq.) has been appointed by the navy department, and has arrived at the navy yard opposite to Norfolk, (Va.) for the purpose of taking testimony in reference to charges which have been made against the existence of abuses in the civil departments of that yard.

The Philadelphia North American says—"The United States ship of the line Delaware is nearly ready for sea at Norfolk. She will sail immediately for the Mediterranean to supply the place of the Brandenburg and the other ships comprising the squadron soon on their way home. This precipitate return of American ships and the exposed position of our merchantmen in the quarter from whence the retreat was made, is manifest of common loss. The ship of the line, arrived at Valparaiso on the 20th of March.

The United States exploring expedition. From a Honolulu paper of December 5, 1840. The exploring squadron has now left our harbor to cruise in various directions. The Porpoise has sailed, (so it is said), for the southern groups, to return here in four months. The Peacock and Flying Fish to Ascension, King's Mill Group, and the Caroline Archipelago, thence to the Columbia river, in spring, when a store ship will sail from here for that place, with all necessary supplies, which will probably obviate the necessity of their returning here. The Financier has gone to Hawaii, for the purpose of making a thorough survey of the volcano, and Mount Lu, and all the interesting points in that vicinity. She will also go to the Columbia in a few months. Much has been done during the stay of the squadron, and we have no doubt but that the history of the expedition will give the most faithful account of the islands which has ever appeared, particularly in all departments of science. The artists, too, have been busy, and have taken many views of scenery, costumes and the portraits of chiefs and other persons of note. The salubrious climate has heretofore been supposed to be connected with the sea, and affected by tides, and the salt the product of evaporation, has been ascertained to be of mineral formation, and disconnected with the ocean. Salt is found 180 feet above the surface of the land, its depth, which was considered fathomless, (and rightly so), proved to be sixteen inches. The harbor at Ewa, or Pearl river, was surveyed, and found commodious for shipping, with a good entrance between the reefs with the assistance of water the best of the Honolulu harbor and adjacent bays were also thoroughly surveyed. Astronomical, meteorological, and magnetic observations and experiments have been daily and nightly made at the observatory with all the instruments with which the expedition is most liberally provided. The medium for determining the figure of the earth is the first that has ever been carried on a voyage of this kind, and promises the most interesting results. In many other respects the stay of the squadron has been most beneficial to the island. Business has revived, and much money distributed among the natives. The impression created on the mind of the chiefs by the department of the officers is of the most favorable nature, and will add much to the already high reputation gained by American officers for their

government and country. It is needless to speak of the unmingled satisfaction and pleasure which the visit has produced among the natives. The natives manifested at their departure in the best evidence of this. May their future labors be as successful as their past, and as honorable to themselves and their country? [The Polynesian.]

STATES OF THE UNION.

PRODUCE OF NEW ENGLAND. The statistics of our country, collected by the marshals, at the last census, are among your proudest records. They display the boldness resulting from the new world's intrinsic wealth, which is entirely independent of circumstances, and of other nations, and foreshadow the rank we are destined to hold when the discoveries of science shall have been as fully applied to agriculture as to other branches of industry. The amount of produce raised in New England is worthy of special notice. Maine is put down as raising 848,166 bushels of wheat, 2,330,966 bushels of other grain, and 10,392,830 bushels of potatoes. This, with a population of 600,800—Massachusetts, with a population of 727,786 raised about 135,923 bushels of wheat, 3,604,854 of other grain, and 8,354,662 of potatoes. Vermont, considering her population, for outstrips the others, though it should not be remembered that she is purely an agricultural state, with the least distinguished for commerce as well as for agriculture. In that enterprising state, the farmers raise 642,963 bushels of wheat, 4,051,518 bushels of other grain, and 2,506,784 bushels of potatoes. Rhode Island raises but 2,828 bushels of wheat, 69,498 of other grain, and 904,773 of potatoes. Connecticut raises 85,958 bushels of wheat, 3,990,175 of other grain and 3,214,227 of potatoes. New Hampshire raises 442,754 bushels of wheat, 3,084,854 of other grain, and 6,224,001 of potatoes. [Tribune.]

NEW HAMPSHIRE.

The governor and executive council were in session last week for the purpose of counting the returns of votes for members of congress and state senators. This duty having been accomplished, they adjourned on the 17th.

Votes for members of congress—Official.

Tristram Shaw 28,370 Levi Chamberlain 20,808 Ira A. Eastman 19,980 Sawyer 20,810
Chas. G. Atherton 28,815 John Fox 1,250
Edmund Burke 28,807 J. D. Quincy 1,237
John R. Reding 28,705 M. A. Carland 1,234
John Eastman 20,833 Jared Perkins 1,268
Isaac Abbott 20,281 Isaac Crosby 1,245
George V. Sawyer 20,777 Scattering 1,243

There are no returns from Salem, Epping or Thornton. The five first named are elected.

Votes for senators.

No. 1.	Scattering	No. 7.	20
Scattering	37	Scattering	20
Samuel Cleaves	1,196	Titus Brown	2,109
James Pickering	1,477	Humphrey Moore	2,400
No. 2.	Scattering	No. 8.	172
Joseph Colley	1,455	Lotter Fairley	1,081
Samuel Hatch	2,073	Jacob Straw	2,967
No. 3.	Scattering	No. 9.	127
Scattering	53	Scattering	127
David Currier	1,828	Finnis Holbrook	1,480
David A. Gregg	2,261	Elijah Bonding	2,078
No. 4.	Scattering	No. 10.—(No choice.)	1,658
Scattering	71	Scattering	1,658
Simcoe B. Little	1,698	Alfred Smith	1,768
Peter Rixton	2,481	Jah. D. Nettleton	1,806
No. 5.	Scattering	No. 11.	205
Scattering	66	Scattering	205
Daniel Winkley	2,237	Timothy Kendrick	1,754
George W. Daniel	2,500	Joshua Quincy	2,436
No. 6.	Scattering	No. 12.	41
Scattering	180	Scattering	41
John Evers	1,985	John Duncan	1,250
John L. Perley	3,097	Simcoe B. Johnson	3,714

The senators elected from No. 7 and No. 9 are whigs; the others are elected as Van Buren men. In No. 10 the Van Buren candidates have a plurality of 48 votes. The vacancy in that district will be filled by the legislature. [Statesman.]

MARSHALLS.

The mansion house of lieut. Gov. Winthrop, on Beacon street, Boston, was sold at auction on the 20th ult. for \$12,800.

CONNECTICUT.

State prison. The annual report of the directors of this institution shows the number of convicts to have been 205, 74 of whom were received during this year. There are 147 males and 58 females, 7 white females and 5 black. Of the number, 143 were born in Connecticut. The income during the year has been \$22,861 20; the expenses during the same time, \$14,778 30, leaving the profits \$8,083 90. From 1827 to 1841, the large sum of 72,205

dollars had been earned, of which \$20,651 have been paid into the state treasury, and \$14,627 expended on the prison buildings. During the past year, \$1,000 has been paid to the Prison Discipline society, and the appropriation of \$5,000, (\$1,000 to each county), to aid in erecting new county prisons has been paid. The property which is now on hand amounts to \$16,131, and there is due on notes and book account about \$14,500. The warden recommends that the surplus earnings of the prison be appropriated to the erection and support of a hospital for the insane poor in this state.

New Haven and Northampton canal. We intend before this to have taken some notice of this canal. At the present time we can say but a few words. Hereafter we may give some further account of this great public work which has already cost a million and a half of dollars. This canal runs from New Haven through Nainden, Cheshire, Southington, Farmington, Avon, Simsbury, Granby, Southwick, Westfield, Southampton to Northampton, where it enters the Connecticut river. It affords a cheap, easy and safe communication to all that part of the country with a market. It is now in complete order, as will be seen by an advertisement in our paper of this date. We are informed that the present stockholders have divided to the company large sums of money to repair the breaches made by the flood last winter, and they have opened the canal as early as the frost would permit, and if we are correctly informed, as early as any canal in this state or in New England. The canal affords great public improvement but has already been neglected for several years past, and owing to the peculiar situation in which its stock was placed, was at one time in great danger of being abandoned, but the stock is now in different hands and differently situated, and if the public will, it will be a portion of its business to be done upon this canal, which can be better done there than elsewhere, it will be well supported, and that is all the company ask.

A model state. Old Connecticut, as exhibited by her governor in his late message, is an example to his sister states. Yankees abroad are proverbial for their industry, enterprise, indomitable energy and shrewdness. These are qualifications not picked up by travel, but are peculiar, and belong to their natural birthright. Hence, whenever we see a Yankee, we are sure to find a man that is able to take care of himself—to push his way through the world, often friendless and unaided, and by the exercise of his own energy not infrequently arriving at the very pinnacle of eminence. The education and experience of every one of us can point out many such an example. Now, how does all this happen? It is explained in a word—education. No sooner can we articulate than a spelling book is put in the hands of the child, to read and write becomes a part of his "bringing up," as much as eating, drinking and sleeping; and this is a duty not promptly by parental affection, but imposed by statute provision of the state. It is the policy of the state, the fundamental and primary principle of all her institutions, to give an education to all her citizens; and as this has been her chief care, the results have been, as they ever must be, a general diffusion of knowledge among every class of her citizens, qualifying them indiscriminately for every station, and making every office of honor or profit accessible to them.

Let it be borne in mind that the population of Connecticut is about 300,000, and that of this population, in the late census, but one man who was a citizen was found who could not read and write. Are we not justified, then, in holding up Connecticut as a model state? What a glorious monument of her greatness, are *perennius*, has she in her common school fund! Well may her children, scattered over the broad face of the earth, be proud of the place of their nativity, and yearn to her with the affection of a child towards a parent; for she has not only given them life, but what makes life alone valuable—education. [Masson (Ga.) Messenger.]

The legislature closed their session on Tuesday the 25th ultimo.

The legislature have passed the appropriation bill by an overwhelming majority. The bill appropriates \$2,150,000 for the Erie canal and \$550,000 for the Black River canal and \$550,000 for the Genesee Valley canal—total, \$3,250,000. The vote for the passage of the bill stood 77, and against it 33. Eighteen Van Buren members polled their votes for the passage of the bill.

State stock. Nine hundred thousand dollars of state stock has been issued to the New York and Erie rail road company since the 1st of October last, and \$700,000 since the 1st of January. These stocks are at 54 per cent. and payable in 1841.

The Troy Watch. The locks on the enlarged canal in the vicinity of this city are double, and are

constructed of stone in the most durable manner.—The cost of each lock will be eighty thousand dollars. Breach in the Erie canal. We learn from the Argus that there is a breach in the canal near the nine locks.

Trials of Genesee. This question, which has agitated Genesee county and occupied the legislature for several years, was disposed of on Wednesday so far as the action of the house is involved, by the passage of the bill to erect a new court from parts of Genesee, to be called Wyandott. The vote on the final passage of the bill was 69 to 24.

Female convicts. By an act which passed the legislature on Thursday, it is provided that "hereafter all female convicts sentenced in any county of this state to imprisonment in a state prison shall be sentenced to and imprisoned in the female convict prison at Mount Pleasant."

PENNSYLVANIA. Governor Porter has signed the bill providing for the election of county treasurers by the people.—The present county treasurers are retained until an election.

Election. The special election for congress, in the Fayette and Green counties district, has resulted in the election of Benson, (V. B.) His majority in Fayette county is 279.

A new loan. The secretary of the commonwealth has issued proposals for a loan of nine hundred and thirty thousand dollars, at a rate of interest not exceeding six per cent. per annum, payable yearly, to be made at the state treasury, or the Bank of Pennsylvania. The principal to be reimbursed within five years; certificates of stock for the said loan will be issued in the usual form, bearing interest and reimbursable as any other county treasury.

The relief bill. The following are the yeas and nays on the passage of the revenue bill by the constitutional majority of two-thirds. Those in *affirmative* are the Van Buren members who voted for the bill, Yeas—Messrs. Andrews, Banks, Barst, Bell, Bond, Brewster, Clatsop, Clark, Clark, Correy, Cortright, Cox, Cunningham, Darris, Dilworth, Douglas, Dunlap, Eyrer, Faus, Foeman, Funk, Fulton, Gansley, Gillet, Gratz, Hanna, Higgins, Hinchman, Hokeness, Horton, Johnson, (Atkins) Kennedy, Kerr, Kieffer, Law, Letherman, Livingston, Luck, May, McClure, McCurdy, Middlewirth, Miles, Montgomery, Musser, Myer, Pearson, Penell, Purnoy, Rush, Skinner, Smith, Smyser, Snavely, Snyder, Spout, Steel, Titts, Van Noida, Weaver, West, and Wilson.

Nays—Messrs. Anderson, Apple, Barr, Benn, Bonelli, Broadhead, (North), Cronisall, Ebaugh, Felton, Flannery, Flenniken, Fitch, Fogel, Garretson, Hahn, Hall, Johnston, (Westmont), Kutz, Leidy, McCully, McKimney, Moore, Painter, Penniman, Pollock, Scott, Wilkinson—28.

Address to the people of Pennsylvania. The undersigned, your senators and representatives, being obliged to separate after the discharge of their arduous duty, deem it to be their duty to present a view of the public affairs of the commonwealth with reference to their past and present administration, and the hopes which every good citizen has a right to entertain of a change for the future. During the session of the legislature which has just terminated, they have labored with a zealous purpose of meeting the expectations of the people and the responsibilities imposed upon them by a state of things unparalleled in the history of our country. As the expression of the wishes of the people reached them, as petitions for relief in a season of unequalled distress were presented to them, they sought to meet these wishes, and by one measure of relief after another, such as have passed both houses to do for the people what the people had a right to

unhappily for those who sought relief, and for the legislature who desired to afford it, the executive authority has been coarsened upon an individual, who, exercising it with no view but for the relief of the people, has been obliged to have resorted to indicate his measures of either relief or reform, or been willing to unite with us in ours. There is a course of official duty which the constitution contemplates on the part of the executive, derived from his position of confidence and a mysterious reserve, which, had it been pursued by the present executive, would have abridged our session, simplified our labors and enabled us to return home with the happy assurance that the government, by the exercise of his action in its various departments, had relieved the distress and perplexity of its constituency. That course is the same which the patriot Harrison intended to pursue, to which his successor is pledged, and the reverse of the dark and sinister policy of action in which the present governor has pursued. It seems to us that the legislature is late to the legislature, who coming more recently

from the people best know their wants, but in the letter of the constitution it is "from time to time to give to the general assembly, information of the state of the commonwealth, and recommend to their consideration such measures as he shall deem expedient," and in its spirit it is by those (representatives) to acquire in the action of the immediate representatives of the people what it violates either the constitution or some essential principle of good government.

The middle course between obtrusive interference and stubborn reserve, the present executive of Pennsylvania seems unable to discern, and the legislature has been compelled with no other consolation than the honest effort to do duty always, to wait for weeks and months unable to attain a glimpse of executive criticism except when they were made manifest in reform frequently couched in disrespectful language, or as they could be gathered from the intimations of accredited partisans in and out of the legislature acted, and in some instances have been called to leave us to act. We wish a suffering people to understand this and to listen to the proof.

The session of the legislature commenced on the first Tuesday of January, 1841. The state of things throughout the country was such that it was almost certain. The banks were in a state of general suspension. The currency consisted mainly of the notes of the United States, and for the settlement of the small accounts which form so large a proportion of our business, the use of the bank currency was accessible but the illegal and discredited state note currency from abroad. A promised resumption of specie payments was at hand and every good citizen looked forward with the hope if not the expectation that it might be permanent. The community might not have been called to witness a scene of universal discredit. There were many who believed that no permanent resumption could be effected without the beneficial intervention of the general government, and on that interpretation of the wisdom and patriotism of a president chosen by Pennsylvania itself we confidently relied. But the governor was not one of these. He relied on the efficacy of state legislation directed by mere party impulse, he showed in none of our expectations of action at Washington, he never expressed and probably never felt any state of confidence which the reason and good feeling of the people reposed in the wisdom and patriotism of the lamented Harrison. Now we ask you to mark the course of his administration. When the banks resumed specie payments—on the first of February the governor negotiated a loan of nearly \$800,000 dollars with the banks and majority with the Bank of the United States—on the 4th of February he bank again suspended and in a season of almost hopeless prostration have they remained estranged.

On the 5th day of February, the intelligence of the calamity reached the seat of government through private channels. The legislature, after pausing to give the executive an opportunity of presenting his views at this crisis proceeded without further delay to do its duty, and legislate for the crying necessities of the people. To enable the executive to suggest his remedy for the evil then impending, was the duty of the legislature. We waited, but we waited in vain. The executive functions were paralytic. No word fell from the lips of the governor, and so far as we or the public are apprised of his views as voluntarily expressed, we were left in the dark. The state of the currency, hopelessly irredeemable for the suffering people, he wrapped himself in mysterious silence, and made no effort, gave no sign that promised relief.

Not so your representatives. Unaided—uncounselled by the executive, they assumed the responsibility, and measures of relief were originated, matured and enacted. Mixed, however, with the prayer for relief, there was an emphatic demand for reform. The executive, who had been the agent of administration of relief and reform, that our measures were prepared.

It was not long before the measure of bank reform and not popular relief was enacted by both houses. It was right in its character and its effect, and it was generous and beneficial for the people. It limited the powers of bank officers and directors, it checked inordinate banking operations. It was not the extravagant privilege of disregarding law. It was the privilege which necessity created, and it was a measure of relief that privilege, and connected vital measures of reform, which the people had long demanded. So far as the legislature was concerned, their duty was promptly and faithfully performed.

Not so still the legislature has thus acted, that any executive intimation was made. It came, as

usual, in the form of a peremptory refusal to acquiesce in the views of the representatives of the people, and it left the legislature to mature its measures again, and guessing at the varying opinions of the executive to try to enact laws which might conform to them, and at the same time be consonant with public policy and constitutional requisition.

With what an anxious desire to regulate our course by wise and disinterested views, to do what a just exigency requires and no more, to conciliate our political adversaries, and for once to unite with them, or persuade them to unite with us, in a common effort to relieve the suffering community, those who were immediate spectators of the scene but can tell. One of the undersigned, expressing the feelings of us all, in the senate, explicitly tendered to the friends of the executive the assurance of an earnest desire to bury mere party feeling, and co-operate cordially in measures at which no party cavil could be uttered. But it was in vain. The only answer was the declaration that the undersigned denied the existence of all distress among our constituents.

Not discouraged by the failure of all these efforts, the undersigned again matured a measure of relief, designed to effect the great object in the attainment of which we believe, the hopes of the people themselves—and above all it specially appropriated the money to be raised to certain objects and made it an offence against the law for its officers to infringe upon the appropriations. There was to be no transfer of money from this fund to any other; no drawings from one pocket to pay into another; no concealing deficiencies of defalcations by ingenious transfers—no puzzling the public mind by intricate accounts; but every cent of revenue raised by its appropriate officer judicially to be accounted for by the executive nor his agents, could without detection misapply it. This constitutional "coercion" we thought we had a right to apply, and yet it is of this restraint, which the constitution itself enjoins, and which we were bound to prescribe, that the executive complains as a dangerous encroachment on his prerogative. From this complaint we again appeal to the popular judgment to sanction a measure which would deserve approval if it contained no other provision than this. We trust that no legislature will ever be so deterred from imposing this wholesome restraint on the power of the executive on the treasury.

So far as the relief bill affected the banking institutions of the state, to the great surprise of the undersigned, it was found that the views of the people on one point suddenly become consonant with theirs. At the beginning of the session he denounced small notes as an evil which was on every account to be avoided and strenuously urged the prohibition of notes under ten dollars. At that time the people were suffering for the want of this currency, but the executive prejudices were obdurate. At the beginning of this session his views were unchanged. So late as the 8th of April, when he avowed the reform bank bill he still professed hostility to small notes even to a limited amount, and made this one of his objections to that measure of salutary regulation. By his recent veto it however appears that within a short time the executive on this subject has changed his ground, and that influential considerations which he has heretofore had in relation to which in charity we will not pretend to speculate, he too is in favor of this mode of relief to the community. We apprehend that the people will appreciate the sincerity of his past professions and the due gratitude for his acquiescence in their wishes.

Not discouraged yet but anxious to preserve the public credit at all hazards, in order to save the executive from the stain which must rest on him, and on him alone, if by the course he has thought to pursue the legislature were forced to consider without definite action, still perplexed by obscure intimations of his will, and sympathizing deeply with the suffering people, the undersigned determined to act on their own responsibility, and accordingly to propose a measure of relief by a counter-bill of propriety. If public gratitude be due, no share of it is due to the executive.

It is a measure of compromise to which we ask the cordial and generous consideration of the people. It is a measure of expediency and not of principle. It is a measure which gives relief and deserves the popular approval.

Such has been our general course of action on the great measure of relief and reform—and is to that action we now intend to adhere. We are confidently invite your candid and generous consideration. Could the governor have been induced to depart from his oracular reserve, and appealing to the impartial judgment of the people, a reliever which never fails, frankly have indicated his views or expressed his willingness to take counsel, free and

honest counsel with the legislature on such subjects, much time and expense might have been spared, and long ago might we have returned to those who sent us hither and told them that councils of patriotism had prevailed, popular necessities been relieved, and wholesome reform enforced. If the result had been different, the responsibility would not be with us. If we had left the people without relief, we should have left them in the hands of the executive.

But this subject is not the only one for which legislation was needed. Nor is it the only one in which the wishes of the people have been frustrated by the unstable and perverse will of the executive.

At least ten executive vetoes disgraced the journals of this session, and in but one of them has the governor pretended to indicate other than considerations of local expediency of which the representatives of the people believed they were the best judges. And in this single exception, strange as it may seem to our fellow citizens, so few of whom are ignorant of the provisions of the constitution under which we live, the governor founded his objections on a clause in an obsolete constitution which more than two years ago was abrogated by a vote of the people. Notwithstanding the carelessness either to admit the error, if error it was, or assign the true cause of the misrepresentation until it had been discovered and rebuked by the vigilant action of his representatives of the people. For proof of this assertion, none will be required but from a sense of justice, the undersigned referred to the journals, where it will be seen that in a message on the 10th February last, the governor quoted as in force the old constitution as justifying his negative to an important bill, and that on the 12th, not however, until after the mis-quotation had been detected in the house of representatives, he acknowledged it in a supplemental communication and attributed it to a mistake in transcribing. No one can read the passage with the greatest care, but he believes it was an accidental error. We ask the people to examine the journals and then judge for themselves.

This is the solitary instance in which the governor has from his legislation on account even of pretended constitutional considerations, evaded the plain and simple facts of the constitution. It will show the plain and simple facts of the constitution as conferred on him are fresh in our recollection. They will show to the people how the public time has been wasted by the constant and frivolous executive interference.

It became necessary to supply the omission of a prothonotary in Huntingdon county to note the record of a deed bearing an entailed estate—a petition was presented, referred and examined, and a bill to the effect required was passed into a law. No remonstrance was presented though ample time was afforded. No public policy was affected. The bill passed in connexion with an important public bill extending to all religious societies without distinction, the right to have lands for churches and burial grounds. Notwithstanding the public expediency, and for no adequate reason, the executive returned the measure with his unexplained objections. The stain of religious intolerance was left on our statute book, and the public time was wasted by the needless re-asserting that which was confessedly unexceptionable.

If the people of Lancaster county desire to abolish an useless court prostituted to party uses, the executive differing in opinion, but suggesting no constitutional objection, they may suggest the reference of the question to the votes of a portion of the people of the county.

If according to his suggestion, the question is referred to the decision of all who contribute to the support of the county, a right to decide on its constitutionality, the obduracy of executive will is softened, and he vetoes the bill again, because he thinks on the question differently from the representatives whom the people of the very county has elected.

But worse than all—the governor will not permit the legislature even to regulate the discipline of a county prison—a bill providing for a change in the mode of appointment of inspectors, warden and door keepers of a prison in Chester county was passed by both houses, and has been vetoed by the governor for no other pretext than that which differing views of expediency afforded. The people must judge of this abuse of power.

If then he tolerated—if on all questions of local interest he had been guided by the common sense of the choice of representatives, then through their representatives, and the legislature has exercised its true and honest discretion, the executive is to interfere and thus defy the popular will, far better would it be to dispute with this complicated system of popular representation, its expense and its

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The debts due for repairs alone, amounted to two hundred and sixty-eight thousand dollars, due generally to poor men who have contributed their labor to keep the public works in such condition that they may render revenue to the commonwealth. Cases of individual hardship have been brought before us to view at which any heart would sicken, except the cold and callous hearts of those, who, elevated above the sympathies of ordinary humanity, can see the benefit of labor, and yet deny to it its just reward. There may be many such debts too, that the undersigned have anxiously labored.

The other public creditors, to those by whose pecuniary contributions the internal improvement system has been constructed, there was due at least an effort on the part of the state to discharge its obligations. Relying too confident on the people, the legislature of the executive, that by no act of his the state credit would be impaired or the public faith violated, we assume the hazardous responsibility of exacting from the people new contributions to the system.

The ruthless and disgraceful system of borrowing to pay interest on the loans, has been thought and still think ought to be arrested. They have endeavored to do so, and if they had failed, the responsibility would not be theirs. The state credit must and ought to be at all hazards and at any cost to be sustained. The state debt is the aggregate of every man's promise, and if dissonant rest on the

delays, and give to the government that unity of design which appears in the view of the executive would seem to be its perfection.

At any other point of view, the undersigned are free to admit that he believes a different course would have been pursued by the governor. A wanton abuse of power without object, they are disposed to attribute to no public functionary. But on the eve of an election, the incumbent of the executive office is a candidate for re-election, the infirmity of human nature, always developed in the tenaciousness of office, is only overcome by a spirit of independence, such as even by his friends is not claimed for the present incumbent. To retain the possession of patronage and power, to cultivate factions of party influence, however minute—whether among the tip slaves of a mayor's court, or the turnkeys of a county goal, to secure all doubtful friends—to dispose with the execution of the laws—to pardon admitted libellers before trial, and give a plenary indulgence to them to violate all law hereafter, are some of the fruits of the privilege of re-election operating on unscrupulous partisans. The undersigned had no reason to regard the present possessor of power to be exceptions to the rule.

Sensible to this exposure to temptation and yielding to the expression of public opinion on this point, the undersigned, at an early period of the session procured the passage of an amendment to the constitution limiting the executive to a single term. If on any one point the public voice has spoken, it is on this. The promoter of the amendment, Harrison, a promise, the integrity of which even political animosity did not question that in no event would he be a candidate for re-election, and his opinion that such an amendment to the federal constitution was desirable, and that it was the great principle in the affections of the people of Pennsylvania, and each day's experience tends to ripen that sentiment into deliberate judgment. Does any one doubt that had the present governor of Pennsylvania been elected a second term, he would not have more faithfully discharged his high duties and would have raised himself beyond the sphere of party movement to which he seems to be confined? Unfavorable as is the judgment which the undersigned has concluded to take in favor of the present executive, they have no hesitation in saying that his conduct and policy would have been different had the temptation to do wrong been withheld.

Before the 4th of March last, when the present governor was re-nominated, the amendment to the constitution had passed the senate where it was resisted by the friends of the administration, and was under consideration in the house of representatives. It afterwards passed the house of representatives by an overwhelming majority, but eight members voting in the minority, and they all credited friends of the executive.

It must next indirectly be submitted to the people, always the last and surest resort, and by them at the next general election it must be decided. We submit it to you as part of our acts. Having weighed it well, having looked at it in all its relations to the interests of the people which we were sent here to guard, we submit it to you and to your decision now as ever shall we submit. The next legislature must revise this act of ours and we appeal to you to make this the test hereafter.

There was one other great public interest to which the attention of the undersigned was early called. They refer to the condition of the public works, and to the abuses which were supposed to exist there. There was a prevalent opinion among the people that the canal commissioners, dependent immediately on the executive, had prostituted their high functions, and had bestowed on personal and political favorites a large share of the patronage which unlawfully fell to the people, they are authorized to disavow. The public has been startled by its confidence by the astonishing disclosure that the public works during the last two years under the care of the present canal board have cost for management and repair the sum of two millions one hundred and fifty-five dollars, on an average of one million and seventy-five thousand and forty dollars for each year of governor Porter's administration, whilst during the late administration the average even at periods of extraordinary accident never exceeded eight hundred and six thousand six hundred and ninety six dollars. Unable to account for this by any theory but that which is founded on conviction of the want of integrity of the public agents, and earnestly desiring to restore public confidence to the magnificent system of improvements for which so much has been expended and in the success of which the best hopes of the people are centered, the house of representatives soon after its organization instituted a thorough investigation into the con-

duct of the canal board. Its results will soon be before the world and to those results we direct your early attention. They justify suspicion—they authorize and demand the strongest examination—they are the results of calm and deliberate inquiry in which justice was fairly done, ample opportunity of excruciation afforded, witnesses were publicly examined and cross-examined, and the canal commissioners were stand before the public, convicted on unquestioned evidence of gross and palpable abuse of power. Who can wonder at the increasing expenditure on our public works, when they read and hear of such instances as one or two, which taken alone, would do more to retard the progress of the enterprise, are but specimens of worse and more startling developments hereafter.

It became necessary to purchase ropes for the inclined planes. The best article was offered by manufacturers of unquestioned merit and could have been procured for the aggregate amount of \$7,577. A political partisan offered it to the disposers of the public bounty for \$9,049. The competition was no longer equal, the partisan obtained the contract, and on this one article the commonwealth lost eleven hundred and seventy-one dollars.

It became necessary to relay eleven miles of rail road near the city of Philadelphia. It was in unquestioned proof that this work might have been done at a less cost, if it had been done for thirty-five thousand five hundred and eighty-six dollars, causing a loss of more than eighteen thousand dollars, for reasons so obvious as patriotic as those which regulated the purchase of ropes.

Among the largest and most important work on our canal line is the construction of the reservoir near Hottel's Landing. For this work three offers were made, and the contract given to a political friend—at what cost, to you fellow citizens, will thus appear.

For grubbing and clearing, two contractors offered to do it for \$350; John Mitchell charged \$700, and he was the successful bidder.

For rock excavation, two contractors offered thirty-nine cents, and Mr. Mitchell has it for forty-eight cents.

For common excavation between thirty-two and thirty-four cents, and one hundred four cents, but Mr. Mitchell offered thirty-two cents, and he has the contract too.

For good earth embankment one contractor offered seventeen cents and one fifteen cents, but Mr. Mitchell has it for twenty cents.

For coarse silt embankment one contractor offered nineteen cents, another seventeen cents, and Mr. Mitchell has it for thirty cents, and so it will appear throughout it is demonstrable that the loss to the commonwealth in this one work will be less than twenty thousand dollars.

On the western reservoir it was ascertained that it cost the state upwards of twenty-two thousand dollars to clear from timber about four hundred acres.

Had no other inducement existed, there would have been in these disclosures enough to justify immediate action and a change in the tenure of these canal commissioners. A bill was immediately introduced to that effect, with the design of changing the tenure and giving to the legislature and the government a concurrent power of appointment. But the tenaciousness with which power holds on to patronage, was too strong to be relaxed, and the measure abandoned to the wishes of the people, and their necessities tell before the veto power. The executive suggested a reference to a veto of the people, to that suggestion we have acceded, and there is now in his hands a veto to exercise at his discretion. If we do not pretend to conjecture. Let the people wait on the executive decision.

We are now about in separate and to mingle with our constituents. We shall find them oppressed by difficulty and embarrassment, such as we have labored anxiously to alleviate and remove. The period will soon come when the popular will is to be again expressed, and the question is to be again determined into whose hands the executive power of the state is to be entrusted for the next three years. What that decision will be, we do not doubt. The events of the winter have added to the necessity of the change—and to that change alone must the people look for relief.

Members of the senate.

Samuel M. Barclay, John J. Pearson,
Nathaniel Brooke, William B. Reed,
Abraham Brower, Henry S. Swickman,
John M. Sturtevant, John Strohm,
Thomas E. Cochran, Charles C. Sullivan,
William Heister, Thomas Williams,
John T. Huddellson, John H. Ewing,
Robert P. Macley, John Mathers.

Members of the house of representatives.

Hugh Andrews, Edward E. Law,
James Banks, Jonathan Leathman,
Richard Bards, Isaac Lightner,
Joseph A. Bell, Samuel Livingston,
Jacob Bruner, Joseph McClure,
John B. Chrisman, Daniel McClure,
S. H. Clark, N. Middlewarth,
William C. Corry, James Montgomery,
J. F. Cox, Benjamin Muser,
John Cunnins, Isaac Meyer,
George Darrie, J. S. Pearson,
William Dilworth, Daniel M. Smyser,
James D. Dupont, Joseph Purroy,
Joshua P. Eyre, John Rush,
George L. Faus, Stephen Skinner,
Jacob Foreman, G. Rush Smith,
John Fink, Philip Van Neida,
Robert Fulton, Andrew Snively,
Jacob Graetz, James Spotti,
John Hanna, Sarah Titus,
Joseph Higgins, B. M. Hineman,
B. M. Hineman, John Stiel,
M. T. Kennedy, Daniel Washbaugh,
Aaron Kerr, William A. Crabbs,
Christian Kierfer, Harrisburg, May 8, 1841.

DELAWARE.

Levee. The Journal says: "We have just seen the volume of laws passed at the late session of our legislature. It is quite a large volume, and shows that the legislature was not idle during their brief session. We regard the Delaware assembly as a model for the imitation of other states. It is the smallest legislative body in the union, has the shortest sitting, and contains the least number of those expensive animals, *talkers*. The cost incurred for legislation by this state is a mere trifle. True, we are not blessed with the veto system, which costs the law maker, Syphilis-like, to roll their cumbersome labors to the top of the hill only to be rolled back again. For the perfect working of this system, see Pennsylvania."

VIRGINIA.

The conversion of the Protestant Episcopal church of Virginia, closed its session on Saturday at Alexandria. The Gazette states that the right rev. bishop Meade, for the benefit of his health, which has been infirm for some time past, will be absent from his charge for the next three or four months, and will embark in the next steam packet from Boston for Liverpool.

NORTH CAROLINA.

Episcopal convention. The annual convention of the Protestant Episcopal church of the diocese of N. Carolina, opened at St. Paul's church, in that town on Wednesday last. The bishop of the diocese was present, as were nineteen of the clergy of the same; being the whole number but three. The rev. Dr. May, of Philadelphia, and the rev. Mr. Lyman, of the diocese of Maryland, were also present at visitors. [Wilmington, (N. C.) Chron.]

SOUTH CAROLINA.

Yellow fever. Observations made in Charleston, at various periods, in reference to the yellow fever, go to establish the fact that the disease is not equally fatal to all classes of the inhabitants. According to a paragraph in the *Alexandria Gazette* on this subject, the deaths of the blacks, who form, at least, one-third of the population, have only been at the rate of a half per cent, while the French and the Americans have lost, at the rate of one and a half, the Dutch two, the Americans three and the English four per cent. Generally speaking, persons of a sanguine temperament have been most in danger, for the mortality among them has amounted to a tenth, while among bilious people it has been only a fifteenth. Females have suffered much less than males.

Mr. Cuthoun. This gentleman has been on a visit to his son residing in Marengo county, Ala. The Montgomery Advertiser gives the following abstract of a speech made by him in that city on the 6th inst.

The abstract of his speech says: "Of the establishment of a national bank, as the most prominent of these measures—he spoke more fully—of the original attempt to insert the power of chartering such an institution in the constitution, the plain, positive and decided negative put upon that attempt, the manner in which that negative, followed as it was by an express act of congress as to the collection of the revenue in gold and silver, was evaded by Mr. Hamilton, and finally set at naught by the establishment of a national bank."

By the side of this, says the *Baltimore American*, we may place the following short extract from one of Mr. Cuthoun's speeches in the senate, not long prior to 1837:

"I might say with truth, that the bank o' us as much to me as to any individual in the country; and I might even add, that had it not been for my efforts, it would not have been chartered."

Mr. Senator Preston addressed a large meeting of the friends of the administration in Charleston on the 22nd.

GEORGIA.

The edifice of the LeGrange high school, in Troup county, was destroyed by fire on the night of Tuesday, the 11th instant, together with all the books and apparatus, both chemical and philosophical, belonging to the institution. Loss, from 6,000 to 97,000.

Bank of the State.

Dr. Resources.	
To notes, bonds, &c. discounted,	1,746,568 09
Bills of exchange discounted,	219,033 91
Real estate,	25,770 81
Banking houses and lots,	81,257 00
Salaries,	18,409 04
Incidental expenses,	4,534 69
Assignment of a judgment,	6,100 00
Protest account,	1,231 30
Balances due from other banks,	93,006 69
Do. do. branches,	56,844 26
Do. do. Bank of the state of Georgia,	21,781 79
Bills of branches on hand,	21,160 00
Do. other banks on hand,	\$93,868 00
Specie on hand,	237,602 49
	331,470 49
	\$2,625,734 97

Cr. Liabilities.	
By capital stock,	\$1,600,000 00
Bills in circulation,*	449,404 00
Discount account,	73,759 58
Dividends unclaimed,	6,183 00
Burdies fund,	81,294 89
Balances due to other banks,	166,322 80
Do. do. bank of the state of Georgia,	62,896 32
Balance due to branches,	40,470 16
Individual deposits,	242,752 78
	\$2,625,734 97

A. PORTER, cashier.

Singular state of affairs in Georgia. The last Montgomery Journal discloses a singular state of affairs in Barbour county, in that state. The proslavery party have resisted the authority of a Federal magistrate, and refused to recognize a writ of "habeas corpus" issued by judge Pickens. The history of the case is given briefly as follows:

George W. Lore, was arrested some months since on suspicion of highway robbery, accompanied by a most foul and horrid murder, was admitted to bail by judge Booth after a trial had been made, on questionable security, as was supposed by many of the citizens of Barbour. Suspicion in the matter led to an examination, when no bond could be found in the clerk's office, and as the gentleman who have Lore in charge, state in their answer to the requisition of judge Pickens, there was no evidence that he had ever been executed. Under these circumstances they state in substance, that entertaining no doubt of the guilt of Lore, they arrested him as he was about to escape from the country, and are determined to retain him till the production of a sufficient bond, or he be brought to trial. They have, say the "Star," consequently notified the jail at Greenville, in which Lore is confined, from a determination to resist his surrender at all hazards.

This is certainly a curious and extraordinary state of things, and may well, as it does, excite anxiety as to its result. The persons who detain the prisoner, contrary to the writ of "habeas corpus," state their reasons in very respectful language, and the affair as it now stands, presents the singular spectacle of the people in no manner with their judiciary, and resisting the officers of justice to obtain the ends of justice.

MISSISSIPPI.

The season. The latest information from Mississippi, brings accounts of great damage to the young crops by rain and hail storms which occurred there the first week in the last month. Previous to those, drought had prevented the growth of the cotton plants, and there was a general complaint of "bad lands." A letter to the New Orleans Bulletin says:

"On the hills, the soil and the cotton are both washed off to a great extent; and on the low lands

the crops are mostly either drowned out or covered with mud. Such a rain I have never before witnessed. It has extended over the whole country, and materially affected the prospects of the planters." Another writer says—"I have lost $\frac{1}{2}$ to 1 of my crops."

KENTUCKY.

The people of Mercer met pursuant to adjournment, on the 3d May, at the court house when general Mr. McAfra was called to the chair, and John Adams appointed secretary. The meeting entered into several resolutions of a general character, and adjourned over to the 1st Monday in June. It was a large and crowded meeting, and bore marks evident of old Mercer's determination to embark in the celebration of the 66th anniversary of the settlement of Kentucky, with characteristic spirit and liberality. Every exertion and effort are being made by the citizens of our county, in preparation for the celebration, and you may expect a fair exhibition of her wonted hospitality. Preparations will be made for the accommodation of fifteen thousand people, and many more, if necessary. There will, doubtless, be that many persons present. The hon. Benjamin Hardin has accepted the invitation to deliver the address on the occasion, and the rev. Mr. Styles, or the rev. Mr. Bancroft, is expected to preach a sermon then and officiate as minister during the celebration.

"That this celebration will be every thing 'Harrod' anticipates, is calculated not a doubt. Why should it not be a 'celebration of the people of Kentucky'?" The rancor and bitterness of party spirit which prevailed at the time of the celebration at Boonsborough, was such that all semblance of whatever nature or character, were presumed to be "meetings for political purposes;" and although no such spirit prevailed at Boonsborough, we have no doubt it prevented many from attending, who would otherwise have been present. There can be no fear of such an object at Harrodsburg; the narrow lines of party are merged; literally forgotten in the great object the good people of old Mercer, have in contemplation. It will be a meeting of no ordinary character;—the people will be there to their majesty—a mighty assembly of freemen, to bow down before an almighty and supreme Father, and offer their united and heartfelt thanks for His watchfulness and guidance to our fathers, in their 'straitened' and tried men souls. The day of which the Indiana Statesman has so nobly and so judiciously raised the first "log cabin" in the "fairly land called Kan-ack-ee," is, indeed, one in commemoration of which, all lovers of that "fairly land" should most cordially unite. From that day, we may date the commencement of those sanguinary struggles between the daring hunter and the savage, in which it is truly said, "that hecatombs of white men were offered by the Indian, to the God of battles, in their desperate and ruthless contention for Kentucky." Let the "daughters of the mighty west," forget that unbounded generosity of James Harrod and his venerable relic, who yet lives, have descended upon "old Mercer." "There will be ample room for all; come ye all in and make merry. Let not the 'daughters of the mighty west,' forget that they too, should be present; let them remember that their mothers were actors in the scenes in the "dark and bloody ground"—that though they had no jewels whereby to purchase ammunition for patriots, they were free to give their "petticoats for patching."

OHIO.

Heavy hogs. Warren county is as hoggin' a portion of the state as any other. No part of Ohio affords better farming stock than the Warren county stock. Messrs. Price and Enten of Springfield, Warren county, cut up during the past season 119 hogs, good sized pigs two. One weighed 814 lbs. net, one 810 lbs.; 982 averaged 300 lbs., 384 averaged 324 lbs. and 25 weighed over 400 lbs. each. The 800 lb. pig was half blood Berkshire. The Warren boys can go to the head!

(Cleveland Herald.)

POLITICAL—PRESIDENTIAL.
OLD IRONIDES CLUB—COMMODORE STEWART.
Philadelphia, May 24th. 1841. Pursuant to public notice a special meeting of the club, was held at the Head Quarters, corner of Sixth and Carpenter streets. The meeting was large, spirited and enthusiastic; the spectators room in which it was held, was filled to overflowing. The committee appointed to address a letter to commodore Stewart, informing him of the nature and object of the club, and asking an expression of his political sentiments, submitted the annexed correspondence. The letter of the gallant commodore, was received with reiterated bursts of applause. The following resolutions were then unanimously adopted and ordered to be published in all the democratic papers.

Resolved, That this association has received with the highest satisfaction and pride, the able and patriotic letter of commodore Stewart, and that we find in all its sentiments and principles, the fullest assurance of his devoted attachment to the principles, party and candidates of the people.

Resolved, That ten thousand copies of the correspondence be published in pamphlet form by this club, and offered to the people of the union, as containing the sound principles of the democratic party since the days of Washington.

Resolved, That the president appoint a committee of sixty, to be composed of twenty members from each congressional district, to make arrangements for a suitable celebration of the approaching anniversary of the national independence.

Resolved, That this meeting adjourn to meet on Saturday evening next, at 8 o'clock, at the same place, where all democratic citizens of the city and county, favorable to the object of the club, are respectively invited to attend.

GEORGE SMITH, president.

ROBERT K. SCOTT, secretary.
ROBERT P. DESHVER, clerk.

Commodore Charles Stewart. Sir: The undersigned have been convened together, on behalf of the Old Ironsides club of the city and county of Philadelphia, to enclose to you the following preamble and resolutions unanimously adopted at a stated meeting held on the 15th inst.

Whereas, The Old Ironsides club of the city and county of Philadelphia, having fairly placed the name of commodore Charles Stewart, of Pennsylvania, before the people for the highest office in their gift; and,

Whereas, The Old Ironsides club having the most full and entire confidence in his patriotism and devotion to those democratic principles, which were first promulgated by Jefferson, and which have since been recognized as sound in doctrine and practice in their fullest extent by Madison, Monroe, Jackson and Van Buren; and,

Whereas, The Old Ironsides club deeming it proper that com. Stewart should be officially informed of the organization and the end and purpose of the club, therefore be it

Resolved, That the president be requested to appoint a committee of five to address commodore Stewart on behalf of this association, informing him of its organization, and of the end and purpose of its formation.

Resolved, That the said committee be instructed to address such a letter to com. Stewart, enclosing this preamble and resolutions, as they shall think expedient to the occasion, in order that he may acknowledge the club and the people of the union shall receive from him in reply, an expression of his political opinions.

From these proceedings you will perceive, that the association, we have the honor to represent, composed as it is of the number of the democratic citizens of the city and county of Philadelphia, entertaining the fullest confidence in your patriotism and high mental endowments, your honest and consistent attachment to those pure fundamental principles of the democratic faith which were first promulgated by Jefferson and perpetuated by Jackson—and remembering your brilliant and brave achievements on the ocean in defence of the rights, honor, interests and liberties of the people of this union, we have no doubt that you will acknowledge and glory of your country, have placed your name before the nation as a candidate for the noble position within the reach of human ambition—that of the chief magistracy of a great and a free people.

It is not the province of the undersigned here to discuss your civil qualifications for the important post for which you have thus been nominated under every duty that it enjoins, or your claim to the title or the first naval statesman and hero of the age; in proof of the former we refer with confidence to the pages of our nation's history, and of the latter to our country's enemies. Ours, sir, is the duty of informing you of the movement thus made by your political and personal friends in the country of your nativity, and to inquire of you whether you will allow them, in conjunction with your democratic fellow citizens throughout the union, to prevent your name on behalf of the people you have periled your life in defending, to a democratic national convention for its adoption.

The undersigned have also been instructed to obtain an expression of your opinion of those democratic principles which have distinguished the party of the people since the days of the great apostle of democracy, in order that the people of the union may be satisfied that you are, as you ever have been, the firm, devoted and consistent friend of civil rights, equal legislation, religious, civil and political liberty.

* Reported circulation,	\$449,405 00
Due to amount on hand as per debit	
side,	21,160 00
Leaving in actual circulation,	\$428,245 00

In conclusion, the undersigned beg leave to offer you the assurance of friendship and respect, and are your fellow citizens.

STEPHEN B. KIN GSTON,
DANIEL SMITH,
GEO. F. LEHMAN,
RICHARD VAUX,
JOHN W. RYAN.

Philadelphia, May 17, 1841.

Com. Stewart's reply.

Philadelphia, May 22d, 1841.

GENTLEMEN: I have the honor to receive your communication as a committee of the "Old Ironsides club of the city and county of Philadelphia," accompanied by their resolutions passed at their stated meeting held on the 13th inst. In your communication you remark that "the association being composed of a large number of the democratic citizens of the city and county of Philadelphia, entertaining the fullest confidence in my patriotism and mental endowments, as well as my honest and consistent attachment to the pure fundamental principles of the democratic faith, as promulgated by the great disciple of liberty, Thomas Jefferson, and perpetuated by Andrew Jackson, have placed my name before the nation as a candidate for the chief magistracy of a free and a great people," and you ask whether I will "allow them in conjunction with my democratic fellow citizens throughout the union, to present my name to the people for their adoption at the democratic national convention," and further that "you are instructed to obtain my views of the great democratic principles which have distinguished the party of the people since the days of 'the great spirit of democracy,'" in order that I may be able to furnish a statement that I am as I ever have been, the firm, consistent and devoted friend of equal laws, equal rights, political, civil and religious liberty."

For this distinguished preference of my fellow citizens of the city and county of my nativity, I beg leave to return, through you, their committee, my sincere and grateful thanks, and to express to them a hope that before the period shall arrive for the assembling of a democratic national convention, our fellow citizens may be enabled to present a name more worthy of this high distinction, which may so readily be found in the great and patriotic democratic family of our union.

That the resolutions of the club which you represent may be fully complied with, I have no hesitation frankly to state that should our fellow citizens deem it proper to present my name in the manner they propose, though I neither seek nor desire it, I have no right to withhold it, nor although I am filled with the most profound sense of my own deficiencies for the exalted station which has been adorned by names so illustrious, I also conceive that it is not the part of patriotism to shun any duty which may be required by my fellow citizens.

The circumstanced position of a naval commander affords but few occasions for the development of his political principles or sentiments. Born in the city of Philadelphia during the height of the arduous struggle for independence, contemporaneously with in many glorious events, I could not but, with the first dawning of life, inhale those principles of republicanism, which are so well calculated to render the largest share of happiness on the greatest number of those who live under their auspices. I early imbibed an ardent attachment to the doctrines taught by the sage of Monticello, which has been confirmed by the experience of each succeeding year: and from my first exercise of the elective franchise, down to the present hour, I have unwaveringly contributed my humble aid to promote and maintain the ascendancy of the democratic party, its principles and candidates.

In the constitution of the United States, will be found every essential rule for the guidance of those who may be designated by the people to carry out its principles, for their protection and welfare. A careful, nay, even a strict construction of that instrument is indispensable to our well-being. Such a construction as would be equally applicable to every other not palpably necessary and proper, to affect the execution of its various articles. If this fundamental principle be deviated from, each part of the constitution may be successively invaded, until the latest of its features will gradually disappear, and every original landmark be forever obscured in the dark and bewildering mazes of a latitudinarian construction.

The people, in confiding to the general government the pursuit of the sacred, beloved, and efficient hands, they were placing them in the most safe and efficient hands. This surrender of the whole means of public defence, makes the superintendence of it, in all its ramifications, a primary duty of the national functionaries. Altho' the immediate control over this subject has been justly lodged in legislative

hands, yet, the influence of the executive in recommending defensive measures, in the first instance, and his control over them, under the sanction of laws, afterwards, render him highly responsible for maintaining the rights, interests and honor of the country. Under this responsibility, it will become imperative, to keep in view the efficiency of the national defenses, for we are admonished by high authority, that, "to be unprepared to punish itself, is to court it," and that, "in defensive preparations are to be found the best means of preserving peace."

In a government of checks and balances, the accumulation of power in the hands of any one man, or set of men, should be narrowly watched, as dangerous to liberty. In the influence of executive patronage may be found a fruitful source of alarm, and its dissipation cannot be guarded with too jealous an eye, lest merit and capacity be proscribed, the bitterness of party spirit encouraged, and successful efforts be made, to control the freedom of opinion, or of the press, or to corrupt the people, or to plant may be retained or perverted.

Economy forms one of the prominent virtues and duties of a republican government. It does not consist, however, in withholding from faithful public services a just compensation; neither does it consist in too parsimoniously withholding the means of promoting the public defence. But it consists in closing every unnecessary drain on the public treasury; and also for the same purpose, there is strenuously required a judicious application of the appropriations to their objects with a vigorous execution of the laws regarding them.

Agriculture, commerce, manufactures, and the mechanic arts are the great sources of our national wealth. These, when sustained by a well-regulated system, which system I should hold, for the most part, to be best, when least shackled, constitute the greater portion of the wealth and power of the country. In cherishing them, we cherish those who enable our fathers to rise superior to colonial dependence, and disregarding the numberless difficulties and dangers which surrounded them, to establish upon a sure and solid foundation the greatest republic among the nations of the earth.

To cherish a liberal commercial intercourse with all nations, without entangling ourselves in entangling alliances with any," to do justice to other and rigidly exact it in turn, are also among the prominent obligations of the federal government.

It is a fixed principle in our government which cannot be too faithfully adhered to in practice, nor too often repeated, that it was instituted to promote the welfare of the people; that those who make, and those who carry into effect the laws, are but agents; and that to generate any distinct interest between the people and the government is incompatible with this principle, and was never contemplated by the framers of the constitution.

A perfect tolerance of political opinion, and freedom in the exercise of the elective franchise, are indispensable for a government based on public opinion becomes impaired when intolerance and a lawless control of the right of suffrage withdraw from it that support; and we should bear in mind, that while under the imperative democratic principle, the will of the majority is to prevail in all cases, yet, that "the minority possess rights, to violate which would be oppression."

Opposition to political measures should rather be considered a duty, for, in proportion as the truth there may be found security from error; nor should it be forgotten, that "every difference of opinion is not a difference of principle," and that, as citizens of the same republic, we are all equally interested in honor, welfare and happiness of our common country.

It may be affirmed as an incontestable truth, that the tendency of corporate bodies and associated wealth is inimical to the liberty, as it is destructive of the equality of the people; and the authority to control the same wisely withheld from the general government by the states. Should this view be considered as too forcibly stated, my answer is plain and direct: the doctrine has been proved sound by experience, and has received the assent of the democratic party. If it be crowded the responsibility of its maintenance is shared by a Jefferson and a Madison, with a Snyder and a Jackson.

Since the adoption of our present form of government, questions of importance have arisen, upon which different portions of our fellow citizens have taken issue. Some of them, I trust, will probably never be revived. Should occasion arise when important ones may be presented, which would turn on a doubtful construction of the constitution, you may rest assured that my convictions of truth would be based upon the only true and safe foundation—that of the Jeffersonian school.

If the views here set forth of the principles of democracy, under our constitution, and which embrace, perhaps the largest portion of our national policy, prove satisfactory to you, I cannot but feel proud that they have undergone in me no change or diminution; but, on the contrary, they have been confirmed and strengthened by the many opportunities I have had of observing foreign rulers under different forms of government, as well as the happy position of our country under the doctrines of our Declaration of Independence, which have as fully proved to us that man is not incapable of self-government.

For the flattering manner in which you have been pleased to express yourselves, in relation to any of my public services, I pray you to accept my thanks. In giving assurance that I never I may have done for my country, by fighting her battles or otherwise, has not been unobserved, you convey to me the most grateful reward I could receive—the approbation of my fellow citizens.

Accept, gentlemen, for yourselves and the association you represent, the assurance of my respectful esteem with which I have the honor to be your obliged servant and fellow citizen.

CHS. STEWART.

Messrs. Stephen B. Kingston, Daniel Smith, George F. Lehman, Richard Vaux, John W. Ryan, a committee on the part of the "Old Ironsides club of the city and county of Philadelphia."

[OFFICIAL.]

TREATY WITH PORTUGAL.

From the National Intelligencer of the 28th April. Treaty between the United States of America and the Queen of Portugal and of the Algarves—Concluded April 28, 1840; ratified April 28, 1841. By the President of the United States of America.

A PROCLAMATION.

WHEREAS a treaty of commerce and navigation between the United States of America and her most faithful majesty, the queen of Portugal and of the Algarves, was concluded and signed by their plenipotentiaries, at Lisbon, on the 26th day of August, in the year of our Lord one thousand eight hundred and forty, which treaty, being in the English and Portuguese languages, it was for the better understanding of the United States and her most faithful majesty the queen of Portugal and of the Algarves, equally animated with the desire of maintaining the relations of amity and good neighborhood which have hitherto so happily subsisted between their respective states; of extending, also, and consolidating the commercial intercourse between them; and convinced that this object cannot better be accomplished than by adopting the system of a entire freedom of navigation, and a perfect reciprocity based upon principles of equity equally beneficial to both countries; have, in consequence, agreed to enter into negotiations for the conclusion of a treaty of commerce and navigation; and they have appointed as their plenipotentiaries for that purpose, to wit: the president of the United States of America, Edward Keveridge, their charge d'affaires at the court of her most faithful majesty, and her most faithful majesty, the queen of Portugal, by her excellent John Baptiste de Almeida Garrett, first historiographer to her said majesty, of her council, member of the cortes, knight of the ancient and most noble order of the tower and sword, knight of the order of St. James, and grand officer of the order of Leopold in Belgium, judge of the superior court of commerce, envoy extraordinary and minister plenipotentiary to her Catholic majesty; who, after having exchanged their respective ratifications, and after the ratifications have been agreed upon, and concluded, the following articles:

ARTICLE I.

There shall be, between the territories of the high contracting parties, a reciprocal liberty of commerce and navigation. The vessels of each party at the respective ports shall, mutually, have liberty to enter the ports, places, and rivers of the territories of each party, wherever foreign commerce is, or shall be, permitted. They shall be at liberty to sojourn and reside in all parts of said territories, in order to attend to their affairs; and they shall enjoy, to that effect, the same security and protection as natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing, and particularly to the regulations in force concerning commerce.

ARTICLE II.

Vessels of the United States of America arriving, either laden or in ballast, in the ports of the kingdom and possessions of Portugal; and, reciprocally, Portuguese vessels arriving in the ports of the United States of America, shall be treated, on their entrance, during their

ship, and at their departure, upon the same loading as original vessels coming from the same place, with respect to the duties of tonnage, light-house duties, pilotage, port charges, as well as to the fees and perquisites of public officers, and all other duties and charges, of whatever kind or denomination, levied upon vessels of commerce, in the name or to the profit of the government, the local authorities, or of any public or private establishment whatsoever.

ARTICLE III.

No higher or other duties shall be imposed on the importation, into the kingdom and possessions of Portugal, of any article the growth, produce, or manufacture of the United States of America; and no higher or other duties shall be imposed on the importation, into the United States of America, of any article the growth, produce, or manufacture of the kingdom and possessions of Portugal, than such as are, or shall be, payable on the like article, being the growth, produce, or manufacture of any other foreign country.

Nor shall any prohibition be imposed on the importation or exportation of any article, the growth, produce, or manufacture of the United States of America, or of the kingdom and possessions of Portugal, in or from the ports of the said kingdom and possessions of Portugal, or of the said states, which shall not equally extend to the said nations. Nor shall any higher or other duties or charges be imposed, in either of the two countries, on the exportation of any articles to the United States of America, or to the kingdom of Portugal, respectively, than such as are payable on the exportation of the like articles to any other foreign country.

Provided, however, that nothing contained in this article shall be understood or intended to interfere with the stipulations entered into by the United States of America, for a special equivalent, in regard to French wines, in the convention made by the said states and France, on the fourth day of July, in the year of our Lord one thousand eight hundred and thirty-one; which stipulation will expire, and cease to have effect, in the month of February, in the year of our Lord one thousand eight hundred and forty-two.

ARTICLE IV.

The same duties shall be paid, and the same bounties, deductions, or privileges allowed, on the importation, into the kingdom and possessions of Portugal, of any article the growth, produce, or manufacture of the United States of America, whether such importation shall be in vessels of the said states, or in Portuguese vessels; and, reciprocally, the same duties shall be paid, and the same bounties, deductions, or privileges allowed, on the importation, into the United States of America, of any article, the growth, produce, or manufacture of the kingdom and possessions of Portugal, whether such importation shall be in Portuguese vessels, or in vessels of the said states.

It is agreed by the high contracting parties that, whenever there may be lawfully imported into all or any of the ports of the kingdom and possessions of Portugal, in vessels of any foreign country, articles of the growth, produce, or manufacture of a country other than that to which the importing vessels shall belong, the same privilege shall immediately become common to vessels of the U. States of America, with all the same rights and favors as may, in that respect, be granted to the most favored nation. And, reciprocally, in consideration thereof, Portuguese vessels shall thereafter enjoy, in the same respect, privileges, rights, and favors to a corresponding extent, in the ports of the United States of America.

ARTICLE V.

All kinds of merchandise and articles of commerce, which may be lawfully exported or re-exported from the ports of either of the high contracting parties to any foreign country, in national vessels, may also be exported or re-exported therefrom on vessels of the other party, respectively, without paying other or higher duties or charges, of whatever kind or denomination, than if the same merchandise or articles of commerce were exported or re-exported in national vessels.

And the same bounties and drawbacks shall be allowed, whether such exportation or re-exportation be made in vessels of the one party or the other.

ARTICLE VI.

It is expressly understood that nothing contained in this treaty shall be applicable to the coastwise navigation of either of the two countries, which each of the two high contracting parties reserves exclusively to itself.

ARTICLE VII.

It is mutually understood that the foregoing stipulations do not apply to ports and territories, in

the kingdom and possessions of Portugal, where foreign commerce and navigation are not admitted; and that the commerce and navigation of Portugal, directly to and from the United States of America and the said ports and territories, are also prohibited.

But the most faithful majesty agrees that, as soon as the said ports and territories, or any of them, shall be open to the commerce or navigation of any foreign nation, they shall, from that moment, be also opened to the commerce and navigation of the United States of America, with the same privilege and rights, in favor of the said nation, as the most favored nation; gratuitously, if the concession was gratuitously made, or on allowing the same compensation, or an equivalent, if the concession was conditional.

ARTICLE IX.

Whenever the citizens or subjects of either of the contracting parties shall be forced to seek refuge or asylum in any of the rivers, bays, ports, or territories of the other, with their vessels, whether merchant or of war, through stress of weather, pursuit of pirates or enemies, they shall be received and treated with humanity, giving to them, in the most favorable manner, facilities for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyage, without obstacle or hindrance of any kind.

ARTICLE X.

The two contracting parties shall have the liberty of having, each in the ports of the other, consuls, vice-consuls, agents and commissaries, of their own appointment, who shall enjoy the same privileges and powers as those of the most favored nation. But before any consul, vice-consul, agent, or commissary shall act as such, he or she, in the usual form, be approved and admitted by the government to which he is sent.

But, if any such consuls shall exercise commerce, they shall be submitted to the same laws and usages to which the private individuals of their nation are submitted, in the same place, in respect of their commercial transactions.

And it is hereby declared that, in case of offence against the laws, such consul, vice-consul, agent, or commissary, may either be punished according to law, or be sent back to the offended government as a delinquent, for the other reasons for the same.

The archives and papers of the consulates shall be respected inviolably; and under no pretext whatever shall any magistrate seize, or in any way interfere with them.

The consular vice-consuls, and commercial agents shall have the right, as such, to sit as judges and arbitrators, in such differences as may arise between the captains and crews of the vessels belonging to the nation whose interests are committed to their charge, without the interference of the local authorities, unless the conduct of the crews, or of the captains, should disturb the order or the tranquillity, or offend the laws of the country; or the said consuls, vice-consuls, or commercial agents, should require their assistance to cause their decisions to be carried into effect or supported.

It is, however, understood that this species of judgment, or arbitration, shall not deprive the contending parties of the right they have to resort, on their return, to the judicial authorities of their country.

ARTICLE XI.

The said consuls, vice-consuls, and commercial agents are authorized to require the assistance of the local authorities, for the search, arrest, detention, and imprisonment of the deserters from the ships of war and merchant vessels of their country. For this purpose, they shall apply to the competent tribunals, judges, and officers, and shall, in writing, demand the said deserters, proving, by the exhibition of the registers of the vessels, the rolls of the crews, or by any other official documents, the guilt of the deserters, and the nature of their offence, and their claim, and the request of those who shall claim them, in order to be detained until the time when they shall be restored to the vessels to which they belonged, or sent back to their own country, by a vessel of the same nation, or any other vessel whatsoever.

Such deserters, when arrested, shall be placed at the disposal of the said consuls, vice-consuls, or commercial agents, and may be confined in the public prisons, at the request of those who shall claim them, in order to be detained until the time when they shall be restored to the vessels to which they belonged, or sent back to their own country, by a vessel of the same nation, or any other vessel whatsoever.

But, if not sent back within four months from the day of their arrest, they shall be set at liberty, and shall not be again arrested for the same cause. However, if the deserter shall be found to have committed any crime or offence, the surrender may be delayed until the tribunal, before which his case shall be pending, shall have pronounced his sen-

tence, and such sentence shall have been carried into effect.

ARTICLE XII.

The citizens and subjects of each of the high contracting parties shall have power to dispose of their personal goods, within the jurisdiction of the other, by testament, donation, or otherwise; and their representatives shall succeed to their said personal goods, whether by testament or otherwise, and may take possession thereof, either by themselves, or by others acting for them, and dispose of the same, at will, paying to the profit of the respective governments such dues only as the inhabitants of the country, where the said goods are, shall be subject to pay in like cases.

And, where, on the death of any person holding real estate within the territories of one of the high contracting parties, such real estate would, by the laws of the law, descend on a citizen or subject of the other party, who, by reason of absence, may be incapable of holding it, he shall be allowed the time fixed by the laws of the country; and, in case the laws of the country actually in force may not have fixed any such time, he then shall be allowed a reasonable time, to be fixed by the laws of the country, to take possession of such real estate, and to withdraw and export the proceeds without molestation, and without paying in the profit of the respective governments any other dues than those to which the inhabitants of the country, where the said real estate is situated, shall be subject to pay in like cases.

ARTICLE XIII.

If either party shall, hereafter, grant to any other nation any particular favor in navigation or commerce, it shall not, desirably be extended to the other party, freely, where it is freely granted to such other nation, or on yielding the same compensation, or an equivalent, upon promise, where the grant is conditional.

ARTICLE XIV.

The United States of America and the most faithful majesty, desiring to make an durable and circumstances will permit, the relations which are to be established between the two parties, by virtue of this treaty, of general conduct, and of reciprocal liberty of commerce and navigation, have declared solemnly, and do agree to the following point:

1st. The present treaty shall be in force for six years from the date hereof, and further until the end of one year after either of the contracting parties shall have received notice from the other of its intention to terminate the same: each of the contracting parties reserving to itself the right of giving such notice to the other, at any time after the expiration of the said term of six years; and it is hereby agreed between them that, on the expiration of one year after such notice shall have been received by either from the other party, this treaty shall altogether cease and terminate.

2d. If any one or more of the citizens or subjects of either party shall infringe any of the articles of the treaty, such citizen or subject shall be held personally responsible for the same; and the harmony and good correspondence between the two nations shall not be interrupted thereby; each party engaging in no way to protect the offender, or sanction such violation.

3d. If, (which indeed cannot be expected), unfortunately, any of the articles contained in the present treaty shall be violated or infringed, in any way whatever, it is expressly stipulated that neither of the contracting parties will order or authorize any act of retaliation, or declare or declare against the other, on complaints of injuries or damages, until the said party considering itself offended shall have presented to the other a statement of such injuries or damages, verified by competent proof, and demanded redress and satisfaction, and the same shall have been either refused or unsatisfactorily delayed.

4th. The present treaty shall be approved and ratified by the president of the United States of America, by and with the advice and consent of the senate of the said states, and by the most faithful majesty, with the previous consent of the general councils of the nation, and the ratifications shall be exchanged in the city of Washington within eight months from the date hereof, or sooner if possible.

In witness whereof, the respective plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done in triplicate, in the city of Lisbon, the twenty-sixth day of August, in the year of our Lord one thousand eight hundred and forty.

(Signed)

EDWARD KATYAGACH.

JOAO BAPTISTA DE ALMEIDA GARRETT.

And whereas the said treaty has been duly ratified on both parts, and the respective ratifications of the same have been exchanged, in the city of Washington, on the twenty-third day of April, one thousand

eight hundred and forty-one, by DANIEL WEBSTER, secretary of state of the United States, and the commander JOAQUIN CESAR DE FIGUEROA, knight commander of the order of Christ, and minister resident of her said majesty, near the government of the United States, on the part of their respective governments:

Now, therefore, be it known, that I, JOHN TYLER, president of the United States of America, have caused the said treaty to be made public, to the end that the same, and every clause and article thereof, may be observed and fulfilled with good faith by the United States and the citizens thereof. In witness whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, the twenty-fourth day of April, in the year of our Lord one thousand eight hundred and forty-one, and of the independence of the United States the sixty-fifth.

JOHN TYLER.

By the president:

DANIEL WEBSTER, secretary of state.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

May 21. Pursuant to the proclamation of the late president of the United States, the senate met this day at 12 o'clock.

At 12 o'clock the hon. Samuel L. Soule, president of the senate, took the chair, and, having called the senate to order, the following members appeared to be in attendance, viz:

From Maine—Mr. Evans and Mr. Williams.
New Hampshire—Mr. Pierce and Mr. Woodbury.
Massachusetts—Mr. Bates and Mr. Choate.
Connecticut—Mr. Huntington and Mr. Smith.
Rhode Island—Mr. Dix and Mr. Simmons.
Vermont—Mr. Wood.
New York—Mr. Wright and Mr. Tallmadge.
New Jersey—Mr. Miller and Mr. Southard.
Pennsylvania—Mr. Sturgeon.
Delaware—Mr. Bayard and Mr. Clayton.
Maryland—Mr. Keen and Mr. Merrick.
Virginia—Mr. Archer and Mr. Rives.
North Carolina—Mr. Graham and Mr. Mangum.
South Carolina—Mr. Preslon.
Georgia—Mr. Berrien.
Alabama—Mr. King.
Mississippi—Mr. Henderson and Mr. Walker.
Louisiana—Mr. Barrow.
Tennessee—Mr. Nicholson.
Kentucky—Mr. Clay and Mr. Morehead.
Ohio—Mr. Allen and Mr. Tappan.
Indiana—Mr. Smith and Mr. White.
Illinois—Mr. McRoberts and Mr. Young.
Missouri—Mr. Benton and Mr. Linn.
Arkansas—Mr. Fulton and Mr. Sevier.
Michigan—Mr. Porter and Mr. Woodbridge.

On motion of Mr. Bayard, it was ordered that the secretary of the senate acquaint the house of representatives that a quorum of the senate is assembled and ready to proceed to business.

On motion of Mr. Waite, the usual number of newspapers were ordered for the use of the senators.

On motion of Mr. Preslon, the senate took a recess until 2 o'clock.

Two o'clock P. M.—The senate was called to order, when Mr. Clay said the object for which the recess was taken was to enable the organization of the other house, so that a joint committee might be appointed to wait upon the president and inform him that the two houses were organized and ready to receive his communication; but as that did not appear likely to take place, at least in time to expedite the matter, he would move that the senate adjourn until to-morrow at 11 o'clock A. M. which motion having been seconded, the senate adjourned.

June 1. Mr. Buchanan and Mr. Calhoun appeared in their seats.

A message was received from the house of representatives, through its clerk, (Matthew S. Clark, esq.) informing the senate that a resolution had been passed by that house appointing a committee of two on the part of that body to join such committee as might be appointed by the senate to wait upon the president of the United States and inform him that a quorum of the two houses had assembled, and that congress was ready to proceed to business; and asking the concurrence of the senate to said resolution.

Mr. Huntington moved that the senate concur in the resolution.

Mr. Allen, of Ohio, moved to amend it by striking out the words "president of the United States,"

and inserting in lieu thereof the words "the vice president, on whom, by the death of the late president, the powers and duties of the office of president have devolved."

In support of this motion Mr. A. read the provisions of the constitution, in the following words:

"In case of the removal of the president from office, or of his death, resignation or inability to discharge the powers and duties of the office, the same shall devolve on the vice president, and the congress may by law provide for the case of removal, death, resignation or inability, both of the president and vice president, declaring what officer shall then act as president, and such officer shall accordingly, until the disability be removed, or a president shall be elected."

The first clause in this portion of the constitution classified all the contingencies under which the vice president, shall discharge the duties and exercise the powers of president, and it made no distinction whatever between removal by death and removal by a temporary inability to discharge the functions of the presidential office. If, therefore, the late president had been afflicted with a disarranging, for a time, a state of mental alienation, he would on his recovery have been reinstated in all the powers of that high office to which the people had elected him. But a contingency of this kind was provided for in the constitution in the very same words as the case of the president's death. It might, perhaps, be said that the question was an unimportant one, inasmuch as it had reference mainly to the office to be applied to a single officer. Now Mr. A. had not raised it with the remotest desire to withhold the dignity of the title of president from the present incumbent of the chair. His anxiety to remove from consideration this office of president was indeed now held by the vice president that fact recognized the existence of a case where the highest office in the republic may be held otherwise than by an election of the people. The contingency thus presented, a presidential officer, the hereafter becomes very serious; but if the powers and duties of the presidential office attached, in consequence of the death of the president, to the vice president, he still remaining vice president, then he continued to hold only the office of vice president, the people had elected him, and thus the beautiful symmetry of our system of free and popular government was preserved.

Having wisely only to call the attention of the senate to the question, it might make an office of expression of its views of the case, Mr. A. would be content with expressing his own opinion in regard to it, however it might differ from that of other gentlemen.

Mr. Tappan observed that the view just taken of the interpretation of the constitution was much strengthened by reference to the 35th clause of the 3d section of the 1st article:

"The senate shall choose their other officers, and also a president pro tem, in the absence of the vice president, or who he shall exercise the office of president of the United States."

Mr. T. proceeded to illustrate by assimilating the case to that of the absence of a chief justice in one of our courts or the court of king's bench, and in that of a case of a colonel of a regiment shot in battle, when the next officer succeeds to command but does not become a colonel. He maintained that there was, then, nothing in the constitution or in analogical cases to warrant the position that JOHN TYLER is now the president of the United States. If, might, indeed, be justly entitled to the salary of the president of the United States, inasmuch as he was in the discharge of all its duties. Mr. T. had nothing against that. But when the senate officially addressed him, it ought to give him his true constitutional title. In personal conversation he might be addressed as vice president, but when officially addressed by a department of the government, or their official language none but the proper legal title should be applied to the individual exercising the powers of the presidential office.

Mr. Buchanan of Conn. said that though he was opposed to the adoption of the amendment, he should not enter upon any discussion of its merits, if it had any. It was now June, and the senate were in expectation of receiving an executive commission from the president, and he was not prepared on the question raised by the amendment proposed by the senator from Ohio; if it must be discussed, it could better be brought up at a future time, when the senate should be more at leisure for such an argument.

The subject had been more fully discussed, and he had no doubt the minds of all the members of the senate were made up in regard to it. The body had now been enlightened by the views of Mr. Allen, and he was in Ohio and he was therefore happy the question would be taken without further delay.

Mr. Allen demanded the yeas and nays; which were ordered.

Mr. Walker, of Miss. said that, as the yeas and nays had been ordered, and the vote of every actor would be placed on record, he would very briefly present the grounds on which his own vote would be given. The only material argument which had been urged in support of the amendment was drawn from the above quoted clause of the constitution.

Now, here there were two separate and distinct contingencies, viz the death of a president, and, secondly, the death of the vice president. In the first case, the constitution declared that the office of president devolved on the vice president; to the other case, it provided that there should be an acting president designated by law. The congress was required to appoint by law some person "to act as president," until the disability be removed, or a president shall be elected. In the last case, there was to be an acting president, not for the unexpired term of the president deceased, but until an actual president should be chosen. But, in the case of the death of a president, the office itself—"the said office"—shall devolve on the vice president. The language used was, "THE SAME shall then devolve on the vice president." The immediate antecedent was, "the said office," and it was, as he had said, a sound rule of grammatical construction, as well as a plain dictate of common sense, that the immediate antecedent was to be connected with the office to be designated. It was, therefore, the office itself of president that devolved on the vice president. He was not the vice president acting as president, but he ceased to be vice president, the office of president having devolved upon him. Was he not an actual president? He was, and he acted as president, discharging additional duties in consequence of the death of the president! If so, why was he not in the senate, discharging the duties of its presiding officer? Could he come to this hall, and sit at the legislative table, as president of the senate? Surely not; he was the president under the constitution, and would so remain during the residue of the entire term for which the president had been chosen. This was the language and the true intent and meaning of the constitution. As in the case of a colonel acting as general in case of the death of the general in battle, the colonel acting as general only during the temporary emergency; another person might be appointed general, and the colonel would return to his former station, the emergency having ceased.

Mr. Allen replied. His friend from Mississippi had asked, if Mr. Tyler was still vice president, and he had answered in the affirmative. He would answer the question. Mr. Tyler was not here, because the constitution had assigned to him duties which required his presence elsewhere, viz the duties of the presidential office. He was now an executive, not a legislative officer.

Mr. A. proceeded further to illustrate his own views, and in argue the difficulties of a question of succession, which might here and often lead to the old world involved a struggle between contending parties for the supreme power.

Mr. Calhoun would prefer that a little more time should be allowed for the consideration of so momentous a subject; but as the question involved, the language of the constitution, so far as the case of a president's death was concerned, was so very plain, that, but for the case of presidential disability, there could occur no possible difficulty. In that case, there would be a serious question, viz: who should succeed? It could be settled by common consent, but it could not be done by congress; and it was easy to see that if the president and vice president should be of opposite politics, very serious consequences might ensue. At present, he hoped the amendment could be withdrawn by common consent. Let us wait till the case of inability should occur, before we attempted to decide any thing in the matter. In the case of death, it was too plain for doubt that the office of president devolved upon the vice president. He trusted the senator from Ohio would consent to withdraw the amendment.

Mr. Allen declining to do so—

The question was put, and decided by yeas and nays as follows:

YEAS—Allen, Benton, Henderson, Linn,

McRoberts, Tappan, Williams Wright—5.

NAYS—Messrs. Archer, Barrow, Bates, Barr, Berrien, Buchanan, Calhoun, Clayton, Clark, Keen, Clayton, Daniel, Evans, Fulton, Graham, Huntington, Keen, King, Mangum, Miller, Merrick, Morehead, Nicholson, Porter, Prentiss, Preston, Rives, Sevier, Smith, Southard, Sturgeon, Tallmadge, Tappan, Tallmadge, Walker, White, Woodbridge, Woodbury, Young—33.

So the amendment was rejected. The resolution was then agreed to, and Mr. Huntington and Mr. Archer were appointed on the part of the senate.

power it which required the sanction of the two houses of congress, but the president of the United States exercised its veto power, and the measure was defeated. A measure to regulate the currency, which the president was fully sanctioned in the course he had taken by the popular vote. His successor to the chair of state unqualifiedly pronounced the measure as a new charter of a similar institution; and not only the popular election which brought him into power, but the elections through which he had been elected clearly to indicate a concurrence with him in securing the measure to the people. After the public moneys were withdrawn from the United States bank, they were placed in deposit with the state banks, and the president was before the people. To say nothing as to the question whether that experiment was made under propitious or adverse circumstances, it may safely be asserted that it did require the commendation of most of its early advocates, and it is believed was also commended by the popular sentiments. The existing sub-treasury system does not seem to have been in higher favor with the people, but has recently been condemned in a manner too plainly indicated to admit of a doubt. Thus in the short period of eight years, the popular voice may be regarded as having twice severely condemned each of the three schemes of finance to which I have alluded. As to the first, it was introduced at a time (1816) when the state banks, then comparatively few in number, were endeavoring to suspend specie payments by reason of the war which had previously prevailed with Great Britain. Whether, if in 1816, had been introduced in any other season, it would have been enabled to continue specie payments, during the war, and the disastrous period to the commerce of the country, I cannot say. It is probable, to say the least, problematical; and, whether the United States bank of 1816 produced a restoration of specie payments, or the same was accomplished through the intervention of other means, was a matter of some difficulty at that time to determine. Certain it is, that for the first years of the operation of that bank, its course was as disastrous to the great part of our states and western career, it became extremely successful. As to the second, the experiment was tried with a redundant treasury, which continued to increase until it seemed that the part of the country in which it was introduced, were among the states which, operating at the same time with the specie circular, and the causes before adverted to, caused them to suspend specie payments, and involved the country in the greatest embarrassment. And as to the third, if carried through all the stages of a transmission, from paper and specie, to currency, but the present state of the country, and the insecurity of the public moneys, its injurious effects have been anticipated by the country, in its unqualified condemnation. What is now to be regarded as an adjunct of the treasury, and a subject of the subject, I have no accurate means of determining but by appealing to their more immediate representatives. The late contest, which terminated in the election of General Harrison to the presidency, was decided on principles well known and openly declared; and while the sub-treasury received in the result the most decided condemnation, yet a large number of members of finance seemed to have been concurred in. To those of them who have more directly from the body of our common constituents, I submit the entire question, as being qualified to give a full exposition of their wishes and opinions. I shall be ready to concur with you in the adoption of such system as you may propose, reserving to myself the ultimate power of rejecting any measure which may, in my view of it conflict with the constitution, or otherwise jeopardize the power of the country—a power which I could not part with even if I would, but which I will not believe any act of yours will call into question.

I beg leave particularly to call your attention to the accompanying report from the secretary of war. Besides the present state of the war, which has so long afflicted the territory of the United States, the numerous matters of interest therein referred to, you will learn from it that the secretary has instituted an inquiry into the abuses, which promises to develop gross enormities in connection with the Indian trade, which have been neglected, as well as in the expenditures for the removal and subsistence of the Indians. He represents also other irregularities in the war between the Indians, which will require the appropriation of upwards of \$200,000 to correct, and which claim the immediate attention of congress.

In reflecting on the proper means of defending the country, we cannot shut our eyes to the consequences, which the introduction and use of the power of ocean upon the ocean are likely to produce, and which we may have to face. We cannot yet see the extent to which this power may be applied in belligerent operations, concerning which it is done with recent improvements in the science of gunnery and projectiles, but we need have no fear of being left, in regard to these things, behind the most active and skillful of other nations. It is generally admitted that the delivery of a conservative proper encouragement and direction from government.

True wisdom would, nevertheless, seem to dictate the necessity of placing in perfect order the military institutions which are designed for the protection of our principal cities and roadways. For the defence of our extensive maritime coast, our chief reliance should be placed on our navy, and, by those institutions which

are destined to recommend themselves to public adoption—but no time should be lost in placing our principal cities on the seaboard and the lakes, in a state of entire security from foreign assault. Separated as we are from the countries of the old world, and in much unafflicted by their policy, we are happily relieved from the necessity of maintaining large standing armies in times of peace. The policy which was adopted by Mr. Monroe, shortly after the conclusion of the late war, and the policy which is now in vogue, are equally sufficient for the command of a large military force, should the necessity of one arise, is founded as well in economy as in true wisdom. Provided the government will fill the ranks with the best men, which can readily be done on any emergency, for the introduction of a system of discipline, both promptly and efficiently. All that is required in time of peace is to maintain sufficient number of men to grant our fortifications, to meet any sudden contingency, and to encounter the first shock of war. Our chief reliance must be placed on the sailors, who constitute the grand body of national guard, and, inspired by an ardent love of country, will be ready at all times, and at all seasons, to report with alacrity to its defence. It will be regarded by congress, I doubt not, as a suitable time, as one of its highest duties to attend to their complete organization and discipline.

I cannot avoid recurring, in connection with this subject, to the necessity which exists for adopting some suitable measure, whereby the circulation of banks by the states may be corrected in future. Such result can be most readily achieved by the Congress, which will be expected to be the subject of a report among themselves, which they can only enter into with the consent and approbation of this government. A measure which might, in the present emergency, demand, just demands, that the Congress in advance of any action by the states as an inducement to such action upon terms well defined by act of Congress. Such a measure would be the subject of the action of the states would find in the experience of the past, and the condition of the present, most to sustain it—and it is greatly to be doubted whether the states, in the future, will be able to lengthen of time successfully, while the states shall continue in the unrestrained power of creating banking corporations. This power can only be limited by their Congress.

With the adoption of a financial agency of a satisfactory character, the hope may be indulged that the treasury will be able to raise a permanent fund, to meet the auxiliary needs, and some measure inseparably connected with its success, will doubtless claim the sanction of congress. Among such a distribution of the needs of the government, it is provided such distribution does not force upon congress the necessity of imposing upon commerce heavier burdens than those contemplated by the act of 1833, would be the subject of the action of the states would find in the experience of the past, and the condition of the present, most to sustain it—and it is greatly to be doubted whether the states, in the future, will be able to lengthen of time successfully, while the states shall continue in the unrestrained power of creating banking corporations. This power can only be limited by their Congress.

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fore unjust legislation would be substituted by one dispensing equality to all the members of this confederacy. Whether the duties which should be made directly to the states in the proceeds of the sales, or in the form of profits by virtue of the operations of any fiscal agency having the proceeds of the sales, would well deserve its consideration. Nor would such disposition of the proceeds of the sales, in any manner, prevent congress from requiring the states to contribute to the maintenance of laws for the benefit of the actual settlers, or from making any new arrangement as to the price of the public lands which might in future be extended desirable.

The state of the navy pension fund requires the immediate attention of congress. By the operation of the act of the 3d of March 1837, an "act for the better regulation of the administration of the navy pension fund"—that fund has been exhausted. It will be seen, from the accompanying report of the commissioner of pensions, that there will be required, for the payment of navy pensions, on the first of July next, \$24,006,061, and on the first of January, 1842, in sum of \$60,000. In addition to these sums, about \$6,000 will be required to pay arrears of pensions which will probably be allowed between the first of July and the first of January, 1842, making in the whole \$150,006,061. To meet these payments, there is, in the treasury, a deficiency of \$121,969,061. The public truth requires that immediate provision should be made for the payment of these sums.

In order to introduce into the navy a desirable efficiency, a new system of accountability may be found to be indispensably necessary. To mature a plan having the positive character has been presented to me, competent, and to meet the just expectations of the country, requires more time than has yet been allowed to the secretary at the head of that department. The hope is indulged that the navy will be able to meet the demands of importance, in connection with this branch of the public service, may be matured for your consideration.

Although the laws regulating the post office department only require from the officer charged with its direction to report at the annual annual session of congress, the postmaster general has presented to me some facts connected with the financial condition of the department, which are deemed worthy the attention of congress. By the accompanying report of that officer, it appears that the annual income of that department, beyond the means of payment at its command, cannot be less than \$500,000. As the laws organizing that branch of the public service, have been so defective as to incur the expense of the department, and the necessity of its maintenance, it is not, therefore, left to congress to determine whether the department shall continue to be paid from the public treasury, or whether that department shall continue under its present embarrassments. It will be seen by the report of the postmaster general, that the department has incurred, in several of the states, have been made at such reduced rates of compensation, as to encourage the belief that if the department was relieved from causing difficulties, its future operations could be conducted without any further call upon the general treasury.

The power of appointing to office is one of a character the most delicate and responsible. The appointing power is even more exposed to be led into error. With anxious solicitude to select the most trustworthy for official station, I cannot be supposed to possess a personal knowledge of the qualifications of every applicant. I deem it therefore proper in this public meeting, to invite on the part of the senate a just scrutiny into the character and pretensions of every person I may bring to their notice in the regular form of a nomination for office. Unless persons every way trustworthy are employed in the public service, corruption and irregularity will inevitably follow. I shall with the greatest cheerfulness, and with the most anxious solicitude, regarding it as wisely constituted to aid the executive department in the performance of this delicate duty. I shall look to "consent and advice" as given only in the most judicious manner, and I shall, on every occasion, also, at the earliest proper occasion, invite the attention of congress to such measures as, in my judgment, will be best calculated to regulate the service of the executive department in reference to its public meetings.

I shall also, at the proper season, invite your attention to the wretchedness of the suppression of the slave trade, and the necessity of its being more efficient in their provisions. There is a strong belief that the traffic is on the increase. Whether such increase is to be ascribed to the abolition of slave labor in the British colonies, or to the increase of the demand for slaves in the general consumption of the world, thereby augmenting the demand from other quarters, and thus creating an additional labor market, I cannot say. The highest considerations of public honor, as well as the strongest promptings of humanity, require a resort to the most vigorous efforts to suppress the trade.

In conclusion, I beg to invite your particular attention to the interests of this District; nor do I doubt but that the interests of the District will be promoted by its advancement in commercial as well as its local interests. Should congress deem it to be its duty to repeal the existing sub-treasury law, the necessity of providing a suitable place of deposit for the public moneys which

less than the last congress, and on which they were divided in the vote.

A clerk having announced the fact of the attendance of a quorum, Mr.

Mr. Hunt moved a resolution that the members present vote upon the organization of the house by election of speaker.

Mr. Feltner was understood to inquire whether the resolution should not express the manner of the election?

Mr. Hunt was understood to say he would insert viva voce.

Mr. Lewis Williams moved to amend the resolution by striking out the words "viva voce," and inserting the words "by ballot." He said, in support of this motion, that the choice by ballot was the good old mode which had prevailed ever since the foundation of the government, and within a few years since, when the "viva voce" was established for what purpose it was not necessary now to say. He was in favor of restoring the ancient custom, or custom, which had prevailed so long, and not of introducing the new rule. He hoped, therefore, the house would adopt the amendment he proposed.

The question on the amendment was then taken; an affirmative vote having been given, the clerk declared himself unable to decide by the sound.

Mr. Weller asked for tellers; and the house having signified its assent thereto—Mr. Weller and Mr. W. C. Johnson were appointed tellers by the clerk.

Mr. Hopkins inquired of the clerk if it was in order to call for the yeas and nays.

The clerk said the gentleman had that right.

And the house having ordered the yeas and nays, the question on the amendment was taken and decided in the negative. Yeas 66, nays 134. So the amendment was rejected.

And the question recurring on the resolution—Mr. W. C. Johnson moved to amend it by inserting after the word "speaker" the words "and clerk."

Mr. Everett was understood to say that the house must go into the election of speaker before organization, but that it was not necessary to make any provision or to do any thing but that before organization.

Mr. Hunt said that, for the purpose of organizing the house, we must have a speaker. The speaker's first duty was to swear in the members, and he, (Mr. H.) was not aware that the house, at this stage of its existence, had ever adopted any resolution other than for the election of speaker. That being done and the members bring sworn in, then a resolution to proceed to the election of clerk would be introduced as a distinct, independent proposition, to be acted on by them as sworn members of the house.

Mr. W. C. Johnson did not see, he said, any difficulty in acting upon the proposition in this way. He would, however, withdraw the motion.

Mr. Wier renewed it. The effect of it, he said, was simply this: that the house would proceed to the election of clerk to-day as well as to the election of speaker. That was the whole sum and substance.

Mr. Fillmore inquired whether it had not been usual immediately after the election of speaker for that officer to administer the oath to the members? The clerk replied that it had been usual.

Mr. Fillmore hoped, then, that the custom would be departed from.

Mr. Wier said that the election of speaker would, as a matter of course, take precedence. The speaker being elected under the resolution, he would administer the oath to the members, and then the house would proceed to the election of clerk. That was the whole operation.

Mr. Hunt said he was as much in favor of going into the election of clerk to-day as the gentleman from Virginia (Mr. Wier) was; but it seemed to him (Mr. H.) that the house had better organize first. He moved the question would be taken on his resolution.

Mr. Randolph objected to the amendment, on the ground that it was not in order before a speaker had been elected.

Mr. Barnard objected to the amendment on a constitutional principle. He thought it wrong. He thought it bad, as it was, could now do nothing but elect a speaker. When a speaker had been elected, and the members were sworn in, which they could not be till then, a motion might then be made and proceed to the election of clerk.

Mr. Wier, to meet this objection, said he would so modify his motion as to say that the house would proceed to the election of speaker, and thereafter, and after the speaker had sworn in the members of this house, to the election of clerk in like manner.

Mr. Barnard. That does not obviate my objection.

Mr. Wier said that the house could take time to go into the election of clerk as well as speaker, and might make the order for the election of both in the same resolution as well as to proceed under a different resolution to each case.

Mr. W. then read the following note to rule 18 of last congress:

"There is no law, resolution, rule or order directing the appointment of the clerk of the house. On the 1st April, 1789, being the first day that a quorum of the house assembled under the new constitution, the house immediately elected a clerk by ballot, without a previous order having been passed for that purpose, although, in the case of the speaker, who was chosen on the same day, an order was previously adopted."

Now, (continued Mr. W.) although this was the first time, yet he thought that the order should be taken for clerk as well as speaker. The election of the one need not interfere with the election of the other; and the election of both was necessary to the speedy organization of the house. It was a question simply whether the house would take them separately as to one, or conjointly as to both. He preferred the latter mode, so that the house might proceed immediately to business. He would not detain the house by dwelling on the difference between twaddle-dun and twiddle-dee.

Mr. Tinkling was understood to object to the amendment—arguing that what was necessary to be done before the members were sworn in must be done, and that what was not necessary ought not to be done.

And the question being taken, the amendment of Mr. Wier was rejected.

And the question then recurring on the resolution of Mr. H. and his friends, it was decided in the affirmative without a division.

So the house determined to proceed at this time to the election of speaker viva voce.

The clerk appointed Messrs. Underwood, of Kentucky, clerk of the house of New Hampshire, and John C. Clark, of New York, tellers to superintend the roll. The house then proceeded to vote, and the following was the result:

The whole number of votes polled	221
Necessary to a choice	111
Of which Joseph Lawrence, of Pa. received	5
Henry A. Wise, of Virginia	8
John White, of Kentucky	121
J. W. Jones, of Virginia	84
Scattering	1

So, on the first vote, the hon. JOHN WHITE, having received a majority of the whole number of votes, was declared to be duly elected speaker of the house of representatives of the 27th congress. Mr. Underwood, of Kentucky, and Mr. Clark, of Pennsylvania, were requested by the clerk to wait upon the speaker, to inform that gentlemen of his election, and to conduct him to the chair.

Accordingly, in a few moments, the speaker appeared, and, standing in the chair; whereupon, he addressed the house as follows:

GENTLEMEN: I cannot sufficiently express the obligations I feel for the distinguished honor conferred upon me. I undertake the discharge of a duty in this position with profound distrust of my qualifications. I am sensible of the magnitude and difficulty of the task, of its arduous duties, of its high responsibilities. Six years' service in this body has taught me that this chair is not bed of down, especially in a time of great political excitement. Nothing but a conviction that the same generous confidence which placed me here would continue to support me in the faithful and impartial discharge of my duty could have induced me to accept this trust, where the duties of the chair were more important, its responsibilities greater, its intrinsic difficulties more embarrassing. Independent of that exalted feeling—feeling—the result, in all five governments, of pro-railroad rivalry—the consideration and discussion of those great questions which have caused the convention of this special congress will no doubt give rise to high political excitement. Under those circumstances, I dare not hope I will be able to give any satisfactory answer to the question whether I shall be impartial. I may be. I shall, however, be my constant purpose to discharge the functions of this station with a singleness of purpose and a full-tilt intention that will secure to me the approbation, I trust, of all the friends of our country.

Candor, gentlemen, compels me to say I have never made the rules of this house or parliamentary law my particular study. Experience in discharge of the duties of this chair, I may say I have none.

The qualifications necessary to a prompt and able discharge of the duties of speaker are multifarious; some of them difficult. I will not detain you by enumerating them all; the mention of one, however, which I consider paramount to all others, I cannot omit. I need scarcely say I allude to that of impartiality—a rigid and uncompromising impartiality towards every member; to the exercise of this qualification I pledge myself. The occupant of this chair should neither lend the influence of his position to make this house subservient to executive dictation, nor, on the other hand, to encourage a factious opposition to executive recommendations. Passive obedience to executive will is not less fatal to liberty than anarchy itself. The true spirit of a house of representatives is to meet faithfully and fearlessly. If it be true, as I hope and believe it is, that this house is the citadel of American freedom—the great shield and anchor of the constitution—the great inquest of the nation—should not all its deliberations be characterized with order, with decorum, with dignity? I invoke you, gentlemen, let all our proceedings be marked with forbearance, moderation, courtesy and patriotism. If, by any means, this body has impaired its high character as a dignified deliberative organ, gentlemen, accept my grateful thanks for this high mark of confidence and regard. And I entreat you, let all our proceedings be such as to sustain the dignity of this house, maintain the honor of the country, promote the public good, and preserve, unimpaired, the integrity of this glorious institution.

The oath of office was thereupon administered to the speaker by Mr. Lewis Williams, of North Carolina, the gentleman holding the oldest commission as a member of this house. The members were then called in the order of the states, and were qualified in the usual form by the speaker.

Mr. Wier rose and moved that the house now proceed to the election of clerk viva voce, taking that, he said, to be the sense of the house, as they had already elected a speaker in that way.

Mr. Barnard moved to amend the motion by striking out the words "viva voce," and inserting the words "by ballot."

Mr. Wier inquired of the gentleman from New York (Mr. Barnard) whether the house had not already voted to prefer the viva voce mode of election?

Mr. Barnard. In relation to the speaker, yes. Mr. Wier would like, he said, to hear some good reason assigned, if there was any, why a change should be made in the case of clerk.

Mr. Barnard. I do not propose to debate the question. I prefer to vote.

Mr. Clifford asked the yeas and nays on the amendment.

[Several voices: Old no—no—vote it down at once.]

Mr. Clifford said: Well, if the house was willing to vote it down, he would withdraw his motion for the yeas and nays. And the motion was accordingly withdrawn.

And the question on the amendment of Mr. Barnard was then taken, and decided in the negative without a division. So the amendment was rejected.

And the question then recurring and was taken on agreeing to the motion of Mr. Wier; and was decided in the affirmative without a division.

So the house decided that it would now proceed to the election of clerk.

A message was received from the senate, informing the house that a quorum of that body had assembled, and that the senate was ready to proceed to business.

The following gentlemen were then nominated for clerk:

Matthew S. C. Clarke, of Washington, by Mr. Wigfall.
F. O. J. Smith, of Maine, by Mr. Randall.
Hugh A. Garland, of Va. by Mr. Goodell.
Richard C. Mason, of Va. by Mr. Powell.
The speaker appointed Messrs. Wier, of Va. as Randolph, of Maine, and Goodell, of Va. to act as tellers.

The house then proceeded to vote, and we present below the results of the respective ballots:

	1st vote	2d vote	3d vote	4th vote
Whole number of votes	223	219	216	224
Necessary to a choice	112	110	108	112
M. S. C. Clarke rec'd	83	81	91	128
F. O. J. Smith	90	90	80	67
H. A. Garland	81	61	15	6
Richard C. Mason	13	17	32	19

So Mr. Clark moved to adjourn, on the 4th day, a majority of the yeas being declared to be duly elected.

Whereupon Mr. Clarke appeared and took the oath of office.

[After the announcement of the result of the second vote, Mr. Proffitt moved an adjournment.

Mr. Wise asked the yeas and nays.

Mr. Proffitt withdrew the motion. Mr. Dawson introduced his colleague, the hon. R. L. Gamble, representative-elect from the state of Georgia, who was qualified and took his seat.

After the announcement of the result of the third vote, Mr. J. C. Clark moved an adjournment.

Mr. Kim called for the yeas and nays, but withdrew the motion.

And the question having been taken, the house refused to adjourn.]

Mr. Campbell, of South Carolina, introduced his colleague, the honorable James Rogers, representative-elect from that state, who was qualified and took his seat.

On motion of Mr. Adams, the usual message to the senate, informing that the house had organized by the election of a speaker, was adopted.

Mr. Wise offered the usual resolution, for the appointment of a committee on the part of this house to join such committee as might be appointed by the senate, to wait on the president of the United States and inform him that a quorum of the two houses had assembled, and that congress was ready to proceed to business, &c.

Mr. McKen moved to amend the resolution by striking out the word "president" of the U. States, and inserting the words "vice president," now occupying the office [as the reporter understood] of president of the United States.

Mr. McKen supported this motion in a constitutional argument. He did not know, he said, whether the house was disposed to entertain any discussion on the question. For the first time in the history of our country the question arose whether the vice president became president by the death of that officer. He (Mr. McK.) believed that the individual at the head of the government was not president of the United States. He spoke from no invidious feeling. No man had a higher regard for that gentleman than himself; but he believed he was only vice president exercising the office of president of the United States.

Mr. McK. then read the two following passages from the constitution of the United States:

"The senate shall choose their other officers, and also a president pro tempore, in the absence of the president, when he is disabled, to exercise the office of president of the United States."

"In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the senate shall devolve on the vice president, and the congress may by law provide for the ease of removal, death, resignation, or inability both of the president and vice president, declaring what officer shall then act as president, and such officer shall act accordingly, until the disability be removed, or a president shall be elected."

Mr. McK. enforced his position by an examination of the intent and meaning of these passages, and by reference to the debates in the convention that framed the constitution. He contended for these authorities that Mr. Tyler was not actually president of the U. States, but merely vice president, executing the powers and duties of the former office. He expressed his intention, however, to vote for the regular salary of \$25,000 attached to the presidential office; and concluded by urging the house not to mingle this matter with the political discussions of the day, but to regard it as a grave constitutional question, which should set the point at rest for all future time.

Mr. Wise said the point had been raised, because the vote on the amendment would settle the relation in which we stood to the president of the United States. And he must be permitted to say that he knew the fact that the present incumbent would claim the position that was by the constitution, by election and by the act of God, vice president of the United States. That gentleman had with sentiments of deep sorrow regretted that office had devolved upon him. But so it was. The constitution of the United States held this language:

"In case of the removal of the president from office, or of his death, resignation, or inability to discharge the powers and duties of the said office, the same shall devolve on the vice president; and congress may, by law, provide for the ease of removal, death, resignation, or inability, both of the president and vice president, declaring what officer shall then act as president," &c.

The office of president devolved on the vice president, and as the house had no rules as yet, and

the reformer no previous question, and that the house of the U. States, and John Tyler, president of the U. States.

Mr. McKen asked for the yeas and nays on his amendment; which were refused.

Mr. Lillmore moved an adjournment.

Mr. Fillmore inquired if the senate had adjourned? The answer from several quarters was, yes.

And the question being taken, the house, (by yeas 80, yeas not counted), refused to adjourn.

The question was then taken on Mr. McKen's amendment and it was rejected. And the resolution was adopted.

And the question being taken, the report should have been disposed of. And Mr. U. submitted a motion to that effect.

Mr. Wis moved that the standing rules and orders of the last congress be adopted for ten days, and that a committee be appointed to revise them and report, &c.

Mr. Underwood insisted on the necessity of a radical change of the rules—and suggested to Mr. Wis to modify his motion so as to make the rules of the last congress the rules of this, until a committee should be reported and the report should have been disposed of. And Mr. U. submitted a motion to that effect.

Mr. Adams moved to amend the amendment by inserting the words "except the 21st rule, which is hereby repealed."

Pending these motions—the house, at half past five o'clock, on motion of Mr. Briggs, adjourned.

Tuesday, June 1. The question relative to the 21st rule, was resumed. The following is the said rule, now moved to be rescinded:

Art. 21. "No petition, memorial, resolution, or other paper praying the abolition of slavery in the District of Columbia or any state or territory, or the slave trade between the states or territories of the United States in which it now exists, shall be received by this house, or entertained in any way whatever."

Mr. Wis suggested that, in order that the house might receive the message of the president of the United States, action upon this resolution and proposed amendments be postponed by general consent.

Mr. Pickens had no objection to this course, but he had a resolution to offer which he regarded as almost, if not entirely, a question of privilege, since it was for the rights of members to seats. He was desirous that the resolution should be acted on to-day, but did not wish to interfere with the proposition of the gentleman from Virginia. (Mr. Wis.)

Mr. Wis said he did not see the gentleman from Massachusetts (Mr. Adams) in his seat, a thing which was unusual. He (Mr. W.) had no desire to debate the amendment proposed by that gentleman; and if it was the understanding of the house that there should be no debate, he hoped the question would be taken now.

It was here suggested that the absence of Mr. Adams was a good reason why the question should not now be put.

Mr. Pickens said it was clear that the motion of the gentleman from Massachusetts (Mr. Adams) could not be acted upon without debate. He (Mr. P.) did not know what the temper of the house might be in relation to it, as he had heard no remarks made. But, he repeated. It seemed impossible that the question could be acted upon without debate. He would, therefore, suggest that the course indicated by the gentleman from Virginia (Mr. Wis.) should be pursued, and that the further consideration of the subject should be postponed. He [Mr. P.] merely made the suggestion. He was not himself disposed to debate.

Mr. Wis said it did not seem to him that there was any manifestation of a desire on the part of the house to go into a debate. If there was, he should press his motion to postpone.

Mr. McKen asked the yeas and nays on the amendment; which were ordered.

Mr. Adams now being at the moment in his place, some conversation ensued as to the probability of the subject inducing a debate, and the propriety of deferring it until the president's message should be received and read.

Mr. Sibly suggested that as an act of courtesy to the gentleman from Massachusetts (Mr. Adams), the amendment should not be acted on in his absence.

Mr. Adams appeared, and addressed the house for nearly three quarters of an hour in favor of his amendment.

Mr. Wis said he did not intend to enter into this debate, much less into the spirit of this debate. And, with a view to enable the house to receive the message, he would move to lay the whole subject on the table for the present.

Mr. Adams then being agreed to, the subject of Mr. Adams' motion on the table, for the present.

The house was then engaged in the following action: a proposition to the manner in which members should obtain a clearance or clearance on seats, and on a proposition to have the desks removed from the floor of the hall. A motion to lay the whole subject on the table was negatived by yeas and nays, yeas 82, yeas 120.

Mr. Briggs then rose and obtained leave to make a report from the joint committee appointed to wait on the president of the United States. Mr. S. reported that the committee had performed the duty assigned them, and that the president had requested them to say that he would make a communication to each house immediately.

A message in writing was received from the president of the United States, through Robert Tyler, esq. his private secretary, for which, see account preceding of this day, page 218.

Mr. Barnard moved that the message and accompanying documents be laid on the table, and that they be printed; and that 10,000 extra copies be printed for the use of the house, of which 5,000 should be printed with the accompanying documents.

Mr. Briggs. Let the whole number be printed with the documents.

Mr. Barnard said he had no objection, and he modified his motion, so that the motion should be:

Mr. Bolin asked Mr. Barnard to accept twenty thousand as a modification. For his own part, he would rather say fifty thousand than twenty thousand. There had been no period in the history of our country when the people were looking with so much anxiety for the message of the president as at this time; and, under these circumstances, he hoped that twenty thousand at least would be printed.

A brief debate ensued, and several amendments to the resolution were suggested, but failed by decided majorities—and the resolution was adopted, the house refusing to order the yeas and nays thereon.

Mr. Adams offered the following resolution:

Resolved, That a committee of one member from each state in the union be appointed on the part of this house, to join such committee as may be appointed on the part of the senate, to consider and report by what token of respect and address may be properly the Congress of the U. States to express the deep sensibility of the nation to the event of the decease of their late president, William Henry Harrison; and that so much of the message of the president as relates to that melancholy event be referred to the said committee.

Which was adopted unanimously.

[In accordance with the above resolution the speaker, on the 21st inst. announced the following members to constitute said committee: Messrs. J. Q. Adams, of Massachusetts; Wm. P. Fessenden, of Maine; Albertson, of N. Hampshire; Tillamuth, of Rhode Island; T. W. Williams, of New York; Horace Everett, of Vermont; Greig, of New York; Ayer, of New Jersey; Sergeant, of Pennsylvania; Rodney, of Delaware; W. C. Johnson, of Maryland; Talaford, of Virginia; L. Williams, of N. Carolina; John Campbell, of S. Carolina; W. C. Dawson, of Georgia; Pope, of Kentucky; A. V. Brown, of Tennessee; S. Mason, of Ohio; E. D. White, of Louisiana; Wallace, of Indiana; Miller, of Missouri; Cross, of Arkansas; J. M. Howard, of Michigan.]

Mr. Barnard offered the following resolutions:

Resolved, That so many only of the standing committees named in the rules of the last house of representatives shall be appointed at the present session as shall be necessary to transact the business of the house, and take charge of and consider the several subjects presented in the message of the president just read, and requiring, in the opinion of the house, the action of congress at the present session; except that the committee of elections and the committee on accounts may also be appointed.

Resolved, That a select committee of nine members shall be appointed to take charge of and consider so much of the president's message as relates to the currency of the country and a fiscal agent for the government.

Resolved, That a select committee of nine members shall be appointed to take charge of and consider so much of the president's message as relates to the disposition of the public lands and of the proceeds of mines thereon.

These resolutions were read for information, and then laid over.

The house then resumed the consideration of the subject relative to seats—after a few minutes, Mr. W. C. Johnson moved to lay the whole subject on the table; which motion was agreed to, yeas 105, yeas 108.

Mr. Graham, of North Carolina, gave notice that on to-morrow, or so soon as the rules and business of the house would permit, he would present a bill to repeal the sub-treasury law. The house then adjourned.

CHRONICLE.

"ATLANTA," is the title of a new tragedy, written by Judge Comd, in which Perce is personating the hero with decided effect at New York. The incident is of the "Jack Cade" era. The poet says: "It abounds in the noblest language; and if we mistake not there are many passages in this play which will be quoted hereafter as familiarly as some of the finest epigrams of the golden age."

REV. DR. BETHEUNE and lady sailed from Philadelphia on the 24th ult. for the Mediterranean. The health of Mrs. B. has been considerably improved, and since the funeral obsequies to the memory of Gen. Harrison, Dr. Bethune's health has been feeble.

CATHOLIC BISHOPS. We understand that the rev. P. R. Kenrick, has been appointed a bishop of the Roman Catholic church, and will be consecrated at St. Louis. Mr. Kenrick is of Philadelphia, and brother of bishop Kenrick of this city. [Pha. U. S. Gaz.]

The right rev. bishop England, departed on his way to the Catholic church, London, on last day, and on Saturday morning, previous to embarking on board the Britannia, for Liverpool.

BANKS. The draft of a memorial to congress from the chamber of commerce at New York in behalf of a national bank was adopted ayes 36 to nays 20. The memorial is to be printed under the direction of a committee having charge of the subject, and the same committee are requested to call on the various chambers of commerce bodies of the union, to aid in the great work of establishing a national currency.

The directors of the Frederick County bank have requested the holders of the notes to send them in or to notify them of their numbers and description without delay. No discovery of the robbers yet.

CORN LAWS. A writer in the Glasgow Argus, who signs himself "The Clearing," writes in a letter to a "New land," asserts that "it is no exaggeration to say, because it can be demonstrated, that the corn law here is a pretentious game at least 200,000 persons annually in Great Britain." Well, then, the writer says, "What punishment the Almighty may have in store for the producers of so much misery, it is not for fallible men to attempt to scrutinize."

ROBERT F. CRYST, who was cast in Virginia last year, for selling stolen goods, has been convicted of burglary at Lynch, and sentenced to five years' imprisonment at Auburn.

CATTLE. Mr. Wolcott's sale of fine cattle at Franklin, N. H., went off with spirit. There were 27 animals sold, the highest at \$550 and the lowest, a calf, at \$23. "Kate," eight years old, sold for \$305; "Cleopatra," four years old, sold for \$300, and "Isabel," five years old, sold for \$250. There were also several milkers, and were every way worthy the prices paid. "Prince Albert," a nice imported Berkshire pig, was sold for \$110. He does credit, it is said, to the English breed. [New York Times and New American.]

COTTON. The Charleston Mercury says the last cotton crop was about 1,600,000 bales.

New Orleans, May 19. The sales for the last three days embrace 11,903 bales, at full prices. The market has been unaffected by the war in Mexico. Liverpool classification—Louisiana and Mississippi, ordinary 9 1/2; good fair 10 1/2; middling fair 10 1/2; fine 11 1/2; good fair 12 1/2; good and fine 13 1/2.

COPPER. The Michigan state geologist states in his report that there is a rock near the Ontonagon river in that state, weighing three or four tons, called the copper rock, a part of which has been analyzed and yielded 98 per cent. of pure metal.

COPY-RIGHT OF TWO YEARS AFTER THE MAST. The Newburyport Herald states that the Harpers have Mr. Dana only \$200 for the copy-right of this work. They have sold, it says, already 30,000 copies, on which they have made \$5,000, and expect to realize \$5,000 more from it.

CURENCY. The Detroit Daily Advertiser of the 21st says there is no change for the better. "Bank of Michigan sells at fifty cents for the dollar for specie, and is received by many merchants at from five to six millings on the dollar. Farmers and mechanics and Northern Insurance, in great demand, but very little in circulation. State scrip will probably be issued next week."

CUBA. Prince Angoula, ex-governor of Cuba, sailed in the *Silve de Gray*, for Havre.

DEED. Judge Richard Winn died at his residence, near Alexander, La., on the 5th ult. from an attack of congestive fever. He was for several years a member of the senate and a member of the state and national conventions was a candidate on the Van Buren ticket for congress. He is said to have been much admired and beloved by his friends, and the members of the bar in his neighborhood paid a just tribute to his memory.

DEATHS. From the beginning of the reign of George III. up to this time, that is, during his reign and those of George IV, William IV, and Victoria, there have been about 300 deaths in England. Out of these, in three cases about the parties were killed; of the balance, 90 were killed, 160 were wounded desperately, 60 slightly, and the remainder escaped unhurt. It is estimated that during the last thirty years, one-fifth of those engaged are killed and about one-half are injured.

loss severely injured. Out of all these 200 deaths, in which were engaged 400 principals and 400 seconds, 800 in all, there have grown out 20 prosecutions at law; which twenty prosecutions have resulted in 10 acquittals, 6 convictions of manslaughter, and 4 convictions in the first degree. Of the 4 persons convicted, 2 were hanged and 2 imprisoned. Some of the names standing highest in English history have been engaged in the case, such as the Duke of Wellington, Lord Byron, Lord and Richmond, Lord Sturges, Macarty, Exmouth, Townsend, Talbot, Lauderdale, Londonderry, Malins, Sir John, Sir Charles, Sir George, London, the Duke of Wellington, Pitt, Fox, Sheridan, Canina, Tennyson, Sir Francis Bardon, and many others. The English take a good deal about the loss of life and property in the country, they would look at home they would see ten deaths, in which members of the house of lords or commons were engaged, to one in this country, in which a common man was a party. [New York Journal.]

DR. ELDRIDGE. A third jury is now empanelled at Philadelphia, endeavoring to come to an unanimous opinion as to the guilt or innocence of the accused.

EXCHANGE. New York on England 8 1/2; on Boston 1 1/2; Philadelphia and Baltimore 4 1/2; Washington 4 1/2; New Orleans 3 1/2; St. Louis 3 1/2; Savannah 3 1/2; Mobile 1 1/2; New Orleans 7 1/2; St. Louis 9 1/2; Louisville 9 1/2; Cincinnati 9 1/2; Nashville 12.

FOUR has advanced in the New York Philadelphia market to \$4 1/2. The imports in Baltimore last week were 5,907 bbls. 439 lbs.

FIRE. The "National theatre" lately erected at New York, was set fire to in eight or nine places on Friday evening last. The cause was discovered, and it was supposed, exhausted, but before day next morning, flames burst from the building, and it was soon again a pile of ruins—having been built upon the site of a theatre that was burnt down a few years since. A person has been arrested on suspicion of being the incendiary. A trial scene was burned under the roof of an adjoining building.

THE GREAT FORTRESS. A person supposed to be the English spy, who was a forger, who had stolen half a dozen of the banks no longer since out of some fifty or eighty thousand dollars, was pursued from Hingham, Penn., to St. Louis, Mo., and there arrested. He had been by several different names, viz. Williams, Shaw, &c. and was sporting freely. His person attracted the description in the advertisement, and his hand-writing was said to resemble that of John Brown. Being brought before Judge Brown under habeas corpus, he was discharged, "because evidence" not being deemed sufficient proof to detain him.

LOCKPORT. The population of the village of Lockport, N. Y., the census just taken, is 6,953 about the same as last year.

PRIZE EXTERMINATION. About 1,200 square miles real estate, 360,000 persons, 225,000 sheep, producing 400,000 pounds of wool per annum. No wonder can be afforded to wear command on his vest.

ST. PETERSBURG, at the close of 1840, according to official returns contained 70,302 inhabitants, 8,651 houses, and 168 churches, of which all were of the Greek rite, except 21 of various other persuasions.

ROTS. The disturbances on the Croton water works, New York, have been renewed, and rows between the Cockburn and Fenderson sections, are of frequent occurrence. The laborers assembled nightly, and commit all kind of outrages, such as burning stables and out-houses, tearing down fences, and things of a like nature; and on the night of the 23d, they assembled in a gang and tore down the house of a contractor named McGinnis. The mob was about three hundred strong, and proceeded with their work, although they were repeatedly fired upon by the officers of the police and others.

SCHOOLS. There are now 250,900 children in the common schools of Pennsylvania. That's the way to make good republicans.

SUMMARY. The brig *Minstrel*, well known as a passenger vessel between Ireland and Quebec, left America on the 21st April, with 141 emigrant passengers, and had a fair passage until the 1st May, morning, when they were overtaken by a heavy sea running at the time the boats were launched and made fast to the fore chains. Upwards of one hundred passengers embarked in the boat, but their hands were equally unfortunate companion on board the ship, except four of the crew and four passengers, who alone of upward of the 150 souls remained to tell the tale. They were during the night in a heavy sea, which was towing across, and fortunately for them the rope which attached it to the vessel broke when they were down. They succeeded in pulling to White Point, where they were rescued by the *Minstrel*, which was towing across, and brought to Grimsby. Captain Osterhouse, of the *Minstrel*, behaved bravely, and saved the lives of all the passengers, except one who perished with the rest. He declared that he would

not leave the vessel until his passengers were saved, and he was the last person seen by those who were in the tug.

A NEW APPLICATION OF STEAM POWER TO BOATS. The Norfolk Herald of Thursday says: The new steamboat built expressly to test the utility of the plan, has been sent out of propelling vessels by the steam engine, made an excursion on the canal on Tuesday, with general Scott, the president and directors of the Canal company, and other gentlemen. The result was a complete success, and the conviction of the complete success of the plan, and of its capacity for supplying all the deficiencies of the steamboats heretofore in use. It can be used in ships of war, in the navy, and in the coast guard, and in fact, indeed, for harbor and coast defence, less so than they now are, as it dispenses with spars and rigging; and in canal boats, it is said, without causing any wasting away of the timber, and without what is done by the ordinary tow-boat. Of the speed there is, as yet, no opportunity of forming a correct idea, for the fact being a mere experiment; it is believed that some improvements which have been suggested by its operations, would surpass her in that particular. We can say, however, that upon all disadvantages, she has made from 20 to 25 miles an hour. We but very soon to be able to furnish a fuller specification of this most important improvement in steam navigation.

THE STEAMER BRITANNIA, on entering the harbor at Halifax 30 hours from Boston, struck on a cluster of rocks off Sambro's point, in a dense fog, and was wrecked immediately; it was thought advisable to proceed to St. Johns, where the tide would admit of examining, and if necessary, repairing her bottom without her embarking, and without alarm to those that will be looking for her in England.

SPECTER. Her Britannic majesty's ship *Electra*, left Valparaiso, Chile, in February last, for England, with over a million of dollars in specie, 700,000 of which she got on her way to England, and the balance in specie. The *Natchez* at New York brings \$102,000 in specie.

SUGAR. Two hundred years ago, sugar could only be had of the apothecary. Now, the annual consumption of the drug in the United States alone, is estimated at eighty millions of pounds! "Want sweet foods!"

TEMPERANCE REFORM. The Washington Temperance society of Boston, composed, it is said, exclusively of men who were hard drinkers, already numbers upwards of twelve hundred. It was called into existence by the efforts of a powerful and influential committee by the committee of the Washington Temperance society of Baltimore, during their recent visit to that city. The members of the German Reformed church state that they had been looking for a "Natchez" at Philadelphia. "He held in Montgomery county, it was resolved, that "no rum seller" shall hereafter be admitted to church membership.

Tobacco. At Baltimore prices declined about 25 cents in the hundred pound—prime Virginia 10 1/2; middling 10 1/2; good 10 1/2; and fine 10 1/2. Kentucky of fair quality sold for export, at 85. Ohio not much inquired for, holders are not willing to sell. Maryland 150 bbls. Virginia 43 bbls. Kentucky and 10 bbls. Virginia—total 1,692 bbls.

The St. Louis papers say: "The Oceana brought down in St. Louis last week 30 bbls. of tobacco, the product of the Platte country—a section of the state scarcely inhabited two years ago. Preparations are making for the extensive cultivation of tobacco in that fine region of Missouri."

THE THUNDERBOLT. British exploring brig, is at anchor in the Delaware—from whence she will sail in a few days for England.

WESTERN LAW. The Cleveland Palladium reports a case of which the following are the main facts: It appears that the trustees of A. T. Brooks and others in Clinton county, Ohio, for abduction of negroes and getting up a riot; the jury understood the judge to charge that they must bring in three guilty or not; but not being able to make up their minds, they brought in a verdict that all were guilty, and left the court to select the offenders. Three of these were not proved to have been present, nor were their names mentioned by any witness, yet the court pronounced them guilty, and that although it was evident there was no evidence against them, still it had not been proved that they were not present, and guilty and the rest. Thirteen individuals were made to elect their punishment, and one of them and water for five days; five of the thirteen to pay a fine of \$20 each, and eight others a fine of \$5 each. The judge said that during the trial, he was in consideration of poor health imprisoned but a few hours.

WATER. A young woman employed in the Albion cotton factory, Troy, N. Y., wore in the month of March 2 7/8 dollars. No. 221—wages for the month, \$22.50.

WHEAT. Prices have advanced in the Baltimore market from \$1.00 to 1.02 for Maryland red, \$1.13 for white, and \$1.09 for Pennsylvania red.

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FOREIGN ARTICLES.

Recall of the corn laws. All England is occupied with this great question. The scheme of ministers is to adopt a fixed duty on imported corn, viz: 4s. 6d. per quarter of 8 bushels, equal to 22 casks per bushel of 70 lbs.; 5s. sterling on rye; 4s. 6d. on barley, and 3s. 4d. on oats.

Connected with this scheme is another to lower duties on foreign sugars, and by increasing the duties on timber from Canada in effect to lower that upon timber from the Baltic.

These measures all make up one scheme, and the consequence is that it has carried the agriculturalists, the ship owners, the East and West India proprietors, and not least, the anti-slavery interest to combine against ministers. The leading Tory aristocracy, as the chief landed proprietors, are opposed to a change in the laws that will bring foreign corn from cheap countries into competition with that raised on a soil which like the land of England, has to bear such a weight of taxation. The ship owners object to the increase of duty on Canada timber, and the anti-slavery people, and the colonial slave owners, unite in declaring that the admission of foreign sugars will ruin the free sugar colonies.

Against this formidable array, ministers have the free trade people, and stronger than these, the hundreds of thousands of operatives in the great cities and manufacturing towns, whose first want is cheap bread.

On occasion of a petition presented in the house of lords, by Earl Fitzwilliam, signed by 35,000 persons from Leeds, in favor of repealing the corn laws, the duke of Wellington made a speech against any change.

The main question upon the alteration of the corn laws will not come on till some time this month; but in the incidental discussion upon altering the duties on sugar, the whole range of the subject is run through, and the leading minds of the nation are at work.

This is undoubtedly "the word of fear" which ministers pronounced, when, as is freely charged, not from any love for the measure, but for the sake of keeping their own places, they threw before the nation the proposition to repeal or essentially modify the corn laws.

If defeated in parliament, it is said they have the permission of the queen to go to the people, and by dissolving the house of commons, take the chances of a new election under the banner of free trade in corn, and cheap bread. [N. Y. Amer.]

The Philadelphia United States Gazette publishes the following letter, said to be written by a gentleman in London, whose official station gives him an opportunity to see and judge, from which it would appear that ministerial action is not to be seconded, though, ere long, the duties must fall:

London, May 17. We are in great agitation here. Ministers have proposed an alteration of the corn laws, and sugar and timber duties. And, although

Vol. X—Sec. 15.

the first debate (which is on sugar) is not through, they know they will be beaten by twenty-five to forty votes, and wish to resign; but the queen, who has an absolute antipathy to the Tories, objects, and has refused to accept their resignations. If they go out now, they will come in again in six short time, considerably strengthened. But if they pass the poor law, and then dissolve, their enemies, who vote for the law in the house of commons, and oppose it at the hustings, will beat them in a new parliament. But still the corn laws are doomed to a change before long.

SOUTH AMERICA.

Islands of the Pacific. Population in the Sandwich Islands. What is the amount of the population at this time? Is it known with any degree of exactness? We suppose not. According to the census of 1836 it amounts to 108,750. The census of 1838 gave 130,218, as follows, viz:

	1832.	1836.	Decr. in 4 yrs.
Hawaii,	43,792	39,364	6,428
Maui,	35,062	24,199	10,863
Molokai,	6,000	6,000	
Lanai,	1,600	1,200	400
Kahoolawe,	80	18	
Oahu,	29,755	26,809	1,946
Kauai,	10,977	9,934	2,043
Niihau,	1,047	993	54

If these data are correct, they exhibit a decrease of 21,734, in the short space of four years.

NATIONAL AFFAIRS.

EXPRESS. The rapidity of the express conveying the president's message east, we believe, without a parallel. The following is a statement of the time at which the express arrived at and left the principal points on the route, leaving Washington at 8 minutes before 12 o'clock, M. on Tuesday, 1st instant.

Arrived at Baltimore	1 06.	Left do.	1 30
"	Hovre de Grace 2 23		
"	Winnington 4 00		
"	Philadelphia 5 15		
"	N. Brunswick 8 00		
"	Jersey City 9 01		
"	New York 9 30		
"	Boston	9 36,	having been delayed three hours by a dense fog.

The message was taken from Washington to Frederick, on the Baltimore and Ohio rail road, a distance of 84 miles, in exactly three hours. The last twenty miles, from Mount Airy to Frederick, was run in 30 minutes, the last 6 miles in 7 minutes, and the last 3 miles in 3 minutes, (this last at the rate of 60 miles an hour!)

On being received in Frederick, Messrs. Stockton & Falls sent an express with it to the west, to overtake the fast mail.

CONSULAR. The president has recognized James Winthrop Andrews, esq. as consul of the republic of Venezuela for the port of Boston, and Duncan Robertson, of Norfolk, as vice consul of Sweden and Norway for the state of Virginia.

BOUNDARY LINE BETWEEN THE U. STATES AND TEXAS. It is reported that by the line now being run by the two governments, *seventeen* townships will be sliced off the Red River district, Louisiana, and added to Texas.

NORTHEAST BOUNDARY. Brig Mollo, captain Forbes, employed to survey and explore the northeastern boundary, cleared at New York on Friday, for the river St. Lawrence. She carries out as passengers, hon. Albert Smith, of Portland, commissary; O. Goodrich, assistant commissary; Messrs. Richard A. Gilpin, William A. Waller, Edward R. Brill, Edward Anthony and John A. Munroe, esq. letters.

LETTER FROM THE MINISTER OF THE U. STATES AT LONDON TO THE SECRETARY OF STATE.

London, of the U. S. London, May 3, 1841.
 Sir: The arrival of the British Queen last week brought the painful intelligence of the death of the president of the United States, at the seat of government on the 4th of April. I deemed it proper to communicate immediately to Lord Palmerston

the melancholy event, and have the honor of forwarding to you copies of my note and his lordship's reply. You will see that the manner in which the intelligence was received, and the feeling expressed on the part of the queen and her government.

As the representative of my government and an American citizen, I also deemed it proper to assemble such of my countrymen as were in London at my house for the purpose of paying respect to the memory of the chief magistrate, and expressing their sympathy under such an unexpected calamity. A copy of their proceedings I now transmit. They were published, as you will see in the English papers. I am, sir, very respectfully, your obedient servant,
 A. STEVENSON.

DANIEL WEBSTER, esq. secretary of state.
 Mr. Stevenson to Lord Palmerston.
 22 Upper Grosvenor St. April 29, 1841.

My Lord: It is with deep concern that I hasten to communicate to your lordship the painful intelligence I have just received of the death of WILLIAM HENRY HARRISON, the late president of the United States, which took place at the city of Washington on the morning of the 4th inst.

In communicating this melancholy event, I feel persuaded that your lordship and the British nation will fail to participate in the general grief into which this sudden calamity has plunged the whole body of the American people. I pray your lordship to accept assurance of my distinguished consideration and respect.
 A. STEVENSON.

Lord Palmerston to Mr. Stevenson.

Foreign Office—April 30, 1841.
 Sir: I have the honor to acknowledge the receipt of the letter which you addressed to me on the 29th instant, announcing to me the melancholy intelligence of the death of general Harrison, the president of the United States.

I have not failed to lay this communication before the queen; and I have received her majesty's commands to express to you the deep and unfeigned regret with which her majesty has received the painful tidings of the sudden decease of the distinguished individual who has been so recently elevated by his fellow citizens to the honorable and important post of their chief magistrate.

I beg that you will have the goodness to communicate these her majesty's sentiments to the new president and to his government, and to assure them that the British government fully participates in the grief which this unexpected calamity has caused to the American people.

I avail myself of this opportunity to renew to you the assurances of the high consideration with which I have the honor to be, sir, your most obedient humble servant,
 PALMERSTON.

DOMESTIC MANUFACTURES.

To the editors of the state of Pennsylvania.
 Sleeping into the capitol a few days since in order to see our members, they appeared to be a very respectable body of men. Looking a little more minutely I came to the conclusion that every member of both houses was dressed in English broad-cloth or foreign fabrics—if this is the fact, how much did it take to equip each member? Say on an average \$100, both houses consists of 135 members making \$13,500, however what e'er the precise amount may be, the gentlemen members sent it to foreign countries, instead of encouraging Pennsylvania and her factories—members who thus decorate themselves at the expense of the state—does the act render them more economical more fit or competent to make pure wholesome domestic Pennsylvania law?

What a contrast between our members and queen Victoria's mother respecting national integrity; the making a present of a erudite quilt to her granddaughter, it must be exclusive of English manufacturing—our members, their clothing must be of foreign manufacturing.

Therefore for the honor and benefit of the state and the integrity of the people, it is to be hoped, that no member will ever appear in the legislative halls dressed in English broad-cloth or foreign fabrics.

These remarks do not only apply to the members of the legislature but they apply to at least nine-tenths of the people of the state, all encouraging foreign countries by wearing their fabrics in preference to our own.

When standing before the glass adjusting these foreign fabrics upon our person, if we only had Pennsylvania blood in our bodies, we should we should shrink back with indignation at the injury we have done, and are inflicting on the country which we are bound by every tie of honor and gratitude to support. In order, therefore, to retrace our steps and to come out clean and hand for our country, let us form ourselves into a grand society, that is, every man and woman, boy and girl within the pale of the state, to be a society within themselves for the promotion of domestic industry of every description.

The imports of clothes amounts to about 8 millions yearly—this is truly deplorable, lamentable, that we, men, citizens of the United States should so far forget our love of country as to pay 8 millions yearly for our clothing instead of adding our own factories which are languishing for want of our assistance. As the last 50 years of our government ended with December, 1840, let us commence the present 50 years as real friends to the country by using domestic clothing instead of foreign, and to live within our income.

The imports of silks on an average amounts to about 16 millions yearly—the ladies are patriotic, possess too much love of country, not to retrace their steps and lend their aid which is very powerful in lowering the imports and furthering domestic industry—the day is not far distant when our ladies will be more engaging and more attracting in their domestic calicoes, than those in their costly French, Italian or English silks. Why should it not be so, the former supporting the country, the latter supporting foreign countries—and it is to be hoped the day is not far distant when our ladies will dress themselves in domestic silks, and appear more engaging and lovely than they ever did in foreign productions.

Agreeable to the late census, Pennsylvania contains 1,700,560 human beings; now supposing each cost only \$10 for foreign fabrics which would amount to 17 millions yearly—were we only faithful to our own state, and keep this amount entirely among ourselves by employing our own people in place of foreign, in a few years it would not be poor Pennsylvania but it would be Pennsylvania against the world.

The two candidates for the highest office in the state, which ever succeeds, will for the honor of the state and his integrity, take the oath office in a domestic suit of clothes manufactured in some of his neighboring wares.

Never was there in any age, more union of agricultural more concert of action in that of we citizens of Pennsylvania in favor of foreign factories and machineries—from the highest citizen to the lowest from the richest to the poorest, from the father to the sons, from the mother to the daughters, all as it were vying with each other who can wear the finest foreign fabrics, and send the most money to the subjects of the kings and queens of Europe.

These kings and queens, especially queen Victoria, must laugh in their sleeves, and would even try to out load us with their interest to do so, at our credulity. No general ever had his army better trained than they have or in their favor, and against our particular interests.

Let us then my fellow citizens throw off the foreign yoke, and come out boldly Pennsylvanians, each of us determined to buy no more foreign goods, listen not to others but do your own duty, consequently our factories would come into existence, as by the power of magic.

This communication has to contend against a powerful opposition, but it is nothing, we will stick to the ship Pennsylvania as long as we are able to buy, pay and wear domestic clothing.

W. McKINIGHT.

The above communication was first inserted in the *Harrisburg Keynote*, with the remark—

"The sentiments expressed in the following communication have a smack of primitiveness" about them which perhaps do little to recommend them to the favor of modern political economists. But there are no doubt a number of our readers who will cheerfully respond to the doctrines of the writer and not less readily because of their resemblance to those of the wise and venerated Franklin."

[*Keynote*, May 1st, 1841.]

THE OREIDAS. These red men, observes the *Buffalo Journal*, entered into an arrangement for the charter of the Fairport, at \$850, to carry them to Kettle Creek, their place of destination, and left on Thursday last. Among those who have gone with this detachment, are the kindred of many that have "done this same service" in bygone days.

*Primitive means—state of being, original, antiquity, conformity to antiquity.

Moses Schuyler, who had his 900 men under Winfield Scott, during the last war, was not the least conspicuous of the brave and the good granddaughters of the famous chief, Skeneado, spoken of by col. Stone, in his sketch of Brant. One of these girls, and she has just attained that age where the female form assumes its exquisite contour, symmetry and classic action, is allowed to be decidedly the noblest specimen of the uncivilized Indian, now existing among the remnant of the Six Nations. She is represented to be the admiration of all the young chiefs, and the envy of all her female associates. She is a daughter of a young law.

The agent also pointed out to us a chief whose age has been authenticated at 103 years. His name is Peter Somers, or, as he is familiarly called, "Good Peter." This old man is in full possession of his faculties, and quite eloquent. On the day on which the boat arrived, Peter got out at Black Rock and walked to the city, beating the tardy gaited canal craft half a mile. His eagerness, he said, was to walk over and behold once more his old hounding ground and the little town of Tebrosoroo.

THE SENECA. Our Buffalo namesake is in error as to the number of Indians in the service upon the Niagara frontier during the last war. There were never more than five hundred upon the warful in the conflict, and the majority of these were Senecas. They were moreover attached to the command of general Peter B. Porter, not to that of general Scott. Schuyler, by the way, is a very interesting man, has a fine head, and ought to have been painted, before he commenced his journey toward the setting sun. There is yet another Schuyler, of the Ooridas, who refuses, we believe, to emigrate. He is one of the most interesting looking men we ever saw. His head is a noble study for an artist, and if W. H. W. who has painted the Indian, yet exhibited to New York, will go up to the old castle "in the leafy month of June," he may add another laurel sprig to the wreath of his name. We should like a copy.

Persons, that whose descendants are mentioned among the emigrants, was not only a great but a good man. He died in 1816, at the advanced age of about 110 years, and, agreeably to his own request, was buried in Clinton, by the side of his friend the revolutionary war, Samuel H. Johnson, who was once intemperate. One night, about sixty-five years before his death, being in attendance upon an Indian council with sir William Johnson, in Albany, he became so intoxicated as to fall in a gutter, whence he was taken up to the morning. Stung with mortification, he vowed never to taste the "fire water again," and he kept his pledge. Under the preaching of Mr. Kirkland he became an exemplary Christian, and died in the faith and triumph of Christianity. His funeral services were preached by the late rev. Dr. Backus, president of Hamilton college. We have a very eloquent and touching speech of Skeneado in manuscript, for future use.

Another interesting Indian mentioned as being among the emigrants, is Peter Somers, or "Good Peter," or "Domino Peter," as he has been called. This worthy man has long been a historical personage. His name appears in our revolutionary history. In the appendix to Dr. Will Clinton's Historical Collections on the Six Nations, is the report of a speech of Good Peter, delivered at a council held in Albany, in 1789, which is one of the best specimens of Indian eloquence extant. The council was held by governor George Clinton, and the speech was reported by young De Witt.

The late censorious councillor, Sumner, to whom, as a profound legislator, the state of New York was more indebted than to any other man, in the communication to the New York Historical society, spoke highly of Good Peter. In regard to the young chief, De Witt Clinton, Mr. J. Jones thought it not so good as one which he (Mr. J.) heard him deliver the preceding year at Fort Stanwix. Mr. J. preserved an outline of the last mentioned speech, though not the language. In the evening, at Good Peter's request, we witnessed the passage of the white people for land, and the thirst of the Indians for the fire-water, were equally insatiable; that the white men had zero and fixed their eyes on the Indians' good land, and the Indians had zero and fixed their eyes on the white men's keg of rum,—and that nothing could divert either from their desired object; and therefore there was no remedy—but the white man must have the land, and the Indian the keg of rum.

The evening into a volume of president Dwight's travels in that evening, we witnessed the following passage respecting "Good Peter," which is alike interesting and beautiful:

"While Mr. Kirkland was a missionary to the Orendas, being answell, he was unable to preach on

a certain Sabbath, and told Good Peter, one of the heads of the Orendas, that he must address the congregation. He modestly but reluctantly assented. After a few words of introduction he began a discourse on the character of the Saviour. "What, my brethren," said he, "are the views which you form of the character of Jesus? You will answer, perhaps, that he was a man of singular benevolence. You will tell me that he proved this by his character by the nature of the miracles which he wrought. All these, you will say, were kind in the extreme. He created bread for thousands who were ready to perish. He raised to life the son of a poor woman, who was a widow, and to whom his labors were necessary for support in old age. Are these, then, your only views of the Saviour? I tell you they are lame. When Jesus came into our world he threw his blanket around him, but the God was within!"

Doctor Dwight states that he received the anecdotes from Mr. Kirkland's own lips; and we will testify the whole American pulpit to excel this little illustration of the Saviour's character, either in force, simplicity or beauty. How little did president Dwight imagine, when penning this incident, that a quarter of a century after his own decease, this same "Good Peter" would be on the march with the fragments of his nation for a new country as the great west!

[N. Y. Com. Adm.]

UNION. We find in the *Winechester Republican* the concluding paragraphs of an address delivered by the rev. Spencer H. Cone, during the sitting of the Baptist Convention in Baltimore. The Bible cause was before the body, and Mr. Cone was urging the importance of union in all works of benevolence designed for the diffusion of Christian knowledge and the amelioration of the human family:

"The successful prosecution of this enterprise union is indispensable. Do soldiers, and politicians and men of the world, appreciate duly the importance of this principle, to their various sphere of action? God forbid that they should continue to be warring in their generation, then the children of light are in their hearts, in coming to this meeting, our heart was deeply affected while I learned upon the arm of a brother and gazed upon the Calvert street monument, erected to the memory of the brave men who fell at the battle of North Point, September 12, 1814. The first names which were inscribed upon the monument were McComas and Wells; and as in instant, the scenes of that memorable day were present. We belonged to the battalion of Sharp Shooters, and were stationed in the edge of a wood, within three miles from the point; when one of the videts riding furiously to his quarters, delivered the stirring news that the British were landing below us. The general immediately sent one of his aids along the line for two hundred volunteers, including thirty Sharp Shooters, to feel the pulse of the enemy. As they stepped out, one after another, Wells said to me, I am this day 21 years old—just out of my apprenticeship; I know I shall be shot, but I'll go with you—live or die. We advanced rapidly to ascertain the position of the invaders, and were soon upon them; swift flew the leaders messengers, and one of the first was sent to poor Wells; it passed through his head, and he faintly exclaimed, *I am a dead man*. Oh, never shall I forget the sound of his voice as he uttered the words, *I am a dead man*. He turned his eyes to me, he looked up in my face—till across my feet, and expired.

"My brethren, shall men thus devote themselves to their country, and follow their leader, whether to live or die, and shall we not manifest equal devotion to the cause of the great Captain of our salvation? Do we talk of union?"

"Baltimoreans! participants in the scenes of Sept. 1814, preach to American Baptists, I beseech you, on the nature and necessity of union. Remember the bombardment of Fort McHenry, as from the opposite hill top we watched the range of red and white flames, and the smoke of the enemy's guns, as they poured in their shot and shells, as they were so warmly as though it were the death knell of some brother in arms; remember, that full ten thousand men were at the same moment pressing with feeble feet our native soil, and already within a few miles of the city of Washington; and as we were prepared to meet them here, every avenue but miles around was crowded with women and children, flying for safety; then, when we saw the troops from Maryland, Virginia and Pennsylvania coming to our aid, did we ask—*from what states do they come?* Did we pause to consider the following questions or local prejudices! No! the stars and stripes upon their floating banner bespoke a common country and a common cause; and to preserve the old American Eagle from the British lion's paw, we

the ardent, the common purpose of every patriotic heart. We heard the immortal Washington, the father of his country, though dead, still speaking—*united we stand, divided we fall; and shoulder to shoulder we breathe the storm of war.* And still we not much farther be united in winking the sword of the spirit, which is the word of God; in obeying the commandment of Him who came not to destroy men's lives, but to save them?"

We register the foregoing extract not only on account of its wholesome spirit, but also in justice to the memory of the brave young soldier whose fate was deplored at the time his death was announced. From his boyhood he had marked his intrepidity. He was a native of Annapolis, which city has contributed as many, if not more martyrs to the cause of the country in both of the wars we have had with Great Britain, than any community of the same number in the nation. It was from Annapolis that SMALLWOOD's regiment marched to the front rank of Washington's army and so gallantly sustained the brunt of the battle upon Long Island, establishing a reputation for the "Maryland line" which never was afterwards questioned during the revolutionary war. In 1814 Mackinnon and Miller, two of the very handsomest and most promising young men of Annapolis, forming part of a detachment of volunteers, were sent to the front, where the capital was threatened, mustered and marched without orders to join general Winder's army at the Long-old Finks, were killed—both shot in the face, whilst posted at the right of the regulars and waiting for orders to fire upon the enemy as they approached over the bridge at Bladensburg. One of a third member of that little detachment, died after the battle, of actual fatigue. He had a frame incapable of the effort required, but a spirit which did not allow him to calculate the danger. He mentioned the above extract was one of the small squad whose fire was fatal to general Ross, the enemy's commander-in-chief on the approach upon Baltimore. His father was commander of an artillery company and in battery at Annapolis, when the fate of his son was communicated to him by the one who penes this paragraph.

"I hope he behaved himself like a man," was the first inquiry. "There is reason to suppose that it was a ball from his rifle that killed general Ross," was the reply. It was consolation to the general, to learn that his son had so distinguished himself, and he yielded him up to his country like a true patriot. Tears trickled from his manly face as he turned and beheld the widow of his son, and, seeing to his mind, that he was only the more willing to encounter the coming foe; it was then supposed that the British were talking back upon Annapolis.

THE ARMY.

At Fort King, Florida, at the last date, 106 men were sick, out of 135 in the garrison. A letter to the Savannah Georgian, dated Gopher Hill, Florida, May 22d, says: "We have received the painful intelligence that the Indians have committed a number of murders in the neighborhood of 'Ocean Pond.' Upwards of an hundred head of cattle have been driven off from Fort Walker. Their trail leads south."

"I presume are indebted to Alluck-tuck-tuck-gee for this last suit. Three days since, four Indians made their appearance at Fort King, and asked for a wagon to bring their families in. This is favorable, and if not, with success in finding Hopkies, we will send the coming winter."

THE NAVY.

National courtesy. Lieut. John S. Payne, of the U. S. schooner Gampus, in a letter to the navy department, under date of Port Paja, March 12, 1841, speaks in the highest terms of the courtesy extended towards him and his sick crew upon their arrival at the Cape de Verda. The sick were admitted to the hospital and barracks without delay. The matter is noticed officially in this National Intelligencer.

Official. Navy department, June 2, 1841. Intelligence has reached the navy department of the arrival of the U. S. sloop of war Yorktown, commander Autick, at Valparaiso, on the 20th of March, in about forty-three days from Rio de Janeiro, all well.

The Daie was expected to arrive at Valparaiso in a day or two, having parted company with the Yorktown on the 26th February off Staten Island.

The U. S. sloop Delaware, captain McCauley, destined for the Mediterranean, was turned down to Hampton Roads on Friday, by the U. S. steamer Poinsett.

We learn, that com. Morris, will shortly leave the navy board, and hoist his broad pennant on board the Delaware.

Tribute of respect. Mianle guns were fired from the U. S. brig Ironsides on this station, and her co-

lors displayed half mast, on Wednesday at noon, as a mark of respect to the memory of commodore Austin, late commander-in-chief of the U. S. naval forces in the Pacific. (Bell. Amer.)

The Norfolk Herald states that lieut. Hunter's experimental steamboat on the plan of the horizontal submerged wheel, has been taken by him to Washington, by order from the secretary of the war, to the Old Point Comfort on Monday morning, having gone down the evening before, purposely during a strong easterly breeze and a heavy sea in the roads, to test the new plan in rough weather.

MARYLAND COLONIZATION CONVENTION.

During the late session of the legislature of Maryland, a meeting of the friends of colonization took place at the seat of government, at which a resolution was adopted calling a convention of delegates to be chosen from the various parts of the state, to convene at the city of Baltimore on the 3d of June, in compliance with which a large number of delegates assembled on that day in the Methodist Episcopal church, Light street. On motion of J. H. B. LANE, of the city of Baltimore, and J. G. CHAPMAN, of Annapolis, was called to the chair and BLAINE MAYER, esq. of the city of Baltimore, was named as secretary, for the purpose of organizing the convention.

After the delegates elected, the reverend clergy of the state were invited to attend and participate in the deliberations of the convention; and the following gentlemen handed in their names to the secretary:

Bishop Waugh; rev. Dr. Henshaw; Geo. D. Purviance; E. Heimer; Mr. Minge; S. C. Jennings; Mr. Guitiere; R. Emory; David Steele; Chas. B. Tipton; Mr. Shepherd; Mr. Burnap; Mr. Guest; Mr. Hamner; Mr. Peck; Mr. Beckus.

LAKE, of Md.; Thos. C. of P. George's, a committee of one member from each county and from the city of Baltimore was appointed to recommend officers for the permanent organization of the convention, who reported the following names, and the convention was organized.

President—JOHN NELSON, of Baltimore city. Vice presidents—Rev. John Mines, of Montgomery; Ohio Scott, of Harford; John G. Chapman, of Custer; Dr. A. C. Thompson, of Dorchester; genl Thos. Emory, of Queen Anne's; genl T. H. Tipton, of Talbot; James B. Fagan, of Allegany; W. H. Tuck, of Prince George's. Secretaries—Blaine Mayer, H. Davy Evans, of Baltimore city.

After appropriate remarks from the president upon taking the chair, and a very interesting address from J. H. B. LANE, esq., president of the Maryland State Colonization society, who presented as from that body a printed communication to the members of the convention, which was read—and on motion of Mr. CHAPMAN was referred to a committee to consist of one for each county and one for the city of Baltimore to report what measures be necessary to be adopted.

A resolution introduced by Mr. Yellot of Harford county for encouraging the Maryland Colonization Journal, and another appropriating the galleries to the ladies was adopted. After which the convention adjourned until next morning, when Mr. Chapman from the committee, which had been meantime in session, reported as follows:

The committee to whom was referred the communication of the board of managers of the State Colonization society, beg leave to report—that they have had the same under consideration, and have weighed the several matters therein suggested with the attention and care that their profound interest demands. As the board of managers justly regard the subject of colonization in Maryland has possessed too long the sanction of the public, expressed abroad among the people, and recorded on the statute books—to render it necessary now to argue its merits or its expediency. These being fully admitted,—and the prosperous condition of the colony, re-established under the auspicious of the state, being proved beyond cavil—it only remains to determine the best mode to be adopted to enable Maryland to avail herself of the advantages which this plan of colonization presents—our care your committee doubt, that this can best be done, by awakening the people of the state to a proper sense of the importance of the subject by keeping their attention constantly fixed upon it. As the board of managers have recommended that commercial intercourse with the colony of Maryland in Liberia, more than any thing else, it is believed, tend to remove prejudice where it now exists, and bring about, at last, that voluntary emigration which, of itself, it is hoped, may be sufficient to accomplish the purposes of colonization.

With these views, your committee present herewith, several resolutions for the action of the convention.

Before concluding their report, your committee would express particularly, their satisfaction with the system of independent state action pursued by the society. Whatever doubts may have originally existed as to the ability of a single slave-holding state, and one too poor, as Maryland, to establish a colony sufficient for all the extent of the colonization within her borders—these have been removed by the success that has attended the colony at Cape Palmas—and it has been clearly proven that there is no necessity whatever for that extraneous interference with subjects connected with the colored population of a slaveholding state, which, no matter what may be its character or object, should, if possible, be always repudiated and prevented. All which is respectfully submitted,

J. G. CHAPMAN, chairman for the committee.

1. Resolved, That this convention look to the removal of the free colored people and manumitted slaves of Maryland with their own consent to Africa, as the legitimate object of the colonization system.

Resolved, That the idea that the colored people will ever obtain social and political equality in this state is wild and mischievous; and by creating among them hopes that can never be realized is at war with their happiness and improvement.

Resolved, That the society would greatly to be hoped that the free colored people of Maryland may see that their best and most permanent interests will be consulted by their emigration from this state; and while the emigration would deprecate any departure from the principle which makes colonization dependent upon the voluntary action of the free colored people themselves,—yet, if regardless of what has been done to provide them with an asylum, they continue to persist in remaining in Maryland, in the hope of enjoying here an equality of social and political rights—they ought to be solemnly warned that in the opinion of this convention they must arrive, when circumstances that cannot be controlled, and which are now maturing—will deprive them of the freedom of choice, and leave them no alternative but removal.

Resolved, That the progress of the colonization enterprise under the direction of the state society has been so far advanced, that it is probable that the present condition of the colony at Cape Palmas affords a happy earnest of the future prosperity of the African American commonwealth on the western coast of Africa, and that the same now offers a home for the free colored people of this state as desirable than any other place in this country or abroad.

Resolved, That the obligations of the people of Maryland, to sustain and cherish the colony, planted by their authority on the western coast of Africa, are sacred and binding nature, and that this convention recognize the same in their full extent.

Resolved, That the plan of independent state action with regard to colonization adopted by the state society, pre-eminently recommends itself to all the slaveholding states of this Union; and dignity alike require them to repudiate and prevent all extraneous interference with any matters connected with the subject of their colored population.

Resolved, That the establishment of direct commercial intercourse between Baltimore and the colony at Cape Palmas is a matter of great importance, and that the delegates to this convention from the different parts of the state, pledge themselves to aid the efforts that may be made in their respective counties, to secure a regular packet to run between the two points.

Resolved, That for the purpose of diffusing intelligence, raising funds, promoting emigration, and generally, keeping alive that interest and active effort in the efforts to distribute and educate the colored masses, it will be essential to the public welfare, it is recommended to the people of the state to form, for these purposes, associations auxiliary to the state society, in every town, village and neighborhood.

Resolved, That the delegates to this convention will use their best exertions, to promote the formation of the auxiliary associations above mentioned, and to procure in each county at least one hundred members to subscribe five dollars annually for the purposes of the society.

Resolved, That the board of managers be requested to aid forthwith, through their agents in the formation of the auxiliary associations in question, and to take measures to distribute Bibles through the state, as early as practicable, the information that has been laid before this convention.

A very interesting debate ensued, in which Mr. Chapman, of Charles county, rev. Mr. R. Emory,

Mr. Carey, of Baltimore, Mr. Mines, of Montgomery, Mr. Casin, of St. Mary's, Mr. Knorr, of Baltimore, Mr. Pignas, of Alleghany, Mr. Estrope, of Baltimore, Mr. Gantt, of Anne Arundel, Mr. Tuck, of Prince George's, Mr. Stewart, of Montgomery, Mr. Giles, of Baltimore, the Rev. Dr. Hershaw, and bishop Waugh, of Baltimore, were the principal speakers. The convention adjourned for dinner. In the afternoon the discussion was renewed. Some modification of the resolutions was proposed and acceded to for the sake of unanimity, after which the whole were adopted. Resolutions were then adopted to carry out the views thus expressed, by instituting agents to visit the auxiliary societies—by employing missionaries from amongst the emigrants already established in the colony—by subscribing for the purchase of a regular packet ship to trade between the city of Baltimore and the colony—and by invoking the aid of the clergy of all denominations in the state, in behalf of the philanthropic and Christian aim of this most important undertaking. Thanks were returned to the proprietors of the house in which the convention had been accommodated, and to the officers, &c.; after which the convention adjourned *au revoir*.

POLITICS OF THE DAY.

THE TALLMADGE FESTIVAL IN NEW YORK.

From the *New York Express*, May 27.

The meeting last evening was not only largely attended, but a unity of feeling and interest continued to the end. In all respects it was a gathering of political friends, and precisely such an assemblage will displace the opponents of the administration as much as it gives gratification to its friends.

The elegant saloon of the gardens was thrown open soon after seven o'clock. When all were seated, the number was about five hundred, good men and true, to all of whom the meeting was one of the most pleasant political gatherings they ever participated in to the city.

The following were the officers of the meeting: President—Alderman Bruen, of the Fifteenth ward.

Vice presidents—Henry W. Hicks, Adoniah Chandler, Peter B. Tivus, M. A. Noah, Redwood Fisher, David Graham, Charles B. Tappan, Thomas A. Power, Jacob S. Baker, Robert Smith, Daniel Ullman, R. H. Winslow, J. Phillips Phoenix, Shepherd Knapp, Edward Sanford, Levi Cook, George W. Bruce, George S. Doughty, Charles O'Connor, Benjamin Drake, Barr Walkeman, Wm. L. Stone, Frederick A. Gay.

Committee of reception—Lewis Eaton, Edward Joskins, Mortimer de Mott, C. Crolius, jr, William L. Morris, James D. Oliver, John J. Cisco, John Falconer.

REGULAR TOASTS.

1. The constitution of the United States—formed by American wisdom, sustained by republican laws, and defended by American valor.

2. The memory of William Henry Harrison—drank standing and in silence, the band playing a death march.

3. John Tyler in his elevation to the presidency—much as we lament the event which has produced it, the wisdom of the Harrison convention has been signally illustrated. 3 cheers.

4. Nathaniel P. Tallmadge—The man who dared to be honest in the worst of times. He has his reward in the affection of his friends and the confidence of the people. Received with six cheers.

5. The country—May all its business relations be improved, its wants reduced, and its comforts multiplied.

6. The ship of state—shattered by the tempests of the last twelve years, yet we doubt not the ability of the present crew to bring her safe into port.

7. The national administration—its objects the welfare of the people and the stability of the government.

8. Our foreign relations—Peace at every sacrifice but that of honor.

9. The army and navy—always able and always ready to respond to the calls of their country.

10. The judiciary—The ark of our political safety; poised by the arm that would strike down its constitutional independence.

11. The states—their sovereignty and their union not incompatible.

12. Agriculture, commerce and manufactures—The elements of national prosperity, equally entitled to the fostering care of the government.

13. Our country—may the only tyrants Americans are not authorized to resist.

At the close of the toast in honor of Mr. Tallmadge, which was received with deafening applause, the honored guest rose to speak. His presence called forth a new welcome, and rarely, if ever, has a public man been received with warmer demonstrations of welcome and applause. I rise, Mr. President and gentlemen, (said the speaker), to tender my grateful thanks for the sentiment just given—I do not flatter myself that I have done any thing to call forth such a demonstration as that which I have received, but I do feel that I have deserved to deserve your approbation. I have been assembled upon the present occasion to congratulate one another for the results of a victory growing out of a war waged upon the one side by the executive in behalf of executive usurpation, and the opposition offered by the people in resistance of usurpation.

I was one who aided in the elevation of the late executive, who was permitted to retire to private life. I was prepared to support him if he adhered to those measures which I was supposed would have governed him. I had seen in his illustrious predecessor what I believed to be some aberration of mind, and I was not prepared to see Mr. Van Buren follow in the footsteps of his predecessor. I had seen some of these aberrations. I had been to the Union.

We all saw towards the close of general Jackson's administration some of those usurpations which grew up with the specie circular introduced before the close of the administration, by the senator from Missouri, (Mr. Benton). That measure had been rejected by the senate, and yet it was persevered in by the executive. It was twice rejected, and twice adhered to, even when sustained by the solitary vote of the senator from Missouri himself, as James Monroe did, almost without the show of opposition. I say without the show of opposition—and here I pay a deserved compliment to the whig party. They are a party who go for good laws, by whomsoever administered, and they do a little by whomsoever administered. [Great applause.]

The extra session of 1837 was also alluded to. Mr. Van Buren then, the speaker, brought forward a proposition condemned by general Jackson, and approved by congress, and passed by a party before him, as a measure pronounced officially to be destructive to the fundamental principles of liberty, and subversive of its practices from its establishment down to that time—a measure proposed to one which exposed the treasure of the nation to the control of one hundred hands, when but one before controlled it.

I have no fault to find with Mr. Van Buren for changing his opinion. The complaint I make against him is, that he would not tolerate a consistency of opinion, on the part of his friends—that he would not allow them to think as they had always thought before. He went to the people and the administration after the regular session was defeated. Regardless of this, when congress re-assembled at its regular session, the rejected measure was persisted in, and again recommended. The administration was again defeated, and again, in the exercise of party discipline, the measure was adhered to. In 1838 the administration party was again defeated, and though the great and almost the only measure of the party was thus signally opposed three times by the popular voice, the executive measure was clung to, the executive himself being determined not to bow to the popular voice, and to be compelled to be compelled to retire to private life. Had a public message been so treated by any monarch in Europe, he would have been driven from his throne. Charles the tenth, with his ministers, headed by Polignac, lost their country for a less offense. Were any king of England to attempt to force such a measure upon the people, after having been three times or once rejected by parliament, the insult would not have been borne; and yet by our democratic president it was three times attempted in defiance of the will of the people.

Mr. Tallmadge here left the past administration for the events connected with the late national triumph. We entered upon the campaign, said he, with a man for our chief, renowned for his military labors, and we were rewarded for his civil labors. The revolution was more important to us than the revolution of 1800. It was a pacific revolution, and one of the most important ever accomplished. With a gallant old chief to lead us on, we triumphed, and

the address which came from him, illustrating the principles of government, will last as long as the government itself shall last. The good man has gone to his post, and he is gallant in every respect, and immortality is his. In his death there has been an experiment made on our government. A new man has been called to preside over the councils of the nation. I know him personally, and can speak of him by personal observation. I was in the senate with him, and I know him to be a man of a high order of intellect, of great purity and independence of character, and one who intends to assume the responsibilities which the constitution has placed upon him. He is determined to say no and for him in regard to appointments to office, that when they belong to the executive department he does not interfere, but when they come from the executive he alone is responsible. [Applause.] The blame, if there is any, must fall upon him and nobody else. Mr. T. dwelt at some length upon this topic, and alluded to the controversy in the convention which framed the constitution upon this same topic. In regard to removals from office, he said there must be more or less upon all occasions, when a new administration commences.

The administration brought the people to the verge of ruin, and changes were demanded. I complain not of the applicants for office, said Mr. T. My only regret is that so many worthy men are doomed to disappear from the scene of action, and to be in their action. Mr. Tyler, in his remarks to me, to which I have alluded, said that errors might be committed. But whether there are faults to be found or not, let us indulge no illiberal feelings or private grays by which we shall put in jeopardy the great measures which should be carried out for the good of the country. [Applause.]

Mr. T. next alluded to what would probably form the subjects of consideration at the extra session of congress. As I understood them, said he, and I speak for no one but myself, they will be first, by way of example, and as a warning to all persons who may offend in like manner hereafter, the repeal of the sub-treasury bill. [Deafening applause.] I will not discuss Mr. Benton's measure in any serious and disgusting to all. The matter in which the bill had been brought forth and only was alluded to, not omitting, of course, the agency of one branch of congress in disfranchising a state. You have seen the bill, and you know the nature of the proposition in your city. My old friend, Stephen Allen, a very honest man, as receiver general, put his money in the very bowels of the bank in order to procure a divorce of the bank. [Laughter and applause.]

The substitute to the sub-treasury bill was next considered and listened to with intense interest. Mr. T. first alluded to himself. Though not a member of congress when the old bank charter expired, he was apparently the recipient of a canon, for want of time, gave my reasons at length for the past and present opinions I entertain. I want with gen. Jackson for the state banks. The whigs differed from us; but thinking differently they expressed their opinions faintly. They wished us to test our experiment, and gave us fair play; while the president, one of its friends, turned round and denounced the very measure he had endeavored to establish. Mr. Benton said afterwards that he had intended to destroy the United States bank first, and then the state bank system. One reason why I would not go back to this system now is, that the opposition would fasten upon it, agitate it, carry it before the people, make a new currency question. We should have during such a contest no currency, no peace, no property, no security, no confidence, no bank. [Immense and prolonged cheering.] I shall go openly and without any disguise for a national bank, for the best bank we can get. I will not be particular even in my own judgment. I will go with the friends for whom I act, and who have placed me where I am. [Great cheering.]

The next measure which I suppose ought to be adopted in the bill for the distribution of the public lands. This is one of the most important measures which has been proposed, and its effect upon the stocks of the states will be most beneficial; it will improve the condition of the states. The objection to the measure that the present condition of the finances demanded the expenditure for national defence, is not a good one. Five millions will be required to pay the debt, and twenty millions in any other way. Where were we before these improvements, and what are we now? During a war a single campaign would cost more than all our investments in New York. If war comes, lay direct tax

upon the personal and real property of the state. One-half mill tax upon New York's real estate would amount to \$500,000 dollars. Your improvements have increased the value of this property twenty and a hundred fold; you do more in this way for defects than in any other, for nobody would feel the loss created. Let me, moreover, then, be divided among the states. As a representative intimately connected with this, Mr. Tallmadge spoke of the emancipation bill. I have been, said he, in favor of a permanent pre-emption bill, and always shall be.—(Applause.) But pre-emption distribution of slaves together, and the friends of both measures will be satisfied. Henry Clay was willing to go for the former with the latter. [The mention of Mr. Clay's name called down great applause from the audience.] I am, in general terms, in favor of a pre-emption law, because I wish to take care of the hardy pioneers who dwell in the log cabins of the west. [Mr. Tallmadge spoke eloquently here of some incident in his own domestic life, connected with home and childhood. He spoke of his father a pioneer to the west, and of his father's wish that he should be the first light of the wilderness. The log cabin melodies were not forgotten, and some of the lines were quoted with fine effect.]

"I knew by the smoke that so gracefully curled That the old log cabin was near, I said, if there was peace for one in the world, The heart might find its here."

Another measure likely to come before congress was next considered, the general bankrupt law. Mr. T. said: I give only my own opinions of this measure, and will not discuss it. I have been its friend from the beginning. I believe the law a good one, and that it should be established in every commercial community. I think that the states should make bankrupt laws, and that the laws should be uniform in their character. The effect would be not to increase, but the limitation of the credit system. Congress, in my opinion, does not exercise its duty until it makes this subject the law of the land. (Applause.)

On another measure should be adopted—a resolution to rescind the expurgating resolution. (Immense and prolonged applause.) In regard to this question, the discussion of which excited the most profound attention, Mr. Tallmadge said: In all my conduct before the assembly, I have been its friend, I opposed the mutilation of the journals of the senate. I continued that opposition down to the time I was instructed by the legislature of New York, which followed in the footsteps of Virginia. I had never made my mind to vote for the expurgation, but I was instructed, and having been brought up in the school of instruction, I did not feel at liberty to disobey; but had I known how my friends hated this doctrine, drawing others into it, but never putting in practice, I never should have obeyed. In regard to the doctrine of instruction, I differ with some of the whigs. I would apply the medicine to those who have faith in it. Those who believe in the principle should be made to carry it out. [The position of Mr. Williams on this point, and Messrs. White and Foster, was cited to prove the sincerity of one set of men and the hypocrisy of another in the doctrine.]

Mr. Tallmadge spoke very briefly, only by way of allusion to three other measures. In regard to the late president Harrison's family, he proposed to go into the support of a resolution making a compensation. I hope to hear nothing of precedent, said he, and pray that such precedents may be few and far between. We have a precedent. When De Witt Clinton died, his estate was appropriated by the legislature of New York for his family, and \$20,000 was the sum recommended in one branch of the legislature, and it would have passed the other had not a two-thirds vote been raised. A precedent we have, too, in the legislature of congress. When General Brown, a brave officer, died, general Harrison himself brought forward a bill to relieve his family. (Great applause.)

In regard to a revision of a tariff, and the establishment of a tax, if not general, at least to impose duties upon luxuries, Mr. Tallmadge thought there would be no question, at least to an extent to supply the adequate wants of the government.

Ons moment more, said Mr. Tallmadge, in conclusion. With the president that we have at the head of the government, and with a cabinet that will do honor to any party or any government, (immense applause), there is no danger. Let me exhort my friends of all sections, if there be sections of men, to induce in no private grudge. If there should be quarrels, let them be conducted as were family quarrels, to be settled within the domestic circle, and not disturb the general good. The

great cause is best preserved by passing them over, let us give the opposition no opportunity to rejoice over us. Let us be disappointed. So far as my little influence and example may go, I pledge myself that nothing shall be wanting to carry out the great principles and measures for which we have been contending.

After I shall have gone through the extra session, for which I enlisted when I enlisted for the campaign, I shall feel myself at liberty to receive an honorable discharge. And whether I remain in the extra session, or whether I leave the house in one of the cabins of the west, I shall never forget the kindness manifested for me by my friends.

DOCUMENTS ACCOMPANYING THE PRESIDENT'S MESSAGE.

FROM THE DEPARTMENT OF STATE.

Mr. Fox to Mr. Webster.

Washington, March 12, 1841.

The undersigned, her Britannic majesty's envoy extraordinary and minister plenipotentiary, is instructed by his government to make the following official communication to the government of the United States:

Her majesty's government has had under their consideration the correspondence which took place at Washington in December last, between the United States secretary of state, Mr. Forsyth, and the undersigned, comprising two official letters from the undersigned to Mr. Forsyth, dated the 13th and 29th of December, and two official letters from Mr. Forsyth to the undersigned, dated the 26th and 30th of the same month, upon the subject of the arrest and imprisonment of Mr. Alexander McLeod, of Upper Canada, by the authorities of the state of New York, and the charges now pending against him as having been engaged in the capture and destruction of the steamboat "Caroline" on the 26th of December, 1837.

The undersigned is directed in the first place to make known to the government of the United States that her majesty's government entirely approve of the course pursued by the undersigned in that correspondence, and of the language adopted by him in the official letters above mentioned.

The undersigned is now instructed again to demand from the government of the United States, formally, in the name of the British government, the immediate release of Mr. Alexander McLeod.

The grounds upon which the British government makes this demand upon the government of the United States are these: That the transaction upon which Mr. McLeod has been arrested and is to be put upon his trial was a transaction of a public character, planned and executed by persons duly authorized by her majesty's colonial authorities to take any steps and to do any acts which might be necessary for the defence of her majesty's territories, and for the protection of her majesty's subjects; and that consequently those subjects of her majesty who engaged in that transaction were performing an act of public duty for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country.

The transaction in question may have been, as her majesty's government is of opinion that it was, a justifiable employment of force for the purpose of defending the British territory from the unprovoked attack of a band of British rebels and American pirates who, having been permitted to arm and organize themselves within the territory of the United States, had set out to invade and occupy a portion of the territory of her majesty, or it may have been, as alleged by Mr. Forsyth in his note to the undersigned of the 26th of December, "a most unjustifiable invasion in time of peace of the territory of the United States." But this is a question essentially of a political and international kind, which can be discussed and settled between the two governments, and which the courts of justice of the state of New York cannot by possibility have any means of judging of any right of deciding.

It would be contrary to the universal practice of civilized nations to fix individual responsibility upon persons who, with the sanction or by the orders of the constituted authorities of a state, engaged in military or naval enterprises in their country's service; and it is obvious that the introduction of such principle would aggravate beyond measure the miseries, and would infinitely increase the demoralizing effects of war, by mixing up with national transactions the ferocity of personal passions, and the selfishness of individual revenge.

Her majesty's government cannot believe that the government of the United States can really intend to set an example so fraught with evil to the community of nations, and the direct tendency of which would be to break into the ranks of the nations war atrocities which civilization and Christianity had long since banished.

Nailair can her majesty's government admit for a moment the validity of the doctrine advanced by Mr. Forsyth, that the federal government of the United States has no power to interfere in the matter in question, and that the decision thereof must rest solely and entirely with the state of New York.

With the admission of the federal government's power may exist between the several states that compose the union, foreign powers have nothing to do: the relations of foreign powers are with the aggregate union; that union is to them represented by the federal government; and of that union the federal government is to them the only organ. Therefore, when a foreign power has redress to demand for a wrong done to it by any state of the union, it is to the federal government, and not to the separate state, that such power must look for redress for that wrong. And such foreign power cannot admit the plea that the separate state is an independent body over which the federal government has no control. It is obvious that such a doctrine, if admitted, would at once go to a dissolution of the union as far as its relations with foreign powers are concerned; and that foreign powers, in such case, instead of accrediting diplomatic agents to the federal government, would send such agents not to that government, but to the government of the separate state; and would make their relations of peace and war with each state depend upon the result of their separate intercourse with such state, without reference to the relations they might have with the rest.

Her majesty's government is of opinion that the above is not the conclusion at which the government of the United States intend to arrive; yet such is the conclusion to which the arguments that have been advanced by Mr. Forsyth necessarily lead.

But be that as it may, her majesty's government formally demand, upon the grounds already stated, the immediate release of Mr. McLeod; and her majesty's government entreat the president of the U. States to take into his most deliberate consideration the serious nature of the consequences which must ensue from a rejection of this demand.

The United States government will perceive that, in demanding Mr. McLeod's release, her majesty's government argue upon the assumption that he was one of the persons engaged in the capture of the steamboat "Caroline"; but her majesty's government have the strongest reasons for being convinced that Mr. McLeod was not in fact engaged in that transaction; and the undersigned is therefore instructed to state to the government of the United States that the fact that the capture of the "Caroline" makes no difference in the political and international question at issue; and although her majesty's government do not demand Mr. McLeod's release upon the ground that he was not concerned in the capture of the "Caroline," yet upon the ground that the capture of the "Caroline" was a transaction of public character for which the persons engaged in it cannot incur private and personal responsibility; yet the government of the United States must not disguise from themselves the fact that Mr. McLeod was not engaged in the transaction must necessarily tend greatly to inflame that national resentment which any harm that shall be suffered by Mr. McLeod at the hands of the authorities of the state of New York will infinitely excite throughout the whole of the British empire.

The undersigned, in addressing the present official communication, by order of his government, to Mr. Webster, secretary of state of the United States, has the honor to offer him the assurance of his distinguished services to the British government.

The hon. Daniel Webster, &c. &c. &c.

Mr. Webster to Mr. Fox.

Department of state, Washington, April 24, 1841.

The undersigned, secretary of state of the United States, has the honor to inform Mr. Fox, envoy extraordinary and minister plenipotentiary of her Britannic majesty, that his note of the 12th of March was received and laid before the president.

Circumstances well known to Mr. Fox have necessarily delayed, for some days, the consideration of that note.

The undersigned has the honor now to say that it has been fully considered, and that he has been directed by the president to address Mr. Fox the following reply:

Mr. Fox informs the government of the United States that he is instructed to make known to it that the government of her majesty entirely approve the course pursued by the undersigned in correspondence with Mr. Forsyth in December last, and the language adopted by him on that occasion; and that that government have instructed him again to demand from the government of the United States, formally, in the name of the British government, the immediate release of Mr. Alexander McLeod; that "the grounds upon which the British government make this demand upon the government of the United

States are these: That the transaction on account of which Mr. McLeod has been arrested and is to be put upon his trial was a transaction of a public character, planned and executed by persons duly empowered by her majesty's colonial authorities to take any steps and to do any acts which might be necessary for the defence of her majesty's territories and for the protection of her majesty's subjects, and that consequently those subjects of her majesty who engaged in that transaction were performing an act of public duty, for which they cannot be made personally and individually responsible to the laws and tribunals of any foreign country."

The president is not certain that he understands precisely the meaning intended by her majesty's government to be conveyed by the foregoing instruction.

The doubt has occasioned with the president some hesitation, but he inclines to take it for granted that the main purpose of the instruction was to cause it to be signified to the government of the United States that the attack on the vessel involved in the act of public force, done by the British colonial authorities, and fully recognized by the queen's government at home, and that consequently no individual concerned in that transaction can, according to the great principle of the law, be held personally answerable in the ordinary courts of law as for a private offense; and that upon this avowal of her majesty's government, Alexander McLeod, now imprisoned on an indictment for murder alleged to have been committed in that attack, ought to be released by such proceedings as are usual and are suitable to the case.

The president adopts the conclusion that nothing more than this could have been intended to be expressed, from the consideration that her majesty's government must be fully aware that in the United States, as in England, persons confined under judicial process can be released from that confinement only by judicial process. In neither country, as the undersigned supposes, can the arm of the executive power interfere, directly or forcibly, to release or deliver the prisoner. His discharge must be sought in a manner conformable to the principles of law and the proceedings of courts of judicature. If an indictment, like that which has been returned against Alexander McLeod, under circumstances like those which belong to his case, were pending against an individual in one of the courts of England, there is no doubt that the law officer of the crown might enter a *nolle prosequi* in his behalf, and that he might be brought up on *habes corpus* and discharged, if his ground of discharge should be adjudged sufficient, or that he might prove the same facts, and insist on the same defence or exemption on his trial.

All these are legal modes of proceeding, well known to the laws and practice of both countries. But the undersigned does not suppose that, if such a case were to arise in England, the power of the executive government could be exercised in such a direct manner. Even in the case of ambassadors and other public ministers, whose right to exemption from arrest is personal, requiring no fact to be ascertained but the mere fact of diplomatic character, and to whom it is sometimes made a highly penal offence, if the arrest be actually made, it must be discharged by application to the courts of law.

It is understood that Alexander McLeod is held liable as well as civil as criminal for the acts of the vessel to have been done by him in the attack on the "Caroline," and his defence or ground of acquittal must be the same in both cases. And this strongly illustrates, as the undersigned conceives, the propriety of the foregoing objection to the instruction that the executive government cannot interfere to arrest a civil suit between private parties in any stage of its progress, but that such suit must go on to its regular judicial termination. If, therefore, any course different from that which is here mentioned were in contemplation of her majesty's government, something would seem to have been expected from the government of the United States as little comfortable to the laws and usages of the English government, and to which this government cannot accede.

The government of the United States, therefore, acting upon the presumption which it already adopted, that nothing explanatory or justificatory was expected or requested of it, does, on the reception of Mr. Fox's note, to which we now allude as the occasion and its own duty appeared to require.

In his note to Mr. Fox of the 26th of December last, Mr. Forsyth, the secretary of state of the United States, observes that "the destruction of the 'Caroline' was a public act of persons in her majesty's service, obeying the order of their superior authorities; this fact has not been before

made to the government of the United States by a person authorized to make the admission; and it will be for the court which has taken cognizance of the offence with which Mr. McLeod is charged to decide upon its validity when legally established before it," and adds, "the president deems this to be a proper occasion to remind the government of her Britannic majesty that the case of the 'Caroline' has been long since brought to the attention of her majesty's principal secretary of state for foreign affairs, who, up to this day, has not communicated its decision thereupon. It is hoped that the government of her majesty will perceive the importance of no longer leaving the government of the United States, uninformed of its views and intentions upon a subject which has naturally produced much examination, and which has led to such grave consequences."

The communication of the fact that the destruction of the "Caroline" was an act of public force by the British authorities being formally communicated to the government of the United States, by Mr. Fox's note, the case assumes a decided aspect.

The government of the United States entertains no doubt that, after this avowal of the transaction as a public transaction, authorized and undertaken by the British authorities, individuals, who, in the act, might not, by the principles of public law and the general usage of civilized states, to be held personally responsible in the ordinary tribunals of law for their participation in it. And the president presumes that it would be necessary to say that the American people, not distrustful of their ability to redress public wrongs by public means, cannot desire the punishment of individuals when the act complained of is declared to have been an act of the government.

Soon after the date of Mr. Fox's note, an instruction was given to the attorney general of the United States from this department, by direction of the president, which fully sets forth the opinions of the government on the subjects of Mr. McLeod's imprisonment, a copy of which instruction the undersigned has the honor herewith to enclose.

The indictment against McLeod is pending in a state court; but his rights, whatever they may be, are already secured by the writ of *habeas corpus* were held to answer in one of the courts of this government.

He demands immunity from personal responsibility by virtue of the law of nations, and that the executive authorities, in the case, should be held to account. None is either so high or so low as to escape from its authority in cases to which its rules and principles apply.

This department has been regularly informed, by the undersigned, of the state of the case, that the chief justice of that state was assigned to preside at the hearing and trial of McLeod's case, but that, owing to some error or mistake in the process of summoning the jury, the hearing was necessary.

The president regrets this occurrence, as he has a desire for a speedy disposition of the subject. The counsel for McLeod have requested authentic evidence of his avowal by the British government of the attack on, and destruction of the "Caroline," as acts done under their authority, and such evidence will be furnished to them by this department.

It is understood that the indictment has been removed into the supreme court of the state by the order of the chief justice, and that the case is now competent for McLeod, by the ordinary process of *habeas corpus*, to bring his case for hearing before that tribunal.

The undersigned hardly needs to assure Mr. Fox that it does not seem to him extremely desirable for ability and learning as the supreme court of the state of New York may be safely relied upon for the just and impartial administration of the law in this as well as in other cases; and the undersigned repeats with confidence that the desire of this government that no delay may be suffered to take place in these proceedings which can be avoided. Of this desire Mr. Fox will see evidence in the instructions above referred to.

The undersigned has now to signify to Mr. Fox that the government of the U. States has not changed the opinion which it has heretofore expressed to her majesty's government of the character of the act of destroying the "Caroline."

It does not think that the transaction can be justified by any reasonable application or construction of the right of self defence, under the laws of nations. It is admitted that a just right of self defence attaches always to nations, as well as to individuals, and that it is necessary to the preservation of both. But the extent of this right is a question to be judged of by the circumstance of each particular case; and when its alleged exercise has led to the commission of hostile acts within the ter-

ritory of a power at peace, nothing less than a clear and avowed necessity can afford ground of justification. Not having, up to this time been made acquainted with the views and reasons, at length, which have led her majesty's government to think the destruction of the "Caroline" justifiable as an act of self defence, the undersigned earnestly requests the remembrance of this government against the transaction, abstains, for the present, from any extended discussion of the question. But it is deemed proper, nevertheless, not to omit to take some notice of the general grounds of justification stated by her majesty's government in their instruction to Mr. Fox.

Her majesty's government have instructed Mr. Fox to say that they are of opinion that the transaction which terminated in the destruction of the "Caroline" was a justifiable employment of force, for the purpose of defending the British territory from the unprovoked attack of a band of British rebels and American pirates, who, having been permitted to assemble and organize themselves within the territory of the United States, had actually invaded a portion of the territory of her majesty.

The president cannot suppose that her majesty's government by the use of these terms, meant to be understood that the case then presented was a violation of the laws of the United States, and disturbing the peace of the British territories, were done under any degree of countenance from this government or were regarded by it with indifference, or that, under the circumstances, it was necessary to have been prevented by the ordinary course of proceeding, though he regrets that, by using the term "permitted," a possible inference of that kind might be raised, yet such an inference the president is willing to disavow, and to attribute only to the intentions of the British government.

That on a line of frontier such as separates the United States from her Britannic majesty's North American provinces—a line long enough to divide the action of Europe into halves, heretofore, violence and conflicts should sometimes occur, is a thing against the will of both governments, is certainly easy to be supposed. This may be more possible, perhaps, in regard to the United States, without any reproach to the government of her majesty, but it entirely discourages the keeping up of large standing armies in time of peace, and their situation happily exempts them from the necessity of maintaining such expensive and dangerous establishments. All that the British government has to do in these cases is good faith, a sincere desire to preserve peace and do justice, the use of all proper means of prevention, and that, if officers, cannot, nevertheless, be always prevented, the offenders shall still be justly punished. In all these respects, this government acknowledges no delinquency in the performance of its duties.

Her majesty's government are pleased, also, to speak of those American citizens who took part with persons who were engaged in an insurrection against the British government, as "American pirates." The undersigned does not admit the propriety or justice of this designation. If citizens of the United States fitted out, or were engaged in fitting out, a military expedition, the United States intended to act against the British government in Canada, they were clearly violating the laws of their country, and exposing themselves to the just consequences which must be inflicted on them if taken within the British territories. But, in misunderstanding this, they were, certainly, American pirates, the undersigned thinks that it can advance the purpose of fair and friendly discussion, or hasten the accommodation of national difficulties, so to denounce them. Their offence, whatever it was, had no analogy to that of piracy. Supposing that an alleged against them to be true, they were taking a part in what they regarded as a civil war, and they were taking a part on the side of the rebels. Surely, England and her majesty's government persons thus engaged as deserting the appellation of pirates, her majesty's government bestows on these citizens of the United States.

It is quite notorious that for the greatest part of the last two centuries, subjects of the British crown have been permitted to engage in foreign wars, both national and civil, and in the latter, in every stage of their progress; and yet it has not been imagined that England has at any time allowed her subjects to turn pirates. Indeed, in our own times, not only have individual subjects of that crown gone abroad to engage in civil wars, but we have seen whole regiments openly recruited, embodied, armed and disciplined in England, with the avowed purpose of aiding a rebellion against a nation with which England was at peace; although it is true the avowed, and consequently, an act of parliament was passed to prevent transactions so nearly approaching to public war, without licence from the crown.

It may be said that there is a difference between the case of a civil war, arising from a disputed title, or a protracted revolt of a colony against the mother country, and the case of a fresh outbreak at the commencement of a rebellion. The undersigned does not deny that such distinction may, for certain purposes, be deemed well founded. He admits that a government, called upon to consider its own rights, interests and duties, when civil war breaks out in other countries, may decide on all the circumstances of the particular case, upon its existing situation, on the probable success or failure of its own security requires, and on many other considerations. It may be already bound to assist one party, or it may become bound, if it so chooses, to assist the other, and to meet the consequences of such assistance.

But whether the revolt be recent or long continued, they who join those concerned in it, whatever may be their offence against their own country, or however they be treated, if taken with arms to their hands, in the territory of the government against which the standard of revolt is raised, cannot be denominated private without departing from all ordinary use of language in the definition of offences. A cause which has so long an origin a private claim cannot, in its progress, or by its success, obtain a claim to an entire exemption from the usual consequences of actions; and civil wars, therefore, are not understood to have such a commencement.

It is well known to Mr. Fox that authorities of the highest eminence in England, living and dead, have manifested that the general law of nations does not forbid the citizens or subjects of one government from taking part in the civil commotions of another. There is some reason, indeed, to think that such may be the opinion of her majesty's government at the present moment.

The undersigned has made these remarks from the conviction that it is important to regard established distinctions, and to view the acts and offences of individuals in the exactly proper light. But it is not to be interred that there is, on the part of this government, any purpose of extenuating, in the slightest degree, the crimes of those persons, citizens of the United States, who have joined in military expeditions against the British government in Canada. On the contrary, the president directs the undersigned to say that it is his fixed resolution that all such disturbers of the national peace and violators of the law of their country shall be held to exemplary punishment. Nor will the fact that they are investigated and led on to these excesses by British subjects, refugees from the provinces, be deemed any excuse or palliation; although it is well worthy of being remembered that the prime movers of these disturbances on the borders are subjects of the queen, who come within the territories of the United States, seeking to enlist the sympathies of their citizens by all the motives which they are able to add to those of national enmity, of grievances, real or imaginary. There is no reason to believe that the design of any hostile movement from the United States against Canada has commenced with citizens of the United States. The true origin of such purposes and such enterprises is on the other side of the line. But the president's resolution to prevent these transgressions of the laws, is not, on that account, the less strong. It is taken not only to conform to his duty under the provisions of existing laws, but to conform to the principles and principles and practice of this government.

The government of the United States has, of old, from the first, fallen into the doubts elsewhere entertained, of the true extent of the duties of neutrality. However, this may be, it has, in long and enlightened ages, the just interpretation of the modern law of nations is, that neutral states are bound to be strictly neutral; and that it is a manifest and gross impropriety for individuals to engage in the conflicts of other states, and that it is as well to settle their government is at peace. War and peace are high national relations, which can properly be established or changed only by nations themselves.

The United States have thought, also, that the salutary doctrine of non-interference by one nation with the affairs of others, is liable to be essentially impaired, if, while government refrains from interference, interference is still allowed to its subjects, individually or in masses, it may happen, indeed, that persons, desirous to leave their country, emigrate to other regions, and settle themselves on uncultivated lands, in territories belonging to other states. This cannot be prevented by governments which allow the emigration of their subjects to other parts; and it is not to be supposed that they abandoned their own country, and have no longer claim to its protection, nor is it responsible for their acts. Such cases, therefore, if they occur, show no abandonment of the duty of neutrality.

The government of the United States has not considered it as sufficient to confine the duties of neutrality and non-interference to the case of governments whose territories lie adjacent to each other. The application of the principle may be more necessary in such cases, but the principle itself, it is believed, is being the same, if those territories be divided by the globe. The rule is founded in the impropriety and danger of allowing individuals to make war on their own authority, or by mingling themselves in the belligerent operations of other states, and in the hazard of contracting the policy, or embroiling the relations or their own government. And the United States have been the first among civilized nations to enforce the observance of this just rule of neutrality and peace, by special and adequate legal enactments.

In infancy of this government, on the breaking out of the European wars which had their origin in the French revolution, congress passed laws with severe penalties, for preventing the citizens of the U. States from taking part in foreign hostilities. By these laws, it prescribed to the citizens of the United States what it understood to be their duty as neutrals, by the law of nations, and the duty, also, which they owed to the tolerant and honor of their own country.

At a subsequent period, when the American colonies of an European power took up arms against their sovereign, congress not diverted from the established system of the government by any temporary considerations, not swayed from its sense of justice and of duty by any sympathies which it might naturally feel for one of the parties, did not hesitate also, to pass acts applicable to the case of colonial insurrection and civil war. And these provisions of law have been continued, revised, amended, and strengthened, by the force of the same principles. Nor have they been a dead letter, as it is well known that exemplary punishments have been inflicted on those who have transgressed them. It is known, indeed, that heavy penalties have fallen on individuals, citizens of the United States, engaged in very disturbances in Canada, with which the destruction of the Caroline was connected. And it is in Mr. Fox's knowledge, also, that the act of congress of March 10th, 1838, was passed for the precise purpose of more effectually restraining the citizens of the United States in the British provinces, by authorising the use of the most sure and decisive preventive means. The undersigned may add, that it stands on the admission of very high British authority, that during the recent disturbances, a number of bold and adventurous spirits appeared on the border, seeking it necessary for the people of Canada to keep themselves in a state prepared for self-defence, yet that these adventurers were acting by no means in accordance with the feeling of the great mass of the American people, or of the government of the United States.

This government, therefore, not only holds itself above reproach in every thing respecting the preservation of neutrality, the observance of the principle of non-interference, and the strictest conformity, in these respects, to the rules of international law, but it does not think that the world will do it justice to acknowledge that it has set an example not unfit to be followed by others, and that, by its steady legislation on this most important subject, it has taken the most effectual measures to preserve peace and neighborhood among nations, and to advance the civilization of mankind.

The undersigned trusts that, when her Britannic majesty's government shall present the grounds, at length, on which they justify the loss of the "Caroline," they will consider that the laws of the United States are such as the undersigned has now represented them, and that the government of the United States has always manifested a sincere and impartial administration. If there had been cases in which individuals, justly obnoxious to punishment, have escaped, this is no more than happens in regard to other laws.

Under these circumstances, and under those immediately connected with the transaction itself, it will be for her majesty's government to show upon what state of facts and what rules of national law the destruction of the "Caroline" is to be defended. It will be for that government to show a necessity of self-defence, instant, overwhelming, leaving no room for deliberation, and no moment for delay. It will be for it to show, also, that the local authorities of Canada, even supposing the necessity of the moment authorized them to enter the territories of the U. States at all, did nothing unauthorized or extraordinary. It will be justified by the necessity of self-defence, must be limited by that necessity, and kept clearly within it. It must be shown that almost entire remembrance to the persons on board the

"Caroline" was impracticable, or would have been unavailing; it must be shown that day light could not be waited for; that there could be no attempt at discrimination between the innocent and the guilty; that it would not have been enough to seize and detain the vessel; but that there was a necessity, present and probable, for attacking the vessel in the darkness of the night, while moored to the shore, and while unarmed men were asleep on board, killing some and wounding others, and then drawing her into the current, and, after the seizure, setting her on fire, and, careful to know whether there could not be in her the innocent with the guilty, or the living with the dead, committing her to a fate which fills the imagination with horror. A necessity for all this the government of the United States cannot be liable to have existed.

All will see that if such things be allowed to occur, they might lead to bloody and exaggerated war; and when an individual comes into the United States from Canada, and to the very place on which this drama was performed, and there chooses not to make public and vainglorious boast of the part he acted in it, it is hardly wonderful that great excitement should be created, and some degree of commotion arise.

This republic does not wish to disturb the tranquillity of the world. Its object is peace, its policy peace. It seeks no aggrandizement by foreign conquest, because it knows that so foreign acquisition could augment its power and importance so rapidly as they are already advancing by its own natural growth under the propitious circumstances of its situation. But it cannot admit that its government has not both the will and the power to preserve its own neutrality, and the independence of the observance of its own laws upon its own citizens. It is jealous of its rights, and among others, and most especially, of the right of the absolute immunity of its territory against aggression from abroad; and these rights it is the duty and the determination of this government to rely on at all times to maintain; while it will, at the same time, as scrupulously refrain from infringing on the rights of others.

The president instructs the undersigned to say, in conclusion, that he cordially trusts that all and all other questions of difference between the two governments will be treated by both in the full exercise of such a spirit of candor, justice and mutual respect as shall give assurance of the long continuance of peace and friendship between the two countries.

The undersigned avails himself of this opportunity to assure Mr. Fox of his high consideration.

DANIEL WEBSTER.

Henry S. Fox, esq. &c. &c.

Copy of instructions to Mr. Crittenden, enclosed in the above.

Department of state, Washington, March 15, 1841. Sir: Alexander McLeod, a Canadian subject of her Britannic majesty, is now imprisoned at Lockport in the state of New York, under an indictment for murder, alleged to have been committed by him at the attack on and destruction of the steamboat Caroline, at Sarnia, in this state, on the night of the 29th of December, 1837; and his trial is expected to take place at Lockport on the 22d instant.

You are apprized of the correspondence which took place between Mr. Forsyth, late secretary of state, and Mr. Fox, her Britannic majesty's minister here, on the subject of the above case.

In his note to Mr. Fox of the 26th of that month, Mr. Forsyth says: "If the destruction of the Caroline was a public act of persons in her majesty's service, obeying the order of their superior authorities, and acting in obedience to the instructions of the government of the United States by a person authorized to make the admission, and it will be for the court which has taken cognizance of the offence with which Mr. McLeod is charged to decide upon its validity when legally established."

"The president deems this to be a proper occasion to remind the government of her Britannic majesty that the case of the Caroline has been long since brought to the attention of her majesty's principal secretary of state for foreign affairs, who, up to this day, has not communicated its decision thereupon. It is hoped that the government of her majesty will perceive the importance of no longer leaving the government of the United States unimpressed in its views and intentions upon a subject which has naturally produced much exasperation and which has led to such grave consequences."

I have now to inform you that Mr. Fox has addressed a note to this department, under date of the 12th instant, in which, under the immediate suggestion and direction of his government, he demands, formally and officially, McLeod's immediate release, on the ground that the transaction, on account of which he has been arrested and is to be

put upon his trial, was of a public character, planned and executed by the persons duly empowered by her majesty's colonial authorities to take any steps, and do any acts, which might be necessary for the defence of her majesty's territories; and for the protection of her majesty's subjects; and that consequently those subjects of her majesty who engaged in that transaction were performing an act of public duty, for which they cannot be so personally and individually answerable to the laws and tribunals of any foreign country; and that her majesty's government has furnished Mr. Fox to make known to the government of the United States that her majesty's government entirely approve of the course pursued by Mr. Fox, and the language adopted by him in the correspondence above mentioned.

There is, therefore, now, an authentic declaration on the part of the British government, that the attack on the Caroline was an act of public force, done by military men, under the orders of their superiors, and is recognized by her majesty's government. The importance of this declaration is not to be doubted, and the president is of opinion that it calls upon him for the performance of a high duty. That an individual forming part of a public force, and acting under the authority of his government, is not to be held answerable, as a private trespasser or malefactor, is a principle of public law sanctioned by the usages of all civilized nations, and which the government of the U. States has no inclination to dispute. This has no connexion whatever with the question whether, in this case, the attack on the Caroline was, as the British government think it, a justifiable employment of force for the purpose of detaching the British territory from unproved states, or whether it was a most unjustifiable invasion into the territory of the United States, as this government has regarded it. The two questions are essentially different; and, while acknowledging that an individual may claim immunity from the consequences of acts done by him, by showing that he acted under national authority, this government is not to be understood as changing the opinion which it has heretofore expressed in regard to its real nature of the transaction which resulted in the destruction of the Caroline. That subject, it is not necessary, for any purpose connected with this communication, to discuss. The views of this government in relation to it are known to that of England; and we are expecting the answer of that government to the communication which has been presented to it.

All that is intended to be said, at present, is that, since the attack on the Caroline is avowed as a national act which may justify reprisals, or even general war, if the government of the U. States, in the judgment which it shall form of the transaction, and of its own duty, should see fit so to decide, yet that it raises a question entirely public and political, a question between independent nations, and that individuals concerned in it cannot be arrested and tried before the ordinary tribunals, as for the violation of municipal law. If the attack on the Caroline was unjustifiable, as this government has asserted, the law which has been violated is the law of nations, and the redress which is to be sought, is the redress authorized in such cases by the provisions of that code.

You are well aware that the president has no power to arrest the proceeding in the civil and criminal courts of the state of New York. If this indictment were pending in one of the courts of the United States, I am confident that, should the president, upon the receipt of Mr. Fox's last communication, would have immediately directed a note *prosequi* to be entered.

Whether, in this case, the governor of N. York has that power, or, if he have, whether he would feel it his duty to exercise it, are points upon which we are not informed.

It is understood that McLeod is held also on civil process, sued out against him by the owner of the Caroline. We suppose it very clear that the executive of the state cannot interfere with such a process; and, indeed, if such process were pending in the courts of the United States, the president could not arrest it. In such, and many analogous cases, the party prosecuted is entitled, in defence to his exemption or defence by judicial proceedings, either in the court into which he is called, or in some other court. But whether the process be criminal or civil, the fact of having acted under public authority, and in obedience to the orders of lawful superiors, must be regarded as a valid defence, otherwise individuals would be held responsible for injuries resulting from the acts of government, and even from the operations of public war.

You will be furnished with a copy of this instruction for the use of the executive of N. York

and the attorney general of that state. You will carry with you, also, authentic evidence of the recognition by the British government of the destruction of the Caroline as an act of public force done by national authority.

The president is impressed with the propriety of transferring the trial from the scene of the principal excitement to some other and distant county. You will take care that this be suggested to the prisoner's counsel. The president is gratified to learn that the governor of New York has already decided that the trial take place before the chief justice of the state.

Having consulted with the governor, you will proceed to Lockport, or wherever else the trial be held, and furnish the prisoner's counsel with the evidence which will be in possession of the material to his defence. You will see that he have skillful and eminent counsel, if such be not already retained; and, although you are not desired to act as counsel yourself, you will cause it to be signified to him, and to the gentleman who may conduct his defence, that it is the wish of this government that, in case his defence be overruled by the court into which he shall be tried, proper steps be taken immediately for removing the cause, by writ of error, to the supreme court of the U. States.

The president hopes you will use such dispatch as to make your arrival at the place of trial *ante* before the trial comes on; and he trusts you will keep him informed of whatever occurs by means of a correspondence through this department. I have the honor to be, Mr. Attorney General, your obedient servant,

DANIEL WEBSTER.

Hon. John J. Crittenden, attorney gen. of the U. S.

REPORT OF THE SECRETARY OF THE TREASURY ON THE FINANCES, &c.

In obedience to the directions of the act of congress of the 10th of May, 1800, "supplementary to the act to establish the treasury department," the secretary of the treasury respectfully submits the following report:

1. Of the public revenue and expenditures. The receipts and expenditures for the year 1840 were as follows:

The available balance in the treasury on the 1st of January, 1840, (exclusive of the amount deposited with the states, trust funds, and indemnities, and the amount due from banks which failed in 1837), was, as appears by the books of the register of the treasury	\$5,663,083 60
The receipts into the treasury during the year 1840 were, from	
Customs	\$13,499,802 17
Lands	2,292,253 58
Bonds of the Bank of the United States	1,774,513 80
Miscellaneous and incidental sources	253,253 23
Banks which failed in 1837	748,629 55
Treasury notes issued	5,589,547 51
	25,187,736 84

Making	\$26,850,820 44
The expenditures in the same year were, for—	
Civil list, foreign intercourse and miscel-	
laneous	492,040 96
Military department	10,566,236 45
Naval department	6,031,088 88
Public debt	11,982 77
Add outstanding war-	
rants issued prior to 1st January, 1841	1,416,324 28
Treasury notes redeemed, including interest	4,045,802 05
	27,568,475 41

Leaving a balance in the treasury on the 1st of January, 1841, of	967,345 03
The receipts from the 1st of January to the 4th of March, 1841, were—	
(1841)	
From customs	\$1,974,886 46
Lands	386,148 56
Miscellaneous and incidental sources	31,249 65
Banks which failed in 1837	18,000 00
Treasury notes issued per act of 31st March, 1840	1,110,611 08
Treasury notes issued under act of 15th of February, 1841	678,681 32

Bond of the Bank of the United States	17,913 00	4,212,540 07
Making, with the balance in the treasury, January 1, 1841		5,199,865 16
The expenditures for the same period were—		
Civil list, miscellaneous		
& foreign intercourse	\$943,517 14	
Military department	2,273,997 11	
Naval department	759,849 60	
Public debt	3,612 70	
Treasury notes redeemed, including interest	\$617,590 09	4,627,166 64
Leaving the balance in the treasury on the 4th of March, 1841		572,718 46
The balances of appropriations outstanding on the 4th of March, 1841, were—(Statement A)		
Foreign intercourse and miscel-		
laneous	\$5,327,324 28	
Military	15,991,285 49	
Naval	6,910,285 49	
Public debt	6,367 30	
Treasury notes issued prior to the 1st of January, 1841, and outstanding on the 4th of March, 1841		5,573,220 00
Do. issued under the act of 1840, from 1st January to the 4th of March, 1841, which may, and most of which probably will, be presented in payment of public dues during the year 1841	1,110,611 08	300,000 00
Interest estimated at about		
Making in the aggregate		\$33,429,616 50
Of this there will be required for the services of the current year		24,210,000 00
Additional appropriations required by the war department for the year 1841, viz:		
Fortifications and works of defence	\$1,435,500 00	
For armaments of fortifications and ordnance stores	220,000 00	
For payment of arrears of & current expenses, and taking care of public property on roads, harbors, rivers, &c.	40,199 12	
For arrears for preventing and suppressing Indian hostilities	825,637 96	2,521,336 98
Making		26,731,336 90
The actual and estimated means under the existing laws to meet these demands are, viz:		
The available balance in the treasury on the 4th of March, 1841.—(See statement B)		646,808 12
Treasury notes authorized under the act of 1840, issued after the 31st of March, 1841		413,592 72
Treasury notes authorized by the act of 1841 to be issued after the 4th of March, 1841		5,000,000 00
Receipts from customs estimated at	12,000,000 00	
Receipts from public lands	2,500,000 00	
Miscellaneous sources	170,000 00	20,730,895 84
Leaving unprovided for of the demand for the present year, the sum of		6,000,941 14
There will also be receivable for public dues in the present year, or payable in 1842, treasury notes the issue of the present year, viz:		
Issued under the act of 1841, prior to the 4th of March		\$673,681 32
Do. do. 1840, after the 4th of March		413,592 72
*This item, and the item of expenditures for the payment of treasury notes from the 1st of January to 4th of March, 1841, include about \$500,000 of treasury notes which were received at the department on account of omissions during that period, but for which the warrants were not issued until a subsequent period.		

Do. do. 1841, to be issued after the 4th of March, and included in the estimate of ways and means 5,000,000 00
6,087,274 04

Making an aggregate of debt and deficit, to be provided for in this and the ensuing year, 12,088,215 18
This estimate is founded on the assumption that all the moneys in the public depositories can be at once made available, and that any and all of the demands upon the treasury can be satisfied, so long as money is to a sufficient amount present in any or all the depositories. But that is by no means the case; while the power to issue treasury notes exists, there should be at all times, for the convenience of the treasury, a sum equal to \$1,000,000 in the various depositories subject to draft. When their power is expended, the sum should be increased to not less than 4,000,000 00

Which sum, added to the above, makes the estimated deficit \$16,088,215 18
But the undersigned feels it his duty to call the attention of congress to the more immediate demands of the public service, and the means by which those demands are to be supplied.

The sums which will be required from the 1st of June to the 31st of August next are estimated as follows, viz:

For the payment of treasury notes which will fall due within that time, and the interest thereon, about	\$2,756,900 00
Balance for taking the 6th census	294,000 00
For the civil list, miscellaneous and foreign intercourse	1,309,308 37
Military service	4,594,098 00
Naval do.	1,844,000 00
Public debt	6,387 00
Expenses of the extra session of congress	350,000 00

Making about 11,151,698 37
The ways and means in the power of the treasury, and which will probably accrue under existing laws, are as follows:

1. Funds in the treasury (as per statement C) \$644,361 18
2. Treasury notes authorized by the act of 18th of February, 1841 1,505,943 91
3. Estimated receipts from the customs 3,000,000 00
- Do. do. the lands 700,000 00
- Do. do. miscellaneous sources 50,000 00

Making 6,900,305 07
And leaving a deficit of 5,251,398 30
To which add the sum recommended to be kept in the treasury to meet any emergencies of the public service, viz: 4,000,000 00

Making an aggregate of 9,251,398 30
In another part of this paper the views of the department as to the mode of providing for the above deficit, together with the residua of the existing public debt, will be presented.

From the year 1816 to 1837, a period of twenty-one years, the revenues constantly exceed the expenditures. The average annual surplus during that time was \$11,364,226 87, (see tables 1 and 2), making an aggregate excess of \$248,740,764 27.
Of this there was applied to the extinction of the national debt \$208,752,127 44, and there was under the provisions of the act of the 29th of June, 1836, deposited with the treasury \$28,101,644 91, and there remained on the 1st of January, 1837, in the treasury of the U. States, including the fourth interest due to the states, a surplus of 17,109,473 26

There were, also, outstanding debts due and falling due to the treasury, arising from other sources than those of the ordinary revenue, and which were paid between the 1st of Janu-

ary, 1837, and 4th of March, 1841, the amount of (see statement D) 9,124,747 00
There were, also, issued within that period, and outstanding on the 4th of March, 1841, treasury notes to the amount of 5,648,512 40

Making the aggregate available means which were in the treasury on the 1st of January, 1837, and which came into it prior to the 4th of March, 1841, over and above the current revenue 31,882,732 66
From which deduct the amount (less the trust funds) remaining in the treasury on the 4th of March, 1841 572,718 46

And there appears an excess of expenditure over the current revenue of \$31,810,014 20

It is proper to remark that the entries on the books of the register of the treasury do not always show the true dates of the receipts and expenditures. An item involved in the above statement (table D) will serve to illustrate this fact. The sum of \$512,136 47 was, on the 2nd and 31st of October, 1840, paid by the Bank of the United States, its last bond to William Armstrong, superintendent at Fort Gibson, by order of the secretary of war. Though this sum was in fact received and expended on those days, it did not find its way into the office of the register until the 4th of March, 1841, on which day it appears on his books both as a receipt and an expenditure.

Thence to this extent, within the last four years, were the expenditures pushed beyond the amount of the revenue. They were made to exorbitate the surplus in the treasury, and the resulting debt due to the United States, so that the treasury was on the 4th of March, 1841, exhausted of its means and subject to heavy and immediate liabilities. It was already burdened with a debt incurred in time of peace, and without any adequate resources except the authority granted by law to augment the debt.

As yet no provision has been made to reduce this debt or to check its constant and rapid increase. We find it, therefore, as far as past legislation and financial arrangement characterizes it, a permanent and increasing national debt. The temporary expedients by which it has been sustained do not at all vary its essential character.

The attention of congress is respectfully invited to the necessity of early and effectual measures to prevent its further augmentation. The obvious remedy is to increase the revenue as far as may be without unreasonably burdening commerce, and to reduce the expenditures within the limits of strict economy.

But as it may not comport with the views of congress to go into a revision and adjustment of the customs so long before the act of March 2, 1833, comes to have its final and permanent operation, the undersigned would respectfully recommend, as a temporary measure, the levy of a duty of 20 per cent. ad valorem on all articles which are now free of duty, or which pay a less duty than 20 per cent. except gold and silver, and the articles specifically enumerated in the 5th section of the act of March 2d, 1833.

If this measure be adopted, it is estimated that there will be received into the treasury from customs, in the last quarter of the present year, about 5,800,000 dollars; in all of the year 1842, about 22,500,000 dollars; and in the year 1843, after the final duration under the act of March 2, 1833, about 20,800,000 dollars. The details of this estimate will be found in the accompanying paper, marked E, and enclosures.

It is believed that, after the heavy expenditures required for the public service in the present year shall have been provided for, the revenues which will accrue from that, or a nearly proximate rate of duty, will be sufficient to defray the expenses of government, and leave a surplus to be annually applied to the gradual payment of the national debt, leaving the proceeds of the public lands to be disposed of as congress shall think fit.

The general principles upon which the final revision of the tariff is to rest, perhaps simple enough to be apprehended, but the work of revision itself, in its adaptation and detail, must be a work of time. It should be done on calm reflection and careful deliberation, with a view to reconcile, as far as possible, the conflicting opinions, and to promote all the various interests of the whole people of these United States. And it may be important, in that adjustment, not only to reciprocate on fair and equal principles, and in a liberal spirit, the concessions which may be accorded to our commerce by foreign nations, but also to do justice to our own citizens by meeting in a like equal com-

any heavy exactions or prohibitions which foreign nations may think fit to impose upon the importations of our staple productions.

Some legal provisions are also required to correct inequalities between the duties upon sugar and molasses, and the drawbacks upon refined sugar and rum, molasses or distilled from low quality materials. The relation between the duty and the drawback was adjusted by the acts of January 21st, 1829, and May 29th, 1830, since which time the duties have been diminished, while the drawbacks remain the same. And a provision of law declining to all non-enumerated articles which bear a similarity to any enumerated article chargeable with duty shall pay the same rate of duty with the article which it most resembles, would save a large sum annually to the revenue, and prevent much annoyance and litigation between the importer and the officers charged with the collection of the customs.

Of the public debt.

But it is not expected that any modification of the revenue laws or diminution of expenditure to supply the needs of the treasury, and to pay the public debts which fall due in the present and in the ensuing year. A further loan is necessary to effect these objects, and the only questions that can arise are as to the mode of procuring the loan, the character of the securities, and the assumed duration of the debt.

It would, in the opinion of the undersigned, be unwise to charge upon the commerce or the resources of the country the burden of the public debt, or at all having the restoration and relief be required. The currency of the country should be restored, and commerce and industry relieved from the dangerous state of embarrassment and depression, and a prudent and judicious mode of the part of the general government should call forth once more the hereditary industry and active enterprise of our people, and the vast resources of our country.

If we assume the period of from five to eight years as that in which this debt can be paid without inconvenience and embarrassment—and the time appears to be short enough—we have one of the most essential elements on which to form our judgment as to the best and most expeditious mode in which the loan can be kept up, and the credit of the government sustained.

In the inception and during the progressive increase of a national debt, the issues of treasury notes, the dangers to the present and future of their advantages. They need not be issued, and then the actual wants of the treasury require, and the power to issue any given sum is, for all effective purposes of immediate expenditure, a fund in the treasury available to that amount. But, when the debt has acquired its maximum and ceases to accumulate, or when it becomes larger than the amount necessary to be kept on hand to meet the current wants of the treasury, these advantages disappear. This mode of loan then becomes to the government what the issue in the market of new promissory notes, for the purpose of raising money to take up old promissory notes, is to an individual. It is the issue of treasury notes to take up other treasury notes year after year in succession; and, under those circumstances, it is inconceivable.

But the raising of money by the issue of treasury notes is objectionable, because it is deceptive; by this means a heavy debt may be raised and fastened permanently upon the country, the amount of new issues being increased to the point of ruin; while the people, and even those who administered the finances, may not be impressed with the important fact that a national debt is created or in the process of creation.

Therefore, in the opinion of the undersigned, when a national debt does exist, and must continue for a time, it is better that it should be made a funded debt, according to our ancient financial usage. It is then sheltered by no cover, and is the subject of no delusion. It is open, palpable, true; the eyes of the country will be upon it, and will be able at a glance to mark its reduction or its increase; and it is believed that a loan for the requisite amount, having eight years to run, but redeemable at the will of the government, on six months' notice, could be negotiated at a much less rate of interest than treasury notes. Much expense would also be saved in dispensing with the machinery of the issue and payment and cancelling of treasury notes.

It is therefore respectfully recommended that a sum sufficient to meet the debt of the present existing, and such as will necessarily accrue in this and the ensuing year, be raised on loan for the time, and on the condition above suggested.

On keeping and disbursing the public moneys.
The undersigned would also respectfully invite the attention of congress to the present mode of

connected with the service, for purposes not essential to Indian warfare, has been earnestly enjoined. The many weighty considerations which invite the immediate attention of congress to the subject of the public defenses generally, and particularly to the works absolutely necessary to the security of our great commercial emporiums, and the keys to our most valuable resources, of every kind must be as generally understood and appreciated, as nothing this department can urge could add any thing to their force and conclusiveness. To say nothing of the destruction of property, and our weakened condition in a military point of view, attendant upon the carrying on of our most important business, the neutralization of our territory and the seizure of even one of our strong holds by a powerful enemy upon the sudden outbreak of war, it would seem to be equally the dictate of patriotism and wisdom to make due provision against the infliction of such insults to the national honor and character.

It has been urged as an objection to the further progress of the works heretofore projected for the defence of our extensive sea coast, that the recent experiments in the use of steam power in ocean navigation, and the ready application of the same powerful agent to the defence of our principal harbors, together with the late inventions in the means of increasing the destructiveness of shells, must necessarily entirely destroy the necessity of coast defence, as well as maritime war in general. It is true that the mental activity, characteristic of the age in every other art and science, has not been less fruitful in suggesting improvements in the art of war, than the value of some of our scientific discoveries, tested in precise, and doubtless others will, in time, prove equally successful. In no department of public affairs may the natural connexion and dependence between all the sciences and inventions so generally illustrated, than in the improvement of the means of national defence. That the cause of humanity will be promoted in proportion as the existing systems and means of defensive warfare are perfected by new improvements, in accordance to all nations greater security to independent enjoyment of their own acquisitions and forms of society and government; in putting the weak upon a more equal footing with the strong; in rendering war less profitable to the victor, and the cause of peace to flourish in uninterrupted vigor, cannot be doubted. It is a source of much gratification to observe that several gentlemen of high professional distinction in the army are employing themselves in these appropriations. And while, in carrying forward the plans devised in former years, due regard should be had to the improvements already introduced in the means of defence, and, as far as practicable, to such modifications as may be rendered necessary by future discoveries, we must take care, by the most judicious application of the means already known and approved, not to lose the advantage of present security.

The array of well authenticated facts and results of past experience, and the well sustained reasoning founded upon them, exhibited in the report of the board of officers referred to in the accompanying letter of the chief of the corps of engineers, appear to be conclusive in favor of compelling the system of defence therein recommended, so far, at least, as to place the country in such a position of defence as good state of defensive preparation against any sudden occurrence of war. To this extent the completion of the works heretofore projected may be regarded as indispensable, however they may be improved as a perfect system of national defence. It will be seen from the estimates stated in the report alluded to, that to effect that object will require an appropriation of \$9,695,517 upon the fortifications, and \$2,434,099 upon the armaments, and together the sum of \$12,129,616. The obligation of the government to apply this sum to the objects contemplated as equally as the nature and due prominence of the several constructions will admit, is rendered imperative and urgent by every consideration of public safety and public honor.

It is estimated by the chief engineer that the sum of \$1,435,500 can be judiciously and most beneficially applied during these essential works, of defence, during the remainder of the present year, in addition to the appropriations heretofore made for the same objects. The expenditures in this branch of the service have been more considerable in the current quarter than usual, and hence the additional appropriations asked for are larger than they would have been under ordinary circumstances. For this has happened will be explained by the fact, that, soon after the accession of your immediate and lamented predecessor, all the means at the disposal of this department were directed to be applied upon the fortifications and other works for the protection of the Atlantic frontier, in the manner deemed best calculated to produce the greatest possible

efficiency in the shortest time. This course appeared to be called for by the unsettled and threatening aspect of our foreign relations. While the means and resources at the disposal of this department for this service were thus ordered to be applied to such unfinished works as could be made available, in whole or in part, in a reasonable time, it is proper to state, in this connection, that directions were at the same time given to supply, without delay, the works already completed with their appropriate armament.

The promptitude and liberality with which the governor of New York and the commissioner of public lands in that state responded to the recent application of the department to be put in possession of the works constructed on Staten Island, under the supervision and at the expense of that state, for the defence of New York harbor, deserves the thanks of the country, and should be further acknowledged by the immediate appropriation of the sum demanded as a compensation for the ground upon which they are situated. The works are regarded as of great importance to the subject which they were designed, and they are now in the course of repair and improvement, under the direction of a competent officer of the corps of engineers. The correspondence between this department and the governor of New York, and the report of the board of officers, will show, that the terms upon which the title to this property will be vested in the U. States.

It will be seen from the accompanying report upon the ordnance department, that some of the most important appropriations which services are believed to be important to the public interest. The amount called for is \$220,000. The importance of the operations of this department, and its immediate connection with the national defence, in providing guns, carriages, and other munitions, will at once be perceived.

It is necessary that the attention of congress should be called to the policy recently adopted in the management of the public armories. The duty of increasing, by every practicable means, the efficiency of these important establishments, not less than a due regard to economy, influenced the department in giving its sanction to the plan of discharging the civil superintendents of these establishments by law. After full consideration, it was believed that this could be safely and advantageously done. Accordingly the armories are now in charge of skillful and experienced officers of the ordnance department, and the defence of the country is thereby secured. The experience of the past few years, as shown by past experience, is the want of the proper qualifications in the persons usually selected. Some degree of science, as well as a practical knowledge in the construction and use of arms of considerable requisites in the superintendents. The desired and proper qualifications are rarely to be found united in the same person in civil life, whose services can be commanded by the government. Another and more serious objection to the system of supervision heretofore practised is found in the defective and inadequate control which the department has been able to exercise over the superintendents. It has been found impossible, in some instances, to enforce the most salutary regulations. The necessary degree of deference to the orders and wishes of the superior authority, it is manifest, has not been felt. This probably is the inevitable result of the nature of the interests and influences, in no manner connected with the service, which these superintendents, who too often contract the conduct of the superintendents. For these reasons, it is deemed of great importance that the armories should be separated, as far as possible, from all connection with the party interested in the service. The former plan, as suggested to a civil superintendence, cannot be better illustrated than by the statements contained in the accompanying memorandum of the ordnance department, which appears to be taken chiefly from the report of the board of officers referred to in the report of the superintendent of the armory at Harper's Ferry.

But the expediency of continuing the superintendency of these officers must finally be decided by congress. Some hesitation was felt in dropping, temporarily, the civil superintendence, but as neither of the civil superintendents, though of much personal worth, was regarded as possessing, in the due degree, those particular qualifications which are important in the management of such establishments, it was deemed prudent to suspend the civil superintendence for a short period, the public interest would be subserved, whatever may be the result of the experiment. If the policy recommended by the ordnance department, and so far sanctioned by this

department, shall succeed, it will be well for the public service. If it shall fail, there will no longer be any pretext for future changes; and the department will look to the selection of the most competent superintendents from the ranks of civil life, and to the means of improving the efficiency of these establishments by such new regulations, under your direction, as may be suggested by experience.

Additional appropriations, to the amount of \$825,637 86, are required by the pay and quartermaster's departments for the service of the present year. The amount asked by the quartermaster general appears to be indispensable. It is about the sum which congress at the last session failed to appropriate, though included in the estimates, and understood to be in part for arrearages for the year 1840; and a large portion of the present demand may not be improperly set down to the same account. A portion of the sum required by the pay department is for arrearages of the year 1840, as will appear from the report of the paymaster general.

The agents and superintendents heretofore employed in the construction of the various improvements on the lakes, the seacoast, and in the interior, have been discharged, except such as have been retained at a small compensation, to guard some of the works, until the completion of the unfinished state, and the public property connected with them. In a few instances, it has been found expedient to employ an agent to take care of the property of the government collected for the construction of these works until congress shall determine upon the question of continuing or abandoning them, where there was no need of which they could be paid. Some of these agents have been paid from the proceeds of the sale of a portion of the public property; others can be paid only by further sales or order an appropriation by congress. It has also been ascertained that the expenditures upon several of these works have exceeded the appropriations made for their construction. These arrearages are generally due to contractors and laborers in no way responsible for this error; and provision should therefore be made for the payment of them. The amount necessary to discharge them, as well as to pay the expenses of the agents employed as above stated, appears from the report of the chief of the corps of topographical engineers to be \$39,997 12.

The subject of the expediency of compelling the Cumberland river to improve certain harbors and the navigation of certain rivers, which may be regarded as necessary and proper, in making adequate provision for the public defence, I propose to postpone the further notice of until the stated time of the next session, the consideration of it will involve the propriety of making appropriations for various works of internal improvement not necessarily connected with that object, and, consequently, will require more time than congress, at its approaching session, may find it convenient to give.

At the late session of congress, the sum of 30,000 dollars was appropriated to be expended, under the direction of this department, in repairing the breach in the Potomac bridge. Soon after the adjournment, an officer of the corps of topographical engineers, distinguished alike for his science and practical skill, was selected to make the necessary examinations, and to report a suitable plan for the execution of the work. When the report of this agency he has performed this preliminary survey will appear from his report to the chief of the corps. The highest confidence being reposed in the soundness of his judgment, it was determined to once to expend the sum of money placed at the disposal of the department for the accomplishment of so important a work upon a plan which did not promise to secure, what was held to be indispensable, its permanence and durability. From the present statement of the report of Mr. Turnbull, it is obvious that the report, if approved upon the plan which formed the basis of the estimate upon which the appropriation was made, could not stand through a single season of frost or ice. The question was then presented, whether it was proper to commence the repairs upon the old plan which promised the requisite strength and durability, but the cost of which would far exceed the appropriation made by congress, and which, it was believed, the department, was supposed to be ample for the object, or the sale of the work, while its questionable propriety, under the prospect of so immediate session of congress,

decided the department to postpone further operations until that body should have an opportunity of acting upon the subject. The utility and importance of this bridge not only to the citizens of this city and District, but to the carrying of the public mail, and to the north-western trade of the year when the river is obstructed by ice, are so generally felt and acknowledged, that I need say no more to recommend the additional appropriation required; or that the sanction of congress be given in some other form at an early day of the session, to the making of the necessary repairs upon the only safe and durable plan which presents itself.

Another public work of great interest committed to the care of the department, demands my notice at this time. The sum of \$75,000 was appropriated at the late session of congress for clearing out the Red river trail. The large sums of money heretofore expended on this subject, the high expectation indulged, after the first successful experiment, of the practicability of effecting it, the subsequent accumulation and continuance of partial obstructions, and the consequent disappointment of the public, caused the department to give its early and serious attention to the subject. Believing that congress in making this appropriation, indulged the hope that it would be all that would be required for the completion of the work, the department, resolved that the highest degree of permanence and utility attainable by the use of the means placed at its disposal should be accomplished, directed that an officer of the highest credit for skill and judgment should proceed without delay to ascertain the nature, extent and causes of the obstructions which interrupt the navigation of the river, and to submit a plan for their removal. That officer has not yet reported to the department. It is intimated that the steam and snag boats, after being repaired, shall ascend Red river, while it continues in a navigable state, to the point of obstruction; but it is not designed to enter upon the work until autumn. This policy, as will fully appear from the report of the chief of the topographical engineers, and the accompanying letter of the superintendent, was dictated by a sound economy, it out by the necessity of the case.

A practice has prevailed in the Indian department of making payment from moneys drawn from the treasury under appropriations by congress, without regarding, in all cases, the objects of the appropriations as specified in the law.

This practice virtually defeats that provision of the constitution which declares that no money shall be drawn from the treasury except under appropriations by congress; for the objects of these appropriations must have been merely that money shall not be drawn from the treasury without being duly appropriated, but that it shall be paid only for objects specified in the acts of appropriation.

The practice of making payments from such circumstances—that is, of taking money drawn from the treasury under an appropriation for one object, and applying it to the payment of accounts, and for objects for which no appropriation has been made—renders the reports of the condition of the treasury entirely fallacious, and utterly destroys all confidence in them. The true condition of the treasury, or of its liabilities, is not and cannot be presented under such a practice.

The Indian department has favored itself in the means of practicing this irregularity by another usage, directly in contravention of the law of congress requiring that unexpended balances of appropriations, at the expiration of two years shall revert to the treasury. It has been customary, since the expiration of two years, to withdraw from the treasury the balances not actually required for disbursement within the specified period; and these balances have been placed in the hands of disbursing agents, forming a very large fund, from which payments have been made from time to time for objects for which no appropriations have been made by congress. The amount of funds in the hands of these special agents of the department has ranged, on an average, from two to three hundred thousand dollars for the last seven or eight years, and this has been generally deposited in banks selected at the direction of the agent himself.

Under these circumstances, the disbursing agents, having received moneys under authorized laws of appropriation, which have been applied to objects not sanctioned by law, have had their accounts brought into such a condition as will not allow of their settlement at the treasury without special appropriation by congress; and since there are disbursing agents who have been able to obtain a settlement during several years, and whose accounts are still open, notwithstanding the act of congress, most salutary in its object, requiring a settlement annually on the first of October.

As one irregularity is often the parent of another, so under the usage of the Indian bureau, by which large amounts of money have been held by disbursing agents, which should have reverted to the treasury, these agents have had the means of loaning, and have actually loaned, large sums, within the last few years, to meet the necessities of the treasury in other departments of the government or other and distinct branches of the Indian department; and, in this manner, a system of accommodation has obtained without responsibility and unknown to the treasury.

The evils of the practice the subject of these remarks, will sufficiently appear when it is considered that they are precisely those which it was the object of the provision in the constitution, prescribing the mode of drawing money from the treasury, to guard against; and those also which were intended to be counteracted by the law of congress requiring that unexpended balances shall revert to the treasury at the expiration of two years.

In the present condition of the accounts of disbursing agents, it is impossible to ascertain the precise amount of payments requiring appropriations by congress for their final adjustment at the treasury, but the amount is known, thus far, to exceed \$200,000, and it will probably require \$250,000, and possibly \$300,000.

It would be easy to multiply remarks upon the impropriety of this practice of the department. The objections to it are numerous and weighty, and it is not necessary to multiply them, but principles as to deserve some further notice in this report.

All officers hold their powers in trust under the obligation of fulfilling the objects for which those powers were granted. Congress is entrusted with the power of expending money for the objects to be accomplished by executive agents. If the agents divert the money to other objects, there is a breach of trust. But as all the officers of the government are presumed to have in view the common good, congress, more or less, relies upon the executive agents to indicate the objects requiring appropriations with estimates of the amounts necessary for their accomplishment. This confidence in executive agents seems to have been regarded, in some cases, as an implied authority in the agents to expend the objects not yet sanctioned by congress, the agents looking prospectively for that sanction. But if this discretion is to be tolerated under any pretence whatever, for objects however apparently needful for the public service, checks and restraints upon the constitution and the laws are at once removed, and the most dangerous experiments may be made with the public money, having no higher sanction than the judgment of the heads of departments, while the discretion thus exercised at the fountain-head is liable to become licentiousness in the subordinate agents, resulting in frauds and defalcations of extraordinary character and magnitude.

The attention of the department has been directed to the subject of Indian treaties, and particularly to the manner in which some of those recently made have been executed, involving the disbursement of large sums of money for the emigration and subsistence of Indians.

The frauds that have been practiced in the south-west have been to some extent inquired into, but a full disclosure of all the facts has not yet been arrived at. Enough has, however, been brought to light to establish a conviction that certain contractors have realized the most enormous profits, the greater portion of which is believed to have been the direct fruit of gross fraud upon the government of the United States, and of the gross and systematic use of the Indians, practiced by bribing some of the subordinate instruments in the public employment, or through the mismanagement of higher public agents, who can only screen themselves from the suspicion of complicity in the frauds, by alleging to the imputation of gross negligence, ignorance or incompetency in the performance of their duty.

From the involved character of these transactions and the difficulty of procuring full and precise information, it has been found impossible as yet to fix upon the point where the frauds commenced, or to ascertain the boundaries of responsibility among the numerous public officers and agents through whose direct or indirect instrumentality, connivance or ignorance the contractors were able to consummate their unprincipled designs. This investigation has been prosecuted with the most painful reluctance, though persevered in under a paramount sense of duty; and enough has been disclosed to suggest an inquiry whether the guilty recipients may not be compelled to refund the money and its gains to the treasury by process of law.

All of which is respectfully submitted.

JOHN BELL.

To the president

FROM THE NAVY DEPARTMENT.

Navy department, May 31, 1841.

Sir: The appropriation made at the last session of congress will be found amply sufficient to cover the expenditures for the current year, under the several heads of appropriation, unless it should become necessary to be deemed proper to assume another and larger basis of operations than that on which the estimates from the department were founded.

The state of the navy pension fund will require the immediate action of congress. Under the operation of the act entitled "an act for the more regular administration of the navy pension fund," that fund has been exhausted, so that the sum of the accompanying report of the commissioner of pensions, that there will be required for the payment of navy pensioners, on the 1st of July next, the sum of \$98,706.06, and on the 1st of January, 1842, the further sum of \$69,000. In addition to these sums, about \$6,000 will be required to pay arrears of pensions which will probably be allowed between July next and the 1st of January, making in the whole \$163,716.06. To meet these payments, there is within the control of the department the sum of \$28,400; leaving a deficiency of \$135,666.06, which the public faith requires should be promptly supplied.

The sudden return of the Brandywine seems to require some explanation. From the despatches sent to the department by the commanding officer of the ship, it appears that the great excitement prevailing in England in the early part of March last, induced our minister at that court to address a communication to Lord Palmerston, the secretary of state for the United States, and to request that the government of Great Britain should, as a mark of respect, send a squadron, then lying at Malton, left the station with a view to get out of that sea, ascertain the true state of things between the United States and Great Britain, and either return to the United States or return home, according to the result. The Brandywine, outlasting the commander, and captain Bolton having received no information on his voyage deemed satisfactory by him, he returned to the United States.

Though it is presumed congress will scarcely be willing to give attention to general matters unconnected with the objects for which the extraordinary session of that body was convoked, yet recent events induce me to bring to your notice, with a view to the consideration of congress, two subjects as worthy of present consideration. The first is the establishment of a home squadron. While squadrons are maintained in various parts of the world for the preservation of our commerce, our own shores have been left without any adequate protection. Had a war with Great Britain broken out, as it has been so often generally feared, of the subjects of difficulty now in a course of adjustment between that power and the United States, not only would our trade, but our shores would be liable to great interruption, and our merchant ships would be exposed to a naval force, comparatively small, might, on our very shores, have directed our merchant ships and insulted our flag, without suitable means of resistance or immediate retaliation being at the command of the government. To guard against such a result—to be ever ready to repel or promptly to chastise aggressions upon our own shores, it is necessary that a powerful squadron should be kept about at home. This measure is recommended by other considerations. There is no situation in which greater skill or seamanship can be exercised and acquired than on the coast of the United States; and in no service would our officers and seamen become more thoroughly initiated to all that is necessary for the national defence and glory. In that service, the most accurate survey now in progress, a thorough acquaintance would be gained with our own sea coast, extensive and hitherto imperfectly known—the various ports would be visited—the bays, inlets and harbors carefully examined—the uses to which each could be made available during war, either for escape, defence or annoyance, be ascertained, and the confidence resulting from perfect knowledge would give to us, what we ought surely to possess, a decided advantage over an enemy or our rivals. Should there be thought desirable that such a squadron be put in commission immediately and kept constant in duty, an additional appropriation may be necessary, for the amount of which, as well as the force deemed proper to be employed, I beg to leave to the accompanying report on the subject, prepared under my direction, by the board of navy commissioners.

The attention of congress has been heretofore earnestly invited to the state of our ordnance and ordnance stores, and I deem it worthy of immediate consideration. Since the late war, the successful and successful operations of the navy have been, and it cannot, from the nature of the case, be provided

upon a sudden emergency. Sailors may be hastily collected from our commercial marine, ships may be purchased, but ordnance cannot be supplied on such an emergency, nor can the materials for the preparation of ammunition be procured either by purchase or manufacture. Hence the ordnance should, by a timely foresight, be provided in advance, and the materials be secured, from which a supply of ammunition can be speedily prepared. The accompanying report from the board of navy commissioners shows the amount of expenditure which will be required under this head. Should the object be deemed of such importance and urgency as to require the immediate attention of congress, I respectfully recommend that an appropriation of one-third of the estimated amount be now made.

The opinion seems to have become general, as well in the service as in the nation at large, that a thorough reorganization of the navy is demanded by considerations connected with the defence and honor of the country, and in this opinion I heartily concur. Yet I fully aware that any plan for this purpose should be the result of the most careful deliberation, and that it would be at once unwise and impolitic to submit to congress and the people proposed arrangements which should be liable to the charge of haste and inconsideration. Deeply sensible, therefore, at once of the importance and difficulty of the measure, I have taken proper steps to collect and avail myself of all the results of experience and observation from those whose opportunities have afforded the means of knowledge, and their intelligence the ability to use them profitably, and I entertain the hope of being able, before the next regular meeting of congress, to submit for your consideration a comprehensive and well-digested system of reform in the branch of the public service committed to my charge.

I have the honor to be, with the highest respect, your most obedient servant,

GEORGE E. BADGER.

The president of the United States.

FROM THE POST OFFICE DEPARTMENT.

Post office department, May 29th, 1841.

Sir: The arrangement of business at, and the manner of returns to the general post office, forbid a detail report of its operations at the approaching meeting of congress. I have, however, it is my duty, at this time, to call public attention to the state of its finances, so far as I have yet been able to learn their condition.

When first entering upon my official duties, my attention was forced to the constant demands for payment beyond the ability of the department to discharge; and with a view to ascertain, as nearly as might be, its undisputed liabilities and probable means on the 21st day of March last a letter was addressed to the auditor of the treasury for the post office department, requesting from him information on those subjects. A copy of which letter, marked A, is herewith submitted. Such statements have not been furnished, for reasons clearly set forth in a letter from the auditor, dated the 22nd day of May, of which a copy is hereto appended, marked B.

It was also important to learn, without delay, what were the pressing liabilities and what the active funds of the department. For this purpose, directions were given to the chief clerk to state the amount due to contractors anterior to and for the quarter ending the 31st December, 1840, so far as the same had been reported by the auditor, and also the amount in deposit, subject to draft, for the discharge of some of these liabilities. His report is herewith submitted, marked C.

By an examination of that statement, it will be seen that there was due and unpaid to contractors, of ascertained balances, on the first day of January last, the sum of four hundred and forty-seven thousand and twenty-nine dollars, (\$447,029), a considerable portion of which has been paid from the revenues of the quarter ending on the 31st March. A report from the auditor upon the outstanding contracts will undoubtedly, increase this amount of indebtedness to a total exceeding half a million of dollars. In addition to which, heavy demands are occasionally made on the department upon undigested claims. Of such demands, no notice can be taken at this time, nor is it proper that an opinion as to their justice should be now expressed.

Under these circumstances, two questions naturally present themselves: How can the department be sustained under its present embarrassments; and, what are its financial hopes for the future?

As no estimates, upon which can be based an answer to the first inquiry, can be presented until a full statement of the balances due from postmasters

shall have been reported by the auditor, it is passed with the single remark, that although it can hardly be doubted that a large aggregate sum will be found due it is to be feared that from the small amount of most of such separate balances, scattered throughout this wide-spread nation, the want of responsibility in many of these officers and many of their securities, and the lapse of time since these balances accrued, but an inconsiderable part of the amount actually due will ever be received. It therefore remains for congress to determine whether the amount now due to contractors shall be paid from the national treasury, or whether this department shall struggle with the small amount of its resources, consuming its daily accruing revenues in the partial payment of old debts, and still leaving large balances which it has not the ability to discharge.

Notwithstanding the heavy increased expenditure consequent upon the act of 7th July, 1838, and although instead of the supposed gradual increase of revenue, the receipts for the quarter ending 31st March last, present, as compared with the corresponding quarter of the year before, a diminution of more than six per cent. still the department would probably find sufficient relief in its future operations from the decrease of prices which, it may be calculated, will be heretofore demanded upon most of the routes, were it not for the continuing increasing exactions in other branches of the service.

To present this subject in its most intelligible form, the first assistant postmaster general has prepared a tabular view of recent proposals, that comparison may be made between the amount of present bids and the sum now paid for mail service upon the same routes. This table is hereto annexed, marked D.

So no examination of this statement, it will be seen that, in some cases, the amount demanded by rail road companies for transportation of the mails is more than two hundred per cent. higher than is paid for coach service, upon roads forming connecting links between different rail road companies, upon the same main route, and that too where the night services upon the rail roads is less than that performed in coaches. Such demands deserve more consideration from the fact that, whilst at the recent meetings in New York and in the six eastern states the accepted service by coaches and other modes of conveyance has been secured at an average saving of twenty-two per cent. upon the contracts of 1837, there are but few instances where the demands of incorporated companies have not been increased in such manner as imposed upon me the necessity of suspending the contracts. Nor the extravagant prices demanded for mail transportation upon rail roads the only manner in which these incorporations affect the revenue of this department. The facilities secured by this mode of conveyance for sending letters by private hands very seriously diminish the receipts of the office upon such routes. A single illustration will establish this assertion.

Boston is one of the most important points of rail road concentration in the union. Its business prosperity is proverbial; and yet in that city the quarter ending the 31st March last, shows, as compared with the corresponding quarter of the year before, a decrease in postage receipts of three thousand one hundred and ninety-five dollars—being double the amount of diminution to be found, within the same time, in any other post office in the union, with the single exception of Philadelphia, which is another great terminus of rail road communication.

These facts are presented in no spirit of unkindness towards those to whose management these incorporations are intrusted, but that I have considered it due to our whole people to refer to this subject as one which will ere long call for national and state legislation, unless a corrective be sooner applied by public opinion.

A considerable saving will be found in the current year's service generally, directed by my immediate predecessor, in limiting the transportation of the mails to six trips a week upon most of the routes throughout the nation. The embarrassed condition of the department, if it was to remain unaided, would, of course, clearly indicate the propriety of some reduction of service, and the religious sense of the community will certainly approve the feeling that selects the Sabbath as the day on which that service should not be performed. Yet it cannot be denied that this order has cost heavily on contractors, and in many instances causes great derangement to the transportation of the mails.

Whilst in some sections of our country this alteration has not only received a cheerful acquiescence, but is warmly approved, there has been great ge-

neral complaint of its operation and daily appeals for the old facilities are pressed upon the department. Without entering upon this subject at large, it is sufficient for my present purpose to state that, as this order purports to have been given to reduce the expenses of the department, and to aid in bringing them within its receipts, a return to the former service at this time, might well be considered as a declaration of my confidence in its ability to sustain the expenditure necessary for such restoration. I have therefore felt it imperative upon me to adhere to this order of curtailment.

The building now being erected for the general post office is so far advanced as to give assurance that it can be completed before the session of congress in December. This is much to be desired, not only for the convenience of the transaction of business, but that the public property may be kept in security. Such means as are kept in my power are continually employed to protect the present building from fire, but in its exposed condition the danger of destruction to the books and papers of the office is a source of constant anxiety. All which is respectfully submitted.

FRANCIS GRANGER.
To the president of the United States.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.
We have the pleasure to forward the official reports from the several departments at the earliest possible moment before our readers, to occupying the pages of the REGISTER, with fuller details of congressional proceedings at this stage of the session. A condensed account of what has occupied each house is given.

SENATE.

June 3. Mr. Clay, of Alabama, appeared and took his seat.

After the journal was read, the president of the senate announced the following as the committees on the part of the senate to join with that of the house in taking into consideration so much of the president's message as relates to the demise of the late president, viz: Messrs. Bayard, Frentiss, Benton, Archer and Walker.

The president also announced the select committee to which was referred so much of the president's message as relates to a uniform currency, &c.—Messrs. Clay, of Kentucky, Choate, Wright, Barlow, King, Tallmadge, Bayard, Graham and Huntington.

The following senators were then announced by the chair as the standing committees, the chairman of each having been ballotted for on a prior day:
On foreign relations—Messrs. Rives, Preston, Buchanan, Tallmadge and Choate.

On finance—Messrs. Clay, of Ky., Evans, Woodbury, Mangum and Bayard.

On commerce—Messrs. Huntington, Merrick, King, Barrow and Wright.

On manufactures—Messrs. Evans, Archer, Miller, Buchanan and Summons.

On agriculture—Messrs. Linn, Woodbridge, Smith, of Conn. White and Shemons.

On military affairs—Messrs. Preston, Merrick, Benton, Archer and Pierce.

On the militia—Messrs. Phelps, Kerr, Clay, of Ala. Barrow and Fulton.

On naval affairs—Messrs. Mangum, Archer, Williams, Smith, of Ind. and Choate.

On public lands—Messrs. Smith, of Ind. Tallmadge, Walker and Mason.

On private land claims—Messrs. Bayard, Huntington, Linn, Sevier and Henderson.

On Indian affairs—Messrs. Morehead, White, Sevier, Phelps and Benton.

On claims—Messrs. Graham, Bates, Wright, Woodbury and Woodbridge.

On revolutionary claims—Messrs. Dixon, Morehead, Smith, of Conn. Sturgeon and Graham.

On the judiciary—Messrs. Berrien, Clayton, Prentiss, Walker and Kerr.

On the post office—Messrs. Henderson, Simmons, McRobert, Berrien and Moulton.

On roads and canals—Messrs. Porter, White, Young, Culbert and King.

On pensions—Messrs. Bates, Pierce, Allen, Dixon and Nicholson.

For the District of Columbia—Messrs. Merrick, Clayton, King, Mangum and Young.

On patents—Messrs. Prentiss, Porter, Sturgeon, Tappan and Henderson.

On public buildings—Messrs. Barrow, Fulton and Kerr.

On the contingent expenses—Messrs. White, Tappan and Porter.

On engrossed bills—Messrs. McRobert, Miller and Nicholson.

Mr. Clay offered the following resolution:

Resolved, That the act entitled "An act to provide for the collection, safe-keeping, transfer and disbursement of the public revenue" ought to be forthwith repealed, and that the committee on finance be directed to report a bill to that effect.

Mr. Clay addressed the senate upon the subject, and a debate ensued, principally between him and Mr. Calhoun. A amendment proposed by the latter was negatived, *ayes* 18, *nays* 27. The resolution, as modified by Mr. Clay, was adopted, as follows:

Resolved, That the committee on finance be directed to inquire into the expediency of repealing the act entitled "An act to provide for the collection, safe-keeping, transfer and disbursement of the public revenue."

June 4. After the presentation of memorials and petitions—*ayes* 18, *nays* 27. The resolution, as modified by Mr. Clay, was adopted, as follows:

Resolved, That the committee on finance, reported the following bill, which was read and ordered to a second reading:

A bill to repeal the act entitled "An act to provide for the collection, safe-keeping, transfer and disbursement of the public revenue," and to provide for the punishment of embezzlers of the public money."

Section 1. Be it enacted by the senate and house of representatives of the United States in congress assembled, That the act entitled "An act to provide for the collection, safe-keeping, transfer and disbursement of the public revenue," approved on the fourth July, eighteen hundred and forty, be, and the same is hereby, repealed: *Provided, always*, That for any offences which may have been committed against the provisions of the severalth section of the said act, the offenders may be prosecuted and punished according to those provisions, any thing herein contained to the contrary notwithstanding.

Sec. 2. And be it further enacted, That if any officer charged with the safe-keeping, transfer or disbursement of public moneys, or connected with the post office department, shall convert to his own use in any way whatever, or shall use by way of investment in any kind or property, or shall loan or shall loan with or without interest, any portion of the public moneys entrusted to him for safe-keeping, transfer, disbursement or for any other purpose, every such act shall be deemed and adjudged to be an embezzlement of so much of the said moneys as shall be so converted, invested, loaned, or loaned, which is hereby declared to be a felony; and the refusal to pay over, on demand, any public moneys in his hands upon the presentation of a warrant drawn upon and signed by the secretary of the treasury, shall be *prima facie* evidence of such conversion to his own use of so much of the public moneys as may be in his hands. Any officer or agent of the United States and any persons advising or knowingly and willingly participating in such embezzlement, upon being convicted thereof before any court of the United States of competent jurisdiction, shall, for every such offence, forfeit and pay to the United States a fine equal to the amount of the money embezzled, and shall suffer imprisonment for a term not less than six months nor more than five years.

June 7. Memorials and petitions were presented; by Mr. Clay from citizens of Cherokee county, Georgia, for the abolishment of the branch mill, in that state. Mr. C. expressed his hearty concurrence and his admiration of the disinterested views of the petitioners.

By Mr. Tallmadge, three memorials from citizens of New York, for a general bankrupt law, from the chamber of commerce of New York in favor of a national bank, and from merchants of that city relative to drawbacks.

By Mr. Merrick, a memorial from the Patriotic bank of Washington, for a renewal of charter, and resolutions from the legislature of Maryland, relative to the tobacco growing interests.

Some conversation ensued as to any reference of this matter to the present session, when it was manifest it could not be acted on. When, on motion, it was laid on the table.

Mr. Clay said he would call the attention of the senate to a resolution he wished to present, growing out of some of the suggestions contained in the report of the secretary of the treasury. That report and doubts been read by the senators generally, and it would be recollected by every gentleman that it concluded by an explicit recommendation of a plan for the creation of a Bank of the United States. The secretary added the suggestion of what Mr. C. should be most glad to see, though he must confess that he had not full faith in its practicability, viz: a plan for conducting the fiscal business of the government which shall reconcile all opinions, and harmonize the votes of all parties in the country.

However, it might be very right that the senate should see what is the plan which the secretary thought capable of effecting a result so desirable to all; it was certainly proper that any plan that officer might deem worthy have prepared and recommended to the adoption of congress should be in its possession. With a view to obtain this, Mr. C. had prepared a resolution in the following words:

Resolved, That the secretary of the treasury be directed to communicate to the senate a plan, as practicable, as a plan of such a bank to be incorporated by congress, as in his opinion is best adapted to the public service.

In this proposition a debate took place, in which Messrs. King, Woodbury, Wright, Calhoun, Rives and Buchanan took part.

Mr. Buchanan said he was very anxious to see this fiscal agent of the honorable secretary; it was, it seemed to him, a political question. A political question was approaching, when the hon. man was to lie down with the lamb. This fiscal agent was to smooth away all difficulties. The valleys were to be exalted, the rough places made smooth, and all that together was to be this wing salvation. This fiscal agent was to make money plenty, supply a uniform currency, and to regulate the exchanges; and yet was not to be a Bank of the United States! He should really be most happy to see it. But if it seemed to him that it was to be a system of discounting paper, issuing notes, and dealing in exchanges, let it be located where it might—here, at the seat of government, or in Philadelphia, or at New York—those who had constitutional objections to the United States Bank, let them state them, if they had, their objections to this new agent as strong as ever. Frowned as it now was, he thought the resolution of the senator might leave the senate in some doubt as to his real purpose in this call, because it seemed to him that the speaker of a fiscal agent was in favor of a Bank of the United States on the old plan; that was his first choice; though he had, it seemed, an alternative ready. Of all things of a political nature in this world, what Mr. B. wanted most to see was this reformed fiscal agent of the secretary.

Mr. Rives moved to amend the resolution offered by Mr. Clay so as to read as follows:

Resolved, That the secretary of the treasury be requested to communicate to the senate, with as little delay as practicable, the plan of such a fiscal agent, being free from constitutional objection, with in his opinion produce the happiest results, and confer lasting advantages on the country.

Mr. Clay said he could not agree to the proposition in that shape; if the gentleman would say "a bank or fiscal agent," and substitute "directed" for "requested," he would accept of it as a modification. Mr. Rives replied that, although he preferred the resolution as he had drawn it, yet in a liberal spirit of compromise he was willing so to modify it; there ought to be, there must be some concession for the sake of uniting the opinion of gentlemen. (Considerable objections were made (across) by gentlemen on the right of the chair.)

Mr. R. said he should be glad to accommodate a gentleman, but he must yield to the suggestion of the senator from Kentucky.

Mr. Benton said he did not like the resolution; it seemed to him to open too wide a field, and to invite such a plan as never was contemplated by the constitution. Its language sounded, in Mr. B.'s ear, very like calling for a book to promote the general welfare. He had decided objection to calling on the head of a department for a scheme to promote the general welfare.

Mr. Clay having adopted Mr. Rives' amendment for the sake of uniting the opinion of gentlemen, as follows, and adopted *con.*

Resolved, That the secretary of the treasury be directed to communicate to the senate with as little delay as practicable, the plan of such a bank or fiscal agent as, being free from constitutional objection, with in his opinion, produce the happiest results and confer lasting and important benefits to the country.

Mr. Benton submitted resolutions calling for reconsideration, but he noticed when they are called up for consideration.

Mr. Byrd, from the select committee appointed to consider and report by what token of respect and affection it may be proper for the congress of the United States to express the deep sensibility of the nation to the decease of their late president, made the following report:

The melancholy event of the death of Wm. Henry Harrison, late president of the United States, having occurred during the recess of congress, and the two houses sitting in the general grief and mourning, manifest their sentiments upon the occasion of that public bereavement, therefore—

Resolved, That the senate and house of representatives of the United States in congress assembled, That the chairs of the president of the senate and speaker of the house of representatives be shrouded in

black during the residue of the session; and that the president *pro tempore* of the senate, the speaker of the house of representatives, and the members and officers of both houses wear the usual badge of mourning for thirty days.

Resolved, That the president of the United States be requested to transmit a copy of these resolutions to Mr. Harrison, and to assure him of the profound respect of the two houses of congress for her person and character, and of the sincere condolence of the late suffering disposition of Providence.

Mr. Clay said he would now recollect that on the last meeting some conversation had passed as to introducing a resolution which should declare, in the outset, on what subjects it was proposed that congress should act at the present extra session; he had once then turned his attention to the subject, and if no other gentleman had any resolution to offer, he would present the result of his reflection in the shape of the following resolution:

Resolved, as the opinion of the senate, That at the present session of congress no business ought to be transacted but such as being of an important or great nature may be supposed to have influenced the extraordinary convention of congress, or such as that department of the public service as materially detrimental to the public interest.

Resolved, therefore, as the opinion of the senate, That the following resolutions be adopted, which shall engage the deliberation of congress at the present session—

1st. The repeal of the sub-treasury.

2d. The introduction of a bill adapted to the wants of the people and of the government.

3d. The provision of an adequate revenue for the government by the imposition of duties, and including an authorized bill for a temporary law, to cover some public debt created by the last administration.

4th. The prospective distribution of the proceeds of the public lands.

5th. The passage of necessary appropriation bills.

6th. Some modification of the banking system of the District of Columbia for the benefit of the people of that District.

Resolved, That it is expedient to distribute the business proper to be done this session between the senate and house of representatives, so as to avoid both houses sitting on the same subject and at the same time.

After a few brief remarks by Messrs. Clay and Woodbury—

The senate then proceeded to ballot, under the 4th rule, for the election of officers of the senate.

The first ballot being for secretary of the senate, there were 43 votes given, of which Mr. Asbury Dickinson received 41, and was declared duly elected.

For sergeant-at-arms and doorkeeper, the whole number being 44, of which Mr. Asbury Dickinson received 41, and was declared duly elected.

For assistant doorkeeper, the whole number of votes given were 44, of which Mr. Robert Bell, having received 41, was declared duly elected.

The bill reported yesterday from the finance committee, a debate ensued, which occupied the senate until they adjourned.

June 8. After the presentation of memorials and petitions, Mr. Benton's resolution calling for reconsideration was taken up, and, after a slight modification, adopted.

The following resolution, submitted some days since by Mr. Sevier, of Arkansas, was taken up and read:

Resolved, That the president of the United States be requested to inform the senate why general Matthew Arbuck's has been removed from his command at Fort Gibson, west of Arkansas, to Baton Rouge, in Louisiana.

Upon this a debate arose between Mr. Preston and Mr. Sevier, which was terminated by a call for the order of the day, and the resolution was for the present laid upon the table.

The resolution reported by Mr. Esperand, from the joint committee recommending that the chairs of the presiding officers, of both houses be shrouded in mourning, was read a third time and passed.

The debate upon the bill to repeal the sub-treasury act was resumed, the question being on the following amendment moved by Mr. Calhoun:

That so much of the 5th section of the act of 2d June, 1836, as provides that no bank shall be selected or continued as a place of deposit of the public money, which shall, after the 4th of July, 1836, in use or pay out any note or bill of a less denomination than \$5; and that no notes or bills of any bank be received in payment of any debt due to the United States which shall, after the 4th of July, 1836, issue any note or bill of a less denomination than \$5, be, and shall be hereby, repealed.

After discussion the question on this amendment was adopted by the following vote:

YEAS—Messrs. Allen, Archer, Barrow, Benson, Bond, Calhoun, Callicott, Callicott, Alb. Fisher, Kerr, King, McRoberts, Menck, Smith, Smith, Preston, Rives, Sevier, Smith, of Conn., Sturgeon, Tappan, Williams, Woodbury, Wright, Young—25

NAYS—Messrs. Bates, Bayard, Choate, Clay, of N. Carolina, Dixon, Evans, Graham, Henderson, Huntington, Mangum, Miller, Morehead, Phelps, Prentiss, Sumner, Smith, of Indiana, Southard, Tallmadge, Walker, White—22.

So the amendment to the amendment was adopted.

The question then recurring on the amendment as thus amended, it was decided by yeas and nays, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ohio, John, King, McKim, Nichol, Noyes, Sevier, Smith, of Conn., Sturgeon, Tappan, White, Williams, Woodbury, Wright, Young—19.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berners, Choate, Clay, Ky., Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, River, Sumner, Smith, of Indiana, Southard, Tallmadge, Walker, Woodbury, White—25.

So the amendment, as amended, was rejected. Mr. Clay said that the effect of the last vote was, to leave the bill in the form in which it had been reported. If it should in this form pass out of congress, and become a law, the state bank system, as regulated in 1836, would be revived and continue in force until a substitute should be adopted by congress.

Mr. C. took it for granted that a substitute of some description would pass; but if, unfortunately, congress should be unable to agree upon any substitute, whether in the form of a bank or other fiscal agent, then he presumed that congress would adopt some discharge of the duty of rendering the state bank system as efficient and perfect as possible. After the gallant course pursued by the honorable senator from Mississippi, (Mr. Walker), Mr. C. considered it as proper for him, also, to stand that he would vote that way under the circumstances—none whatever—none. He had never been opposed to the plan, and would not have given his vote for the law of 1836 on any other ground than that that law contained the principle of a distribution of the money fund among the states. No gentleman on the other side chose to put themselves in command of such a miserable fee, he did not care under what commodore Mr. C. and his friends were ready to meet them upon any sea, and he doctored not to say that he would vote for such a victory as Perry had achieved on one of our great lakes, or the brave McDonough on another.

Mr. Calhoun would say to the senator from Kentucky that he was fighting against an imaginary flag if he supposed that the amendment on that side would be successful in conferring the state bank system. No. They intended to go into battle under the noble flag of the sub-treasury. He was glad that the senator had been compelled to say that if the sub-treasury should be repealed, the law of 1836 would be enforced. If that law as it now stood should in practice be found impracticable, the difficulty would fall chiefly in the south and southwest. Mr. Clay said he had never doubted that the law of 1836 would remain; but when he had introduced his bill to repeal the sub-treasury, he had given notice that this was the first in a series, and had avowed, openly, his preference for a Bank of the U. States. If, then, the law of 1836 did revive in its present form, he hoped it would be but for a very short time. But, if otherwise, it must undergo a complete revision.

Mr. Benton proposed to amend the bill by excluding the Bank of the U. S. of Pennsylvania from being used as a depositary for the proceeds of the sale.

Some conversation ensued—It was objected to discriminate, else it would be proper to invert the Ohio Creek bank, and some others, in the exclusion. On the amendment the yeas and nays were called; and were, yeas 20, nays 35.

After further discussion, and some slight amendments, the bill was finally ordered to be engrossed by the following vote:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berners, Buchanan, Calhoun, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, River, Sumner, Smith, of Indiana, Southard, Tallmadge, Walker, White—25.

NAYS—Messrs. Allen, Benton, Calhoun, Clay, of Ala., Fulton, King, Nicholson, Sevier, Sevier, Smith, of Ct., Tappan, Walker, Williams, Woodbury, Wright, Young—18.

It was then ordered to be printed; and the senate adjourned.

June 9. Mr. Clay gave the notice that he should tomorrow ask leave to introduce a bill to provide for the distribution of the proceeds of the public lands.

The bill to repeal the sub-treasury act having been read a third time, the question being on its engrossment, Mr. Woodbury took the floor, and, in a considerable length addressed the senate upon the general principle of the sub-treasury act, and upon his administration of the currency. He warmly defended the sub

treasury bill, and did not wish to leave the currency under the control of the executive, as it would be of the repeal took place, and no respect act was passed.

Mr. Calhoun yet believed that the course of the gentlemen on the other side was such as to leave the public money under the control of the executive; he re-asserted against it the right.

Mr. Benton attempted the introduction of a resolution declaring the repeal of the sub-treasury independent, which the senate pronounced out of order; when Mr. Benton withdrew his motion, and proposed to rescind his bill with instructions, which was negatived, yeas 18, nays 25.

Mr. Wright then took the floor, and spoke at great length.

The debate was continued until near 7 o'clock, by Messrs. Calhoun, Benton, Tallmadge, Wright, Arnold, and McRoberts—all then speaking in opposition to the bill, except Mr. Tallmadge.

The question having been taken on the passage of the bill it was decided in the affirmative, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berners, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, River, Sumner, Smith, of Indiana, Southard, Tallmadge, Walker, White, Woodbury—25.

NAYS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Fulton, King, McKim, Nicholson, Phelps, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—18. And the senate adjourned.

HOUSE OF REPRESENTATIVES.

The house has been occupied a considerable portion of several days in debating a resolution moved by Mr. Wise, that the rules of the last session be adopted for the government of the house for ten days, or until the same are revised, which Mr. Adams proposed to amend by "excepting the 21st rule," which is the rule that disposes of petitions respecting abolition. This amendment after a debate was adopted—but a motion was subsequently made to reconsider the vote, and that motion was under debate when our latest accounts left the city of Washington.

Tuesday, June 8. The speaker announced the following standing committees:

Elections—Messrs. Halsted, Blair, Craven, Borden, Sumner, Gamble, Aaron V. Brown, Medill, and C. A. Floyd.

Ways and means—Messrs. Fillmore, Gilmer, Botts, Samson Mason, Thos. F. Marshall, Rencher, Pickens, John W. Jones and Altherton.

Claims—Messrs. Giddings, Sprigg, Linn, Warren, Arnold, Cowan, Banks, Burke and Robert McClellan.

Commerce—Messrs. John P. Kennedy, Winthrop, Tolson, Rayner, Benj. Randall, Ed. D. White, Holmes, Brewster, and Chas. Brown.

Public lands—Messrs. Wm. Cost Johnson, Morriss, Lewis Williams, Smith, Genly, Bronson, Howard, Chapman and Cave Johnson.

Post office and post roads—Messrs. Briggs, Jos. L. Williams, Russell, Brockway, Morgan, Owley, Andrew Kennedy, Hopkins and Railing.

District of Columbia—Messrs. Underwood, King, Powell, Harris, Alex. Randall, Rich'd W. Thompson, Keim, John Campbell and John T. Mason.

Judiciary—Messrs. Barnard, Trumbull, Maxwell, Wood, Foster, Milton Brown, Pearce, Ingersoll, Roosevelt and Saunders.

Revolutionary claims—Messrs. Hall, Patrick G. Goode, Thomas J. Campbell, Mathiot, Washington, James, Parmenter, Wm. O. Goode and Van Buren.

Public expenditures—Messrs. Graham, Childs, Hudson, Alford, Clinton, Jeremiah Brown, Watterson, Green and Littlefield.

Private land claims—Messrs. Moore, R. D. Davis, Benj. G. Gable, Stuart, Cross, J. B. Dawson, Turney and Gordon.

Manufactures—Messrs. Saltonstall, Randolph, Greig, Henry, Slade, Tillingshast, Nabbi, A. Marshall and Eastman.

Agriculture—Messrs. Deberry, Ridgway, Simonson, Doig, A. McClellan, Arrington, Mettucks, Shaw and John Hastings.

Indian affairs—Messrs. Adams, Cooper, Barton, W. B. Campbell, Merriweather, Crittenden, Shepherd, Wm. Butler and Bidlack.

Military affairs—Messrs. Wm. C. Dawson, Wallace, Caruthers, Pendleton, Goggins, Van Rensselaer, Wm. O. Butler, Sumler and Miller.

Millia—Messrs. King, Triplett, Colles, Bokley, Ward, Wiley, Sweney, Lowrey and S. H. Butler.

Naval affairs—Messrs. Wise, Stanley, G. Davis, T. W. Williams, King, Burnett, Pressenden, Mallory and Clifford.

Foreign affairs—Messrs. Cushing, Everett, Hunt, John C. Clark, Allen, Proctor, Rhett, Hunier and Ferris.

Territories—Messrs. Pope, C. H. Williams, Solers, Maynard, Hays, Gaica, Green, W. Caldwell, Daniel and Dean.

Revolutionary pensions—Messrs. Tallifero, Rodney, Laws, L. W. Andrews, Matthews, S. N. Clarke, Babcock, C. A. Floyd and Fernald.

Invalid pensions—Messrs. Morris, Ayer, J. Edwards, Gerry, Gordon, Hubbard, Dixon, Sutton and Gustin.

Roads and canals—Messrs. Lawrence, Joseph L. White, Boardman, Sherlock, J. Andrews, John B. Thompson, John Young, Bieenor, Wm. W. Irwin and Bresson.

Patents—Messrs. Osborne, Cranston, Plumer, Birtch, Donck, Jack and C. A. Floyd.

Public Buildings and grounds—Messrs. Boardman, Augustus Young, Cranston, Bowne and Wood.

Revisal and unfinished business—Messrs. James, Birtch, Donck, Jack and C. A. Floyd.

Accounts—Messrs. Baker, L. W. Andrews, Marchand, J. G. Floyd and York.

Mirages—Messrs. Thomas W. Williams, Patrick C. Caldwell, John C. Edwards, Westbrook and Egerton.

Expenditure in the state department—Messrs. Van Buren, Hudson, Oliver, Brockway and Wm. S. Hastings.

Expenditures in the treasury department—Messrs. McKim, Brown, Mason, Partridge, I. D. Jones and James Irvin.

Expenditures in the war department—Messrs. McKay, Tomlinson, Neward, Alford and Brockway.

Expenditures in the navy department—Messrs. York, Simonton, Burden, Stuart and Green.

Expenditures in the post office department—Messrs. Lowell, Morgan, Washington, Boyd and Lane.

Expenditures on the public buildings—Messrs. C. Johnson, Gates, Bidlack, Stokly and Houck.

The speaker announced the names of the following members as constituting the select committee ordered yesterday to be appointed "on the subject of the currency and the establishment of a suitable fiscal agency capable of adding increased facilities in the collection and disbursement of the public revenues, and rendering their custody more secure."

Committee—Messrs. Seagraves, Adams, Pope, W. Cost Johnson, Wm. C. Dawson, Botts, McKay, McKim and Rhett.

Mr. Gilmer presented the memorial of William Smith, of the 12th congressional district, in the state of Va. contesting the seat now held by the hon. Linn Banks, which was referred to the committee of elections.

The house proceeded to an election, *sine voce*, of a sergeant-at-arms, and the following persons were balloted for:

	1st	2d	3d	4th	5th
Whole number of votes	222	221	218	216	217
Necessary to a choice	112	111	109	109	109
Mr. Dorcey	82	89	85	81	85
Mr. Townsend	55	71	76	76	80
Mr. Huse	24	41	47	43	32
Blake	19	9	—	—	—
Wilson	11	—	—	—	—
— Birchett	11	12	10	6	—

The house was about to proceed to a 6th ballot, when Mr. Iugensoll moved a reconsideration of the vote by which, on yesterday, the house had agreed to the amendment of Mr. Adams, striking out the 21st rule.

The house was in a ferment in a moment, and a question of order arose.

The motion was entered on the journal, and will come up for consideration to-morrow.

Mr. Adams, on leave, from the select committee, to whom was referred that portion of the president's message, relating to the family of the late president, reported a bill "for the relief of Mrs. Harrison, widow of president Harrison." It was read twice and referred to a committee of the whole on the state of the union.

The sum to be appropriated is left for the consideration of the house.

The balloting for sergeant-at-arms was then resumed, and on the 7th ballot, Mr. Townsend receiving a majority of votes, was declared to have been duly elected.

Mr. Hunt offered a resolution discharging the standing committees from all business appertaining to them during the present session, except those whose duty it is to consider the several subjects referred to in the president's message.

A motion was here made to adjourn, which prevailed; and, at half past 5, the house adjourned until 12 o'clock to-morrow.

CHRONICLE.

ABOLITION CANDIDATES. At an adjourned meeting of the American and Foreign anti-slavery society, held at the church, corner of Houston and Thompson streets, N. York, June 11, Drury and Thomas Morris, late V. B. senator from Ohio, were nominated unanimously as suitable candidates for president and vice president at the United States at the election of 1844.

ABOLITION NOMINATION. The abolitionists of Vermont have nominated a ticket for state officers: Governor, Hon. Charles K. Williams; lieutenant, Paul Dillingham, jr.; treasurer, honorable Henry F. James.

AGRICULTURE. The legislature of New York at its late session appropriated \$4,000 per annum for five years for the promotion of agriculture and household manufactures in that state.

AREOL. There are thirteen pair of mill-stones in Akron grinding at this time on an average per day 2,000 bushels of wheat. Thus will probably fall off some in July and August, and taking the average of 6,000 bushels per day, which is low enough, the number of bushels of wheat will be 200,000 bushels, or 20,000 barrels of flour, worth at present prices over \$200,000. (Bacon.)

AMERICAN FUNDS. London quotations of 14th May 1841.

Alabama 5 per cent. sterling	1855, do.	79 72
Indiana 5 per cent. sterling	1858, do.	65 87
Kentucky 5 per cent.	1864, about	80
Louisiana 5 per cent. Baring's	1844, do.	80
Maryland 5 per cent. sterling	1859, do.	74 75
New York 5 per cent.	1855, do.	81 83
Ohio 6 per cent.	1856, do.	87 88
Pennsylvania 5 per cent.	do.	73 75
Tennessee 5 per cent.	1857, do.	88
Virginia 6 per cent.	1857, do.	77
New York city		
U. States bank shares £4, sellers.		

ANIMAL CRYSTAL. The principles fibrin and albumen, which play an important part in the constitution of the animal body, are now, on the authority of Liebig, stated to be identical. M. Denig has communicated a letter to the academy of sciences, in which Liebig states that he has been able to dissolve fibrin by a moderate heat in a saturated solution of nitre, and the fluid has all the properties of solution of albumen. (Provincial Medical and Surgical Journal.)

ATMOSPHERIC AIR. M. Thillier, a French philosopher, has perfected an apparatus for condensing air, and he states that he obtains a degree of condensation of about degrees below zero. He has announced his intention of liquifying atmospheric air. But according to the London Foreign Quarterly, it is not yet known that this had not already been achieved by our distinguished countryman, Mr. Perkins. He placed a glass tube in the compressing engine under a pressure of thirty pounds to the square inch, and when it was taken out, there was a small globe of fluid at the bottom of the glass, and no appearance of air in the tube. Dr. Wollaston and Dr. Humphrey then considered that the liquefaction of atmospheric air. (Ibid. Jour.)

THE SHIP WILLIAM BROWN. Captain Harris of this unfortunate ship, with seven sailors and a young woman, (Elizabeth Lesford), were picked up at sea by a French vessel, having been six days in the jelly boat after the ship struck the iceberg. Some of the sailors were in the hospital at St. Peter's, having been brought from Boston. They have arrived at Castine. Captain H. had labored for Boston.

"CELESTIAL BEARD, CHIEF FOGAR AND CHIEF TINDER" is the battle cry of the wing ministers of Great Britain in the present political contest.

COURT MARTIAL. A court martial is now in session at Somerset House, London.

Commander Staubbach, president.
Captains—Shannon, Benson, Grininger, Voorhes, Zantinger.
Commanders—Webb, Delany, Mayo.
Henry S. Alliman, judge advocate.

CROPS. Appearances at present, so far as we have opportunity, promise abundance of grain and fruit. Accounts from the south are not equally favorable in relation to the cotton crop. It is too early to judge of the tobacco crop.

DEATHS during the week ending 31st ult. in Baltimore 35, of which 19 were under 1 year of age, 11 were free colored and 3 slaves. During the week ending the 7th inst. 44, of which 18 were under 1 year of age, 9 were free colored and 5 slaves.

EMIGRATION. It is stated in the New York Journal of Commerce, that 17,500 passengers have arrived in that port from foreign countries, since the 1st of January, of the year 1840 the whole number of passengers which arrived there from foreign countries was 69,757.

FLOUR. The inspections of last week, in Baltimore, comprised 9,136 barrels and 1,077 half barrels. Prices declined in 84 7/8¢ from wheat and 85 cents. At New York, country flour 84 1/2¢, city mill 84 1/2¢, Frederickburg family flour 84 1/2¢.

FARTY ELLER cleared \$40,000 at the south. The price of hops is evidently rising in the southern market. (Low Jour.)

GAS LAW. A law for the preservation of gas has passed the N. Y. legislature. It prohibits parades or qualls from being caught or killed from March to September, and woodcock from March till July.

GAS SEWER IN LOS CAJONS. Several inflammable gas accidents have occurred in St. Clair county, near New Hope, says the Detroit (Michigan) Western Farmer, which have excited considerable curiosity. The gas issues from borings made in the earth, without intervention, and may be set fire to by burning with a large and steady flame. Several years ago Mr. Smith discovered bubbles of air rising through the water from the bottom of the Lake. Druggists were soon introduced, through which the gas passed in considerable quantities. One of these tubes has been made to pass up through the floor of the house where Mr. Smith discovered the gas, for the purpose of a large gas escapes through a small orifice, and burns with a steady flame several inches in length. A tube has been placed in the cellar to collect the gas and render it available for domestic purposes. Mr. Smith, who conducted the geological survey of this country, that this gas must proceed from some considerable deposit of mineral matter in the vicinity, and may result from the decomposition of a large mass of which exist in a neighboring marsh. It is a carbonized hydrogen gas, and the same kind is not only found in the decomposition of humus, but also in the decomposition of wood, and in the decomposition of coal, and it is not an indication of coal, but that mineral does not exist in the country. The odor is slightly balsamic and oily.

GOVERNMENTAL NOMINATIONS. The whig gubernatorial nomination in the city of Baltimore, on the 2d instant. Governor Sprigg, of Prince George's county, presided. William C. Johnson, esq. was nominated as whig candidate.

The V. B. convention assembled on the 10th instant. General Tobias E. Stansbury presided. The convention named Francis Thomas, esq. as the Van Buren candidate for governor.

THE GERM. The principle of adapting steam power to vessels of war begins to draw towards the accomplishment of the important object the armed vessels and stores of both the naval architecture and practical engineer. Many experiments have of late been tested, but none with entire success to convert all wood into iron. The idea of building a vessel of iron, and which will take the liberty to draw public attention to the value of the above subject, and the attention of the government to the subject, is a subject of great importance. The United States navy, in his little vessel, the "Germ." This small craft having the following dimensions, arrived at the navy yard, Washington, on the 2d of June.

Length of vessel	25 feet.
Beam	11 "
Depth of water	11 "
Power of engine	6 horse.
Superficial area of floats	1 foot.
Velocity obtained	10 miles per hour.

No doubt that experiments in this little vessel, and the results already obtained are sufficient proof of the entire success of this plan for war purposes. Hoping from this Germ may spring up fair trees, it will be at least a great success.

LOTTERY DEALERS. James Scott, charged with the offence of selling lottery policies a device framed to evade the act of assembly against the sale of lottery tickets, was tried at Philadelphia on the 29th ult. and convicted.

MILL ROBBERIES. After a long and tedious trial, John Briddle, the mill robber, was convicted at Pittsburgh, Penn. on the 4th instant, for three offences—and subsequently two of his gang, Stayer and Corman, came before the court on the 6th inst. for the same offence. The clerk of Briddle. Briddle's sentence must be from six to thirty years.

OIL TRADE. The vessels which arrived at the several New England ports last week brought 18,000 barrels of sperm and 10,000 barrels of whale oil.

OVERDUE. With all the bad reputation incident to omnibuses in the city, it is constantly stated that a well known proprietor on the Broadway route, who commenced as a driver three years since, has amassed \$50,000 dollars, and would have made \$40,000 if he had not all the time been arrested by the police, and made all his journeys in the proprietor and the customer. Why not abolish rickets altogether, and make the fare up and down 6 pence, cash? Try it. This change, with the abolition of the omnibus, would save the city all cheating. The clock would note the number of passengers who enter the stage, and prevent all disputes with the drivers. (N. Y. Amer.)

PROFESSOR OLIVER, owing to ill health, has resigned the chair of natural medicine in Ohio medical college.

POST OFFICE ARRANGEMENT. The regulations of the British post office in relation to letters and sea letters, and the customs of Europe, allow such letters to be without the previous payment of postage to all the continent of Europe except to Australia, Sicily, and Portugal. The Italian states, including Sicily, Spain and Portugal.

Letters for Sweden and Norway can be forwarded in the manner during certain months in the year,

when the packets are running from Hull direct for Gothenburg.

Letters for France, the German states, Switzerland, Belgium, Holland, Prussia, Russia, can be transmitted by the steamer, through England without previously paying postage.

PRISON DUTIES SOCIETY. The annual meeting of this society was held at Boston a few days ago. From the report which was submitted we learn that the whole number of county prisoners is about 430, and the whole number of prisoners annually 75,000—of which 30,000 are in the prisons of New York, Philadelphia and Boston. The number of prisoners in the county prisons is about 100 in proportion than the increase of population. The mortality has been only 1 in 56. This calculation includes the prisoners indicted by the grand jury, the whole were 1 to 15. The number of lunatics in the prison is stated at 25, of whom 22 were in the Philadelphia and N. Jersey penitentiaries. The number of annual commitments have greatly diminished in some of the states.

STEAMERS. A London paper mentions that the "British Queen" steamer has been sold to the king of the Belgians.

The London Dispatch says that the steamer President and the Commodore, both of the U. S. Navy, Robert N. W. was a married man, and had five children, who reside in London. He was a native of the county of Cork, and was employed by putting an end to the slave trade in a portion of the west of Africa, when he commanded a brig of war.

SPEECH. Several gentlemen have arrived at St. Louis, in advance of the regular spring caravan from Santa Fe. The Commodore, Robert N. W. was a married man, and had five children, who reside in London. He was a native of the county of Cork, and was employed by putting an end to the slave trade in a portion of the west of Africa, when he commanded a brig of war.

STOCKS. U. S. bank of Pennsylvania has declined again and again at Philadelphia at the close of last week at 30 1/2; Gerard bank at 75.

A SHAW. We saw yesterday the water-wheel shaft for the United States steam frigate Menom, which was forged at the West Point foundry from bars of inches square, made at the Utterton iron works. It weighed, before turned 34,400 pounds. It is now 25 feet 4 inches long and 18 inches diameter, which is as large as the largest ever made, and does credit to the engineering skill of the country.

Tobacco. The demand has declined during the last week in Baltimore; for Maryland, inferior to common No 4 to 50; middling to good 85 to 100; good 85 to 90; fine, 90 to 125; Ohio, sales are quite limited, common to middling 85 to 100; fine 100 to 125; red and wrappery 85 to 125; prime yellow at 87 to 100; and extra wrappery 90 to 125. The inspections of the tobacco in the city of Baltimore, for the week ending 13th, 16th, Kentucky, and 1 bid, Pennsylvania 16 to 137.

Tobacco inspections in Virginia.

	1841.	1840.
1841.		
1840.		

May 31st—Richmond passed and re-fused

Peru	8,402	9,409
Peru	10,062	10,300
Lynchburg	2,392	2,415
Farmville	2,331	2,619
Clarksville	1,441	2,125
All others	515	750

TRANSCENDENTALISM is making quite a sensation in some places east of us. Professor T. W. Alexander, of Princeton, in lecturing on the subject in one of the Philadelphia churches, said the U. S. Gazette says that a correspondent of a New York paper has written with earnestness and propriety, the meaning of the word "transcendentalism," which is considerably used at present with reference to German literature and its imitations. He is thus answered:

"Transcendentalism is the spiritual cognate of psychologism, irrefragably connected with convenient adoption of metaphysical speculation and etherealized contention of sublimity conception."

There can be no mistake about the matter now.

TWO PLEASANT EXPEDITIONS are announced in the Cincinnati papers, to start about the first of June, for the purpose of reaching the great city of New York, Mississippi, and all intermediate landing places. The distance is nearly 4,000 miles.

THE WHEELERS are evidently losing their wits, if they ever had any. A few weeks ago a couple of them went into Westport, near New Bedford, where they ought to have known that they would be "hunted" as soon as they were seen; and since that, two more of them, on the same errand, have been "hunted" better than "doomed fish," by running into the New port harbor without one of Mr. Blunt's charts; the consequence of which may be readily imagined. One of them struck the rocks, and the other was obliged to get out of water. He hauled off, however, and went to sea without regret. Great apprehensions are felt along the western coast that he may lose, with a full cargo of fifty barrels of oil on board, without any compensation. (N. Y. Cour. & Enquirer.)

VICTORIA, queen of Great Britain, was 29 years of age on Monday last the 1st June.

NILES' NATIONAL REGISTER.

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FOREIGN AFFAIRS.

The Great Western, steam ship, capt. Hosken, arrived at New York on the 10th instant, in fourteen days from Liverpool, bringing English dates to the 27th, and Paris to the 25th May. She brought forty-two passengers and a valuable cargo.

The President steamer. A steam ship, capt. seen by the Portuguese ship Comde Palma, captain Sabino Antonio de Cabo Almeida, on her passage from Rio de Janeiro to Lisbon, which afforded a glimpse—and but a faint glimpse—of hope to those who had friends on board of the steamer President. The following are extracts from her log-book, as given by the Liverpool Standard of May 26th:

"On April 23, at 4 P. M., in lat. 31.24 N., and long. by chronometer, 40.23 W. of Greenwich, saw a very large steamer under canvas, without showing her colors, or making any signal; the paddle-works were not in motion, nor was any smoke issuing from the funnel. Next morning, the 24th, at six o'clock, saw her again under two square topsails (fore and main) and latten sails, (fore and aft,) steering NNE. The wind was at east, with moderate weather. On the 25th the wind veered to the NW., blew strong, which would prevent our steamer reaching the western isles. The steamer had three masts, of a dark color; not certain as to the color of the funnel. The nearest distance we were to the steamer was four English miles. They showed no signals at all indicative of anxiety to speak to us. She was proceeding at the rate of from three to four miles per hour. She made a good deal of lee way. We did not communicate, but could easily have done so on both days. The NW. wind, which sprung up on the 25th, lasted for five days. We viewed the steamer through a telescope."

The following article appears in this morning's "Times":

Lisbon, May 17, 4 P. M. The following is a transcript from the minutes of the log book of the Portuguese ship Comde de Palma, captain Sabino Antonio de Cabo Almeida, which arrived at this port from Rio de Janeiro, in 50 days, on the 6th inst.—A general hope is entertained here that the vessel in question must be the long missing steam packet President.

"On the 22d of April, at 3 P. M., being in lat. 29° 29' 18" north, long. 40° 28' west of Greenwich—wind at east—saw, at about five or six miles ahead, a vessel whose rig we could not well make out, steering the same course, NNE. The same wind continued throughout the night, with fine weather, but rather a rough sea. Early on the morning of the 23d the same vessel was about six miles on the harbor quarter, when we could well perceive her to be a large steamer under all sail, and making no use of her steam power. At noon, latitude by observation 34° 24' 36", longitude by chronometer 40° 20', she was fast falling to leeward; at 4 P. M., she was scarcely perceptible on the horizon; soon after the wind shifted to NNE, NE, NNW, N, WNW, and W, and blew strong with an agitated sea; this continued until the 3d of May, when the weather became finer, and the wind veered from W

to WSW and SW, which brought us to the Tago on the 6th inst."

N. E.—The steamer had three masts; did not show her colors, or make any signal; nor did we show any. She was going on easily with all her sails set, making no use of her machinery, and was using every endeavor to beat to windward, but was making much lee way; the funnel was painted white and had a confused idea that the vessel was painted with a white streak."

The principal discrepancy between the two statements is the color of the funnel. The postscript of the article in the "Times" states the funnel to be white—whereas in the extract of the log given above it is said, "not certain of the color of her funnel."

Remarks by captain M'Lea. Captain Almeida appeared to be an intelligent man, and willing to give every information in his power. I implored of him to state nothing but what was positive truth, and he assured me that all he had said was fact; and he deeply regretted that he knew nothing of the President steamer being missing, or he would have spoken the steamer he saw. On my rigidly examining him, he declared that the steamer alluded to was as large as a frigate. After the most serious and mature deliberation, my own opinion is that there are good grounds to suppose it was the President, and the probable reason for their not communicating may have been that they had previously fallen in with some vessel homeward or outward bound, and transferred their passengers and received supplies from her; and that they were making the best of their way to the nearest port in the Western Islands.

It will be necessary to ascertain where Her Majesty's steamer Dee was on the 23d and 24th days of April, as I was informed at Lisbon that vessel was on her passage home from the West Indies.—When ascertained that it could not have been that vessel, then I am firmly of opinion that it must have been the President, and as they were then in the parallel of latitude where the trade winds commence, it may be many weeks, from the date they were seen, till they arrive at any port.

At the date they were seen, their nearest port was in the island of Fayal, one of the Azores or Western islands, bearing from them per compass, E. N. E. 708 miles.

The President had three months' rations on board when she left N. York, on the 11th of March; moreover her cargo partly consisted of a large quantity of flour. At Lloyd's it is considered extremely doubtful whether the vessel was the President, and it is thought more likely to refer to the Dee steamer, which arrived on the 10th instant, from the West Indies.

The great eastern treaty. This deed which had only received the initials of the five powers has now been fully settled by all five, and most cheerfully by France. So ends that noisy affair.

GREAT BRITAIN.

The principle topic is the great movement in parliamentary tactics and struggle for place and power between the whigs and Tories. It will be remembered that Lord J. Russell introduced a measure to reduce the duties on sugar from 6s. to 3s., and moved that the house go into committee of the whole on the question. Lord Nelson opposed this with an amendment, which after a debate of eight nights, was decided against the ministers on the 18th May as follows—

For going into committee, 281

Against it, 317

Majority against ministers, 36

Lord John Russell next day refused to resign and said that he should reserve the great test question of the corn laws for the 4th of June. Sir Robert Peel immediately gave notice that, on the 27th of May, he should move that the house had no confidence in ministers, or in other words, the poor of England are saddled with an extraordinary tax on sugar, of five to six cents in the pound, more than any other people in the world pay for it. The duties on sugar are to remain as before.

On the evening of May 24, the house of commons was filled to an uncommon extent—something was expected. Shortly after five o'clock the speaker called upon Sir Robert Peel. Sir R. Peel arose amidst tremendous cheering, which having subsided, the most profound silence reigned throughout the house. The right hon. baronet said: I rise, sir, to give notice that, on Thursday next, I shall submit the following resolution to the house: "That her majesty's ministers do not sufficiently possess the confidence of the house of commons to enable them to carry through the house measures which they deem of essential importance to the public welfare; and that their continuance in office under such circumstances is at variance with the spirit of the constitution." [The right hon. baronet sat down amidst the most tremendous cheers we ever heard, and which were several times renewed.]

The London Times of the 22d, says that that announcement in the house of commons leaves no doubt as to the intention of ministers to dissolve parliament immediately after the decision of the corn law question, which they intend to make a test. It is for the conservative leaders to determine whether they shall be permitted to carry this intention into effect without impediment. And it is for the conservative people to lose no time in girding up their loins for the approaching contest, and to take such prompt and vigorous measures as will enable them to follow up the series of triumphs which have hitherto rewarded their efforts in and out of parliament, with a signal decisive and universal victory throughout the country. When the battle walt turns to bay the phase is nearly at an end.

Chartist. London May 26. In the house of commons last night, Mr. Duncombe presented a number of petitions one of which was signed by 1,300,000 persons, praying for the release of all political offenders; for a free pardon to Frost, Williams and Jones; and for the adoption of the principles of the charter by the house of commons.

Steam Frigate. The town of Greenock exhibits at present a scene of no common interest. Six large frigates are now being constructed in the town or its vicinity, each of these of about 1500 tons capacity, and carrying engines of about 500 horse power, being part of the fleet of fourteen armed frigates, destined in time of need, to carry out and discontinue the mails among the West India colonies. Four of these are to be supplied by a single firm in Greenock, who deliver the ships, engines and equipments complete and ready for sea.

The queen's birth day came off on the 21st inst. The day was fine. The concourse of people in the park of St. James, was immense. Twenty one guns were fired as a salute, one for each year of her majesty's age.

Joseph Bonaparte. The count de Surville, Joseph Bonaparte, with his son-in-law, the prince de Canino, and his son Lucien, and Messrs. Mallard and Thibaud, secretaries, and a numerous suite, embarked at the Brunswick wharf, Blackwall, yesterday afternoon, on board the Peninsular and Orlean-

tal steam navigation company's steamship *Iberia*, Mr. E. Cooper, commander, for Genoa.

O'Connell has addressed a spirit-stirring letter to his countrymen, in relation to the coming elections, commencing with the quotation:

"Humblest business, know ye not.

Who would be free themselves must strike the blow?"

Emigration. Thirty vessels have sailed from Cork harbor up to the present period, this season, conveying four thousand six hundred and sixty-two emigrants to New South Wales, and across the Atlantic, of these 456 proceeded to Port Phillip, 200 to Sydney, and 16 to Bathurst, New South Wales. Of the total number, 3,981 arrived for America—comprising 474 to New York, 1,010 to Quebec, and 2,497 for St. John's. This enumeration can give no idea of the total amount of emigration from this part of the country, as the steamers weekly convey passengers destined to ship from ports in England; besides that, many vessels sailed from this and the adjoining counties, conveying hundreds of emigrants.

Corn laws. All the manufacturing and commercial towns are holding large meetings in opposition to the corn law, sugar and timber duties. The cities and towns of Scotland are particularly active on the subject; and the forthcoming elections will be the most exciting and important which have ever taken place in England, since the reform parliament. Already many candidates are in the field, in anticipation of a dissolution. Before our next advices from England, or very soon afterwards, parliament will be dissolved and all England in an uproar. There is some talk of bringing Mr. Hume forward to represent Edinburgh in parliament.

Money-market and trade. In London, the bankers were decreasing their facilities, and money was more difficult to be obtained. Many heavy failures had taken place, particularly in the West India trade. The exchanges continued, however, favorable, and was good, somewhat dearer in London than on the continent. This was the result of the dearthness of the currency in England, rather than of an unusually favorable commercial balance.

In the manufacturing districts the gloom and stagnation of business rather increased than otherwise, and working short time, had become more general. The cotton market had consequently suffered a further depression of $\frac{1}{4}$ to $\frac{1}{2}$, with small sales. Many failures had occurred in Manchester. In American stocks there was no set-up. Few transactions had taken place.

London, May 25. Money is again in great demand at the stock exchange, where so much as 6 per cent, is paid for short loans on stock or exchequer bills, and 5 per cent for the 16th of July, the next account day. This being settling day in consols, bankers and capitalists as usual hold back, and thus cause an artificial scarcity of money for a time.

The opening prices of stocks were—consols for money, 89½ to 90, and for the July account 90½; new 4½ per cent, 98½ to 99; and exchequer bills 10s to 10s prem.

[Globe.]

An utter stagnation is now rapidly creeping over every branch of industry, whether manufacturing or commercial, and whether in town or country. All kinds of testimony agree that in this, ordinarily the liveliest period of the year, there never was experienced in the memory of man so general and complete a paralyzation of trade.

Cotton market, Liverpool, May 24. There has been some little improvement in the demand, but the wants of the trade are still on a very limited scale, and upon the whole the market continues without animation, and in prices we have little or no change to notice. The sales of the week amount to 18,040 bales; 300 bags American and 100 Surat being on speculation, with 200 American, 500 Surat, and 150 Pernambuco for export, and comprise 80 sea island at 14½d; 4200 bowed 5½ to 7½; 1750 Mobile, Alabama, and Tennessee 5½ to 7½; 5800 Orleans 5½ to 6½.

We have again to report a moderate extent of business in cotton to day, with a continuance of the dull feeling which prevailed on Saturday. The sales which include 200 bales American and 200 Surat, purchased for exportation, are 3009 bales, without any material alteration from the current rates of last week, although all descriptions are rather slow.

May 25. The sales to-day are 1000 bales.

Liverpool corn market, May 24th. Several purchases have been made of United States flour in bond at 20s for New Orleans, and at 22s at 23s for prime brands.

Liverpool, May 25. A parcel of Odessa wheat order sold at 5s per 70 lb and 40s to 5000 bbls, of flour have changed hands at 20s for New Orleans, 22s for Philadelphia and Virginia, and 23s per bbl, for prime western canal.

FRANCE.

The Moniteur promulgates the law relative to the levy of 80,000 recruits of the class of 1841, and another granting a credit of 2,500,000fr, for the purchase of cavalry horses.

Paris, May 22. The chamber of deputies commenced on Tuesday the discussion of the project decree relative to the extraordinary works which the loan of 450,000,000fr. is intended to defray. In the house of Peers the debate also turned on extraordinary credits, voted for 1830 by the chamber of deputies; and the creation of the eighteen new regiments, attacked by generals D'Jean and D'Ambruge, was warmly defended by general Cuhiers, the minister of war under the Thiers administration.

M. Piscatory one of the doctrinaire deputies who most eagerly espoused the cause of M. Thiers, and subsequently to the downfall of that minister, distinguished himself for his opposition to the cabinet of the 29th October, had accepted a mission from the latter to the Greek government.

La Presse asserts that in a few days a formidable squadron, under the command of admiral La Suesse, would sail from Toulon for the coast of Greece, and that this expedition was intimately connected with the mission of M. Piscatory.

La France states that M. Guizot had applied to the court of London to unite with France in assembling an European congress, but that the British government had refused to accede to his request.

The contents of the Paris papers of Monday, May 24, are of little interest. The trial of Darnes and his accomplices, Dacles and Considers, for their attempt on the life of the king, commenced on that day. There are 68 witnesses, but it is doubtful if the accomplices will be found guilty—the conviction of Darnes is, however, certain.

The comparative failure of the late much vaunted expedition against Ab-dei Kader is ascribed in the Parisian journals to the rashness or want of judgment of the duke de Nemours.

The Texian loan. "La Presse" states, that the issuing of the Texian loan had been received with such general disapprobation and distrust, that the firm of J. Lafitte, which had undertaken to bring it out, and had inundated the country with its prospectuses, was obliged to abandon it. [Standard.]

Private accounts from Paris contradict the statement in "La Presse" newspaper, that the house of Lafitte & Co. have withdrawn from the Texian loan, and, on the contrary, affirm that they are proceeding with it, and are, indeed, bound by special contract to do so. [Times.]

GERMANY.

Berlin, May 8. We are able to give our readers the joyful intelligence that the convention relative to the continuation of the German customs union was signed yesterday, and that several of the plenipotentiaries have already left Berlin to return home.

[Russian State Gazette.]

POLAND.

The emperor Nicholas, on occasion of the marriage of his son, has conferred some favors on the in-

habitants of the kingdom of Poland. All persons under sentence of death have their punishment commuted to imprisonment.

SPAIN.

Madrid, May 17. Senor Osoaga has failed to form a cabinet, and the regent has charged count Almodovar with powers to try what he could do. As a cabinet council it had been resolved that the title "highness" should be prefixed to the name of the regent.

Letters from Coruna of the 14th inst. state that Madame Mina had been appointed governor of her majesty queen Isabella, and of her sister the Infanta, at the special entreaty of their mother, queen Christina, ex-regent of Spain.

DOCUMENTS ACCOMPANYING THE PRESIDENT'S MESSAGE.

FROM THE DEPARTMENT OF STATE.

Department of state, Washington, May 24, 1841.

Sir: There are several subjects connected with the foreign commerce of the United States to which the secretary of state considers it to be his duty to call the attention of the president at the earliest opportunity.

The first is, the collection of Sound dues, or the tax payable at Elsinore, laid by the Danish government upon the cargoes of vessels passing through the sound into and out from the Baltic sea.

The right of Denmark to levy these dues is asserted on the ground of ancient usage, coming down from the period when that power had possession of both shores of the Belt and Sound. However questionable the right or uncertain its origin, it has been recognized by European governments, in several treaties with Denmark, since the year 1700, and at as early a period as the fourteenth century; and inasmuch as our treaty with that power contains a clause giving us on the same footing in this respect as other the most favored nations, it has been acquiesced in by us, and has not been denied by us.

The treaty of 1613, between Denmark and Holland, to which a tariff of the principal articles then known in commerce, with a rule of measurement and a fixed rate of duty, was appended, together with a subsequent one between the same parties in 1701, amendatory and explanatory of the former, has been generally considered as the basis of all subsequent treaties, and among them of our own, concluded in 1826, and limited to continue ten years from that date, and further until the end of one year, after notice by either party of an intention to terminate it, and which is still in force.

Treaties have also been concluded with Denmark, by Great Britain, France, Spain, Portugal, Russia, Prussia and Brazil, by which, with one or two exceptions in their favor, they are placed on the same footing as the United States.

There has recently been a general movement on the part of the northern powers of Europe, with regard to the subject of Sound dues, and which seems to afford to this government a favorable opportunity, in conjunction with them, for exerting itself to obtain some such alteration or modification of existing regulations as shall conduce to the freedom and extension of the commerce, or at least to relieve it from some of the burthens now imposed, which, owing to the nature of our trade, operate, in many instances, very unequally and unjustly on it in comparison with that of other nations.

The ancient tariff of 1613, by which the payment of these dues was regulated, has never been revised, and by means of the various changes which have taken place in commerce since that period, and of the alteration in price in many articles therein included, chiefly in consequence of the settlement of America, and the introduction of her products into general commerce, it has become quite inapplicable.

It is presumed to have been the intention of the framers of that tariff to fix a duty of about one per centum ad valorem upon the articles therein enumerated, but the change in value of many of those commodities, and the absence of any corresponding change in the duty, has, in many instances, increased the ad valorem from one per centum to three, four, and even seven; and thus, generally, upon those articles which form the chief exports of the United States, from South America, and the West India Islands, such as the articles of cotton, rice, raw sugar, tobacco, rum, Campeachy wood, &c. On all articles not enumerated in this ancient tariff it is stipulated by the treaty of 1701 that the "privileged nations," or those who have treaties with Denmark, shall pay an ad valorem of one per cent, but the value of these articles being fixed by some rule known only to the Danish government, or at least unknown to us, this duty appears uncertain and

fluctuating, and its estimate is very much left to the arbitrary discretion of the custom house officers at Elsinore.

It has been, by some of the public writers in Denmark, contended that goods of privileged nations, carried in the vessels of unprivileged nations, should not be entitled to the same duties as if carried in a vessel of valorem, but should be taxed one and a quarter per centum, the amount levied on the goods of unprivileged nations; and, also, that this limitation should be confined to the direct trade, so that vessels coming from or bound to the port of a nation not in treaty with Denmark should pay on their cargoes the additional quarter per cent.

These questions, although the former is not of so much consequence to us, who are our own carriers, are still in connexion with each other, of sufficient importance to render a decision upon them, and a final understanding, extremely desirable.

These Sound dues are, moreover, in addition to the port charges of light money, pass-money, &c. which are quite equal to the port dues of other places, and the payment of which, together with the Sound dues, often causes to vessels considerable delay at Elsinore.

The port charges, which are usual among all nations whose ports vessels resort, are unobjectionable, except that, as in this case, they are more consequences of the imposition of the Sound dues, following, necessarily, upon the compulsory duty at Elsinore of vessels bound up and down the Sound with cargo, with no intention of making any importation into any port of Denmark, and having no other occasion for delay at Elsinore than that which arises from the necessity of paying the Sound dues, and, in doing, involuntarily subjecting themselves to these other demands.

These port duties would appear to have some reason in them, because of the equivalent; while, in fact, they are made requisite, with the exception, perhaps, of the expense of tolls, by the delay necessary for the payment of the Sound dues.

The amount of our commerce with Denmark, direct, is inconsiderable, compared with that of our transactions with Russia, Sweden, and the ports of Prussia, and the German association on the Baltic; but the sum annually paid to that government in Sound dues, and the consequent port charges by our vessels alone, is estimated at something over one hundred thousand dollars. This is paid by the greater proportion of this amount is paid by the articles of cotton, sugar, tobacco and rice; the first and last of these paying a duty of about three per cent. ad valorem, reckoning their value at the places whence they are imported.

By a list published at Elsinore, in 1840, it appears that between April and November of that year, seventy-two American vessels, comparatively a small number, lowered their topsails betwixt the castle of Cronborg. There were all bound up the Sound to ports on the Baltic, with cargoes composed in part of the above named products, upon which alone, according to the tariff, was paid a sum exceeding forty thousand dollars for these dues. Having disposed of these cargoes, they returned laden with the usual productions of the countries on the Baltic, on which, in like manner, were paid duties on going out through the Sound, again acknowledging the tribute by an inconvenient and sometimes hazardous ceremony.

The whole amount thus paid within a period of eight months on inward and outward bound cargoes, by vessels of the United States, none of which were bound for, or to, the port of Elsinore, is paid in Denmark, except compulsorily at Elsinore, for the purpose of complying with these exactions, must have exceeded the large sum above named.

I have, therefore, thought proper to bring this subject before you at this time, and to go into these general statements in relation to it, which might be carried more into detail, and substantiated by documents now at the department, to the end that, if you should deem it expedient, instructions may be given to the representatives of the United States at Denmark to enter into friendly negotiations with that government, with a view of securing to the commerce of the United States a full participation in any reduction of these duties, or the benefits resulting from any new arrangements respecting them which may be granted to the commerce of other states.

The other subject, which, in the opinion of the secretary, demands the early consideration of the government, is the German association or customs union, established in Germany, and now in successful operation under the leading auspices of the government of Prussia. This important association has its object the union of many of the German states into one body, for the purpose of establishing uniform regulations of commerce; uniform duties of importation, exportation and transit; a system of

uniform weights and measures, and a uniform coinage throughout all the members of the association; objects resembling, as we will be perceived, important purposes contemplated by the establishment of the general government of the United States.

In all these states of the association the greatest variety and diversity had previously existed. Each has its own tariff of custom houses, and its peculiar system of duties, constituting them in these respects foreign countries to one another. The effect of these diversities upon trade and manufactures may easily be supposed to have been highly prejudicial to the general commerce of the country.

To Prussia, who had labored for years to bring about this commercial revolution in Germany, chiefly belongs the credit of its accomplishment. She has united the members of the confederation in a treaty which establishes one tariff for all, the duties to be collected on the frontiers of what now forms one great commercial league. The net revenues arising from the duties are divided among the several states in proportion to their respective areas of population, every article, salt and playing cards excepted, having once paid the duties on the frontier, being permitted to circulate freely among all the states of the union without any additional impost.

The association was concluded in 1834, and was to continue in force until the 1st of January, 1842; and, if, during that term, and at latest two years before its expiration, the contrary should not be declared for twelve years more, and afterwards from year to year, it has recently, under the same provisions, been renewed for another term of twelve years. The effect of this confederation has probably been to give to Prussia and Germany a new vigour in the political balance of Europe; but it is principally interesting to the United States in its commercial tendencies, and in the hopes which it encourages of furnishing an enlarged consumption of some of the staple articles of our production, such as cotton, tobacco and rice. The German commercial and customs association comprises an ample territory abounding in wealth, industry, population and resources of every description. The states included in it are

	Population.
The kingdom of Prussia, . . .	14,211,530
The kingdom of Bavaria, . . .	4,515,469
The kingdom of Wurttemberg, . . .	1,649,829
The kingdom of Saxony, . . .	1,169,826
The grand duchy of Baden, . . .	1,277,403
Electorate of Hesse, . . .	704,700
Grand duchy of Hesse, (with Homburg), . . .	807,671
Duchy of Nassau, . . .	386,221
The Thuringian union, . . .	906,000
Free city of Frankfurt on Mayn, . . .	84,000

Total, 26,027,425

It is understood that Brunswick has exhibited an inclination to separate from the northwestern union, at which she was a member, and join the association; and the accession of the grand duchy of Luxembourg is likely soon to swell still higher the total population of the states thus united, which constitutes already the most industrious, enlightened and prosperous people of Germany.

Three of the German states have not yet acceded to the association, but have named a separate commercial and customs union; viz:

	Population.
The kingdom of Hanover, . . .	1,772,107
The grand duchy of Oldenburg, . . .	1,169,826
The duchy of Brunswick, . . .	251,000

Total, 2,289,643

And a few of the states of Germany have neither acceded to the association, nor formed any special union among themselves; these are

	Population.
The kingdom of Holstein and Lauenburg, . . .	471,278
(belonging to the king of Denmark), . . .	471,278
The grand duchy of Mecklenburg-Schwerin, . . .	292,523
The grand duchy of Mecklenburg-Strelitz, . . .	89,528
The Hanseatic cities of Lubeck, Hamburg and Bremen, . . .	245,300

Total, 1,289,229

In the accomplishment of her great political object, Prussia has been compelled to make considerable pecuniary sacrifices, her revenues from the customs being less than before the formation of the association; thus the tolling of war has been gradually lessening, owing to the increased population and prosperity of the kingdom. The attempts made to adjust and compensate this loss have not been successful, but it is believed that the difficulty will be removed by allowing Prussia to levy, for her own exclusive benefit, the transit duties on cotton and other commodities, without any material change in the general system.

The net revenues of the association have increased from about 12,000,000 thalers, collected in 1834, the year of its first establishment, to upwards of 20,000,000, the present amount, exclusive of the expense on collection, amounting to 12½ per cent.—a prodigious increase, and mainly owing to the rapidly increasing prosperity and consequently augmented consumption of the German states associated in the league.

With Hanover the United States has recently concluded a treaty of commerce and navigation, through which it has secured the free trade of the United States at Berlin, which has been ratified. The treaty differs from our commercial treaties with Prussia, the Hanseatic towns and Denmark, by combining the indirect trade to the productions of the kingdom of Hanover and of any other country of the confederation on the one side, and, on the other, to the productions of the United States, and of the South American continent and West India Islands. It gives us the right of carrying to Hanover in our ships the produce of the United States and the North and South American continent and islands, in exchange for their right of bringing in Hanoverian vessels to the United States the productions of Hanover and the countries composing the confederation, and may be regarded as favorable to our navigation.

Several states of the league have manifested dispositions to form treaties with the United States upon a similar basis, but it is not deemed proper, on this occasion, to express any opinion upon the policy of establishing the principle of entire reciprocity in commercial treaties with the minor states of Europe.

One of the advantages already acquired by the negotiation of our minister at Berlin is a considerable reduction of the duties on rice, which, under a resolution of the house of representatives of 11th of June, 1838, he was instructed to endeavor to procure. This important object has been gained, and the consequences, as has been pointed out, are beneficial to all parties. A great increase in the importation of Carolina rice, which too, as has been known, was reduced by a corresponding decrease of revenue drawn from its increased consumption in Germany. The success of this experiment encourages the belief that a like course in respect to other important staples would be followed by similar results.

The tobacco duties, however, arising, as they do, the two-fold purpose of raising revenue and of protecting the culture of the tobacco of native growth in Germany, still finding formidable obstacles in the way of their reduction, it is not probable that the state of the negotiations on this subject up to the session of 1839 and 1840 is sufficiently explained in the correspondence transmitted to the house of representatives with the president's message of the 14th of April, 1841.

Several of the states of the Germanic association have no natural outlet to the sea. Their commerce, therefore, is carried on through rivers the mouths of which open to the ocean in the territories of other powers. This shows the importance of the union in all the states composing it; but as the union itself is not a government, commercial stipulations and conventions must be made with the states of the union in their political capacities. By a paper annexed marked A, it will appear that in March last Great Britain entered into a convention of commerce and navigation with Prussia, Bavaria, Saxony, Wurttemberg, Baden, the electorate of Hesse, the grand duchy of Hesse, the grand duchy of Baden, and the commercial union of Thuringia, Nassau and Frankfurt; and similar arrangements with these states might probably be accomplished by the government of the United States.

Such being the general nature of the association, and such our commercial intercourse with it, it becomes matter of interest to consider how far our relations with its several members might be beneficially extended, and if it be thought advisable to enter into commercial treaties with them or any of them, it remains to be determined whether powers for such a purpose should be conferred upon the minister of the U. States at Berlin, or some other diplomatic agency; or, if the general object being to seek the means of enlarging the consumption of the staple products of the United States in Germany, and of securing all practicable benefit to their navigation.

There is another part of the subject of our connection with this association, which, though of less consequence than those that have been pointed out, is nevertheless one which deeply concerns the numerous German emigrants who are constantly selling their property to proceed to the United States, as well as the naturalization of the emigrants, and the distribution of property in that country. Throughout Germany the *droit d'aubaine* and the *droit de traction* exist in the shape of a tax, payable on the with-

drawal from the country of personal property which has been inherited by will or succession, or which forms the proceeds of the property thereof in the same manner. In the United States, as all know, no such tax exists.

It is probable that an exemption from this tax might be obtained on the ground of reciprocity—some of the states have initiated their legislatures to enter into arrangements for that purpose. If there should be no other reason for a formal convention, this particular object might be effected by a simple official declaration, signed by the secretary of state, under the seal of the department, certifying that the subjects and citizens of Germany enjoy this immunity in the United States; upon which there is reason to believe that an alteration in their own laws would be made by the states, or some of them, as to make the rights reciprocal. The form of a declaration, such as it is stated above, has been adopted by the English government, as may be seen by a paper heretofore annexed, marked B. All which is respectfully submitted.

DANIEL WEBSTER.

To the president of the United States.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

June 9.—[In continuation.] Mr. Clay offered the following resolution:

Resolved, That the act entitled "an act to provide for the collection, sale-keeping, transfer and disbursement of the public revenue," be repealed, and that the committee on finance be directed to report a bill to that effect.

Mr. C. observed that the resolution he had now offered was the use in substance with that now before him at the last session. Its object was a speedy repeal of the sub-treasury system. It was not his purpose to discuss the resolution; indeed, he hoped and presumed that no discussion would be deemed necessary in any quarter, but that the committee would be allowed at once to report a bill.—Mr. C. said he had come to this session of congress with a determination to expedite, so far as he was concerned, the public business, and, in attempting this, to observe the utmost kindness and courtesy toward gentlemen on all sides of the house. He had not the least desire to deal harshly with the feelings of any; and he would take the present occasion to express his deep regret and surprise that casual expressions used by the committee at the last session had been most terribly perverted by the public prints—perverted in a manner and to a degree he never could have supposed possible. In the course of some observations in relation to the sub-treasury, he had said that the world would be astonished and grieved at that measure as attempt to convince a convicted criminal with the rope round his neck that his conviction had been just and right. But the papers had represented him as having compared the gentlemen of the senate who differed from him with opinion with regard to that measure, as a company of conscripts with ballers round their necks. Mr. C. protested to Heaven that nothing could be further from his mind than any such a thought; on the contrary, he had been sedulously desirous of avoiding any language which could wound the feelings of those with whom it had been his misfortune to differ.

Mr. C. was happy in the opportunity of making this explanation, although he felt very sure that it could scarcely be needed by any gentleman of the senate who had been present at the time. This resolution he now offered proposed an immediate repeal of the sub-treasury law. He was ready, however, to use any allusion in the terms of the resolution which he might cause it to conform to the wishes of gentlemen.

Mr. Wright said that he should not interpose any objection of time; if the gentleman from Kentucky would consent so far to modify the language of the resolution as to make it the duty of the committee to inquire into the expediency of repealing the law in question, Mr. W. would cheerfully vote for it.

Mr. Clay replied that he had not the least objection, and would modify the resolution accordingly. Indeed, this was the more necessary since he believed there were some portions of the law which it might be expedient to retain.

Mr. Calhoun said he must confess his great surprise that a resolution like that which he had now offered. The senate had yesterday, without any opposition, consented to raise a special committee of nine to express the views of the senate on the entire subject of the finance and currency. After that, he thought it due to a larger portion of the people of the United States, and also of the members of the senate, that that committee should take up this matter of the sub-treasury as part and parcel of the general subject committed to them. Before this senate was asked to repeal the sub-treasury law, let

it know what was intended as the substitute to be proposed. Repeal involved substitution. Mr. C. presumed that it had been the intention of the senate that the select committee should have the whole subject of currency and finance before them, otherwise it would have been a most extraordinary course to appoint the committee, since the subject would naturally have gone to the finance committee. Now, Mr. C. regarded it as not entirely fair to the American people that a committee should be required to report on the repeal of this single isolated measure of the sub-treasury, without giving the country to understand what substitute was to be proposed in its stead. Let gentlemen come out with their project—a Bank of the United States, or the pet banks, or whatever else it was—so that the senate and the country might see the whole question to be considered. He hoped the senator from Kentucky would not persist in pressing his resolution. Was it fair that those who considered the sub-treasury system as the only constitutional and the only expedient mode of keeping the finances of the government, should be called upon, at once, without opportunity for consideration, to repeal that system blindfolded, without being told what was to follow?

Mr. Clay said the senator could not certainly have been so mistaken as to suppose that he would have employed such language in regard to it. He called for the reading of the paper; and it was read accordingly.

Mr. Calhoun said that he had not heard the modification proposed, and if he had, he should still have objected to the resolution as modified. There was already a special committee appointed to take into consideration the whole subject of a fiscal agent for the safe keeping and disbursement of the public revenue. He called for the reading of the paper, and specifying the duties of the select committee; which was read. Mr. C. said that this resolution certainly embraced the subject of the sub-treasury, which its friends considered as the most perfect of fiscal agents; but could possibly be devised for the ends to be effected.

Mr. Clay. That may be; but was think no such thing. Mr. C. should really have supposed that the senator from South Carolina would have foreborne. He said he had made the best of the resolution. In a large and liberal spirit of concession Mr. C. had at once consented to modify it so as to meet the wishes of the senator from New York, [Mr. Wright], and had put the resolution in a form which he had no objection to have protected as such as the senator had made. As to the position that repeal necessarily involved substitution, Mr. C. differed from the senator entirely. So far from this, if there was to be no substitute order heaven for the sub-treasury scheme, he would have nevertheless repeal it, and that in deference to the declared will of the people of the United States.—But there was no concealment, no mystery intended. Mr. C. could tell the honorable senator, at once, and with all frankness, what he went for, and what he believed his friends who acted with him meant to go for—and that was a bank of the United States. That was the object in view. But as the architect, before he erected a building, first cleared away the rubbish which occupied and encumbered the ground upon which it was to stand, so the friends of a national bank desired first to remove this sub-treasury scheme clean out of the way. Mr. Calhoun had done that; they were prepared to move the direct accumulation of the public money to the treasury, and to the public good. When they had got a clean and fair sheet of paper before them, then they should be prepared to inscribe upon it whatever a majority of the senate should determine to be expedient for the public good. Mr. C. again observed that he had hoped, after yielding at once to the wishes of the gentleman from New York, [Mr. Wright], the resolution in its modified shape would have encountered no objection.

Mr. Calhoun repeated that the modification of the resolution had not met his ear; but he must still object. He knew perfectly well that the only alternative was the sub-treasury or a bank of the U. S. He was not at all disposed to quarrel with the ground against the one and in favor of the other.—The senator had observed that an architect polled down first and built up afterwards. This was a metaphor, but metaphors did not always turn out to be correct arguments. The position of the senator might be true in architecture, but it was not true in legislation. The mere repeal of the sub-treasury would reinstate the pet bank system. The creation of a bank of the United States would supersede the pet banks. He could not vote for the repeal of the sub-treasury law, especially since the avowal of the senator.

Mr. Clay rejoined. The resolution adopted by the senate yesterday for the appointment of a select committee on the subjects of finance and of a fiscal

agent did not cover this matter of the sub-treasury, for the duties of that committee rather looked to an increase of the revenue, but even if it did, this act of repeal was an implied exception. Mr. C. said he most heartily concurred with the sentiment expressed by the senator from South Carolina, that the only alternative before the nation was the sub-treasury or a bank of the United States. Undoubtedly, there was no other alternative. The senator, with great manliness, had admitted this; so had the other senator, [Mr. Wright], on a former occasion; it had always been Mr. C.'s own conviction; and he was not glad to hear the fact so frankly admitted in this quarter. The only alternative, then being a sub-treasury or a bank of the U. States, and the people of the U. States having most decidedly and unequivocally condemned and repudiated the sub-treasury, it only remained that congress should provide in due season a bank of the United States. But this was not a season for talking; it was pre-eminently the season for action. The day of judgment is come, said Mr. Clay, with great emphasis and animation; the day of judgment, I hope, is come—at least to our political world.

Mr. Calhoun said that when he had before remarked that there was but one alternative beside the sub-treasury, he meant to be understood that nothing but a bank of the United States, or the two measures that there was, practically, no other alternative. But there were other alternatives which might be adopted. The pet bank system was an alternative, though, in practice, it was but a name for the sub-treasury, and it differed from the United States. The senator himself had so designated it, and had declared himself content to lodge in it for a year or two. But Mr. C. had always known that it must come to a national bank at last, and the sub-treasury were once abandoned. It was in this view that he had resisted this scheme in 1837, and should continue to resist it in all its stages.

Mr. Rives said he should vote for the resolution, not on the ground that, if the sub-treasury were repealed, the only other alternative must be a bank of the United States. He thought there were many alternatives. The president in his message had indicated several. There were the state banks, there was a United States Bank formerly organized, and there was a fiscal agent which might be marked with a very different character. The removal of the sub-treasury would at least narrow the field of choice. If that should be thrown aside, the senator would have a bank of the United States should be substituted for it. He entirely agreed with the president, that a large majority of the people of the United States had unequivocally condemned the measure, while, at the same time, they had not pronounced their opinion in favor of any other. The senator from South Carolina himself had expressly admitted on a former occasion that the sub-treasury had been condemned by the voice of the nation. So, at least, he was represented to have said; but Mr. C. did not speak from his own personal recollection.

Mr. Calhoun begged leave to correct the senator from Virginia. The statement Mr. C. had made was that, in regard to the sub-treasury, taken as a sole and solitary measure, the people had declared their opposition to it, but then there had not been a greater majority in favor either of the pet bank scheme, or that of a United States bank.

Mr. Rives. I repeat, that the people being confessedly against the sub-treasury, he could see why congress might not, forthwith, proceed to execute the public will. When that was done, the state bank question would revive, and then it would be necessary to consider whether we should hold the public moneys, or whether we should adopt a bank of the United, or should create a new fiscal agent. Without intending, at this time to commit himself to either of the three schemes, Mr. R. was prepared to say that he was not at all disposed to have committed itself, to the repeal of the sub-treasury law.

The question being now called for on the resolution—

Mr. Calhoun proposed to amend it by adding the words "and to report a substitute."

Mr. Clay begged the amendment would not be made; and he called for the question.

Mr. Calhoun demurred the yeas and nays, which were ordered.

Mr. Clay. The amendment proposes that the finance committee shall report a substitute for the sub-treasury; that is, it totally nullifies the select committee which the senate appointed on the subject of finance and a fiscal agent for the government.

Mr. Woodbury suggested whether it would not be expedient to refer the pending resolution to the select committee instead of to the committee on finance.

Mr. Clay said that the select committee stood on a special and peculiar ground, and the object of its appointment did not embrace that of this resolution; it is thought that they did, but would with pleasure accept the suggestion.

Mr. Walker asked whether the subject was not already before the select committee, and whether the amendment would not defeat that reference?

Mr. Calhoun said his object was to take the sense of the senate whether they intended to act separately on this subject without the other matters connected with it. There were three sets of opinions in the country—one for a national bank, one for the pet banks, and one for the sub-treasury. The object of this resolution had been distinctly avowed; it was the establishment of a national bank. The sub-treasury had just commenced its operations; why not give it a fair trial?

(Mr. Clay, across. Because the people have condemned it.)

It is said there is a majority of the people opposed to it; and so, I believe, there is against the pet bank system, and against a bank of the United States. If the resolution was adopted, Mr. C. did not care to which committee it was referred.

Mr. Walker preferred his reference to the select committee on the currency, &c.

The question was now put on Mr. Calhoun's amendment, and decided by yeas and nays as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Nicholas, Clay, of Ala., Fulton, King, McKelister, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—13.

NAYS—Messrs. Archer, Butler, Fremont, Preston, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mansueti, Merrick, Miller, Morehead, Porter, Prentiss, Pugh, Rivers, Sumner, Smith, of Ind., Soudard, Tallmadge, Woodbridge—27.

The resolution of Mr. Clay, was then adopted, as follows:

Resolved, That the committee on finance be directed to inquire into the expediency of repealing the act entitled "an act to provide for the collection, safe-keeping, transfer and establishment of the public revenues."

On motion of Mr. Clay, so much of the president's message as relates to the subject of the finances was referred to the committee on finance.

Mr. Rices moved that so much of the president's message as relates to foreign affairs be referred to the committee on foreign affairs.

Mr. Buchanan hoped the senator would defer that motion for a day or two; he desired to pay particular attention to the late correspondence between the British minister and the present secretary of state. His impressions were very different at present on the law of nations from those of that distinguished gentleman. He did not know that he was correct in his views, and if, on examination, he found that he was not, he should most cheerfully yield his opinions.

Mr. Rices assented.

On motion of Mr. Huntington, so much of the president's message as relates to commerce was referred to the committee on commerce.

Mr. Preston submitted the following:

Resolved, That the president of the United States communicate to the senate the causes which led to the sailing of the United States squadron from the Mediterranean, and the return of the Brandywine, together with such official correspondence connected therewith as in his opinion is necessary to be improper to communicate.

Mr. Sevier submitted the following:

Resolved, That the president of the United States be requested to inform the senate of the general officer Arthurcke has been removed from his command at Fort Gibson, west of Arkansas, to Baton Rouge, at Louisiana, where there are no United States troops.

And then the senate adjourned.

June 4. The senate was called to order at 12 o'clock.

Mr. Sevier, on his request, was excused from attending on the committee on private land claims. He asked for the substitution of his colleague, Mr. Fulton, in his place.

Mr. Clay, from the committee on finance, reported a bill repealing the sub-treasury law. Bill read twice and ordered to be printed.

Mr. Clay asked that it be read a second time now. Mr. Wright objected. It was, after some brief explanations between Messrs. Clay, Wright and Calhoun, by general consent, made the special order of the day for twelve o'clock on Monday next.

[For a copy of the bill, see page 288.]

Mr. Young presented a memorial of citizens of Illinois, for a bankrupt law, and a memorial for confirmation of land titles. He asked for the printing of them.

Mr. Clay objected. He strongly deprecated the introduction of ordinary business, and he wished to check it at the outset. He hoped that the senator

from Illinois would withdraw his request until next session, when the petitions would be presented again.

Mr. Young accepted the suggestion, and withdrew his motion to print.

Mr. Tallmadge presented memorials for a bankrupt law.

Mr. Linn suggested that it was desirable that a resolution should be adopted, totally excluding all business except on the subjects named in the message. Such a resolution had been adopted at the commencement of the extra session in 1837.

A brief discussion followed on this subject, between Messrs. Clay, Berrien, Choate and Huntington, and the whole was by agreement deferred till Monday, to give time for the preparation of a resolution.

The senate adjourned at half past twelve, to meet on Monday next, at twelve o'clock.

June 7. The bill reported on the 4th by Mr. Clay, from the committee on finance, to repeal the sub-treasury act, being under consideration.

Mr. Clay rose and said he had only a word or two to offer way of explanation on the provisions of the bill, and on the consequences which would result from its passage into a law.

The first section contained the repeal of the sub-treasury act. Should that repeal take place, the sub-treasury, by the law of 1836, would be the finances of the country, would be this; it would under the operation of the law of 1789 establishing the treasury department, under the resolutions of 1816 as to the medium receivable in payment of the public debt, and under the law of 1836 establishing what was familiarly called the pet-bank system; (but this last law Mr. C. proposed by an amendment to repeal.)

The second section of the bill contained the repeal of the act of the sections of the existing sub-treasury law with a slight alteration adapting its provisions to the present changed state of the country, and containing a new principle. Under the law as it is before said, embarrassment of the public money is the case; but in its practical application, difficulty arises. A public officer neglected to pay over at the proper time the balance in his hands; a demand of the money was made by government, and the officer raised; and the question arose whether he should be prosecuted or not; or could not be prosecuted for embezzlement? To obviate this difficulty hereafter, the present bill provided that the refusal of an officer under such demand shall be held to be prima facie evidence of embezzlement, unless the individual shall be able clearly to show that the refusal was unaccompanied by any unlawful intent, he shall be subject to all the penalties provided in another part of the bill against those who embezzle the public property.

Mr. C. went on to observe that should the bill pass in its form as reported, the consequence would be the revival of the act of 1836, establishing the state bank system. He supposed, however, there was no disposition on any side of the house to revive that system—a system which had been found in practice so very inconvenient, and which would now be still more so from the changed circumstances of the country and of the banks. By that law the secretary was prohibited from making any deposit of the public money in any bank which did not pay specie on demand, and also in any bank issuing promissory notes under the denomination of five dollars; a prohibition which, if enforced at this time, would exclude him from a large majority of the banks of the whole country. Mr. C. said he did not introduce a section repealing the act of 1836, because he cherished the confident hope that should the bill pass into a law, it would speedily be followed by a bill providing for a large majority of the United States, or for some competent fiscal agent, such as should furnish to the people that which, of all things, they now wanted most, a sound and uniform currency. It might, however, by possibility, happen, though he could scarce anticipate such a thing as in the least likely to occur, that no such bill might be passed, or, at least, not for a month or six weeks perhaps, during which interval this law of 1836 coming up in revived form might operate exceedingly to embarrass the secretary of the treasury in conducting the fiscal operations of the government. With a view to avoid both contingencies, viz: either of no bill's passing, or of its passage being delayed, Mr. C. had prepared an amendment to come in as a third section of the bill in the words following:

And be it further enacted, That all of the act entitled "an act to regulate the deposits of the public money," which passed on the 25th of June, 1836, except the 13th and 14th sections thereof, and the act supplementary thereto, approved 4th July, 1836, entitled "an act supplementary to an act to regulate the deposits of the public money," passed 23d

June, 1836, be, and the same are hereby, repealed; *Provided*, That this repeal shall not affect or impair any securities which may have been taken for the safe-keeping of the public moneys deposited with any of the banks in the said act mentioned, nor any remedies to enforce the said securities which have been, or may hereafter be, prosecuted.

By this section the whole of the act of 1836 would be repealed, save the two sections which provide for the deposits of the surplus funds in the treasury with the several states; this provision, he presumed, was to be considered as of a permanent character and need not be repealed.

Mr. C. added he did not mean to say one word on the policy of the sub-treasury system, or attempt to reargue that question; and if he had not misapprehended the temper and disposition of the senate, gentlemen on all sides of the house were so little disposed of this as he could be. Out of respect to the country, to the senate, and to himself, he should resolutely abstain from again entering on a question which had been already sufficiently argued, and needed no redress now. In saying this, he hoped that no offence would be understood. He intended to the feelings of any gentleman; it was one of those cases which would sometimes occur when a difference of opinion took place between the members of the senate, and the members of the house, and the amendment of the people at large.

The amendment having been read—

Mr. Calhoun said that if he had rightly understood the object of the senator in proposing this amendment, he would have been in a dilemma. He would have been obliged to state the difficulties and restraints imposed upon the secretary, in consequence of changes which had taken place since the passage of the law of 1836. Certain banks which could at that time be made the depositories of the public money, the law had been passed, and the changes and of the prohibitions in the law, precluded at this time from being so used. If this was his object, he might get it at much more easily by simply moving to repeal so much of the law as contained those prohibitions. The law had been passed, under a thorough and general conviction that it was wrong to have the entire treasury under absolute executive control, and for the express purpose of taking the public money from under that control, and placing it under the expenditure of the law. But now it was proposed to undo all this, to retrace our steps, and repeal the law. And on what ground? Why, that in a few weeks a law would be passed establishing a bank of the United States; so that, if that act should pass, the entire public moneys would be left, as it was before the passage of the law of 1836, under the absolute disposal of the executive! [Hear Mr. Clay give signs of dissent.]

The gentleman shows his head. Under what control then will it be?

Mr. Clay, under the law of 1789.

Mr. Calhoun. Well, I will go back most cheerfully to the law of 1789. If that is the meaning of the senator, let him move an amendment, (or if not, I will do it), declaring that the law of 1789 is hereby revived. It declares that the revenue shall be received in gold and silver only, and shall be kept by the treasurer of the United States.

Mr. Clay said he never had alluded to the subject of a metallic medium, or of any manner in which the coins of the United States were to be paid. He had merely said that should the sub-treasury law be repealed, the contrary would operate the law of 1789, under the resolution of 1816, and the law of 1836 unless that should be repealed. What he meant to say was, that under the principles now revived, as to the powers of the president, the act of 1789 would be repealed, and complete security to the treasury till a new law should be passed.

Mr. Calhoun said that, as to that, the law of 1789 was as much in force in 1836, when the law was passed to regulate the deposits, as it was now; and yet president Jackson had advised that the public money was left absolutely under executive control, and that this state of things ought not to continue. Did gentlemen now propose at one blow to undo what it had cost such strenuous efforts and so much precious blood to accomplish? (He agreed upon.) And on what ground? Simply because the part of the law of 1836 would, at this time, impose inconvenient and embarrassing restrictions. Well, if that was the case, why not simply repeal so much of the law as imposed such restrictions? (He agreed upon.) And on what ground? Simply because the senator wanted to go back to the law of 1789, it was what Mr. C. himself earnestly desired. But his object now was to record his objections to the amendment as proposed; and with this view he demanded the yeas and nays.

And they were ordered by the senate.

Mr. Clay asked the senator from South Carolina to recall to mind what were the assertions of executive power advanced by general Jackson and his

friends in 1836. The removal of the deposits in 1836, taken in connection with Geo. Jackson's alleged right to remove any secretary of the treasury who opposed that policy, was the sole length of making a secretary of the treasury the mere creature of the executive will. This doctrine Mr. C. and those who then acted with him utterly and strenuously denied; and he desired it still. The power assumed by President Jackson over the public money and over the secretary of the treasury was without law and against law, and wholly arbitrary and tyrannical. But he would not now revive that discussion. Under such principles, the treasury was the absolute property of the executive. The whole doctrine and the whole proceeding was against the law; and he had no doubt, could the question have been brought before a judicial tribunal, the secretary might have been convicted before any court in the country. Mr. Clay had considered the law of 1789 as always in force; the union of the purse and the sword was in the face of that law. These had been their principles then, and they were their principles now. If opposite principles, indeed, presented at this day, as they had in 1836, if there were now any danger of the removal of the deposits by the executive mandate, and the repetition of the specie circular, then it might be dangerous to repeal this law of 1836; but such was not the case; and if the law of 1836 were repealed, the law of 1789 would immediately revive, and in union with the resolutions of 1816 would prescribe the duties of government in relation to the public money.

Mr. Benson went into a review of some of the circumstances which attended the removal of the deposits in 1833. He adverted to the strong language then employed by those who opposed that measure, declaring that the public money was in the lawless possession of the executive. He reminded the reader of the repeated messages of President Jackson, inviting congress to regulate the subject by law, and then referred to the enactment of the law of 1836, and the effects of that law; but what was proposed now? To repeal the law by a stroke of the pen, and to leave public treasure in the lawless custody of the executive? As to the law of 1789, it had been just as much in force in 1836 as it was now, yet these gentlemen then preached, from day to day, that the money was in the lawless control of the president. Mr. B. contended that, even if the law of 1836 were repealed, it would regulate the custody and management of the public treasure. But it was said that there was no need of the law now, because those in power held principles which would prevent them from any improper use of the public money; they were a different sort of people; and therefore they needed no law to regulate their conduct. This, Mr. B. said, was the very first time, during the twenty years he had had a seat in that house, that he had heard such a doctrine brought forward. It was the first time he had heard that the removal of the deposits made a difference made between men in the making of the laws of the land; that laws were necessary to govern one set of men, but not another; that the principles of one set of public officers were so pure that they needed no laws to govern them. He called upon the senate to put the brand of its reprobation upon doctrines like this. He should, at all events, record his dissent from them.

Mr. Calhoun said it was not his purpose to go as large into the argument. He only wished the senate to understand that it was now proposed, without the least necessity, to return back to that state of things which preceded the passage of the law of 1836. He had himself differed from general Jackson in fact, with regard to the removal of the deposits; but he must do him the justice to say that it had been his deliberate opinion that, when the public money lay in the banks of the States unregulated by law, they were in a strange condition. In confirmation of this position, Mr. C. called for the reading of an executive message calling the attention of congress to this subject; [which was read accordingly].

In conformity with this recommendation, the law of 1836 had been passed almost unanimously; yet now an amendment was proposed which went to put back the public money exactly where it had been before, giving the president discretionary power to say in what bank it should be kept, and when and whether it should be removed. The removal of the deposits from the Bank of the United States, general Jackson himself claimed no power beyond this. The pretext he had already stated, but the whole difficulty could be removed by repealing the 1836 re-employment law which created certain disabilities which would now operate very unconsciously. Under this view, Mr. C. would move to amend the amendment by striking out all but the enacting words, and inserting as a substitute the following:

"That so much of the 5th section of the act of 23d June, 1836, as provides that no bank shall be selected or continued as a place of deposit of the public money, which shall after the 4th of July, 1836, hold any note or bill of a less denomination than \$5; and that no note or bills of any bank be received in payment of any debt due to the United States which shall, after the 4th of July, 1836, issue any note or bill of a less denomination than \$5, be, and the same is hereby, repealed."

This would meet the whole objection, without leaving the public treasure at the executive control. Mr. C. said all recent objections to the law would not continue to leave the treasury at his disposal for two days, much less for a month or six weeks. The senator from Kentucky, indeed, said that the law of 1789 would be still in force. Nothing, certainly, would gratify Mr. C. more than a return to the provisions of that law; it might very truly be called a sub-treasury act; it declared that the public funds shall be kept by a treasurer, and received in gold and silver only. But, by what process he would not now say, that law had become a dead letter. Could it be revived, nothing would gratify Mr. C. in a higher degree. But he would ask gentlemen if all which had passed to-day on this subject did not go to prove that, as he had at first imagined, the sub-treasury law ought to remain in force till some substitute or it was provided? If light, in architecture, do very well to take down one building before you laid the foundation of another, but this did not hold in legislation. The sub-treasury law, if it was to be repealed, some other measure could be agreed on? Could it be from personal feeling?—from party triumph? Why re-ignite the purse and the sword after so loudly denouncing that union?

The executive order of Mr. Calhoun having now been read at the secretary's table—

Mr. Rice addressed the senate. The effect of the amendment proposed by the senator from Kentucky would be to nullify, to a great extent, the law of 1836, and to leave the treasury in the custody of the executive. One was the requirement to collect the revenue in gold and silver, and the other to place the money thus collected in the custody of executive agents. But was not the effect of the amendment of the senator from Kentucky to leave the sub-treasury law, at least to one of these odious features? It gave the personal custody of the public treasure to executive officers. Mr. R. here reverted to the objections which had been urged against this state of things, and to the danger to the country, and to the passage of the law of 1836. The law of 1789 was as much in force then as now. And where did it place the public treasure? In the custody of the treasurer of the United States. And who was he? An executive officer removable at the pleasure of the president of the United States, and exercising the privilege of selecting, according to his own discretion, the depositories where the money were to be placed, and where so placed they were held to be constructively, in the custody of the treasury itself. And what guaranty had the country for the safe-keeping of funds so disposed of? None but the treasurer's bond of \$150,000. Who could consider the public funds safe under such a security? If at least there was a stronger security than this.

Mr. R. insisted that the proper course at this time was simply to repeal the sub-treasury law, and then stop till they could agree upon some one of the several measures which had been suggested for the removal of the deposits. There were at least three to choose out of: first, the state banks; secondly, a bank of the United States on the old plan; or, lastly, a new fiscal agent. For his own part, he believed that the people of the United States would ever prefer to see the public money kept in the state banks, provided they were restricted to such as paid specie, to having them put under the discretion of the executive. There were many banks which still continued to redeem their notes, and to pay down the currency to desire now only to put down the sub-treasury law, but, by the same blow, to prostrate the state banks, and any other fiscal agent; so that nothing should remain to be adopted but a bank of the United States. Its long and arduous task would be to adopt the amendment proposed by the senator from South Carolina, and surrender the measure he had proposed, and to which there were so many serious objections.

Mr. Mangum thought there was in the senate some ground for disagreement on this matter; gentlemen seemed disposed to look at it rather as disbelievers than in that point of view in which it would be looked at by the people. He thought there was no real difference between the views of the committee of finance and those of the gentle-

man from Virginia, (Mr. Rives). If the sub-treasury should be repealed, the country would be thrown upon the law of 1836; but the provisions of that law were such that scarce a depository could be used of all that were in the United States. Of the fifty banks of New England, there was scarce one that did not issue bills under the denomination of five dollars. It was, therefore, a new question of conversion, during the short period between the repeal of the sub-treasury law and the adoption of a substitute; for they did not mean to stop at the "half-way house." They desired the establishment of a bank of the United States; but, if that could not be accomplished, they did not suppose they had no intention of adjourning without placing the public money under the custody of law. The inference, therefore, was not to be drawn, that there was any idea of abandoning the principles contended for in 1836. The question was, whether they should abandon the law of 1836 for a few weeks, till a final law could be agreed on, or should leave the secretary of the treasury to struggle with all the embarrassments which must befall him should that law be revived? A short time would settle the question; and then, if no bank of the United States, or other fiscal agent, could be agreed upon, the public money must be placed in the state banks, subject to regulations to be provided by law.

Mr. Calhoun said that he did not understand the political discussions of the last ten years, till the repeal of the law of 1836 would not place the nation in the very condition which the whig party had so loudly and strenuously deprecated. He did not suppose that the whig party, as the senator from North Carolina, (Mr. Mangum). It appeared to him that it would be far better for the whig party to fall back on the law of 1836, than to allow the public deposits to be at the discretion of the executive order of a single day. After all that had been telling the people of his district for ten years past, he never could consent to adopt the amendment proposed by the senator from Kentucky. He would prefer even the continuance of the antislavery law to the loss of the property of the nation, and the sword. He had great respect for the opinion of his political friends, and was disposed to defer to it when he could without a sacrifice of principle, but he could not follow their lead in a measure so dangerous.

When the deposits were removed, the whole American people united in the demand to have them placed under the regulation of law, and it was in consequence of that demand that the law of 1836 had been passed. If the law of 1836 were now repealed, it would be put in its present form, save a large portion of the banks did not now pay specie; but he would rather after the law so as to allow the public money to be placed even in such banks than have it left to the discretion of the executive, for he would say where it should be put and when it should be withdrawn. He was in favor of allowing time for further deliberation; the subject was more complicated than some gentlemen imagined. He would rather revive the law of 1836, than leave the public money for thirty or sixty days at executive discretion. When the United States bank was rechartered in 1816, the law of 1789 was repealed, and new directions were given for the control of the public money. But it was not until 1836, that in 1836 was not a repeal of the law of 1816, but a nullification of it. Mr. B. said that if he was forced to vote now, he must vote for the amendment of the senator from South Carolina, (Mr. Calhoun). He differed from some gentlemen of the whig party in their opinion at present the simple repeal of the sub-treasury law. He did not believe that the people of Louisiana had so much distrust for banks as some people imagined.

Mr. Preston said the only real question was one of time. He agreed that it was proper the public treasure should not be left without the control of law; and there was but little difference as to a further step, viz: whether it should not be put under further control by the president of the United States. It had been considered, in the discussion of 1816, that the state of the public money was not safe, though they were still under the law of 1789. He presumed, that if, whether then or now, it was proposed to re-enact the raked law of 1789, there would be a general if not an universal objection to it. The general direction to a treasurer to receive and keep the public money was not a sufficient regulation of it from executive control, so long as that officer might himself be removed by the president. The law of 1789 was passed by an unusually large majority; it was passed in response to calls from the executive; and though not intended as a permanent provision on the subject, it was at least better than the law of 1836. Acting on the principle that the law was should be left with great caution. None of those on his side of the house intended to leave the public

Mr. Sevier said that he should be gratified had the resolution been sufficient to pass without such remarks as called him out in explanation of the facts of the case to which the resolution referred. He had no wish to make any statements here which might be considered of a personal nature, but if the president of the United States or his secretary of war had a right to disgrace a military officer of high standing and long and useful public service, and congress had no right to inquire into the matter, all he would say was, that this was the first time he had heard such a doctrine. He was himself no military man, and professed to know but little as to the rights of the army. But there were some things so plain and palpable as to strike all minds of common sense, on the mere presentation of them, as being wrong, opposite and tyrannical.

Gen. Arbuckle had been in the west for twenty years. His military command embraced the whole of the posts on our western frontier, and he had conducted himself in it in such a manner as to satisfy all the people of the country. He was tried by the army, but, since the 4th of March last, he had been removed from Fort Gibson and sent to Baton Rouge, a post where there was not even a single company of soldiers, and where he had no duty to perform. He had not been ordered to Baton Rouge, but his military rank he should supercede a government favorite in command there, (col. Worth); but he had been sent substantially into exile at Baton Rouge. Why was this? Why was a brave and veteran officer of 25 years' service, and who had been 10 years in the army, to be publicly disgraced in his old days, and this without reason assigned? Why, he asked, was such an order issued? Mr. S. himself resided on the frontier, and was in circumstances to know in his private and personal capacity the true reasons which had led to such a measure, however, which he had no hope to obtain from the department, even should the resolution be adopted. Mr. S. had been told by an officer of the government to whom he had applied, that gen. Arbuckle had been so long at Fort Gibson that it was time he was removed to make room for others. If, indeed, that principle was to be carried out in the case of other officers in the same region, he might believe there was some truth in it. But why must it be applied only to a single officer, and to an officer to whom all the people of that country had full faith; who, by his firmness, vigilance and prudence, had kept that frontier in peace and quietness, notwithstanding the action of government had collected there so large a body of troops, and so many soldiers? Why was he removed from his post? The true reason was because the course he had pursued, though eminently beneficial to the U. States, had been against the interests of John Ross. To gratify John Ross, the government had opened a route to a brave, vigilant, veteran officer, and sent him into exile; sent him to a post where there was a sergeant and not men enough to make a company, while it had put into his place a junior officer, (gen. Taylor), and that entirely against Taylor's will and every feeling of his heart. For Mr. S. well knew that he would be the very last man to seek any elevation for himself at the cost of the wounded feelings of a brother in arms. It could not be that he had been removed simply because he had been long at that post, for Brady and Atkinson had been as long, and longer at theirs, and yet were not removed. Mr. S. wanted to see whether the secretary of war, out of mere favoritism, could, at his sovereign will and pleasure, remove a military officer into exile. If he could, it was time that the army should know it. Mr. S. knew gen. Arbuckle well, and was his personal friend, although he had not seen him for the last two years, and scarce heard from him in that time.

Mr. S. said, that he was tired of his disgraced without a cause, and not raise his voice against such oppression. He was astonished at the remarks of the senator from South Carolina, (Mr. Preston). Congress had no right to inquire. He was members of the states end of the people to have padlocks on their lips! It would be hard putting a lock on his mouth. He wanted to see the secretary's reasons; he meant the public reasons, the reasons openly assigned, for, as he truly said, the object of this movement, he feared that those could not be got at by any congressional inquiry. Here was an officer of 60 years old, with locks bleached white in the service of his country, who had not performed a single post duty that was not approved by his fellow citizens; who had watched over their safety and kept the whole frontier in quiet; and most he was disgraced to gratify John Ross! Mr. S. had reason to believe that John Ross was to be gratified in another respect. To please him, the post at Fort Gibson was to be withdrawn from the Indian country, that Ross might be left at liberty to stay and slaughter every Indian

chief who had signed a treaty which he disapproved. He, however, would not say a word against John Ross. He would give this phrase to the secretary in broken doses, intending to reserve what he had to say on that matter to a future occasion.

Mr. S. observed, in conclusion, that he had hoped to have spared the pain of making this speech. It was in the mission in the military office of the friends of the administration could, if they pleased, stifle all inquiry. If gen. Arbuckle was to be disgraced, he had no power to help it, but he should do his duty in this case and there leave it.

Mr. Preston spoke in reply. To the merits of the individual case he would not refer, but he would speak, for he knew nothing of the facts, but he submitted to the senate and to the candor of the gentleman from Arkansas himself, whether it was a proper and becoming thing for the senate to call upon the officer at the head of the army publicly to explain the reasons of every military order given by him to a subaltern. An officer, after being many years at a particular post, was transferred to another post; Mr. P. must object to calling for the reasons, military or other, on which every order was issued.

Once establish this principle, and every officer removed against his wishes from one part of the country to another would be entitled to have that removal made the subject of legislative inquiry.—Whereas it might be judged proper that an officer who, by long remaining in one command, had formed many associations, and who was known, perhaps, to entertain different views of military policy from those embraced by the government, whereas it might be judged proper that an officer of a different or distant post, he would consider himself as having a right to make his appeal to congress.—Against this Mr. P. should set his face.

The senator from Arkansas considered gen. Arbuckle as disgraced by being transferred to a different command. Mr. P. could not understand it. That officer had accepted his commission under the known condition that he was to go wherever the government might deem his services most conducive to the general good, and far be it from Mr. P. to consider him disgraced whenever the government in his case exercised this right. It might be a sufficient ground for his removal that he had been so long in one particular spot that many interests and possibly many prejudices had grown up around him and associated with his personal opinions. He might have views, in which views the government might not coincide. But if on this account the officer considered himself injured, his rights and his honor infringed, there were military tribunals open to him, to which he might apply for and obtain redress. The slightest touch upon his honor might immediately be examined into by a court of inquiry. But Mr. P. did not, and could not, understand that because a transfer might be disagreeable to an officer, it injured him. English obedience was the first duty of a soldier. Was it disgrace to be sent to Baton Rouge. Had every officer who was sent there an immediate right to apply to congress? But this call for reasons came with no good cause from the honorable senator from Arkansas, whose party friends held the doctrine that no reasons were to be demanded or given even in the case of removals from civil office, and who had steadily refused to give such reasons when officially called upon. Mr. P. said he did not make it a point with any peculiar reference to this case, but on general considerations of propriety and decorum. Should the resolution be agreed to, and the senate call upon the president for the reasons of this military order, the president might perhaps say in reply, that it was a matter which lay exclusively with the executive, and that he did not choose to give any answer to the inquiry. Mr. P. should not like to see the senate placed in such a position, and therefore did not think it proper to say more for the present.

The morning hour being now expired, Mr. P. called for the order of the day.

Mr. Clay said he hoped he would move to lay the resolution on the table.

But Mr. Sevier claimed the floor. The senator from South Carolina had appealed to him in candor to say whether the senate had a right to inquire into the reasons of every military order. Certainly it had. In this free country the military was as yet subordinate to the civil power. The senator had asked whether gen. Arbuckle was disgraced by being sent to Baton Rouge. Most certainly he was. He had been removed from an extensive and important command, and transferred to a petty post, where there were neither troops nor garrison. The senator had said that he could give no answer. But that could not be except from a court of inquiry? The order of which he complained was in its form according to law, and, sooner than make complaint at such a tribunal, gen. Arbuckle would cut his

throat. The senator had said, further, that the party to which Mr. B. belonged had refused to give reasons for removals. Yes; and what was the doctrine insisted on by the senator and his friends?—That the demand for reasons was of right, and that the refusal to give them was of right, and that of the late administration. Now, it seemed, the case was altered. But Mr. S. would not prolong the discussion; he would content himself by calling for the yeas and nays.

They were ordered by the senate; and then, on motion of Mr. Mangum, the resolution was for the present laid on the table.

Mr. Clay moved the printing of 1,300 additional copies of the report of the secretary of the treasury on the state of the finances.

Mr. Woodbury wished Mr. C. to delay this motion for the present as he wanted to make some remarks upon that paper.

Mr. Clay wished he would take some other opportunity, and would, in the meanwhile, suffer the order to be postponed by the yeas.

Mr. Woodbury said that he considered the motion to print as presenting a very appropriate occasion for the offering of remarks upon the document.

Mr. Clay. We will afford the honorable senator five or ten minutes.

After some further conversation—Mr. Clay said he would not press his motion to-day.

Mr. Rives advertising to a desire expressed by Mr. Buchanan some days since for further time to examine the 85th order of intimation, and the correspondence between the secretary of state and Mr. Fox, said that it had been his desire to call on the motion to print that correspondence to-day, but not wishing to interfere with the order of the day, he now gave notice that he would call it up on Tuesday next, in conformity to-morrow.

The senate then passed to the order of the day, which was the bill to repeal the sub-treasury. The question being on the following amendment moved by Mr. Calhoun:

That so much of the 5th section of the act of 23d June, 1836, as provides that no bank shall be selected or continued as a place of deposit of the public money, which shall, after the 4th of July, 1836, issue or pay out any note or bill of a less denomination than \$5, be, and the same are hereby, repealed; and that no note or bill of a less denomination than \$5, be received in payment of any debt due to the U. States which shall, after the said 4th of July, 1836, issue any note or bill of a less denomination than \$5, be, and the same are hereby, repealed: so amended.

And he further enacted, That all of the act entitled "An act to regulate the deposits of the public money," which passed on the 23d June, 1836, except the 13th and 14th sections thereof, and the act supplementary thereto, passed on the 23d June, 1836, be, and the same are hereby, repealed: Provided, That no repeal shall not affect or impair any securities which have been taken for the safe-keeping of the public moneys deposited with any of the banks in the said act mentioned, nor any remedies to enforce the said securities which have been, or may hereafter be, provided.

Mr. Rives rose to move to the amendment.—The senate having adjourned on his motion yesterday, he would now briefly submit an explanation of the motives which had induced him to make that motion. He had not intended to call the attention of the senate to this subject at first moved by the senator from Kentucky (Mr. Clay) or the substitute for that amendment moved by the senator from South Carolina (Mr. Calhoun). They presented to him these alternatives:—That the act of 1836, moved by Mr. Clay, should be repealed, and the deposits of 1836 should thereby be repealed, the country would be thrown back on the original law passed in 1789, establishing the treasury department, which directed that the public money should be kept by a treasurer of the United States; and also upon the resolution of 1816, which declared in what manner the public dues were receivable. With this result Mr. B. was not satisfied; the practical effect would be this. Under the general direction of the treasury to keep the public moneys, that officer would adopt one of two courses; either he would avail himself of the depository under the existing law, which stripped the sub-treasury of its agents and of its specie requirements, or he would select a new institution, and would select the banks which should receive and retain the public funds in their possession. In other words, the entire amount of the public treasure would be placed at the absolute discretion of an individual officer. As Mr. B. himself said, it was with him, when he acted had protested against and opposed with all earnestness such a state of things, he could not acquiesce in an amendment, which would bring it back on the country.

The amendment of the separator from S. Carolina [Mr. Calhoun] contemplated, not the repeal, but the preservation and the continuance of the act of 1838—divesting it, however of the disabilities which it bore, and which, for the purpose of the bill, were to be removed, which would be a necessary step to make any deposit of public money in banks issuing bills below the denomination of five dollars, or in banks not redeeming their notes on demand, specie. This amendment would have left the currency of the country in the hands of the banks in 1838, in a modified shape. Now Mr. B. had been desirous to examine this law, and ascertain whether, in the changed condition of the country, since the passage of the act of 1838, it was still feasible to carry a practical operation, provided no bank or other fiscal agent should be established by congress at its present session. It had been suggested that a difficulty would be experienced in carrying out the law, if banks which were in a state of suspension, although, on the other hand, it had been stated many banks in different parts of the country still continued open, and that the bill would not be able to carry out the provisions of that law, and that these were situated at those important commercial points where the collection and disbursement of the public money would be required.

Mr. B. was not contented with founding on these representations a deliberate act of legislation; and on examining the law for himself, he found in it a provision calculated to remove the difficulty which was alleged to exist on this score, for the first section of the act provided that if the secretary of the treasury could not find, within a given district of country, a specie-paying bank issuing no bills under five dollars, he might resort to some other district where such bank did exist, and might make arrangements with it to issue bills in the name of the district where he wanted to make his deposit, and might use such office as his depository. This met and removed the objection, and the country would then be left under the act of 1836, so far modified as to permit the secretary to employ banks issuing

It would, however, in all probability, be unnecessary to adopt either of the amendments proposed for his hope and belief was, that but a very brief interval could intervene after the repeal of the sub-treasury, before congress would provide a substitute for it, for the senate would recollect that the chairman of the finance committee, when reporting the bill now before the senate for the repeal of the sub-treasury law, announced this as being but the first in a series of fiscal measures to be reported by that committee.

Considering it to be a fact that the opinion of the American people, clearly and fully expressed, required the prompt repeal of the sub-treasury law, and viewing it as the duty of the senate forthwith to proceed to that repeal, he was not willing, in the exercise of his official duty, to propose any other substitute, that the public treasure should in fact be, or should even seem to be, under the discretion or control of an executive officer. Upon the whole, he was content, after the sub-treasury should have been repealed, to leave the subject of the sub-treasury, as it now stood, without any modification, but with the express understanding that, should congress fail to adopt any substitute in the shape of a bank or fiscal agent, then the senate would advise promptly the repeal of the law, under the changed circumstances of the country, should the law be repealed.

This was Mr. B.'s view of the matter. He came here instructed by a large majority of the people of his district to put an speedy an end to the sub-treasury law as might be consistent with just legislation; and then to lend his aid in providing a substitute for the same. He was not to be a mere bystander, he was called was to him a thing perfectly indifferent, provided it would perform the duty of an efficient fiscal agent, by furnishing a safe depository for the public money, facilitating the transfer of the funds of government, and by exerting a salutary and beneficial influence on the currency of the country. If he must speak comparatively of the relative value of the objects to be effected by such an agent, each would oblige him to say that his constituents would be more interested in the substitution of an immediate to operate on their national credit, namely, its influence in rescuing the national currency from its present state of degradation. The duty thus required by his constituents Mr. B. was ready to discharge whenever the opportunity should

Mr. Calhoun said that he was not sure he understood distinctly the position taken by the gentleman from Georgia, (Mr. Berrien.) If he rightly comprehended the position he had assumed, it was his intention to vote first against the amendment to the amendment, and then against the amendment itself, thereby leaving the law of 1836 unaltered.

Mr. *Berrien* here re-stated his position.

Mr. Cuthbert said that he had no unmodified amendment. If the gentleman would vote for Mr. C.'s amendment, it would remove the disabilities in the law of 1836 as to banks not paying specie and banks issuing small notes; but if the gentleman would vote against both amendments, and leave the law as it stood, then, when the sub-treasury had been repealed, the banks would be enabled to issue money by the secretary just as he pleased, and the law would, in all probability, never be modified. Mr. C. said he had moved his amendment solely in reference to that which had been moved by the senator from Kentucky (Mr. May). He was, indeed, in favor of the amendment, but he had not moved it because its discussion had shown that that gentleman rightly understood what would be the operation of a repeal of the sub-treasury. He had been obliged to admit that the country would than be in the law of 1836, and he hoped the question would be taken up by the amendment in their order, and he demanded the yeas and nays.

Mr. *WALKER* said that the yeas and nays having been ordered, he was constrained to state the reasons which should govern him in giving a vote different from that of his political friends. The question was not to be decided by the majority, and if no substitute should be provided, it was about to re-establish the state bank system. Mr. W. was opposed to the repeal, for he greatly preferred: the present system, and he would not have it provided; but he was fully aware that a powerful minority, now commanding a majority in both houses of congress, was utterly opposed to that measure, and he could not doubt its repeal would take place. He was not, therefore, in favor of the amendment, but, what substitute was to be provided? The very last he (Mr. W.) was willing to adopt was the state bank system. To this he was utterly opposed, and he had opposed it from 1835 to 1838, and it was the only measure which he had administered up to that time from which he had disassociated. His constituents, with a full knowledge that he did so, opposed it, had elected him to the assembly, and he had no objection to their opposing the measure from that time to this. He had voted against the law of 1836 on two grounds: first, because it contained the distribution principle, and, secondly, because it established the state bank system. He had at that time recognized the fact that that system would explode and fall. When again elected, he had again announced his opposition to the system, and had said that there was no other measure which he would support, and which he should not prefer to it. What was the opinion of the people of Mississippi with regard to a Bank of the United States might be doubtful—but he was fully satisfied that the great parties in that state were utterly opposed to the establishment of state banks as depositories for the public money. As their representative, faithfully reflecting their opinions, he never would give his vote to reestablish the state bank system. He would not vote for what he was now called to vote for; for it could not be concealed that if he voted against the amendment proposed by the senator from Kentucky, (Mr. Clay), he voted for the reestablishment of the system.

Genlman had told the senate that it would not leave the public treasure at the discretion of the president for a single day: he would tell them that, by the aid of his vote, that treasure never should be placed under the control of state banks for a single day. He had said that he would not be one of those, on some points, he still had confidence in his integrity, but he had no confidence whatever in the integrity of the banks. He was utterly unwilling to give a vote through which the bank deposit system, its credit, its popularity, resting on the solid ground of the land, should be destroyed. He believed it to be the worst system ever had been devised—the most corrupting system that the wit of man could invent. It caused the banks to erouch like menials at the foot of the executive, and it placed in the hands of the executive the power of creating and destroying banks, not rather, than human folly, ever before contrived. Genlman was so very much opposed to executive discretion that, although they admitted they had no doubt some substitute would be adopted for the present, he was not at all disposed to let the public money be subject to executive discretion for a single day. He would tell these squeamish genlmen that if they continued the law of 1836 they would leave that treasure at the control of executive discretion, and at the mercy, but for a single moment, of the president. He would tell them that rather, Mr. W. called the attention of the senate to the Mr. W. called the attention of the senate to the fact that the secretary must, in the first place, call upon all the backs of the country to show him their hands; they would form him the amount of stock; their circulation; and their liabilities; and then, when all these reports

Mr. W. called the attention of the senate to the 4th section of that law. They would find that the secretary must, in the first place, call upon all the banks of the country to show him their hands; to lay before him their amount of stock; their circulation and their liabilities; and, in a word, their entire condition. And then, when all these reports

it was an improvement on the section to make a refusal by a depository to pay over public moneys in his hands *prima facie* evidence of the embezzlement of the money.

His thought gentlemen could not but perceive, at every step, that they had begun at the wrong end. The proceeding threw every body into the most preposterous circumstances, and ought to be a warning to gentlemen on the other side to see where they were and begin anew. As to the fiscal agent or instrument proposed to be established, which could live in this District, it could live elsewhere also, for the same cause of the constitution which forbade the establishment of a bank in the District, forbade it in every fort, garrison, arsenal, powder magazine, and every other territory, for ever all these the United States had exclusive jurisdiction. If it could live in the District, it could live in all these places, and the senate might place such an institution in each one of them and then turn round and laugh at the constitution.

Mr. Calhoun said that the great difference between himself and Mr. Walker was, that the latter did not consider the bank of the United States as the last alternative to be adopted. He viewed the pet bank system as only a temporary, and in that opinion the gentleman would stand alone on that side of the house. It was not then surprising that, if the sub-treasury must be repealed, that gentleman should for a bank of the United States rather than for the pet bank of the United States.

Mr. Walker denied that he said that he would, in any alternative, vote for a bank of the U. States.

Mr. Calhoun reminded him that he had said there was nothing he would not prefer to that pet bank. If the senator did not vote for the bank of the United States, why would he vote to put the country into a state still worse than that? Mr. C. believed that nine-tenths of the people of the United States considered a pet bank system, if enforced by law and subject only to executive control, the very worst possible state of things. Mr. C. was sorry to state that the probability was very great that the sub-treasury law would be repealed. If that should take place and the act of 1836 should also be repealed, then the senate would be pushed into a place where it must choose between a bank of the United States and a pet bank system unregulated by law. Every body knew Mr. Calhoun's deep aversion to the latter of these alternatives, but he must still consider a bank of the United States more to be deprecated. It was with him the last possible alternative. He submitted to Mr. Walker whether the senator from Kentucky [Mr. Clay] was not one who understood the game he was playing, and saw with great clearness that the pet bank would lead. That senator proposed the repeal of the law of 1836; and would the senator from Mississippi play into the hands of one who openly avowed his preference for a bank of the U. States? Mr. C. again insisted that the vote of the United States was the wrong end, and that the same bill which proposed to destroy the sub-treasury should contain a substitute to be adopted in its room. In fact, the difficulties were becoming so great that gentlemen must come to that.

Mr. Walker said that he did not choose either to be misunderstood or misrepresented by the senator from South Carolina.

Mr. Calhoun said that he was sure the gentleman did not support him of wilfully misrepresenting him.

Mr. Walker said that he did not. The gentleman from South Carolina had said that if he preferred a bank of the United States to the pet bank system, he would stand alone on that side of the house. He could tell that statement to be true, and he stood alone. That threat had no terrors for him, and would exert not the slightest influence upon his vote. If he stood alone here, he should not stand alone in his own state. An overwhelming majority of the people of the United States held the pet bank system as the very last alternative within the limits of the constitution. There was no constitutional measure that they would not prefer to it. It had been their curse. It had been established in 1831 against Mr. C. and he stood alone in the Jackson democratic party in Mississippi. It not absolutely alone, he had certainly been nearly so, and so he had stood in 1836, when he voted against the system, and the senator from South Carolina voted for it.

Mr. Calhoun said that he had unquestionably preferred a regulated system of state bank depositories to a bank of the United States.

Mr. Walker responded that he did not presume to say what had influenced the vote of the honorable senator. All he said was, that there stood that senator's vote on record to favor of state banks by the side of Mr. W.'s own vote against them. His opinion had then been recorded (although he stood

alone in his party) that the state bank system would explode. He was now asked to change his opinion, but he could not do it. Nor had he ever changed his opinion, whatever might have been the case with other gentlemen.

The senator then said that Mr. W. preferred a bank of the United States; but he did not choose that the senator from South Carolina should put words into his mouth which he had not used, or alternatives which he had not intended. The senator would not permit Mr. W. to do so to him, nor could he himself submit to it. He had made no such statement, nor would he consent that it should go out to the country that he had. What he had said was this, that he understood the president as recommending the state bank system as equally condemning a bank of the United States, and had suggested as a substitute for both a fiscal agent which should not be a bank, and seemed to prefer its establishment in the District of Columbia. Mr. W. had then added that though he preferred the sub-treasury to the other systems, yet he would take such a fiscal agent as the president recommended in preference to the state banks, and if the alternative were presented to him, would vote for it. Because he was opposed to a bank of the U. States, must he therefore vote for state banks? He was opposed to them both, and could not vote for either.

The senator from South Carolina had warned that the motion for a repeal of the law of 1836 came from a politician who understood his party, and who was avowedly in favor of a bank of the United States. It might be so, but Mr. W. would not on any question, much less on a question of interest and mightily important as that of the currency, ask who introduced the measure, but the measure was. He should be regulated by the merits of the motion, and not by the quarter from which it proceeded. The senator from Missouri reminded him that the clause of the bill prohibiting the issuing of the public money was equally to the state banks. Well, if so, could it not then substantially repeal the state bank system? For those banks paid interest for the public moneys for the purpose of loaning them out again. If the senator from Missouri was correct, then there was no difference between himself and Mr. W. except this, that the one voted openly against state banks and secretly for them; while Mr. W. went both openly and secretly against them in fact.

Mr. W. then said that if the sub-treasury and the law of 1836 should be repealed, then the public moneys would be under no control of law whatever, but thus he denied. They would still remain under the glorious law of 1793, which required the general assent of all government officers and officers. Without any particular means of knowing different from those possessed by other gentlemen, Mr. W. cherished strong hopes that, if both the sub-treasury and the pet banks should be put down, the country would be benefited. He pronounced a law of 1793, instead of putting the public moneys in any man's hands whatever. Mr. W. was for throwing that officer on his high responsibility, but he never should, by Mr. W.'s vote, be forced upon the employment of state banks.

The question being now taken on Mr. Calhoun's amendment to the amendment of Mr. Clay, it was decided by yeas and nays—yeas 23, nays 22.

The question then recurring on the amendment thus amended, was decided in the negative, by yeas and nays—yeas 19, nays 23. [For the yeas and nays on these questions, see pages 228, 229.]

Mr. Young, of Illinois, proposed to amend the bill, by inserting the words "neglect" before the word "refuse," in the clause making a refusal to pay over public moneys to the order of government *prima facie* evidence of embezzlement; which amendment was accepted by Mr. Clay, and adopted by the senate; and in this manner was proposed to amend the bill in such a manner as to provide that if an agent of the government, previous to his refusal to pay over the public money, should put by property out of his hands by assignment or other conveyance, that act should be pronounced a felony and subject him to all the penalties of embezzlement.

Mr. Clay said he could not agree to this amendment. He thought it pushed the principle rather too far. To declare the fraudulent conveyance of property a felony was going beyond any law with which he was acquainted, and there might, besides, be many cases where the fact of conveyance would not be proved.

Mr. Young observed that the case was of very frequent occurrence, at least in the west, and some punishment ought to be provided for it. If gentlemen would not declare it felony, would they think that it should be held as a conspiracy to defraud the United States?

Mr. Houghton admitted that it was very desirable to prevent such frauds, but the courts were open, and he thought would provide a sufficient remedy. At all events, he could not consent to declare a fraudulent conveyance felony.

The amendment was rejected.

Mr. Benton moved the following amendments: And provided further, That the following sections and parts of said bill shall be excepted from this repeal and shall remain and continue in force, to wit: Section 19 and 20, except the first, second, third, and fourth of the 19th section as making it felony in disbursing officers and persons connected with the post office department to use the public money for their own or other purposes; and a neglect or refusal to pay over public moneys on demand or to transfer or disburse them shall be *prima facie* evidence of an embezzlement of the same.

Sec. — And be it further enacted, That the Bank of the United States, formerly called the Pennsylvania Bank of the United States, and its branches and the local banks and agencies owned by it, shall not be entrusted with the collection or safe-keeping or transfer or disbursement of the public moneys or any part thereof.

And he said that the question be divided, and that a vote be taken on each question by yeas and nays, and they were ordered by the senate.

The item with regard to the Bank of the United States at Philadelphia having been read, Mr. Clay said he would rise in declining to offer all the disclosures that had recently been made, that he should deprecate as much as any gentleman could do the employment of that bank by the government at a depository of the public funds. He had estimated the major sum as much as three years ago that the government was cut loose from that institution from the period of its charter by the state of Pennsylvania. But still he could not consent to the adoption of such an amendment as that proposed. If the senate were to declare its disapproval of the management of a particular bank, there were many others, such as the Owl Creek bank, &c. which might with equal justice be included in the denunciation. He did not, however, consider it as competing with the dignity of the senate to enter upon any such course of discrimination, and he hoped the amendment would not prevail.

Mr. Benton admitted that other banks had behaved very badly but the case of this bank stood distinguished from all others. It had originally come into existence under a charter from the U. States, and the eyes of foreigners were in a peculiar manner fixed upon it. Mr. B. proceeded to speak with much warmth against the course of the bank generally, and especially on its bringing upon itself the last suspension by an unheeded and an unwelcome endeavor to break the New York banks. He accused it of having plotted the suspension in 1837, and as being in effect the only obstacle to a resumption of the specie payments by all the banks of the south. They had recently made an effort to resume, but this bank had actually run upon them and forced them to return to a suspension.

Mr. Bayard admitted the culpability of the bank, but opposed the amendment as unnecessary, because the law of 1836 expressly prohibited the government from employing any bank which did not pay specie.

Mr. Woodbury, in reply to this, explained the connection of the law by the treasury department. When that department had funds to deposit, and no bank could be found which conformed to the provisions of the law of 1836, the department considered itself thrown upon the previous law, and used that law at liberty to select any bank. In no special paying banks. What else could it do, unless it threw the money into the streets?

Mr. Dixon said he should vote against the amendment, not because he thought it improper to refer to individual banks, but especially because this bank assigned as one cause of its suspension the hard treatment of the United States government.

The question being taken, the amendment was rejected as follows:

YEAS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, King, McRoberts, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Wall, Williams, Woodbury, Wright, Young.

NAYS—Messrs. Barlow, Bates, Bayard, Berrien, Choate, Clay, of Ky., Clayton, Dixon, Evans, Graham, Henderson, Houghton, Humphreys, Mangum, Miller, Moreland, Phelps, Porter, Prentiss, Preston, Rives, Summons, Smith, of Indiana, Southard, Tallmadge, White, of Louisiana—25.

Mr. Trumbull said that in that clause of the bill which made a refusal to pay over money to the order of the government *prima facie* evidence of embezzlement, as violating the great principle of criminal law, that every man is to be held innocent until he is proved to be guilty. It might so happen

and orders of the last house of representatives shall be considered as the rules and orders of this house."

To which amendment Mr. Adams had heretofore offered the following amendment: After the words "house of representatives" insert the words "excepting the 21st rule, which is hereby repealed." (This rule excludes the reception of abolition petitions, &c.)

And the question being on the amendment to the amendment, Mr. Underwood said he was somewhat indifferent whether the amendment proposed by the gentleman from Massachusetts, (Mr. Adams), prevailed or not. He, (Mr. U.) thought that, in all probability, it would be proper to allow gentlemen from the north to discuss this question of the right of petition. He was willing to meet them, and to give them his views on this subject, as he had wished to do some years ago, but at that time he was cut off by the previous question. He did not think debate could be prevented, and he was willing to accept the consequences of it now, as well as at any other time. Indeed, as a southern man and a slaveholder, he was desirous to see the position which northern men intended to occupy clearly laid open. He, for one, was afraid of it. And were he would take occasion to say that he was in favor of the resolutions read by the gentleman from Massachusetts, (Mr. Adams), the other day did not fairly present the question. He thought, however, that the house should treat petitions on their merits, and on their merits, and should assign its reasons for the rejection of such petitions; and a few years ago he, (Mr. U.) had proposed to assign upon the record reasons why petitions for the abolition of slavery, coming from the north, should not be received, he was willing to see which those petitions had been treated here, and the use which politicians had made of them, had led to the supposition that the people of the north were insulted—were treated with disrespect; and, in consequence of this, indignation was excited against the proceedings here; when, if the true state of the case had been made known, there could have been no ground for such an inference. The standing rule of the house always required the member presenting a petition to give a brief statement of the contents of the petition; upon that statement of facts it was that the house acted; and he wished the people to be informed that, instead of being treated disrespectfully, their petitions were acted upon on principle; and he would be glad to adopt such a standing principle which would show the reasons why these petitions should not be received. It was not his wish to go into a general discussion; he thought that, if that were done, the house would be kept week after week debating the question, to the detriment of the great matters of public concernment in reference to which they had been called together.—And, for his own part, for the purpose of avoiding that discussion, he would sooner consent to the amendment of the gentleman from Massachusetts, and receive the question for discussion at some future day. The debate, if once entered upon, would not terminate for weeks; and he hoped, therefore, that all the members on different sides of the house would restrain their inclinations to discuss the question. The time, the occasion which convened them, the business before congress—all these considerations seemed to him to be so many strong arguments against giving into the general discussion.

As to the amendment proposed by himself he would say a single word. The resolution of the gentleman from Virginia, (Mr. Wile), allowed the committee ten days. The effect of his, (Mr. U.) proposition, if carried, would be to reduce the committee in point of time, but to adopt the rules and orders of the last house until the committee should report; and that he conceived was the only difference between his proposition and that of the gentleman from Virginia.

Mr. Wile. I will accept the gentleman's proposition as a modification of my own.

Mr. Underwood then proceeded to state some facts, illustrative of the correctness of the opinion expressed by him the other day, and which he now repeated, that there was a necessity for a radical change in the rules of the house. He instanced especially the cases, first, of time lost at a former session in merely compelling the attendance of the members, which he demonstrated to have been nineteen days. Secondly, the time lost in the discussion of preliminary arrangements in the distribution of subjects among the appropriate committees. And, lastly, the excess of assaults and batteries. He had, in the course of his experience, heard language of the most offensive character applied by members to each other—language which his mouth should not utter. He had seen assaults and batteries committed in this house right under the nose of the speaker, and in no instance had the party offender been made accountable for his conduct. Heretofore, in such cases, the house had attempted to act under the broad pr-

liamentary law of Great Britain—a law which was not specific, which did not define the offence, nor prescribe the punishment; and the consequence was, when the house came to apply it, they found they could do nothing at all. The committee to be appointed to consider the subject should be appointed. The house must legislate; it must define the offence and prescribe the punishment; and when that was done, the house would have a plain rule of action before it, and would not be left at large to the uncertainty of the future. The present case. This, in his judgment, was a most important matter; and he did wish that while the rules were under investigation the committee might take charge of this subject also. If something was not done, we should witness the same scenes here again that we had witnessed heretofore.

Mr. Wile said: Sir, when I consented this other day to take the question upon this resolution, in the absence of the gentleman from Massachusetts, (Mr. Adams), I was informed that he had, probably, no remarks to make on the subject, and I certainly had no desire to debate it, but wished to avoid all debate. My wish now is, to adopt the rules and to proceed in business; but the gentleman has some delicate business to do, and I will compel me to do it, to them, which I will do briefly, though reluctantly.

The gentleman says that this 21st rule, to reject abolition petitions upon their presentation and a denial to give their contents, is the standing rule of the last administration, and that either that administration was the tool of those whigs who offered and supported it, or that those whigs were the tools of that administration.

Now, I declare that the gentleman has not the shadow of foundation in truth for this assertion. There is no evidence, no data upon which to base any such assertion; and it is the mere creature of a blind, bigoted, prejudiced imagination.

The history of this 21st rule is simply this. I know it well, for the proposition from which it sprung was drawn originally by my own hand. I was taken sick, and a gentleman from South Carolina, (Mr. Thompson), the only gentleman who proposed to give a brief statement of the contents of the petition and offered it to the house, and he accepted as a substitute for it from my friend from the Montgomery district in Maryland, (Mr. Johnson), the measure as it now stands in the form of the 21st rule, was drawn up by the gentleman from Maryland, (Mr. Johnson) and myself, without consultation, advice, or concert with any member of the then administration party. I will not go back and trace this rule from the first movement, in 1836, to lay the question of rejection of abolition petitions upon the table, but content myself with the contradiction only of the declaration that it was an administration measure. It is true, however, as stated by the gentleman, that this rule was passed by the majority of the members of the present administration, and a minority of the whigs—a minority composed of all the southern or slaveholding whigs, except some four or five, perhaps, and one whig gentleman, (Mr. Proffitt) of the non-slaveholding states, to whom I now return my sincere thanks.

But the gentleman meant to go further than to say merely that this rule was an administration measure. He meant, doubtless, to have it inferred that it will be an administration measure to have this rule repealed; and, indeed, if the gentleman meant any thing, he made an appeal direct to the whig majority now here from the non-slaveholding states to rescind it. Sir, I know not when the gentleman will be able to get the administration party to rescind his cabinet or to resign his office here. But, if he means the president of the United States and his cabinet, I here undertake to say that that gentleman has no authority for advancing the repeal of this rule as a measure of the present administration. Indeed, I know that no man is opposed to the introduction of this disturbing topic here than the present chief magistracy. And what authority has the gentleman for applying this to be an administration measure, when the present secretaries of state, representing Massachusetts here in the cabinet, pledged himself to Virginia from her capital that her institutions should not be touched by him—that this delicate subject should be left where it was, and that the members of the constitution, untouched, undisturbed, unengaged by him and those who acted with him in the north. If by an administration measure the gentleman means that the majority of non-slaveholding whig members, combined with a few from the south, will repeal this rule, I confess that as to that I am not so well or so fully advised.

We shall see. But, if they do, it will badly comport with their professions and pro-pretensions before the election that they were not of the abolition party in the north, and that they were not of the abolition party for the first time, declared to be a measure of the last administration; and this repeal by this administration will not contrast well in the south with the adoption of the measure by the last administration. But until I am convinced otherwise, I will not distrust the whigs of the north on this subject. If the rule had never been adopted, I would hardly ask them not to adopt it for the first time, but I, not having been adopted, I confidently trust in them not to repeat it.

The gentleman says it should be rescinded because it is a case of the south against the north, to oppress the north. Sir, I am sorry to see an assertion like an unfounded in truth as it is sectional in feeling. The south against the north? If any such proposition be true, the truth is rather that it is the north against the south, to oppress the south. No, sir, I beg pardon of the speaker if a few distant fanatics in the north against the south—unsupported, unsubdued, disconcerted by the virtue and intelligence and patriotism of the north. Fanatics, few and insignificant in numbers, but potent in fact, in truth, in wealth, in arms, in the pulpit, in the press, and in the schools—frowned upon by the great majority in the north for agitating this most dangerous topic of abolishing our southern institutions, of applying the brand of the incendiary and the knife of domestic war to the sacred institutions of the south, do we of the south threaten or attack? Are we to be said to be against the north, to oppress the north, merely because we prevent dangers to ourselves and desire to protect ourselves from the attacks of the gentlemen who say that it is against the north to oppress the north, because nine petitions out of ten coming from the north are not received under the operation of this 21st rule. Sir, if this be so, and because nine out of ten of the petitions come here from the north, the petitions for the abolition of slavery in this District and the south. I defy the gentleman to show an instance of a respectful petition from any quarter rejected, unless it was one praying for the abolition of slavery. But the gentleman read only "resolves of the legislature of Massachusetts concerning the denial by the United States house of representatives of the right of petition," declaring this rule to be "a palpable violation of the constitution of the United States, a bold denial of inalienable rights, and stretch of power which can never be quietly submitted to by a free people;" and protesting against it "as being void in its inception and of no binding force, they assert the right of the people to petition, and to have their petition, however mistaken in their views or insignificant in number, to petition congress for a redress of grievances, or what to them may seem such; and that congress is bound to receive all such petitions, and to give them a respectful and deliberate consideration." &c. By the bye, sir, I do not know how these resolves ever of the sovereign state of Massachusetts came to be placed upon our journals of the last congress. They do not belong there under any circumstances, and the petition for the abolition of slavery, were hardly respectful to the last congress, and were exactly such resolves as should have been excluded from a place in our printing. But, this aside, they are not true in fact or argument.

This 21st rule does not deny the right of petition on any subject; and congress is not bound to receive all petitions praying for a redress of grievances, or what to petitioners may seem such, and to give them a respectful and deliberate consideration. These resolves, like the opinions of many on this rule, are founded on an ignorance of the operation and practice of our rules in congress, and in a failure to understand the relation of the rights of petitioners and the rights of legislators. The right of petition to congress is guaranteed by the constitution, by the provision of the first article of amendments—"Congress shall make no law respecting an establishment of religion, or prohibiting the exercise thereof, or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances." Our rules require a member to rise in his place to present a petition, and to make "a brief statement of the contents thereof, verbatim." At present, the statement of contents, and hearing, of course the question of reception arises upon every petition. The 21st rule declares that "No petition, memorial, remonstrance or other paper praying the abolition of slavery, &c. shall be received by this house, or entertained in any way whatever." The rule you observe, sir, prevents the reception of abolition petitions, or their being entertained by the house, by a whig or a slaveholder, but does not prevent their presentation for reception, or their hearing, by stating their contents. And the question

is, whether the whig majority in the north, who are the authors of this rule, are to be said to be against the south, to oppress the south, merely because they prevent dangers to themselves and desire to protect themselves from the attacks of the gentlemen who say that it is against the north to oppress the north, because nine petitions out of ten coming from the north are not received under the operation of this 21st rule.

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the rejection of abolition petitions. He would say that he was most happy for two years to be surrounded in that house by a majority of the members of congress who sustained, both by their speeches and votes, the rule now proposed to be rescinded, and he would be most happy if the present congress would do as the last one has done. Why change the rule in question? He saw no good reason for it. An apprehension prevailed at the period to which he had referred that its adoption would create great excitement of the north; but he would ask if it had had that effect. And he appealed to northern men and to the public journals to prove that it was without foundation. He would ask if it had not been productive of good; if there had not been less excitement than in years, and whether any thing had not gone on in peace and harmony, both in and out of congress, on the question of the abolition of slavery? We all know that before the adoption of the twenty-first rule congress had been perpetually interrupted, day after day, by efforts to introduce a resolution to receive petitions on the subject of abolition. He objected to agitating this question again, and he would tell gentlemen that they might bring it up again and triumph for a season, and sport with the feelings of southern men, but that a reaction in the public feeling would take place as was inevitable as that the tides of the ocean would ebb and flow. Whilst now all was quiet, whilst all was peace, they might think that they could make mischief, but they would ask themselves if they should attempt it, that moment would they re-create an excitement, both in and out of these halls, which every lover of peace and harmony must deprecate. And it would be found that in proportion to their numbers would grow the opposition to such a measure become stronger in denouncing any interference with their rights. The whole south would be found meeting as one man on this question. We have been called here to dispose of grave and serious subjects, and not to excite the question of abolition, and, therefore, it was useless and unnecessary to interfere with the twenty-first rule. Did the president of the United States say one word in his message on the subject of abolition, directly or indirectly? Not a word. Any, but the first step taken on this floor was contrary to the recommendations in the message. It was then entirely foreign to the purposes for which congress had been specially convened.

The gentleman from Kentucky, (Mr. Underwood), had remarked, in the course of his speech this morning, that a feeling of indignation had been gotten up in the country in regard to the presentation of abolition petitions to congress. Now where, he (Mr. W. C. Johnson) would ask, was this feeling of indignation? He knew not. The action was, at this moment, in the enjoyment of the utmost tranquillity and repose. It was, too, looking with the most anxious solicitude to our proceedings, in order to see what we were going to do. Any, but the first step taken on this floor was contrary to the recommendations in the message. It was then entirely foreign to the purposes for which congress had been specially convened.

Mr. Adams here asked for reading of the letter. Mr. W. C. Johnson resumed. He had not the letter in his possession, but as a fact he would say that the executive had written a letter to the effect which he, (Mr. J.) had intimated. He therefore was desirous to clear his skirts of any charge that he was either directly or indirectly an instrument in this matter. It was true, he had taken towards that distinguished individual to say thus much in his vindication. If this house, the grand institution of the nation, should undertake the responsibility of acting on this question, and of throwing open the doors to a flood of abolition petitions, they would do it better than to couple the name of the executive with it. As he had already said, he offered this resolution on the subject of abolition petitions which became the 21st rule, and he rejoiced that he had done it. Having advocated it, he would do so now, because he had seen no reason to change his opinion as to the propriety and correctness of the course which he thought it his duty to take.

He did not think it proper to discuss the whole subject again, which had been fully and elaborately argued on a former occasion. The chief motive by which he had been governed in offering his resolution was to throw oil upon the troubled waters, and the result of its adoption was to produce peace and harmony to the house. We had not witnessed

those angry scenes here since, which had induced a whole delegation of members representing a portion of the south to withdraw from this body in order to devise and commit upon what course they should take to defend the rights of their constituents. But repeated this resolution, and what might he do, he would not need to forestall. He would, however, predict that no good would come of it in any portion of this union—no beneficial results to any interest of this wide spread confederacy. Rescind this rule, and endless agitation will be the consequence, and the excitement would be no great as to retard the despatch of the business which had called us together, and thus we might be sitting here till near the meeting of the regular session. He was, for all these reasons, opposed to rescinding the rule, because he wished congress to go on and dispose of the various measures which the country was most anxiously waiting to have disposed of as speedily as possible. He would vote to retain the resolution, and let the consequences fall upon those who were for rescinding it. He would invade this house, and more especially his whig friends, to pause and anxiously and deliberately reflect before they commenced a course of action which would lead to re-bate their petitions, and then, in order to show to enlarge upon this occasion, but in order to show what had been the proceedings of this house upon the question, he would ask its attention to the yass and nays which had been taken on the subject, and he would read the proceedings in rescinding the house, in the years 1835-6. [Here the clerk read them.] His object in having the yass and nays read was to show that the principle had been adopted to reject abolition petitions, and that, too, on the subject of rescinding the rule. He would read the statement throughout the country, and in the national councils.

Now, rescind this resolution, and we should then have the same excitement that was witnessed here before its adoption, and then, in order to show a motion to receive an abolition petition was laid on the table by a vote of 176 to 37, and Mr. Adams laid off in the affirmative. After referring to what was the opinion of the framers of the constitution on the subject of rescinding, Mr. J. resumed that he thought with the gentleman from Virginia, (Mr. Wise), that all abolition petitions ought to be rejected, because we have not the power to act on the question. In the course of his remarks he had dropped a sentiment which he would like to repeat, and that was, that men, which required a little qualification. He would say, however, that there are some men at the north who, although not partaking of the excitement, which ought not to exist here, on the subject of abolition, nevertheless press it in opposition to the feelings of the south, rather than come in contact with the violent abolitionists of their own districts. But, for the purpose of testing whether the house was willing to throw open the whole question of abolition, he would call for the previous question.

Some conversation here followed as to the effect of the previous question, under the parliamentary law; the speaker deciding that, if the previous question was ordered, the question must be taken on each amendment.

Mr. W. C. Johnson then proceeded to say that, on reflection, he would not call the previous question, although there were many gentlemen around him desirous that he should do so, because he did not wish the house to take a vote on a proposition which would be most injurious to the interests of the country. He believed that if this question should be brought up on the adoption of the rules, after a committee should have been appointed to examine them, its merits had been most fully and ably stated, and what action, if any, should be made in them.

Mr. Slade said he did not rise for the purpose of continuing the debate on the merits of the question, if, indeed, its merits had been actually reached in the discussion. He felt compelled to say that, so far as the question had been discussed with a reference to the agency which the respective parties in the last congress had in the adoption of the 21st rule, and the discussion had been mostly confined to that, he would not call for the previous question, as it would be of no importance to go into an examination as to the paterality of the rule. Whether it was a measure of the last administration or of its opponents, did not affect its true character. He could perceive no good that could result from bringing up these discussions. Its only effect would be to divert the house from the true question before it, and throw it off into an interminable sea of debate on points which had nothing to do with the question.

Mr. Slade said he had been, and still was, to refrain from discussing the twenty-first rule, or the subject of slavery, at the present session. When the proper time should arrive, he should have much to say on the subject of slavery, and, under the rule, should there be an attempt to adopt it. But he came

here at the present session for a different purpose. He came with an express determination to present no abolition petition, and with a confident belief that nobody would present them; and, he would add, with a confident belief that the friends of the rule in question would refrain from pressing it, and that they would not force upon the house a question which must necessarily lead to a protracted debate, and trench upon time which ought to be devoted exclusively to the objects which formed the necessity for the extraordinary session. He had no belief that the friends of the rule would be so desirous of all necessity for it, undertake the experiment of gagging, six months in advance, merely for the sake of showing their power of doing it. The rule expired on the 2d of March last. He thought they would be willing to let the rule expire, and let the first regular session of the 27th congress; and that he might be permitted to enjoy the satisfaction of conscious freedom during the intervening period—especially as he had felt, when he had avowed, no disposition to exercise that freedom to the annoyance of any body.

To show the house what had been his views on the subject, and the course he had deemed it his duty to pursue, he would permit me to read to the house a communication which he addressed to the leading abolition paper in Vermont, touching this subject. A correspondent of the paper having suggested that petitions should be sent to congress at the extra session, he, (Mr. J.), in the reading of the twenty-first rule, (Mr. S. J.) had thereupon addressed the editor the following:

"I observe in your paper of the 24th, which I just reached me, a communication from Jesse Steadman, urging the sending of petitions to congress, at the extra session, praying for the rescinding of the 'infamous twenty-first rule' of the house of representatives."

"If petitions are to be forwarded, they should not pray for rescinding of the rule, as it is not now in existence. The rule of the last congress expired with that congress. None of them will have any force or effect until revived by the action of the next house of representatives. The petitions would therefore ask that no such rule be again adopted."

"I take this occasion to say that I do not deem it of any importance that petitions such as I have suggested should be presented at the extra session. It is utterly unnecessary, and, therefore, as above stated—that it should be confined to the legislation rendered indispensably necessary by the financial condition of the country. That will spread itself sufficiently to cover all the time that the representatives will be willing to spend, in an extra session. I presume that no representative will think of presenting, at that session, any such petitions as were in contemplation when the twenty-first rule of the last congress was adopted, and that in adopting the late rules, at the extra session, the twenty-first rule will, by common consent, be dropped. I do not say that there will be no attempt to adopt it at the next regular session in December; but its friends, I am sure, will be content of pressing it at the extra session, knowing, as they must, that its discussion will occupy time which, the urgent necessities of the country demand should be otherwise appropriated; and feeling assured that no necessity for it will exist at that season to keep out 'abolition petitions.' At the extra session in September, 1837, these petitions were withdrawn from presentation by common consent; and so, I presume, they will be at the extra session which is approaching."

"I am sure that the 'twenty-first rule' will be more 'infamous' than I do; but I do not think that any thing will be gained by sending petitions against its rescission at the extra session. Let it opponents reserve their strength for the regular session in December, when, if ever, an attempt may be made to revive it. Your obedient servant,

WM. SLADE.

"Middlebury April, 23, 1841."

In one particular, Mr. S. had been mistaken. In the course of his speech just read, his impression had been that abolition petitions had been withdrawn from presentation at the extra session of 1837; but upon examination of the journal of the session, he found that the following resolution had been adopted:

Resolved, That the action of the several standing committees of this house on all matters not embraced by the message of the president of the United States to the two houses of congress, and the consideration of all petitions on such suspended matters be also postponed to the period above specified.

Under this resolution, all petitions of every description, not coming within the scope of the pre-

The speaker then decided the resolution of Mr. Wise to be the next business in order.

Mr. Underwood moved the following as a substitute:

Resolved, That it is necessary and proper to create a national bank to act as a fiscal agent of the government, and to repeal the act entitled "An act to provide for the collection, management, transfer and disbursement of the public revenue, approved July 4, 1840."

Resolved, That a committee—be appointed to prepare and report a bill or bills to carry into effect the preceding resolutions.

Mr. U. declared he had serious objections to calling on the executive departments to submit plans for legislation. It had not been usual.

Mr. Wise said that the very first movement ever made by this government upon a question of finance, after the constitution was formed, was a regular call on Alexander Hamilton, then secretary of the treasury, for his views or plan. So with Mr. Dallas, Mr. Crawford and Mr. Gallatin. And it was the express constitutional duty of the executive departments to recommend measures to congress.

Mr. Underwood had not gone so far back in what he said. He meant to say that, in his own experience, it had not been usual for the executive departments for plans of legislation, and he, for one, was not willing now to set the example.

He wished that a direct vote should be taken on this proposition. He did not wish to debate it; for twelve years it had been to be settled. For every discussion was opened, there would be no end to it, and he did not believe that a single vote would be changed by it. If this resolution should prevail, then the committee which might be raised might call on the department and inquire whether anything was to be expected at the hands of congress or not. If the resolution was decided in the negative, he should be willing to go home in a week. If it was adopted, there would be abundant opportunity, when the details of the bill came to be settled, for every gentleman to express his views. No difficulty on that score need be anticipated.

Mr. Wise raised the point whether the resolution was in order.

Mr. W. C. Johnson moved that the house adjourn until Monday next, at 11 o'clock.

The yeas and nays were asked and refused.

And the house adjourned until Monday next, at 11 o'clock.

CHRONICLE.

AMERICAN ANTIQUITIES. J. H. Stevens' forthcoming work on the ruins and remains of Central America is to be published the ensuing week. It will have seventy engravings, mostly on steel.

BALLOONS. We find the following in the *Montreal Patriot*: "An experiment of the highest interest was performed at the Chateau de Villeneuve, near Saint Dennis. M. S— and his son had for some time past announced publicly that they had succeeded in the means of directing balloons in the air, and several experiments on a small scale, in the courtyard of the Ecole Militaire, in Paris, had been attended with satisfactory results. The experiment had verified all their hopes. M. S— after rising to a height of about 350 metres with a balloon constructed by himself and his father, sent by their ingenious mechanism, and immediately the balloon proceeding to the west, northeast. He then returned and sailed about in various directions, the balloon rising or lowering at the will of the aeronaut, without the slightest use of any kind of ballast. The experiment lasted for three hours, at the expiration of which time M. S— descended at the point from which he had started, amidst the acclamations of the spectators."

RAILS. The memorial to congress for the establishment of a national bank has been unanimously adopted by the New York chamber of commerce, and is circulating for signatures—twenty thousand in all have been obtained—a committee have been raised to proceed with it to Washington.

The memorial of the New York chamber of commerce in favor of a national bank having been referred to a committee of the chamber of commerce in Philadelphia, that committee have unanimously

Resolved, That while the Government is decidedly in favor of the establishment of a national bank, or fiscal agent, they yet deem it inexpedient at present to memorialize congress on the subject.

The directors of the Hart and Knapp V. States of Pennsylvania have directed suit against the late president, Mr. Biddle. The officers of the bank have been employed for some time in procuring an exchange for carrying on per cent. interest, in exchange for his notes, as well as to such depositors as had funds in the bank at the time of its suspension. About \$500,000 have been furnished in the way of interest, and the salary of the directors as creditors of the bank, either as note holders or depositors, will now draw interest.

BORROW. The ancient and honorable artillery company of Boston, under the command of general Appony Howe, celebrated in two hundred and thirty-third anniversary on Monday last.

HON. TARA W. CAHNS, late a member of congress from Louisiana, has been appointed president of the board of public works of Louisiana, vice genl. Joseph Bernard, resigned.

WILLIAM GILBERT CLARK, esq. editor of the Philadelphia *Gleaner*, expired on the night of the 18th inst. of a pleurisy, in his 41st year. "A scholar, a poet, and a gentleman. 'None knew him but to love him.' His health broke for a long time before failing. He died of a pleurisy, and every day for the last several years, upon which he doctored with a passionate and rapturous fondness had shaken his constitution, and eaten his strength. None but his intimate friends knew the influence of that and sufficient to form a physical frame. To the last his heart yearned over the dust of that lovely woman. In his death chamber, her portrait stood always before him on his table, and his loving eye turned to it with an earnest gaze, as though it was his living and only friend. The verses to her memory by her amiable husband, written soon after her death, we consider of the richest poetical gems in the language, though very inadequately expressive of the tenderness of the author's grief."

COTTON. The information brought by the Great Western has rather damped the ardor of purchasers of Louisiana cotton. Sales in New York, since the arrival of New York agents, former quotations viz. 3,000 Upland and Florida at 91½; 1,450 Mobile at 91½; 700 N. Orleans at 91½.

CROPS. A reasonable rain occurred at the close of last week, greatly reviving vegetation in this section of the country, and in the wheat fields of Maryland. Generally the public papers indicate the prospect of an abundant harvest. Almost the only exception we have observed is from a paper in the western States. *The Floridian* of the 6th instant, says that the cotton and corn crop in that region is very promising in appearance.

COUNTERTREY GOLD COIN. The St. Louis *Fire* says that a large amount of spurious gold coin has been put into circulation in the upper part of the state of Missouri. It is stated that in one case payment of seventy-five dollars was made in halfcents, not one of which was genuine.

DEAD LETTER OFFICE. The dead letter office, in the post office department at Washington, is a great repository. The dead letters are returned to the general post office, with the quarterly accounts from the 12,000 clerks of the post office. Five clerks are employed in the dead letter office. The envelopes are taken from the packages by one clerk, who ties a string round the contents and casts them into a basket—the next clerk removes the contents and compares them with the bills—sending the letters to a clerk to be opened—on opening, the letters containing no valuable incomes are thrown into a basket and destroyed. Those containing valuable incomes, are returned to the office where they were mailed, and sent to the owner if found. If not claimed, all money is placed in a separate fund, and the money is deposited, so that it may be paid to the owner at any future period if claimed. They open about two hundred and fifty thousand letters per quarter—there are now several cart loads in the office unopened. The work of opening and assuring is very tedious and laborious.

DEATHS. During the week ended the 14th instant, in New York 124, of which 29 were under two years of age, 23 died of consumption, and 11 of scarlet fever in Philadelphia 103, of which 27 were under two years of age, and 14 died of consumption; in Baltimore 43, of which 23 were under one year of age, 12 free colored and 31 white.

During the month of May there were 22 deaths in the city of Washington, of which only three were under two years of age.

ELECTIONS. Mr. Black, (whig), has been elected to congress in opposition to Mr. Samuel Smith, Democrat, in Pennsylvania, lately represented by the hon. C. Ogle.

The Van Buren candidates for congress from Alabama have been elected by a majority of 6,681 votes. The vote was very small on both sides. The Van Buren majority at the November election was 5,690.

EXCHANGE. Bills on London drawn at New York from 4½ per cent. premium on France 34 2½; 2½ New York and Philadelphia 31 a 3; Baltimore and Washington 31; Richmond, Petersburg, Norfolk, Raleigh, and Wilmington, N. C. 43; Charleston 31; Augusta 31; Mobile 31; New Orleans 61; St. Louis 31; Louisville 31; Cincinnati 9; Nashville 12.

A St. Louis paper states that one mercantile house in St. Louis, in the course of its business, paid last year upwards of \$100,000 on exchanges.

GREENWICH'S STATE OF WASHINGTON. The ship *Ser* sailed from Muskegon, about the 1st of May, for the coast of Greenland, in the company of the *Enterprise*, for the expedition at Washington, and conveying it to the United States.

LEAD TRADE. The St. Louis Republican states that the quantity of lead received at that place during the

months of April and May was 179,000 pigs of which 104,500 pigs were received during the last month. The average of exports this year is about a month later than last, and consequently the receipts have all been crowded within the two first months. The whole receipts exceed those of last year about 100,000 pigs. The receipts vary from 60 to 70 lbs. The whole amount in pounds may be set down at 12,104,000. At the average price which lead has sustained this spring to wit: market, say 31 cents, quantity of exportation is worth \$422,160.

Which the largest part of the receipts have been forwarded, chiefly to eastern markets, but there is yet a large amount in hand, and the receipts will be large. The above estimate only embraces the lead of the Upper Mississippi. The lead of the Missouri and of the mines in the southern part of that state are not included.

MILITARY. Among the manœuvres exhibited at a review of French troops at Vincennes, were ordinary evolutions, with the *gymnastic* step—target firing, 17 balls out of 100 hitting the mark, at 1,500 feet, cutting down trees, six inches through, with aim, and firing volleys while the men lay on their backs.

(N. Y. Exp.)
MISSOURI BONDS. The St. Louis *New Era* says that a sale of Missouri state bonds, to the amount of thirty thousand dollars, was made at New York, on Thursday last, now in St. Louis. The bonds bear a theoretical interest of ten per cent.

THE MARSHES CAVE OF KENTUCKY. Dr. John Cogan, the proprietor of this wonderful cave, situated in Edmonson county, Ky., has opened a house for the place of public entertainment within it, about a mile from its mouth; where he accommodates visitors with lodgings and meals.

PARTY SPIES. The foam and spray that dash around the shores of republicanism, threatening to engulf her yet composed of the very elements that support and buoy her up.

PIRATICAL. The boarding officer at the Balize, mouth of the Mississippi, has captured a piratical schooner or smuggler, having a crew of seven men, well supplied with arms and ammunition.

POST OFFICE REGULATIONS. Several aairs have been instituted against New York editors for extending their privileges beyond the letter of the statute, by transmitting circulars, &c., and packages of newspapers have been sent to the United States attorney, for having written within their envelopes, which offend subjects of a party to a penalty.

SILK. is cultivated with fair prospects of success in the valley of the Red river, Arkansas.

SPICE. Exports from New York from the 24th September, 1840, to 30th March, 1841, in silver \$4,563,869, in gold \$992,369. Since the last date the exports amount to about \$1,000,000.

The Great Western mailer brought over \$100,000 in gold—showing a turn of the tide.

ST. LOUIS. According to the report of the board of aldermen contains 23,063 inhabitants within the old limits, and 65,000 within the limits of the new charter. In 1820 the population of St. Louis was 6,352. The present amount of assessable property in the city is \$9,691,675.

STEAMERS. The St. Johns N. B. Herald states that the English government is about contracting for an additional line of steamers to the North American colonies—this line, in accordance with Sir William Cullenbrock's wish will be likely to run direct to St. Johns—present line will continue to run to Halifax. Should the St. Johns line be established, we shall have a steamer weekly from Europe.

STRAVING. The steamboat *Dorcas* on the 5th instant—killed two negroes—sailing three men and the captain. The boat sank in seven feet water—the cargo all lost.

STOCKS. U. S. Bank shares are quoted at \$21.50 nominal in London 16½; and selling at N. York and Philadelphia at 18½; Indiana fees at 52½; Ohio same 53½.

SCHOOLHOUSES IN ILLINOIS. The governor of Cuba has ordered the immediate erection of Sunday schools in Havana, where the children of all classes may be educated free of expense. The law is a liberal one, and demands 6,000,000 of the annual revenue of the casuarian system of teaching is to be adopted, governor Valdes in taking this important step, will earn for himself an enviable fame, and leave behind him seeds that will germinate and spring up into vigorous plants, bearing precious and goodly fruit. (N. Y. Express.)

TEMPERANCE REFORM. On Saturday last the Washington total abstinence pledge was signed by the officers and members of the society in number, of the revenue bureau, at Portland, Me.

MR. VATTERS after a sojourn of two years on this continent, during which he has been indefatigable in his mission and has made a very favorable impression, embarked a few days since on his return to France.

VERMONT. The council of session of this state are in recess, and probably will not meet again this session. One extends the term of members to three years—one third to be elected annually.

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN AFFAIRS.

The steamer *Columbia* arrived at Boston on the 16th, bringing London papers to the 4th and Paris to the 3d inst. By this arrival we have dates from Bombay to the 3d of May—just six weeks back—and Canton to the 3d of April—only 77 days since. The overland mail of Bombay, May 3, reached London on the evening of the 2d June.

The principal feature in the news is, that the war has again broken out in China, because the emperor would not ratify the treaty. The British have captured Canton, and all the forts on the river, without the loss of a single man. The trade is open to Canton, the owners of vessels running all risks. Canton was taken on the 25th of February; on the same day Chusan was given up to the Chinese. High commissioner Keahen, has been disgraced and sent to Pekin in irons. The Chinese lost 400 men.

An American gentleman from Canton says the city is doomed to the flames. There are 200,000 Chinese starving in the neighborhood for want of employment, who are as ready to sack the place as the soldiers are.

The packet ships *Cornelia* and *Roroe* have arrived out at Liverpool. The independence had also arrived. The *St. James* had arrived at London.

The President steamship. The settlement of the risks upon the President entered at Lhy'd's was to have taken place to-day, but was postponed to the 11th instant, to allow further time for news respecting her.

(London Times June 3.)

Liverpool, June 4. We have a great many arrivals of vessels from foreign ports to-day, and among them the Fortitude, from Buenos Ayres; the captain (Arbutnot) of which states, that on the 27th May, at 5 A. M., lat 47° N, long. 21° 30' W., about 10 miles distant, he saw a very large steamer steering to the NE. without a funnel, a crippled foremast, and large paddle boxes painted a dark color, with large square topsails set on the masttop. Next, a topgallant-sail on the foremast, and with fore and aft sails. The steamer was making very slow progress.

This intelligence, communicated by capt. Arbutnot, has excited the most intense interest here, and many persons still hope that from concurrent circumstances it may be the President; and probably the steamer seen by the Portuguese brig *Comde de Palma*, on the 23d April, in lat. 31, and long. 40. Others suppose it may be the British steamer, from Halifax, but this impression is by no means general; towards the close of the day the opinion is very strong that the vessel seen by the Fortitude will prove to be the President; but it is at best mere conjecture.

Vol. X.—No. 17.

The London, Yarmouth, N. S., at Liverpool, May 9, lat. 43, long. 66, fell in with the *Paragon*, Liverpool to Halifax, in a sinking state, having been run aboard off by a large American ship the day previous, and took off the crew. May 12th, lat. 43, long. 50, the London struck an iceberg and lost her sprit, maintopmast, &c. and stove in her larboard bow. Shortly afterwards heard a crash, which was supposed to proceed from another vessel running against the ice, and it is feared sunk, but the weather was too thick to distinguish her.

The President. The vessel seen by the Fortitude, and supposed to be a large steamer, disabled, was in all probability the London, from Yarmouth, N. S., that arrived here yesterday—the description and position of the disabled vessel agreeing with that of the London.

(London paper, June 4.)

The *Britannia* steamship. The non arrival at England of this vessel, which ran on the rocks at Halifax, has occasioned great uneasiness in London.

Liverpool, 6, 16 h. m. The impression gains ground every hour, that the steam ship seen by the Fortitude is the President.

GREAT BRITAIN.

Parliament. Nothing important has been done in either house. The debate on Peel's "no confidence motion" commenced on the 27th of May, and was continued next night. The adjourned debate was opened by sergeant Talford on the 2d June.

Lord Stanley has withdrawn his famous registration bill for the present session.

Dissolution of parliament. We learn from the best authority that the dissolution of parliament will take place about the 12th of this month. The proclamation is ready, and only waits the queen's signature. The new parliament is to meet on the 4th August. We trust that the conservatives in this district will be fully on the alert, but the remark is almost unnecessary, for the very best spirit prevails all through the country.

(Hertford Journal.)

Trade of all kinds is still dull. Money was scarce. The funds were flat; tea rose 3d a pound. The cotton market was dull, and without any change of importance in price.

The British iron company has compromised with Mr. Atwood by paying him £350,000. The property of the company, including back debts, is estimated at £883,604, and the annual value of the estate at £45,000.

Captain Fayer has been appointed to the command of the steam frigate *Forth*, one of the splendid ships belonging to the West India steam navigation company.

FRANCE.

Paris, June 2. On Saturday the trial of Darnes and his supposed accomplices, before the chamber of peers, was brought to a close. Considerable was acquitted, Duclos delivered over to the ordinary tribunals, and Darnes condemned to death.

The sentence of the court of peers was carried into effect this morning on Darnes.

AUSTRIA.

An Austrian corps of observation is to be formed on the frontier of Turkey, in consequence of the insurrection which was becoming universal through the European provinces of the Turkish empire.

GERMANY.

The Constitutional publishes a letter dated Frankfurt, 22d ult., which announces that the British charge d'affaires to the German confederation had fled from that city with an English lady, a married woman, and the mother of 11 children. The Constitutional adds that this scandalous affair had caused

a great deal of sensation at Frankfurt. It was not known what direction the parties had taken. The husband of the lady had pursued them to Belgium.

HANOVER.

Since circumstances have given rise to an expectation of a tory government, the king of Hanover has declined to proceed with the negotiations for reducing the Stadt tolls. His majesty anticipates from lord Aberdeen he will be able to obtain a greater license for plundering merchants and distracting trade in the Elber, which lord Palmerston has refused to sanction any longer.

RUSSIA.

Accounts from Moscow to the 10th of May, mention that the hopes already entertained in central Russia, of the coming harvest, had led to a fall of twenty per cent on the price of corn.

(Prussian State Gazette.)

SPAIN.

Madrid, May 27. The chamber of deputies met to-day, but transacted no business of importance. It is expected that a decree ordering the disbarring of 20 battalions of the provincial militia, would shortly appear in the Gazette. This reduction in the effective force of the army, at a moment when money is so scarce, produced a favorable effect, as it shows that the government has become aware of the necessity of introducing a system of economy into every branch of the administration.

A good deal of business was transacted on the Bourse. Speculators evinced more confidence than on the previous days. The operations in the five per cent annuities to 25,000,000 ris, and were done at 27½ for cash, and at 27 15-16 at 60 days.

PORTUGAL.

Frontiers of Italy, May 17. The negotiations with Don Miguel at Rome, with reference to his entire renunciation of his claims to the throne of Portugal, on the condition of receiving a suitable pension, are still proceeding, and are favored not only by the Austrian court in concert with Russia and Prussia, but likewise by the papal see.

ITALY.

According to private letters from Naples, of the 17th ult., it was contemplated to construct a railroad between that capital and Manfredonia, which would establish a communication between the Mediterranean and the Adriatic. The king had declared his readiness to grant a guarantee of 4 or 4½ per cent. interest to the company who should undertake to execute it. The whole expense was estimated at 14,000,000 of ducats, (£3,440,000). The king and queen, accompanied by the young princess and all the royal household, had returned from Caserta to Naples.

TURKEY.

Constantinople, May 18th. Accounts from Belgrade state, that the insurrection in Bulgaria had been suppressed. It was believed at Constantinople that, although the dispute with Mehmet Ali had not been brought to a final settlement, no danger existed of peace being again disturbed. The tribute paid by the pasha to the porte had, it is said, been fixed at 90,000 purses (£122,000). He had obtained a loan of 6,000,000 dollars, on a deposit of produce.

The *Anglo-Balkan Gazette*, under date Ancona, 18th ult., states that the christians of Macedonia were fortifying mount Athos, in order to render it impregnable. The insurgents were supported by the monks.

The insurrection in Candia. The *Anglo-Balkan Gazette*, under date Trieste, May 20, states that up

to the present period Mustapha Pasha, the governor of the island of Candia, had acted with the greatest moderation, and that in consequence, no blood had as yet been shed. The force of the rebels was estimated at 20,000 men, of whom but 5,000 were armed. The news of the sailing of the Turkish fleet from Constantinople, under the orders of Tahir Pasha, had caused much uneasiness amongst the Christians of the island. A Greek named Kalamattaris had arrived there, bringing with him a great number of his countrymen to reinforce the islanders. It was considered that in case of a general engagement the result would be doubtful, although the Turks would have a decided advantage on account of their artillery.

The news of Bulgarian insurrection created a great alarm in the Turkish capital, and the sultan proposed sending Hussein Pasha, the destroyer of the Janissaries, to quell it. But after some deliberation, the grand vizier thought best to send a deputation of Bulgarian Christians to the insurgents, with the strongest assurances of pardon, and a full redress of grievances. Tahir Pasha, who commands the expedition against Candia, is a man of a most cruel and ferocious disposition, and is more likely to foment than to suppress rebellion.

PERDIA.

The intelligence, via India, is pacific. It is said that the British agent was about to return to Bushire, and amicable relations were to be renewed on the basis of a treaty by which the British will consent to evacuate Karack, and the Shah cedes the fort Gorian to the Shah Bamaran, and arrest his expedition to Herat. These stipulations are doubted, and it is thought that Karack will not be given up.

CHINA.

Arrival of the overland mail by express. Malta, May 26, 1841. The Oriental arrived in port early this morning, from Alexandria, and brings a mail despatched from Bombay on the 1st instant, by the Berenice, which arrived at Suva on the 18th. *Capture of the Begus forts and the city of Canton by the British.* The intelligence received from China during the past month is of a highly interesting and important nature. Our latest news from Macao is of the 31st March. Keshen's continued procrastination having at length exhausted captain Elliot's patience, the Nemesis steamer was dispatched from Macao on the 14th February, with the draft of a treaty for the approval and ratification of the imperial high commissioner.

The commander of the steamer was ordered to wait at the Begus for a reply until the 18th, and in the event of his not receiving one by that day, to return immediately to Macao. This he accordingly did on the 19th, Keshen not having made his appearance. A circular was then published, stating that the squadron were then moving towards the Bocca Tigra. On the following day captain Elliot received a message from Keshen, in which the latter stated his willingness to sign the treaty, and excused his delay in not coming to the Begus when the steamer was there, by alleging that he had been detained by some physical ailment.

This appears to have been a mere ruse to gain time. On the 24th of February a notification of the renewal of hostilities was issued to her Britannic majesty's subjects.

Towards the close of the morning of the 25th of February, three howitzers and a party of Sepoys were landed at Chuen-pee, from the Nemesis and the boats of the squadron. The Chinese kept up a desultory fire while the darkness lasted. Before the dawn of day a battery had been erected with sand bags and the guns got into position. From these at noon as it was sufficiently light, the British returned the fire of the Chinese.

At 11 A. M. the tide served and the signal was made for the squadron to weigh. H. M. S. Calliope bearing the broad pendant of the commodore, led the attack against North Whanning, followed by the Hamango, Druid, Walsley, Sulphur, and Modeste.

The Blenheim, and Melville, with the Queen steamer, opened their fire on the fort at Chuen-pee. By noon the action had become general, and the firing constant and heavy on all sides. In the meantime the Nemesis and Madagascars steamers, with numerous boats in tow, ran in close to Ty Cok Tow, and landed the troops under the command of Major Pratt.

Shortly afterwards the whole of the force were in possession of the British forces. Official notifications were issued in the course of the day; one by the plenipotentiary, intimating the capture of the fort, the other by the commodore, authorizing merchant vessels to proceed to the Begus.

The number of prisoners taken at Chuen-pee is estimated at 1000, and the killed and wounded on the side of the Chinese are said to be very numerous.

The island of Chuen has been evacuated and delivered up to the Chinese, orders to that effect having been transmitted by captain Elliot, when he was laboring under the unhappy delusion that the Chinese were inclined to fulfil their promises of indemnity. The British who were detained prisoners at Ningpo were released as soon as the evacuation of Chuen was completed.

We have abstracted various items of Chinese intelligence from the Calcutta paper of the 30th of April. On the morning of that day, the Queco steamer, from Macao the 31st of March, arrived at Calcutta with commodore sir James Gordon Blumer. His excellency is said to have come to India, for the purpose of consulting the governor general, and obtaining re-inforcements.

The British troops have possession of the factory at Canton, but it would appear there is a provisional Chinese government in the city. The Calcutta Courier states that the forcing the passage between the Begus and Canton was most gallantly effected. The Chinese lost 490 men. The English had only six wounded.

We have been favored with private letters from Singapore to the 10th ult., Macao to the 28th, and Canton to the 26th March. From these we learn that Canton was almost deserted. The Hong merchants remained on the spot, but said that the people were afraid to trade whilst the men-of-war remained in the river. The Chinese at Canton now believe that no traffic of importance can be carried on, until the whole question is definitely settled.

Proclamation of the chief superintendent. To the first proclamation, dated 6th of March, 1841, capt. Elliot says—

"People of Canton.—"Your city is spared, because the gracious sovereign of Great Britain has commanded the high English officer to remember that the good and peaceful people must be tenderly considered."

"But if the high officers of the celestial court, offer the least obstruction to the British forces in their present stations, then it will become necessary to answer force by force, and the city may suffer terrible injury."

In another dated the 20th of March he says—"A suspension of hostilities at Canton and in the province, has been this day agreed upon between the imperial commission Yang and the undersigned."

"It has further been publicly proclaimed to the people under the seals of the commissioner and the acting governor of the province, that the trade of the port of Canton is open, and that British and other foreign merchants who may see fit to proceed there for the purpose of lawful commerce shall be duly protected."

These are the most important facts in the proclamation of captain Elliot.

Canton is in possession of the British troops, and a truce had been agreed upon between the new commissioner and captain Elliot; the trade is to be reopened at Canton, pending the imperial decision.

The accumulation of goods outside Canton is immense, and will, without doubt, be thrown on the market. Prices will run very low.

It appears that after captain Elliot's notice of the re-opening of the trade, nine American and fourteen British ships proceeded to Whampoa, but in a few days, new obstacles were thrown in their way, it being intimated that the Chinese traders were all armed, as the ships of war were so near Canton, and that no trade would be carried on until they were removed.

It is said captain Elliot was inclined to yield this point. Before however, any arrangements could be made, the reply of the emperor to the despatch announcing the destruction of the Bogus fort was received, which was fierce in the extreme, and orders of a war of extermination to be carried against the English. The notices posted by the Canton authorities on the walls, announcing the opening of the trade, were pulled down, and all communication with the English ordered to be cut off.

Another letter says, "all the factories in Canton are occupied by our troops. The Chinese villagers render every assistance in their power to the steamer Nemesis, in removing stakes and other obstructions to the river, between Macao and Canton. *Hur, April 20.*"

Public notice. Notice is hereby given that British and foreign vessels have permission to proceed to Whampoa, all consequences arising from the possible and sudden resumption of hostilities of course remaining at the risk of the parties.

J. J. GORDON BREMER.

NATIONAL AFFAIRS.

PROPOSED BANK OF THE UNITED STATES.

The following is a report of the select committee of the senate on the currency, &c., of which Mr. Clay, of Kentucky, is chairman, as read by him in the senate on Monday.

The committee to which was referred so much of the president's message as relates to a uniform currency, a suitable fiscal agent capable of adding increased facilities in the collection, and disbursement, and security of the public revenue, have had the same under consideration, and beg leave to report:

That, after the most attentive and anxious consideration of the state of the currency, and the finances of the government, in all their interesting and important bearing, the committee have arrived at the same conclusion with the secretary of the treasury, that a sound and just policy requires the establishment of a bank of the United States with as little delay as practicable.

The committee have neither time nor inclination to enter into a discussion of the question of the power of congress, under the constitution of the United States, to establish a national bank. After all that has been said and written on that question during the long period of half a century, nothing remains to be added that would be likely to shed much new light upon it. It ought, in the opinion of the committee, to be regarded as a settled question, settled by the approbation and judgment of the people, by the authority of the legislature, by the sanction of the executive department of the government, and by the solemn adjudication of the judiciary. If it be not regarded as a decided question, when, in the collisions and conflicts amongst men, arising out of diversity of opinion and judgment, is a controverted matter to be considered as terminated and quieted?

Nor do the committee deem it necessary to discuss the question of the expediency of establishing such an institution as a bank of the United States. On this there is even less contrariety of opinion than on the former question. On both, it is the deliberate conviction of the committee that a vast majority of the people of the United States concur; and that they are now looking, with anxious solicitude, to the deliberations of congress, under the confident hope that a bank of the United States will be established at the present extraordinary session of congress.

Passing by, therefore, those two questions as being unnecessary to be further argued, and assuming, what the committee verily believe, that a national bank is indispensably necessary, they will proceed, at once, to the particular form, powers and facilities with which it may be required to invest such an institution as a bank of the United States. And here the committee have no hesitation in saying that, confiding in the experience of forty years, during which the nation has enjoyed the benefit of a national bank, and during the greater part of which it has realized every rea-

reasonable hope and expectation in the operations of such an institution, they came to the conclusion that it would be wisest to dismiss all experiments, and to direct to experimenters the last charter granted by congress as the basis of a new bank, entrusting upon it such restrictions, guarantees, amendments and conditions, as have been found necessary by actual experience.

The secretary of the treasury came to a similar conclusion; and in his report, and the draught of a bill which accompanies it, he has taken as his model the charter granted by congress in 1816. On that he has suggested a great many valuable improvements, most of which the committee have incorporated in the draught of a bill which they now report to the senate. On this draught they wish to offer to the senate some brief explanations and observations.

The committee have adopted Washington city, proposed by the secretary of the treasury, as the place of location of the principal bank. They believe the place of its location is a subordinate question; but there are many advantages from the proximity of the bank to the government. The distribution of the capital of the bank among the several commercial cities, in proportion to their respective wants and magnitude, is what they naturally desire, and what will doubtless be done. But to guard against the exercise of any undue government or political influence, or the imposition of any undue transactions, the committee have thought it expedient to deprive the parent bank of all power to make any discounts or loans whatever, except loans to government, authorized by express law. In order to ensure the command of the best financial abilities of the country, the bill provides that the directors of the parent bank, which is to consist of nine members, shall be paid for their services by the corporation, and all compensation to the directors, in the usual form of bank accommodations, is utterly prohibited.

Thus, the directors of the bank at Washington will become a board of control, superintending the branches, supplying them with a currency, and discharging exclusively the agency of their offices of discount and deposits.

The capital of the bank, proposed by the secretary, is retained; but a power is reserved to congress to augment it by the addition of twenty millions, for the aggregate amount ultimately fifty millions of dollars, if that should be found to be necessary.

To guard against undue expansion of the currency by the operations of the bank, various restrictions and securities are introduced.

1. The dividends are limited to seven per cent. per annum; and, after accumulating a reserved fund of two millions of dollars, to cover losses and contingencies, the excess beyond that seven per cent. is to be paid into the public treasury. And, whatever excess remains at the end of the charter, beyond the reimbursement to the stockholders of the capital stock, is also to be paid into the treasury. If the dividends fall below seven per cent. during any year of the charter, the deficiency is to be made good out of the surpluses previously paid into the treasury. The effect of this provision is, to make a permanent and invariable seven per cent. bank stock, assuming that the administration of the bank is conducted with integrity and ability.

2. The debts due the bank are required not to exceed the amount of the capital stock actually paid in, and 75 per cent. thereon, which is a greater restriction than usual.

The total amount of debts which the bank is authorized to contract, over and above the deposits, is not to exceed twenty-five millions of dollars, which is also a greater restriction than was placed upon the late Bank of the United States.

3. The publicity which is required of the general condition of the bank, and the full and complete exposure to committees of congress, and to the secretary of the treasury, which is amply secured, of all the books and transactions of the bank, including private accounts.

4. The prohibition of the removal of any loan; thus putting an end to all mere accommodation paper, as far as practicable, and confining the bank to fair business transactions.

And 5. The bank is prohibited from making any further discounts or loans whenever its notes in circulation exceed three times the amount of specie in its vaults.

To protect the community and the stockholders against mismanagement of the bank, several provisions have been inserted, which it is hoped may be effectual.

1. No paid officer of the bank is to receive loans or accommodations in any form whatever.

2. Securities are provided against abusive use of proxies, such as that no officer of the bank can be

a proxy; no proxy can give more than 300 votes; no proxy to be good which is of longer standing than ninety days, &c.

3. A provision against the corporation's transacting any other (than legitimate banking business) excluding all dealing in stocks, and all commercial operations.

4. A requirement that a majority of the whole aimed at the board of directors shall be necessary to transact the business of the corporation.

5. Ample power to make the most thorough examination into the condition and proceedings of the bank, down to the accounts of individuals, by totally removing from the secretary of the treasury and committee of congress the veil of secrecy.

And 6. By denouncing and punishing as felony the crime of embezzlement of the funds of the bank when perpetrated by any of its officers, agents or servants.

Concerning entirely in the sentiment expressed by the secretary of the treasury, that many wise and patriotic statesmen, whose opinions are entitled to consideration and respect, have questioned the power of congress to establish a national bank; and that it is desirable as far as possible to obviate objections and reconcile opinions, the committee have attentively and earnestly examined the provision, incorporated in the draught of the bill of the secretary, in regard to the branching power of the bank, and they have been happy to find that they could be reconciled to it in their sense of duty to adopt it. But, after the fullest consideration, they have been unable to arrive at that result.

It was not without some hesitation that the committee agreed to the location of the bank in the District of Columbia. This they did because they believed that the utility of the bank did not so much depend upon the place of its location as upon the capital, facilities, and powers which should be given to it. But to isolate it in that District, without giving it any other branching power than such as might derive from the consent of particular states, would be to create an enormous District bank, devoid of effective national character. Such a bank would be a bank only of the District of Columbia, and its offices of discount and deposits would be nothing more than banks of the states which might allow them to be planted within their respective limits. For all national purposes congress might as well enlarge the capital of the existing District bank, enlarge its capital, and give it authority to establish offices of discount and deposits in any state that would permit it to do so.

The committee believe that the capital of a bank so constituted would never be taken; and, that, if taken, the institution would be wholly unable to accomplish the great and salutary purposes for which it is desired and should be designed.

But the question of establishing a bank thus to be restricted and circumscribed involves higher and graver considerations than those of mere expediency. The general government has or has not the power to establish a national bank. If it has the power, it derives from it the existing grants in the constitution of the United States. The committee believe it has the power and ought to exercise it. But for a contest during the last ten or twelve years in respect to the constitutional power of congress, which has been marked by so much animation and bitterness, a forbearance to exercise the power would be a tacit admission of the power of the states to be created, whose operations within the limits of the states were dependent not upon the will of congress, but upon the will of each state, separately announced, the creation of such a bank would add another and a more dangerous dependence upon the states, tantamount to a relinquishment of the national power, and it could never be resumed.

The power of the federal government is only to be found in the grants of the constitution. If they are inadequate to the fulfillment of the great purposes of establishment, they can only be increased in the mode of amendment which the instrument itself has prescribed. They cannot be augmented by the grants or consent of any state or states short of the number of two thirds, whose concurrence is necessary to the validity of an amendment. The concentration of power to the general government from the consent of particular states would be unbecoming in principle, and the committee apprehend dangerous in practice. Admit such consent to be a legitimate source of establishment, and they would operate equally in all the states, and the constitution, losing its uniform character, would exhibit an irregular and incongruous action.

Entertaining these deliberate views, the committee are fully of opinion that a bill for the establishment of a bank in the District of Columbia, will be effectual which does not contain a clear recognition of the constitutional power of congress to establish branches wherever, in the United States,

the public wants, in its judgment, require them. They cannot consent that a bank, emanating from the will of the nation, and imperatively demanded by the necessities of the government and of the nation, shall be wholly dependent for its useful operation upon the will of each and every state, distinctly expressed.

Accordingly, in the draught of a bill now reported, the issue is asserted to exercise the branching power of the bank, independent of the assent of the states. The committee dare not allow themselves to believe that this bill is free from all defects, but they do hope that these, in a spirit of liberality, will be corrected by the representatives of the senate and of the house, and that the present session will be signalized by the establishment of a national institution, which has become a desideratum to the general prosperity.

The advantages which will flow from such an institution in both our domestic and foreign relations, are manifest and incontestable.

It will give the people a sound currency of uniform value throughout the union, which is just as necessary to the successful operation of all branches of business as pure air or water is to the preservation of human life or health.

It will revive and extend commercial intercourse, which, for the want of a common medium, has been almost suspended between different parts of the nation.

It will reduce domestic exchange from the enormous premiums and discounts now frequently paid, to the moderate standard growing out of the mere cost of insurance on the risk of transporting specie from one part of the union to another.

It will, consequently, save hundreds of thousands of dollars, now annually lost, in transactions of exchange.

It will essentially benefit the manufacturing interest by establishing it to realize sales and the proceeds of sales.

It will powerfully contribute to the resumption of specie payments by the banks, whose existing delinquency is the greatest source of all prevailing pecuniary and financial embarrassments.

It will greatly tend to prevent and correct the excesses and abuses of the local banks.

It will furnish a medium common to all parts of the union, for the payment of debts and dues to the government, and for the discharge of duties and taxes uniform in fact as well as in name.

It is indispensable to the convenient and successful financial operations of the government in all the departments of collection, safe keeping and disbursement of the public revenues.

Such are some of the domestic benefits which the committee fully believe will be secured by a national bank. Those which appertain to our foreign relations are also worthy of serious consideration.

If it be true that money is power, its concentration under the direction of one will, sole or collective, must augment the power. A nation, without such a concentration of power, maintaining extensive commercial intercourse with another nation possessing it, must consider that intercourse on a condition of inequality and disadvantage. National banks, in other countries, begot the necessity, therefore, of a national bank in this country, in like manner as national governments in foreign nations have been created by a national bank in ours.

Accordingly, we have seen the influence exerted by the Bank of England upon American interests, when those interests were exposed to the action of that bank, and were left without the protection of a bank of our own. The committee do not wish to be understood as intending to express any approbation of the commercial operations in which the Pennsylvania bank, assuming the name of the Bank of the United States, engaged, when that state of things arose.

But they mean to say that the interests and dignity of the United States demand that they should not be exposed, beyond the necessary and legitimate influence of monetary and commercial operations, to the action of a foreign banking institution. They believe that, without a complete bank of the United States, foreign national banks may and probably will exercise an undue and possibly pernicious influence upon our interests.

In this view of the case, the question is, whether it is better that we should be liable to be materially affected by a foreign institution, in which we have no interest, over which we can exert no control, which is administered solely in reference to foreign interests, or we shall have an American bank, the management of which will be subject to American authority, and animated by American interests, feelings and sympathies?

The committee could not entertain a doubt in such an alternative. And, in reference to the foreign as-

ject of the bank, the committee thought it expedient to allow it to deal in foreign bill of exchange, which are the barometer of the state or our foreign trade.

In conclusion, the committee think it proper to say that they have given due consideration to the

various memorials referred to them, and to the instructions moved by a senator from Mississippi.

The subject that wherever, in this report, the committee is mentioned, a majority of the committee is to be understood.

All which is respectfully submitted.

[For Niles' National Register.]

UNITED STATES CENSUS. The following table exhibits the census of 1830 and 1840, of the 13 non-slave states, with that of the 12 slave states—also, the electoral vote, with the ratio per cent.—also, the number of slaves and increase, with the number of free colored people and increase—with a recapitulation.

STATE.	Electoral vote.	United States census.			States.	Free.	Increase and decrease.	Free.	Increase.
		1830.	1840.	Inc. or Dec.	1830.	1840.	1830.	1840.	
1 Maine	10	399,463	501,796	102,334	25	1,171	1,352		
2 N. Hampshire	7	269,533	294,181	24,648	10	692	849		
3 Vermont	7	250,679	291,848	41,169	4	602	716		
4 Massachusetts	14	610,014	727,466	117,452	16	2,917	3,234		
5 Rhode Island	4	97,310	108,327	11,017	12	3,364	3,326		
6 Connecticut	8	297,711	310,023	12,312	4	8,947	8,111		
7 New York	42	1,918,598	2,439,335	520,737	39	44,909	50,381		
8 Pennsylvania	30	1,247,679	1,700,000	452,321	16	18,369	20,070		
9 Ohio	31	937,679	1,518,095	580,416	16	9,657	17,011		
10 Indiana	9	341,569	683,314	341,745	10	3,629	7,048		
11 Illinois	5	187,074	486,178	299,104	10	1,627	4,001		
12 Michigan	3	91,360	211,703	120,343	577	261	793		
		1657,004,664	2,637,057	1,632,423		138,339	169,338	31,199	
1 Delaware	3	76,748	78,120	1,372	5	3,305	2,419	696	16,966
2 Maryland	10	447,040	467,564	20,524	4	10,875	9,719	1,156	41,338
3 Virginia	12	581,465	621,444	39,979	12	4,692	4,477	215	48,423
4 North Carolina	15	727,937	753,110	25,173	8	2,448	2,468	20	27,740
5 South Carolina	11	581,184	594,439	13,255	15	31,368	32,156	788	8,379
6 Georgia	11	516,823	618,160	101,337	19	21,470	23,538	2,068	2,436
7 Alabama	7	309,557	474,114	164,557	15	11,294	18,654	7,360	1,273
8 Mississippi	4	136,631	376,699	239,478	17	65,659	195,760	130,106	51,267
9 Louisiana	5	216,739	349,826	133,087	41	109,631	115,292	5,661	16,710
10 Arkansas	3	30,338	95,641	65,303	12	4,578	15,369	10,791	431
11 Tennessee	15	601,904	923,977	322,073	62	142,239	198,161	55,922	8,897
12 Kentucky	15	687,917	777,279	89,362	13	165,350	166,000	650	4,917
13 Missouri	4	140,045	363,761	223,716	119	94,990	68,540	30,550	361
		1963,773,786	3,078,761	1,144,147		2,010,436	2,200,684	190,248	18,290
									49,479

Non-slave states	Slave states	Recapitulation.			Total	Increase.
		1830.	1840.	Inc. or Dec.		
		7,004,624	9,637,097	2,632,473		
		5,713,739	6,907,376	1,193,637		
Total		18,778,393	16,544,963	3,766,310		
Add to 1840, Wisconsin			46,093	36,092		
" " Iowa			43,035	42,035		
" " Florida			40,000	6,000		
" " District of Columbia			43,612	3,754		

Making in all	Slaves.	Free colored.			Total	Increase.
		1830.	1840.	Inc. or Dec.		
		2,910,436	2,995,694	85,258		
		1,286,339	1,698,598	31,169		
		181,198	194,418	13,220		
Total		312,467	309,446	49,729		

Ma. Ennos: The following little table exhibits at one view, the amount of human beings in the U. States, with the increase, also the electoral vote at the different periods, with a recapitulation showing distinctly the average yearly amount of population, with the increase, from 1790 to 1840, fifty years. If you think it satisfactory to your numerous respectable readers it is at your disposal.

Years.	Population differ.	Electoral vote differ.	Inc. or Dec.
1790	2,929,827		
1800	4,305,927	1,376,100	139
1810	7,289,314	1,988,387	176
1820	9,638,131	2,848,517	216
1830	12,856,407	3,218,278	261
1840	16,702,392	3,850,051	294

Increase in fifty years 12,776,631
Recapitulation.
Yearly average population. 1,114,438
W. McKINTOSH.

Pennsylvania, Jan, 1841

THE ARMY.

Major general Scott has returned to his residence at Elizabethtown, N. J. after an absence of upwards of three months on duty.

Brig. gen. Armistead, U. S. A. has arrived in Washington from service in Florida.

We regret to learn from him that sickness prevails to a great extent among the troops now in Florida.

[Nat. Intell.]

THE NAVY.
Board of examiners. The Philadelphia United States Gazette says, "the naval board for the examination of midshipmen of the date of 1835, convened at the naval asylum on Monday. The board consists of commodore Biddle, Ballard, Conner and Reid. Commodore Biddle acting as president and commodore Ballard, Conner and Reid as the examiners. There are at present about 25 or 30 midshipmen awaiting their examination."

Commander James Armstrong has been appointed to the command of the sloop of war Cyane now lying at Norfolk.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

June 9. The president of the senate communicated a letter from the treasurer of the United States, containing a statement of the receipts and expenditures of the post office department for the year 1840.

After the presentation of memorials and petitions, several resolutions were offered by Messrs. Clay, Calhoun, Preston, Woodbury, Smith, of Indiana and Dixon, which will appear in their progress.

The senate then proceeded to the consideration of the special order, being the bill for the repeal of the sub-treasury law. This bill having had its third reading, the question was, "shall it pass?"

Mr. Woodbury said it had been his misfortune to be in a minority when this bill was considered in committee. He had there stated at that time his objections to its passage, nor had those objections been since removed, but on the contrary, greatly strengthened. As the bill went to change the entire system of collecting, keeping and disbursing the public money, he felt himself bound to present to the senate those objections he had urged against it in the committee. He was aware that much impatience was felt by the majority, under remarks of this kind, but he could not feel himself excused without presenting his views upon the subject. The measure, which, however, he should do as briefly as possible.

And in the first place he would remark that when the senate had resolved to change the system which was in existence previous to the adoption of the sub-treasury law, they had nevertheless suffered

that system to continue in force until a substitute for it was matured and agreed upon, so that the treasury was not left during any interval without the control of law, nor was the law of the department thrown upon its own merits or the provisions of the law of 1789. The senate at that time had deemed it expedient to defer the repeal of one system of fiscal management until a substitute was provided.

Mr. C. could not see any sufficient reason for passing an act simply to repeal the sub-treasury law without inserting in the same act some provision as a substitute for it. This course had been pursued in 1836, and he could not perceive any sufficient reason, why it should not be adopted in the present instance. The gentlemen themselves who urged the present bill had adopted this course at that time, and Mr. W. now invited them to enact a single precedent were a great system of fiscal operations had been abolished without either providing a substitute beforehand or inserting such provision in the act of abolition itself. This had been done on two former occasions, except in reference to the charter of the second Bank of the United States, and even then an express clause had been inserted, directing that the public funds should be transferred to the bank, and that, until this was done, they should remain under the control of the system then in force. But here the bill provided for the isolated measure of repeal, without making the least provision for a substitute to be adopted. The effect of this would be to throw back the treasury on such resources as it could obtain by construction of previous laws. We had had an ill-fated deal of that within the last few years. It was proved, that this system of things produced little probability endue but for a very short time; but he insisted that it ought not to be suffered to exist for a day or for an hour. No high officer of the government, not the executive himself, should be allowed to control the public funds according to his own discretion or any doubtful or constrained interpretation of obsolete laws. There was no great public emergency at this time to require a dictatorship, with, at absolute power over the public funds. Why, then, insist upon a measure like that? Why not do what is expedient to repeal until the subject should be agreed upon? Why leave the whole treasure of the country at the discretion of the executive, under old laws, which were held to be revived by construction? The bill before the senate did not declare that the sub-treasury system was its opinion. Its whole effort was to pull down the edifice now existing, without placing by its side any a log cabin or a shanty, leaving the inmates to seek shelter and security as they might. There was no crisis which required this urgent haste. It would just as easy to order the final repeal of the present provision had been deemed the most effect, and thus avoid all those difficulties which must now accompany the measure. It was no answer for gentlemen to say that they intended to provide some other measure to take the place of the sub-treasury system, in case they should be denied that short time, since in that intention, but they might avoid the difficulty altogether. Let him tell gentlemen that the senate had recently had an example of this intention to postpone action only for a short time, and want to show how easily that short time came to be extended. When this senate has been organized on the 4th of March, the gentlemen now in the majority had insisted that it was necessary, in order to a proper organization of the body to remove the former printers from office. And why? Because they were about to be re-elected, and they wanted somebody to supply their place. Who at that time so much as dreamed that the body would remain to this day without a printer, and thrown upon the absolute discretion of its president and secretary, to print any body and any paper, at any prices they chose to give, to execute the printing of the body? The arguments of gentlemen looked very well; they did but remove the printer for a short time; a substitute was immediately to be provided, yet three or four months had elapsed, and there was no printer yet. This act, which gentlemen held to be indispensable to the organization of the body, had not been performed to this day, and the printing was done through agents whom the officers of the senate chose, and not the senate, and it was just as easy to order the final repeal of the members of this body. Just so it might be after destroying the independent treasury. The country might be left three or four months, possibly for as many years, without the adoption of any measure as a substitute for the present system, and the public money would be left under a more unlimited discretion than the public printing was left now.

After presenting these remarks, in opposition to time proposed for the work of abolition, Mr. W. asked the senate to give leave to the chairman of the measure itself. They came here to do a

great public act on behalf of seventeen millions of people and twenty-six states of this union. Ought they to do this without duly considering what was the duty required of them? And what must be the effect of their act, whether it effected only temporary or permanent? Without this, they could not act discreetly in abolishing an important existing system. Mr. W. would readily admit, as some gentlemen had suggested, that there had been much to be gained by the sub-treasury system, but he had no experience. It had been greatly abused and grossly misrepresented, but he was not prepared to admit that there had been any verdict of the people against it. Was the repeal of the continuance of the law the only issue made before the people at the late election? Was the result of that election a verdict on that issue alone? The senator from Kentucky had said that they had come here for judgment—to carry into execution the verdict of the American people, but he would ask that senators for whether the result of that election was to be held as a decision by the people on all the questions which had been discussed before them? If so, how did it happen that they were sitting there in that splendid hall, fighting for the same issue, the same candidates were before them? If not, it not been decided that there should be no extra session with all its unavoidable expensiveness? That gentlemen must not eat out of gold spoons, but must use bread? That they must not indulge themselves in the luxury of champagne, but must drink out of brass cups? It not the verdict of the people cover all that? It was easy for gentlemen to talk about issues being decided by elections, but he asked, what had been the issue in 1829, and what had been the verdict given at that time?

The senator had some experience in such matters. Did he believe that the people had passed a verdict on all the questions which had been mooted during that election? No; nor did Mr. W. They had different questions arising; they had had the question about sales water furnished at public expense, about billiard table paid for out of the public money, and other grave issues of the like character. Did the senator hold that the people had delivered their verdict on all these important questions? Why cut out the sub-treasury from all the other subjects agitated at the late election, and say that the verdict of the people had been given on that issue? But, admitting that it had, some of the gentlemen on the other side of the hall would have been obliged by express written instructions from their own constituents. Much less, then, were they bound by a verdict given on five hundred issues, given at cross roads, given at grog-shops, and on the hustings. There was nothing in this argument. It answered very well to talk about political effect, but the people decided no issues but such as they put on record. The issue they decided was, that they elected this man as their chief magistrate, and not that man. That was an issue by which all were bound, and which all must respect. But the evidence needed no further. For that reason it was that he addressed arguments to gentlemen, and entreated them not to throw themselves on imaginary or uncertain issues. He asked them what they were abolishing? What was their reason for abolishing it, and what were the evils of the case? The system which it was now proposed to destroy was one which had been matured with great caution, after prolonged consideration and sound debate. Was it because it was a system which would retard the progress of civilization and refinement of modern times? Because it was not marked with all the graces and beauties of the credit system, and was not ornamented with all those classic figures which came with the graces of the British Bank of the United States and the bank of Calcutta?

He admitted that the system was somewhat antiquated; it had been tried for two or three centuries in every country, and it was at this time in vogue in many parts of our civilized world. It could not, indeed, boast of all the modern polish and trimming and flourish, but it was a system which had been tried, and had worked well. Some other refinements had also been tried, and had not worked well. Let gentlemen look around them, and let them see the general crash which had prostrated so many of our moneyed institutions. This was the effect of the much admired and beautiful credit system, which was the system of the day. It was much admired, but it had worked well, and it had been tried, and would work well again whenever the trial should be repeated.

Gentlemen were, besides, abolishing a system which they knew to be constitutional. The constitutionality of the sub-treasury was never in question; it pretended to dispute. Was this no excellence? This system had been the first offspring of the constitution; it existed in its essence in 1789. In the

next place, it was a system independent in its operation of the name of "independent treasury," given to it by its friends, was not a mere word or empty sound. The system was independent, because it was not controlled by the force of law, and did not depend either upon states or individuals to make it effective. All other systems were essentially dependent in their character; they were conducted by officers who were appointed by bank stockholders and the act of private individuals. Another great excellence of the independent treasury system was, that it was perfectly safe. There was one remark in the report submitted by the present secretary of the treasury which had struck Mr. W.'s attention. The secretary talked of the insecurity of the sub-treasury, but, instead of supporting this position by a statement of what aums had been lost under that system, the report went back twelve years to losses which had happened previous to its adoption. The secretary could not show the loss of a single dollar under this much abused system of conducting the fiscal concerns of government.

[Mr. Clay here said, speaking across, "the accounts have been well settled yet."] Mr. W. repeated the assertion that there was no evidence of the loss of one dollar by the sub-treasury. In contrast to which statement he pointed gentlemen to the general wreck which had attended the employment of banks. There were losses everywhere, and the currency was everywhere depreciated, but such losses were effectually prevented by the sub-treasury system, which, when perfected, went to provide a currency subject to no depreciation. What would have been the loss suffered by government had it employed the currency of the present Bank of Pennsylvania? There was admitted loss of four or five millions from the depreciation of bank paper. A committee of the other house had estimated the total loss to government from the employment of banks at thirty-two millions of dollars, the system now to be destroyed was one eminently free from executive influence.

[A laugh on one side of the senate.] Mr. W. said that he was well aware that the sub-treasury system was not perfect, but that the sub-treasury system was subjected to executive influence in a greater degree than any other. But let them come down to facts. Could the executive put his hands into the vaults of the sub-treasury and take out a single dollar of the public money? He said he would be to the peritany? Would he not be indicted as a robber? Not a dollar could be drawn out but by warrants and drafts. Neither the president nor his secretary of the treasury could take from its custody enough to buy a pen, nor could they loan out the public money for purposes of speculation or gambling. If they attempted such a thing, they would be convicted of embezzlement and sent to prison. Was this the case under the bank system? Could not the executive, or the secretary, in person, or through their friends, be accommodated with loans by the Bank of the United States or by the pet banks? Had not the public money been lent in thousands and hundreds of thousands to friends of the banks, both out of congress and in congress? But when had a dollar of the public money been loaned under the sub-treasury? The thing could not be done without burglary and theft. And yet, strange to tell, the community seemed impressed with the idea that the sub-treasury system was the best system, and the secretary of the treasury could take and use for their own purposes just as much of the public money as they pleased.

Now, as to the executive influence over the public money. How could the money be so easily possible way in which the money could be reached, did not the president select the pet banks? Did not the secretary do the same? Was there any check on the executive discretion? Did not the bank stockholders elect their own cashier and president? Had either house of congress any control over that matter? But how was it under the sub-treasury? Did the president select the receivers general or the treasurers of the mints? No more than he could select his own secretary, or his own clerk, or his own adviser without the consent of the senate. Executive influence was limited, not extended, by that system; it brought the public money under the control of congress. It gave to the executive no new powers, for the power of removal had been exercised since the 4th of March, 1840, in the removal of the secretary of the treasury, and had been so free from removal than before that time. What had become of the receivers general at N. York, at Boston, Charleston? They had been dis-

approved, and others had been appointed in their place. It had been urged that the executive could control these receivers through the power of removal, yet it did so happen that none of them had been so removed. So much for the argument on executive influence.

But the sub-treasury system had yet one other and infinitely greater excellence. It did not stimulate the spirit of wild and reckless speculation by loaning out the public money. The terms were, by that law, strictly prohibited, and declared to be felony, and it was an acknowledgment and homage paid by the senator from Kentucky to the excellence of that law, that, but as he was on destroying the system, he returned to that feature of it, and incorporated it in his own bill. That system provided no stimulus for over-trading. On the contrary, its effect was to subdue and quench that destructive fire which had consumed the prosperity of the country. It kept the public treasure where it could be had when it was wanted. Every receiver general, every treasurer of a mint, must be ready to hand over every dollar of the funds in his hands on its demand by government. But was this the law under the pet banks? Far from it. When the money was wanted by the government, it was not wanted by the banks alone. But Mr. W. would not retract these remarks; he could not, for his life, see anything in the system itself to justify or excuse any easy and precipitate effort to get rid of it at a blow.

But, in the next place, he was compelled to look at what must succeed this system when it was destroyed, whether it was to succeed temporarily or permanently. That would succeed if temporarily? Nothing was more certain. The bill itself, by which he held under a sound general principle of law that, when an act repealing a previous law was itself repealed, the previous law revived *ipso facto*. Now, if the sub-treasury was destroyed, what law would be revived by its repeal? The act of 1836 was not. We were to have the act of 1836, with all its acknowledged imperfections in its train. Would this be a better system? Wise men did not pull down one thing to substitute another, unless that other was a better one. The act of 1836 was not without some excellencies. It contained a provision which restrained the secretary from removing the deposits from a bank where they had been placed, provided that bank continued to redeem its notes in specie; and it provided for the depositing of the public money in non-specie banks, and in banks issuing notes under five dollars. Some approved of the pet bank system in its abstract, because it was a system which could be regulated by law. When president Jackson had been forced to remove the public deposits from their former depository, and there existed no regulated system for the safe keeping of them, he had implored congress to pass a law for that purpose, and they passed the law of 1836, which had these excellencies. But they were counterbalanced by defects which broke it down in twelve months, and it was now a dead letter. One gentleman had suggested that it was destroyed by faults in its administration, and not in the system itself. This suggestion had been made by Mr. W. would not say whether it was the case or not, but he saw ample cause for its failure without this. It provided that the twelve or thirteen millions of dollars which had been deposited in safe banks should be taken out of them and divided among the twelve or thirteen other purposes to give each of them the benefit of its possession. A bank was to be selected in every state, and the effect was general stimulation of the community to every form of speculation and gambling. It was a system which was to pay interest for the money, at least for all they brought over a given proportion, and they consented to pay the money obviously because they expected to loan it out. Was not this in itself sufficient to break down any set of banks in any way? Had congress an operation be accomplished without infinite distress? To force twelve or thirteen millions of dollars out of the channels of trade, and to put it in entirely different depositories, was an operation which Mr. W. insisted must be the true cause of the commercial ruin which followed. That alone was sufficient to account for it; but if on the back of this, there was superadded the requirement to collect within nine months \$6 millions more, and pay it over to the states, was it any wonder that the most ruinous and disastrous speculation had followed? The execution was left to the secretary; the time was fixed by law, and, should he fail to obey, he was liable to be impeached, and was actually threatened with impeachment. He had actually done. He had collected the money, and he had paid it out to the states in specie, or in specie worth, and it was emphatically said at the time that every infatuated in the payment of this money was a new turn of

the screw. The pressure rose from rheumatism to gout, and from gout to convulsion. All this suffering had been attributed to the executive and to the treasury department, as though it were their wrong, when, in fact, they had but carried out the law of Congress. Then came, in addition to all the rest, an unexpected reversal, which was produced by the course of the Bank of England. American credit was suddenly cut off by millions at a blow. Yet all this, too, was charged upon the treasury. And here he would relate an amusing anecdote. In compliance with the regulations of the law, deposits of specie were made in North Carolina, which carried it out of the usual course of trade. The order to transfer the funds was given in advance, payable in North Carolina. This was strenuously objected to, and the secretary asked why he did not make the order payable in New York? The secretary was acquainted with the operations of trade, and knew that the order could better be made in North Carolina than in New York, because New York was then drained of specie, and specie was scarce there and insisted that the drafts should be made payable in New York. He did so, and the holders immediately went to New York and demanded the specie, and found themselves so completely embarrassed that there was not a man of them that was not glad to get his draft after he had got it. It reminded Mr. W. of the Irishman who was ordered to be flogged, and when he was flogged long down went to be flogged higher up; but when flogged higher up, wanted to be flogged lower down. Mr. W. had then asked whether he was the law, or not; what it would, and let those who made it be answerable to posterity, that just tribune whose judgments, though often slow, were ever according to equity. As might naturally have been expected, the treasury was then flooded, flushed with the possession of their twelve or thirteen millions of dollars, speedily disgorged this treasure upon the community, for they had been obliged to pay interest for it, and were glad to loan it out as soon as possible. The consequence of this was that the bank and which usually realized from two to three millions of dollars were swelled to twenty-four millions in a single year. The banks which had loaned their money to individuals instead of to the government, when called upon by government to collect it, found the law, and the natural consequence was that they all went to wreck—suspension was inevitable. But these lamentable consequences were not to be charged to the administration of the pet bank system, but to the provisions of the law. The banks were then called upon now to revive such a system as this! Must the secretary of the treasury scatter the public money among eighty banks and revive again the scenes of 1839? It could not be done. The country then, though nominally thrown back on the law of 1836, would in fact end in truth be cast on the unlimited discretion of the treasury department; for the law having been rendered impracticable by the change of times, the department must necessarily be thrown back on the law in force before this was enacted. Mr. W. would undertake to say that there could not now be five banks found in the whole United States such as that act required deposit banks to be; and the act itself declared that, in that case the treasury must revert to the previous law. Those who would allow the law enacted to be placed in banks which did not pay specie; and to place it there; not merely on special but on general deposit. Nor was this any thing new—this very thing had been done by secretaries of the treasury for years together, and it must be done again.

There were other consequences which must also follow. The secretary would not merely be compelled to use banks of this description, but he would be stripped of every facility in the business of his department until he did make his selection among the banks, and place the money there. He invited gentlemen to put inquiries to the secretary of the treasury, and see what answers they would get. The moment the secretary was asked, the receivers general, and the banks, were dead—the secretary could no longer draw on them. Where must he put his money? What must he do with his drafts? In New York immense sums were coming into deposit at the rate of one hundred and a hundred and fifty thousand dollars a day. The secretary could not arrange with a bank to receive this money under less than a week, and in the mean time the collector or the receiver general might have half a million of dollars under his lock and key, and be at the same time out of office and be liable to no man? Not his sureties, for their liability expired with his office. In the more distant parts of the country, each a state of things might exist for a whole month. That time must elapse before the receiver knew that his office was abolished; but the

secretary here would know it, and could not draw upon him. What, then, must be the result? In one portion of the country he would draw on collectors; in another portion he must act under the law of 1836; and in still another he must be left at the discretion, under a construction of the old law. Here would be three or four fiscal systems in operation at one and the same time; and all this state of confusion must ensue because gentlemen would insist upon repelling one plan before they had provided another.

Another question arose as to what money the treasurer should receive. It was contended that he would be under the act of 1836. If so, then all public dues must be paid in gold and silver. There was not a bank in New England which did not issue bills under the act of 1836. He was prohibited from receiving their notes, though redeemable in specie and therefore, instead of receiving his dues one-half in convertible paper and one-half in specie, he must have the whole amount in hard money, or violate the law. The gentlemen, indeed, might like the measure on this account, but would it be of any benefit to him in this view of its effects?

Again as to the effect on public sentiment, he could tell gentlemen, if congress adjourned without providing a substitute for the sub-treasury, it would be found that the act of 1816 was not imperative. Its language was not, that paper of a certain description should be taken, but that it ought to be taken. Yet, it ought. But supposing the secretary could not get it, how then? What had been the bill under 1836, that provided that certain bills then current, and what had been called the ten cent rebellion in Boston had been gotten up, because specie was demanded by the collector. The secretary said he could not get convertible notes, and the secretary said he could not get specie, and must take depreciated paper. By this state of things, all specie and specie paying banks must go by the board. Discretion was said to be the law of tyrants; yet now the treasury was to be left loose again, to use, at pleasure, the paper of its specie-paying banks; and thus the secretary could not avoid, if he respected public opinion.

But it was said that we should soon have a substitute. Some great fiscal agent was to be provided, or else an old-fashioned bank of the United States would be created. The secretary would not say with him the time was gone by; but he would ask the members of the senate whether they were ready to repeal the existing law, to re-establish such an institution as the old bank of the United States. If they were ready to do so, well, he would not say whether such a plan had been matured and was to be presented. Why not wait till then?

It was said, however, that we were to have a bank that would not be unconstitutional: it was to be free from all objection of that kind. He was glad to hear it; but what was the plan? Had not gentlemen better wait till they saw whether it did avoid all constitutional difficulty or not? Surely they would act thus in their own affairs, why not in the affairs of the public? What was this bank to be?

If it was a mere fiscal agent not imperative, then it was a government bank, and he said to gentlemen that they were abolishing just such a bank, though without the name. All they had to do was to call the sub-treasury a fiscal agent, and the thing would be done. He would not say that the secretary gentleman contended that the bill of 1840 went to create a treasury bank? Yet they were now for destroying that, only to make another. Here Mr. W. quoted the title of a speech he held in his hand, "The sub-treasury system, as it is, and as it should be, under a government bank, of which the president of the United States was to be president, cashier and teller."—All they had to do was to give the secretary power to issue small drafts, and the sub-treasury would be a government bank.

Mr. Clay here interposed to inquire of Mr. W. whether he rightly understood him as now admitting that the sub-treasury was a bank. Mr. Woodbury replied in the negative. He had replied that it was a bank only under the supposition that the secretary could cut up his drafts into small sums, and use them as bank notes.

Mr. Clay, Well, and could he do it? Mr. Woodbury. He did not do it. I admit that the argument itself is a fair one, but he did not do it, could it have been done without sanction of law.

Mr. W. concluded by observing that though much more might be said, he should add no further remarks.

Unknown wished before the vote should be taken, to offer a few words on this bill. One fact had struck him during this discussion, viz: that there was a large majority in the senate who were utterly averse to leaving the treasury under an unregulated state bank system. He need not refer to

the individual gentleman who had expressed this opinion—the fact was unquestionable. Now he asserted that these gentlemen had done by their vote of yesterday just what they had said they would not do. They had first voted down Mr. C.'s amendment to the amendment of the senator from Kentucky, (Mr. C. had said that the amendment would remove the disability arising under the law of '36, and without which it would be utterly impracticable to carry that law into effect, for the want of banks which paid specie and which issued bills under the denomination of \$5, a large portion of the union being absolutely destitute of banks of that description. The object of Mr. C.'s amendment had been to remove this difficulty and make the law practicable; but gentlemen, after voting in its favor as an amendment which moved by the senator from Kentucky, had voted down a bill amendment, and left the act of 1836 in a condition utterly impracticable. How would this operate? The government would be obliged to go back to the alternative of either keeping its own money, or to issue its own paper banks such as the law declared it should not use. There was another result: it would be compelled, unless it violated the law, to collect its dues wholly in gold and silver; which would in fact and practice carry out the sub-treasury system more rigidly than the law had done. The secretary must either do this, or he must purposely violate the law. Yet gentlemen say they abhor leaving the country under a state of things unregulated by law. Mr. C. called upon them to answer him, or, by their silence admit the truth of what he said.

The whole of this proceeding had been most extraordinary. Gentlemen said that the voice of the American people demanded the courts they were unregulated, and that the secretary should be their voice but condemned the sub-treasury; but that voice had been uttered in an infinitely louder key against leaving the public money unregulated by law. By inference, then, it was manifest that they were about to do as they were infinitely more opposed to the will of the country than any other. They had been told that this was to be a reform administration. Now the only possible reform worthy of the name was a conformity to the law and to the constitution. His supposition it was an intention to do as they were doing, and the printing of the senate had been left to their moment unregulated. Who was the prior to the senate? Did any gentlemen know? What were the prices fixed for printing? Could gentlemen tell? Who fixed the rates of the treasury? Did any gentleman reply? Well, the next reform was as to the currency; and in that department of reform they left the government either to violate openly the laws of the land or to come back to the sub-treasury system in its most rigid form. Was this to go to the American people, and would gentlemen still remain silent? Mr. C. certainly was willing that it should. He desired that it should. In less than three weeks or a month avarice man in these United States would know in what condition the treasury was left, and that that condition was worse than ever before.

But they were told that this posture of things was to be temporary only. Was this so certain? Were the gentlemen so perfectly united among themselves that they would not be so far from the truth? Would not many startle at constitutional ground and oppose a bank of the United States? And if that was laid aside, what was their next plan? Could there be found an intermediate ground between the sub-treasury and a bank of the United States? But he asked what it was? Mr. C. said he was no enemy to existing bank capital, but he acknowledged that he had no faith in any bank of circulation and issue. He had long said that the banks that were now in the country were a curse, and that they acted as friends to the banks by repelling the sub-treasury? According to his belief, whether they created a bank of the United States or not, it was indispensable that the country should coin its own currency of gold to protect the United States from the ruin which would run down if it commenced a paper currency. There would be expansions: nothing could prevent it; and the bank would, sooner or later, be swept by the bank unless some provision was adopted which was quite as strong as the bank itself. All great bank expansions had commenced in England, and would again; their paper system was the same with our own; their banks and ours were but different parts of the same steamboiler; and if there was an explosion it would be the same. The weakest and weakest—we must be the first to suffer. The strongest possible provision should be made to keep the specie in the country in order to meet this emergency. But he saw plainly that gentlemen would have their way, but time would show who was

Evans, Graham, Henderson, Hopington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Rivers, Simmons, Smith, of Indiana, Southard, Tallmadge, Wadsworth, Woodbury.

The question was now called for, and about to be put, when

Mr. Wright rose to address the senate. He said he had been disappointed, after witnessing the course pursued by gentlemen on the other side, that they had the good sense to leave the entire debate on their side of the house. He considered it fortunate, because they should now be beaten by numbers if not by argument. Mr. W. was aware that power was usually more vigorous to execute than to reason, and a wise man would not divide with a weak man. This might or might not be the conduct of their opponents here, on the present occasion. They might possibly have reasons enough to give, though they did not choose to give them. They showed at all events an absolute disposition to act. Still, painful as it might be to others, and as it certainly was to him, he could not discharge his duty without throwing himself before the senate before the final question should be taken on the bill. He was aware that it was a subject with which the senate were well acquainted, and in regard to which the country was also exposed to be well informed. Still there were many things which it was proper and necessary to state for the information of the country, if not for that of his highly respected opponents. He said he would be very painful to him to detain the senate on this occasion, because he well knew the impatience of gentlemen on the other side, and was fully aware that they had determined on their course, and resolved to make no reply.

Mr. Clay. Proceed, sir, we will listen to you with patience.

Mr. Wright replied that he expected no less from the gentleman's courtesy. He then proceeded to observe that the argument of the senator from New Hampshire (Mr. Woodbury) had saved to him nearly all the time which the honorable senator had consumed in the delivery of his remarks. He had anticipated much which Mr. W. had intended to say, and he should repeat as little as may be of the remarks so ably made by him.

He should start with the metaphor which had been employed by the honorable senator from Kentucky, (Mr. Clay). That gentleman had assumed in the outset of his remarks that it was proper for the senate to adopt the course of a wise architect, who pulled down an old building and removed its rubbish out of the way before he proceeded to the erection of a new edifice. Mr. W. admitted that this course was some times necessary, but asked how far such necessity could be supposed to grow out of the present state of the question. He appeared to that honorable senator to say what he should think if he saw the head of a family proceed to pull down an old house in which he lived, and place his family on the side-walk which ran in front of it, while the timber for his new building was yet growing in the forest, while the bricks of which its walls were to be composed were neither burnt nor shaped, but lay yet in the bank of earth, and while the money which was to pay for the building had yet to be earned or else to be borrowed wherever it could be obtained. Would the honorable senator consider this as a wise procedure? Would such a man tell his family that he preferred to do this, as the only way of securing connection to his mind that they wanted a new house? If that was his reason, if he knew that they never could be brought to that opinion till their old house was knocked down, and the alternative lay between a new house and none at all, the Mr. W. could see a reason for the course. But he should not tell them that his new house was not to stand upon the old foundation, but was to be erected in another place, might they not reasonably ask, why, then, did you pull down the old house before you had provided for us under other circumstances than the present case. The gentlemen told the senate that their new building was not to stand on the foundation of the old. Be it so. Every body knew that the old house called the independent treasury rested on the broad basis of the constitution. Its walls were deep and strong, and their resting-place was sure; but the new building was to be put up on the marbles of that sacred instrument. They were to rest on questionable ground, at least, and not, like the sub-treasury, upon that solid and unshaken rock, concerning whose solidity no man held, or pretended to hold, a doubt. The necessity, therefore, supposed by the senator did not exist. The old building was not in the way, and therefore first need not be removed out of the way. The new edifice might, indeed, be more solid in its architecture, more glittering and showy in its appearance;

let, however, the old house still stand, unless though it might be, and unattended, as was the practice of some of our enterprising brethren in the west, when their increasing means enabled them to erect more costly mansions, were want to leave the old log cabin still standing near as a memento of their humbler circumstances. Let gentlemen follow the same course towards this sub-treasury; let it remain as an annunciation of times of less ardor and luxury. It could do no harm, and it was only the annoyance which the old building might present to the eye which required that it should be taken down before the form or even the location of the new building was agreed upon.

As it was impossible that the country should go on without some substitute, Mr. W. should assume that a substitute would be provided, and that it would be in accordance with the senator's avowed wish—that was, a bank of the U. States in form or other, local he cared not to state. This substitute, be its details what they might, must possess, as none could deny, at least these two distinctive properties: first, the right and duty of collecting, keeping and disbursing the public money; and, secondly, of supplying a paper currency, promulgated by law, he receivable at the treasury. If the new institution was to possess these two qualities, it was immaterial to Mr. W.'s argument what might be its other attributes.

Another reason given for the instant repeal of the independent treasury bill, was the will of the American people. Gentlemen affirmed that the popular voice had ordered this to be done, and that in resisting the measure its opponents were resisting the mandate of the people. Was this so?—Mr. W. did not intend there to rest his case. If it were so, was it not as truly so in regard to the proposed substitute? What was the history of public opinion on that subject? And what were the decisions of public sentiment, so far as these could be gathered from the result of popular elections? The last of these elections was insisted on by the gentleman as expressing a decision of the people against the independent treasury. It might be so; but Mr. W. would take this occasion to say that it might as well be argued, and with better evidence, that the decision of the people by the last election had required from the respected individual whom the act of the people had placed in the splendid mansion at the other end of the avenue, that he should abandon that dwelling as too large and magnificent for the necessities of the people, and might now be seen standing in the street; that he should put out of his possession that rich and glittering furniture of his table, and procure for himself horn spoons and wooden plates. Would any man stand up and say that this was the decision of the people? No, sir. Mr. W. might apply the argument to a thousand other absurd and ridiculous things which had been agitated during that election, and call them, too, the decisions of the people. And he would have the courtesy to suggest to the gentleman who had affected to consider the result of that election as a decision of the nation against an independent treasury, and in favor of a national bank. In the course of that election Mr. W. had, for the first time in his life, traversed a large part of his own state, during which progress he had frequently addressed large assemblages of people, and he did not remember a single occasion when he had not endeavored to convince his audience that the policy of the party opposed to him would certainly have the effect of increasing the number of slaves he had done this a single instance when intelligent and worthy whigs had not afterwards privately assured him that in that view he was entirely mistaken, and did not know what were the real motives of the party he was attacking. He affirmed in the strongest and most decisive terms that a national bank was not to be one of their party measures. As these gentlemen have given him credit for sincerity in the ground he had taken, so he would have the belief that they were equally sincere in their opinions. A short time would be sufficient to prove which of the two was mistaken. He was willing, however, to assume that the result of the last election had been a decision of the people against the independent treasury. He asked, then, whether their decision was in relation to national bank? The question had been more than once tried. But he referred gentlemen to the decision given in 1832. Had there ever been a popular issue more clearly and distinctly tried, and had the result been more clearly and more decisively in favor of the party than that day? He knew that now and then isolated individuals had openly declared their preference for such a measure, but the party, as a party, had forbore to present it before the public eye, and had avowed that before doing so, they should wait till the popular opinion

had had time to change. How had it been in regard to the state bank system? That question had never been submitted to the people. But the failure of the currency had been so manifest, and the legislative action indispensable to the issue had been made up between a sub-treasury and a national bank, and the people had decided in favor of the former, and against the latter.

And how had parties stood since in reference to the bank? The friends of that institution had been few indeed, whether in the halls of the two houses of congress or throughout the several states. Then, as the president in his message had truly and manfully said, all three of the great fiscal systems of the country had been consumed by the people; and, if so, could it be said that the necessity was laid upon the senate, in obedience to the popular voice, to sweep away one of these systems, and to put in its place one or other of those remaining, such of which had been equally repudiated and condemned? Not so. He might not to have said equally repudiated and condemned, for that was not the case. The country had been during forty years under a bank of the United States. Of this period the first twenty years expired in 1811, when the people pronounced law by law he receivable at the treasury of extending its charter. In 1832, four years before the expiration of the charter of the second bank, that mammoth came to congress and demanded a renewal. Congress voted to allow it. The friends of the bank voted against it, and the veto the question went down to the people, and was by them distinctly adjudged against the bank. Nor had Mr. W. until last November, ever heard that the party in favor of the bank ever ventured to show its head and an election. Under this state of circumstances, it would surely seem that there existed no imperious necessity to destroy the sub-treasury in order to make room for a bank. If the ground was not wanted for the erection of a new building, where was the necessity of such violent haste in knocking away the present structure?

But destroyed it was to be, although, as an experiment, it was almost untired, having been adopted but eleven months ago. What were its prominent features, and what its tendencies in reference to the great question now in agitation in the country, when compared with those of its substitute, a national bank? What sort of currency was that which the independent treasury law now provided, or would, when its action should be perfected, provide? The currency was to be a manufacture of paper, the only currency known to the constitution; a currency of inherent, intrinsic value; a currency not exposed to contraction or expansion at the will of any private association of men; a currency whose value did not suffer rise or depreciation, but by the act and decree of congress; a currency which was the standard of value for the world, and which was governed only by those laws which govern the trade of the world. What currency, on the other hand, would a bank of the United States establish? A currency of gold and silver, a currency of itself; a currency which it could manufacture at pleasure; a currency of no intrinsic value whatever; a currency which never was the representative of money; a currency susceptible of rise and depression, of expansion and contraction at the will of government, and according to the interests of the stockholders; a currency not subject to the laws of trade alone, but to the interests and caprices of all who were concerned in issuing it. Which of these two descriptions of currency ought congress, setting aside the mere question of the manufacture of paper to prefer, as promoting the permanent interests of a great and growing country? The currency introduced by the independent treasury was as stable and unchangeable as the national standard of weights and measures. The other was as changeable as the same clause of the constitution which gave to congress the power to establish a uniform standard of weights and measures. The one was as equal, as stable, and as uniform as the other. It rested the arm of government alone, and not upon the fluctuating interests of a set of private stockholders.

Another great interest of the country was incidentally affected by the question now before the senate. He referred to that of a public debt. This was a matter which in their talks here and elsewhere they were all wont to excite as one of the greatest national evils, and a thing ever to be avoided, if to avoid it was possible. Now, what were all the natural tendencies of the independent treasury system? Upon the one hand, it was to establish a barrier to the contraction of a permanent national debt!—They must from necessity be against such a measure. The public officers connected with such an institution had no possible interest in the existence of a public debt. If large, it would become unwieldy in its management, and none of their trans-

nest man, he might have the money in his strong box ill the secretary should send for it; but if he desired to accommodate himself without any other liability than a civil suit for money had and received, he might put the money in his pocket and go just where he pleased. So at Charleston, so at St. Louis, save the difference between the accumulation of ten days and that of two days. It had indeed been suggested that, for the date of the signing of the law, no officer who paid away money to such receiver was relieved of his liability, because he paid it against law to one not authorized to receive it. And this, no doubt, was technically true. But would it be beneficial? Would it not be like the conduct of the Roman tyrant who stuck up his laws on a column so high above the heads of the people that no man could read them, and then punished every one who was guilty of an infraction of the law?

Such would be the condition into which the country would be plunged by repeating at this time the sub-treasury law, to which it must be added that the providing of a substitute was a clear contingency which might or might not happen. They would have nothing to hang to but a miserable remnant of the law of 1836 until they should get a bank in operation. In the meanwhile the treasury would be placed just where it had been when the honorable senator from Kentucky declared with such force and eloquence against the union in one hand of the purse and the sword. Whereas if gentlemen would exercise a little patience and endure the sight of the old house but for a short time longer, they might have a new house to move into without any of the degradation or inconvenience of sitting down in the street.

Mr. Tallmadge said: I do not rise to debate this question. It has been, heretofore, fully debated in these halls; in the legislative halls of the several states—before the people in their primary assemblies—and by the people themselves, until the subject has become so thoroughly worn out that even my honorable colleague cannot advance a single new idea upon it, and until it has become perfectly nauseating and disgusting. I rise for the purpose of expressing my extreme regret at the pain which my honorable colleague tells me he feels from the haste and manner in which this question is pressed to a decision. I am the last man in the world that would, unnecessarily, glaze the eyes of the people more especially to be so sensitive as that gentleman. He never inflicts pain, even of this sort upon his political opponents, unless from a high sense of imperative duty. And from what has fallen from him on this occasion, I am sure that he is sensible, enabled to appreciate the pain he must have experienced on the original passage of the sub-treasury law through the senate, and which we now propose to repeat. It was pressed, on that occasion, with such "hot haste" to a decision, that, to sensitive mind like his, the honorable gentleman's "sufferings," like those of his illustrious predecessor on another occasion, must have been "intolerable." Nothing but the most imperative duty and the most elevated patriotism could have compelled him to the course which was then taken. The bill was on its passage. It had been discussed, but not fully discussed. There were gentlemen waiting to be heard in opposition to it. The day had been exhausted; the session had been protracted to an unusual hour. Night had already begun to throw her sable mantle over the senate chamber, when an adjournment was asked to enable gentlemen to give their views on the morrow, free from the exhaustion of that day's arduous labors, and the honorable senator from Maryland (Mr. McKim) was forced into the debate at a late hour, and without some of the necessary statistics which he wished to use in the course of the very able argument which he made. After he had concluded, an adjournment was again an honorable senator from Massachusetts (Mr. Davis) to give his views on the subject. This also was denied, and he was compelled to proceed, late in the night, and, under a burning sense of the injustice done him, made one of the ablest speeches ever delivered on this floor. The bill was then passed, and sent to the other house, before I had an opportunity to reach Washington, and to record my vote against it. I had just been re-elected, and was then on my way in company with an honorable senator from Massachusetts (Mr. Webster), to take my seat. The state of New York was thus deprived of the only vote which truly represented her interests and her feelings on this floor, upon this great public measure which she had already thrice examined. I repeat, therefore, Mr. President, that my colleague, from his pain on this occasion, must have been in a perfect agony upon this.

The honorable gentleman objects that the sub-treasury ought not to be repealed until a substitute is provided, and has attempted to alarm us by some

imaginary difficulties. There are no difficulties. The act of 1789, the joint resolution of 1816, and the act of 1836, which will be revived by this repeal, were ample provisions for the purposes of the treasury until a substitute shall be provided. And even if there were no such provisions, I would not hesitate one moment about the repeal of this odious and trifling, say, four-times condemned measure. I have been on this floor before the people that it would take anything or nothing in preference to this sub-treasury scheme; and, before I would hesitate about its repeal, I would see our finances go once more into chaos, as they were when the mighty hero of Hamlet was called to preside over them; when:

"Confusion heard his voice,
And wild uproar stood round."

But, Mr. President, what excites my "special wonder" is the intimation of my honorable colleague that the people have not decided against this sub-treasury scheme. One would suppose that, in reference to his own state, he could entertain no doubt on that subject. The man must have been blind indeed who could not see the onbrakings and feel the pinpricks of public sentiment for the last four years. "Empire State," and while all should my colleague doubt as to what that sentiment was. He must have been an attentive observer. He easily made up the issue for the people. I remember perfectly well, when I first expressed my dissent from the destruction of the measure at the late administration, that my colleague deprecated any collision of opinion between us on this floor; and, with characteristic self-complacency, and with a seeming confidence of anticipated triumph, proposed to submit all our differences to our common constituents, and to abide their decision. I accepted the issue. We went down to the people in 1837, and they found against him. Nothing daunted, he asked another hearing, and was again overthrown in 1838. He was indicted, with a third trial, and again beaten in 1839. And in 1840, like Napoleon, he took the field in person. He traversed the whole state. I did the same, sometimes in advance of him, and sometimes on his trail. We selected every subject, every thing but the sub-treasury, although my colleague occasionally gave a token in defence of Mr. Poinsett's standing army. But the sub-treasury was the burden of the issue. It was against that the people fought, and at this great hour, when his battle with my colleague was "horse, foot and dragoon," and was compelled to surrender at discretion.

After all this, he gravely utters his "ambitions givings out" that the people of New York have not decided against the sub-treasury. Why, sir, let me ask him, what was the issue? Was it the sub-treasury? Every newspaper on that side of the question had at the head of its editorial column, in glaring capitals, "INDEPENDENT TREASURY"—"NO NATIONAL BANK." This was the motto every where inscribed on their banners—under it they fought and under it they were conquered. And still my honorable colleague tells us, if any decision was made by the people at the late election, it was a decision in favor of "log cabins, coon skins and hard cider."

In the same breath he tells us that, during the administration of general Jackson, the people decided against a national bank. On that subject I might with much greater propriety assert that it was decided in favor of digging up the dead roots and maintaining in the ground by the burial of them.

Mr. President, if ever a felon was condemned by a court and jury and deserved to be hanged, then has this sub-treasury been condemned by the people, and ought to be repealed. They gave their verdict against it, and are impatient at our delay in awarding execution. Let us, then, forthwith enter our judgment, and simply say "off with its head; so much for Buckingham."

Mr. Wright made a brief reply. He said it was difficult for him to say, if he should be so unwise as to enter into the lists with his honorable colleague, whether he should not be overthrown. He believed he had explained once before to reply to the accusation of a want of courtesy towards his colleague. That honorable senator spoke of matters which he did not personally know, and the statement did Mr. W. great injustice. He was fully aware that the feelings of his colleague were very strong, and their personal intercourse had been only that of courtesy and kindness.

Mr. W. had so implied no denial that the people of the state of New York and of the United States had given their verdict against the Independent treasury. On the contrary, he had expressly declared that he did not stand up to deny that such was the case. All he had intended to say was that there was no evidence in the result of the late elections

that the people had decided in favor of a national bank. If his colleague would say that, in addressing the people of their state, he had advocated the constitutionality of a national bank, he would say something very different from that which Mr. W. had always heard stated by others.

Mr. Tallmadge replied that he had been too much occupied in speaking against the sub-treasury to have any time left for talking about a national bank.

Mr. Clay, of Alabama, expressed a desire to present his views on this subject, but it was now late in the day, and his strength was exhausted by a constitutional case of a national bank. To ascertain the mind of the senate, he would make an adjournment.

Mr. Clay, of Kentucky, hoped the senate would adjourn.

Mr. Calhoun demanded the yeas and nays. They were ordered by the senate, and, being taken, resulted as follows: yeas 19, nays 27.

Mr. Benton then took the floor, and went into a long and very animated speech in opposition to the bill.

"The question was at length obtained upon the bill, and it was passed by the following vote:
YEAS—Messrs. Archer, Barrow, Bass, Bevel, Berrien, Choate, Clay, of Kentucky, Clayton, Davis, Evans, Fox, of Kentucky, Fox, of Tennessee, Gales, Nye, Garrison, Miller, Morris, of Kentucky, McKim, of New York, Preston, Rives, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge, &c.

NAYS—Messrs. Adams, Calhoun, Clay, of Alabama, Fulton, King, McRoberts, Nicholas, Poinsett, Smith, of Connecticut, Surgenon, Tappan, Walker, Williams, Woodbury, Wright, Young, &c.

June 10. The following memorials and petitions were presented and appropriately referred:

By Mr. Evans, two memorials from citizens of Portland, Maine, asking the passage of a bankrupt law.

By Mr. Prentiss, from a number of citizens of Sumterville, Alabama, praying for the enactment of a bankrupt law.

By Mr. Young, from citizens of Illinois, in favor of a bankrupt law.

By Mr. Buchanan, from citizens of Pennsylvania, praying that a duty may be imposed on imported lands.

By Mr. Bates, resolutions of the legislature of Massachusetts in favor of the distribution of the proceeds of the public lands.

By Mr. Henderson, from the president and directors of the Grand Gulf rail road company, asking a renewal of duties on rail road iron.

Mr. Clay, on leave introduced a bill making appropriation, for a limited time, of the proceeds of the public lands of the United States; and for granting lands to certain states.

Mr. Henderson, pursuant to notice given yesterday, introduced a bill establishing a uniform system of bankruptcy; and moved that it have its first and second reading this day, and be then referred to the committee on the judiciary.

Mr. Walker wished an expression of the view of the senate as to the propriety of acting on this subject during the present session. His own vote was peculiarly desirous that it should be disposed of. A bill had been passed once and the expectations of the nation generally would not be disappointed should nothing be done in regard to it. The refusal of the late administration to act upon the subject had done more than any thing else to cause their defeat; and should the present administration follow the example, they might expect disastrous results. Mr. Henderson, in answer to the demand of deliberation action in the matter; they wanted, in a word, to know their fate.

Mr. Berrien (chairman of the committee on the judiciary) expressed himself as anxious to see the session from the Missouri could be to see some definitive action on the subject, but did not desire the subject to be pressed at this time, unless there was some well grounded hope of a satisfactory result.

Mr. Sevier was in favor of the reference of the bill. He hoped it would be reported on, and then debated; and this for an obvious reason: The senate, at the called session, had five or six important matters before it; and if, as seemed probable, it could not be decided on at these five days, they would soon be cut off work; and, as he considered it the root of all evil, he hoped the subject of a bankrupt bill would be reserved by gentlemen as a subject of amendment for their leisure, but that the present session should be closed in disposing of the business sent down to them by this body.

Mr. Clay would here take occasion to make a remark for the purpose of correcting a misapprehension which seemed to have taken place in the country in reference to some opinions entertained here. Mr. C.

was perfectly ready to vote for any reasonable bankrupt bill, although his own state had as little individual interest in such a subject as probably any other state in the union. He had some time since expressed the opinion that a bankrupt bill could not at the present pass the senate; that opinion had been founded solely on the experience of the last session. The subject had undergone some discussion, but the friends of the bill considered its fate so very doubtful that they forbore to press the question on the passage of the bill. From what had been said just now, it was obvious that they could not get a test question now as to whether the subject would be finally acted on at the present session. He would suggest to the honorable member from Missouri, whether it would not be best to let the bill be referred to the judiciary committee; let them perfect its details; and by that time a better judgment could be formed whether it could be taken up at this extra session and discussed without too far extending the time devoted to the subject. If this was found impracticable of execution, then let the bill be published to the world, and it could be taken up and acted on at the regular session. Although Mr. Clay considered a bankrupt bill part of a system of relief for the country, yet he could not consent that it should start out at the head of that list of measures of relief which it was desirable to perfect during the present session; important as it might be, he could not consent to having it displace the subjects of a Bank of the United States and the distribution of the lands of the public lands among the states—he could not place the importance of a general bankrupt bill in comparison with that of measures like these. After they should have been disposed of, he was entirely willing the other should be taken up. He hoped the bill would be referred.

After some further remarks from Mr. Henderson, not distinctly heard by the reporter, the bill was read a second time, and referred to the committee on the judiciary.

Mr. Rives moved to refer so much of the president's message as relates to foreign affairs to the committee on foreign affairs.

Mr. Buchanan thereupon rose and addressed the senate, observing that when he first read the correspondence between the British minister, Mr. Fox, and the American secretary of state, he had at once determined to make, upon the first opportunity, some observations upon that correspondence in the face of the senate, and the course he had regretted that, in finding a fit opportunity, there had, contrary to his own inclinations, been so much delay; but having at length found it, he would accomplish his original purpose, and would do it with as much brevity as possible; premising, however, that he should not have those of such a proceeding upon this mere motion of reference, had not the example been set and precedent established at the last session of congress by the present secretary of state.

He must be permitted to make one remark by way of preface; and that was, that if he knew himself, he was not actuated, in this matter, by any thing like party political feeling. He trusted his construction of some portions of the correspondence in question might prove incorrect; for though he acknowledged himself to be a party man and strongly influenced by party feeling, it had been his endeavor never to carry that feeling with him into the committee on foreign relations, (of which he had for many years been a member,) and the course that he had given sufficient evidence of this by his course in that committee. Yet, as he was firmly convinced that a proper regard for the American character, both at home and abroad, required that some commentary should be made on these matters, he had, upon reading them, determined, at once, that that commentary should be made by him without fear, but with a respectful regard to the feelings of all parties.

It had been asked, what objection could be made to the letter of the 24th of April last, lately published from Mr. Webster, our secretary of state, to Mr. Fox? There was little, indeed; much, very much, that it contained had his cordial approbation; but, unfortunately, that letter had little or nothing to do with the substance of the case. It did not make its appearance until nearly six weeks after the important business between the two governments had been transacted. It was the letter of the British minister of the 12th of March, and the instructions of the secretary of state to the British minister, general of the United States, of the 15th of the same month, which contained the true merits of the case. It was that letter of instructions, a copy of which had doubtless been communicated to the British minister, and had been open for some time to the British parliament; it was those instructions, especially, which lay at the root of the question. On

these two papers of the 12th and 15th March, public opinion had been formed as well in England as here; and what came limping along, six weeks after, however just and however eloquent it might be, could exert but little or no influence either in Europe or in this country.

To understand the merits of the case a brief recapitulation of facts was necessary. A rebellion, said Mr. B. or, if you please, an attempt at revolution, existed in Canada, during the course of which, the possessions of Navy Island, in the Niagara river, A British militia force of two thousand men was embodied at Chippewa, on the Canada side of the river. The American steamboat *Caroline*, after having carried provisions to the insurgents on Navy Island, (for I believe that was the fact), together with probably a single cannon, lay at anchor, after her trip, fastened to the wharf at Schlosser, a small village notoriously within the jurisdiction of the United States, under the sacredegis of our protection. And the country must be recreant to itself and to its citizens, which would not, until the very last, maintain and vindicate its own exclusive sovereignty over its own soil against all foreign aggression.

I shall not dwell in American waters, under the guardianship of our sovereignty and of the American flag, but this afforded her no protection. What happened on the night of the 26th of December, 1837? Colonel Allen McNab, a name famous in history, and in command of the *Caroline*, and Captain Drew, of the British navy, who I believe has since been pensioned for his gallant exploit, undertook to raise a body of volunteers, and, by way of characterizing the nature of the service they were to perform, declared that they would do it in the way of a party. They should be ready to follow him to the devil. Under the command of this colonial McNab, now Sir Allen McNab, (for I understand he has since been knighted, by queen Victoria), this body of men passed down the Niagara river at the dead hour of midnight, without previous notice, and while the people on board of the *Caroline* lay reposing under the protection of American laws, and made an attack on unarmed men who were private citizens, not engaged in any way with the British government, authority, and murdered at least one of their number within the American territory. These barbarians, regardless of the lives of those who may have remained on board, unmoored the boat, towed her down the river, and, with the assistance of a small and irresistible current soon buried her down the falls of Niagara, and to this hour it is not known how many American citizens perished in that fatal night. This is no fancy picture.

Now, as to the principle of the law of nations which applies to such a case, that pure patriot and amiable jurist, John Marshall, has expressed it with great force and clearness. He says that "The jurisdiction of a nation, within its own territory, is exclusive and absolute. It is susceptible of no limitation not imposed by itself. Any restriction, deriving validity from an external source, would imply a diminution of its sovereignty to the extent of that restriction, and an investment of that sovereignty to the same extent in that power which could impose such restriction."—7 Cranch, 116.

And again: "Every nation has exclusive jurisdiction over the waters adjacent to its shores, to the distance of a cannon shot, or marine league."—1 Gallis, C. C. R. 32.

Now, as to the principle of the law of nations, if the *Caroline* had been a vessel of war, on the high seas, belonging to the insurgents, and after an engagement with a British vessel had been pursued within a marine league of the American shore, our national rights, as a neutral power, would manifestly have been covered here, and a hostile act could not have been fired against her without offering us grounds for just complaint. If, for example, the British and French nations had been at open war, and a French vessel, in flying before British pursuit, had been driven within a marine league of the American coast, all further acts of hostility towards her must instantly cease, or the neutral power would be wounded in the most sensitive point, namely, that of its sovereignty.

I shall not here venture to press the case in this there has been a gross violation of our national sovereignty, because on that point no gentlemen, I am sure, does or can entertain a doubt. That being clear, the American government at once retracts all her former position, and uses the following terms, through our minister abroad. The letter of Mr. Stevenson, on that occasion, does him great honor, indeed. Repeated attempts were made to induce the British government to answer the demand, but it refused to do so. It has been stated in the British house of commons, by one of the British ministers, that the American

government had finally given up the question, and did not intend to insist upon an answer. The pretence for making this statement has most probably arisen from a custom too common among us of publishing diplomatic correspondence, whilst the negotiating states are still engaged in the matter. Stevenson, in his letter to Mr. Forsyth of the 24 July, 1839, employs this language:

"I regret to say that no answer has yet been given by my note, in the case of the *Caroline*. I have not deemed it proper, under the circumstances, to press the subject without further instructions from your department. If it is the wish of the government that I should do so, I pray to be informed of it, and the degree of urgency that I am to adopt."

To which Mr. Forsyth replies under date of September 11, 1839, as follows:

"With reference to the closing paragraph of your communication to the department dated 2d of July last, it is proper to inform you that the instructions are at present required for again bringing forward the question of the *Caroline*." I have had frequent conversations with Mr. Fox in regard to this subject, one of very recent date, and, from its tone, I presume that the British government will answer your application in the case, without such further delay."

The senate will thus perceive that there is no foundation in this correspondence for the pretext that the British government had abandoned the pursuit of this question, unless it may be gathered from the note of Mr. Forsyth and suppressing the sentence which I have just read.

Whether the administration of president Van Buren pursued its commitments with sufficient fidelity, I cannot say for sure, although I believe it did, but that forms no part of the question now before the senate. It seems that, from the conversation of Mr. Fox, Mr. Forsyth was induced to believe that a speedy answer would be given.

On the 11th of September, 1839, this unfortunate man, Alexander McLeod, came voluntarily within the jurisdiction of the United States. I am induced to believe that the vain boasting of this man, as to his presence and participation in the attack on the *Caroline*, has occasioned all the difficulty which now exists. I do not think he was present at the capture of that vessel, and this fact, if it had been wisely used, would have afforded the means of adjusting the difficulty to the satisfaction of both parties.

But, as it came upon the case, and, in the company of American citizens, openly boasted that he had belonged to Drew's capturing squadron. In consequence of these assertions, he was arrested by the local authorities, and indicted for murder. This state of things gave rise to a correspondence between Mr. Fox and Mr. Forsyth, from which I intend to read a brief extract. The correspondence resulted in this: that Mr. Forsyth expressed it as his opinion, and that of the president of the United States, that under the law of nations the avowal by the British government of the capture of the *Caroline*, should such an avowal be made, would not free McLeod from prosecution in the criminal courts of the state of New York. Its effect was mere cumulative. It did not take away the offence of McLeod, but added thereto, and made it a national as well as an individual offence. The legal prosecution of McLeod, and the application to the British government for satisfaction, were independent of each other, and might be separated from each other, purely and simply. But whether this were the true principle of nations, law or not, Mr. Forsyth very properly said that the question must be decided by the judiciary of New York, and that, if the position of Mr. Fox were well founded, McLeod would have the full protection of that justice before the court. He stated, and pleaded that his act had been recognized by the British government, and if the plea were allowed, he would be set at liberty. That was the position of the business at the close of Mr. Van Buren's administration, and it was the position of the question for the American rights and even for the honor of England, also, could not have been desired. When the trial came on, McLeod would have two grounds of defence: first, that he had not been guilty before the court of the crime; and, next, that this capture had been recognized by the British government as a public act, done under its authority. If, in this state of things, there had been a little prudent delay, the question would soon have been settled, and the peace of the two parties. But inquiries had been addressed, in payment, to the British ministers on this subject, and a high excitement had been produced throughout the British nation. This can always be done in any country on any subject, and it is the consequence of the question never appearing in their public journals. I have been for years in the

very strange to governor Seward to find the authorities of the United States thus actively and ardently engaged in defending McLeod, whilst the authorities of New York were enlisted with equal vigor in his prosecution.

The defence of this man, who had no claim to peculiar favor, except what arose from an earnest desire to please and satisfy the British government, became the object of the secretary's peculiar solicitude, and this, too, in the face of a plain, palpable menace from that government.

The next thing we might hear would be a bill of cost and counsel fees against this government for the defence of McLeod; it having been imposed as a duty on our attorney general to see that "he had skillful and eminent counsel."

Now there are features in this transaction any thing but creditable to our national character. I think that sufficient decision and firmness have not been displayed by the American secretary of state. It will ever prove a miserable policy to attempt to conciliate the British government by concessions. It was the maxim of general Jackson that in our foreign relations we should ask only what was right, and submit to nothing that was wrong; and, in my judgment, the observance of that maxim is the very best mode of preserving peace. When a nation submits to one aggression, another will soon follow. It is with nations as it is with individuals. Manly and prompt resistance will secure you from a repetition of insult. If you yield once, you will be expected to yield again, and still again, till at length there is no end to submission. I do not pretend that Mr. Webster has done wrong intentionally; all I mean to say is, that, in my judgment, he has not, in this instance, displayed a proper and becoming determination to resist. He has yielded a little longer before he prepared his instructions to the attorney general; if he had taken time for reflection before he despatched that officer crumpling to New York, his conduct would probably have been different. According to the practice of diplomacy, a copy of these instructions was doubtless at once sent to Mr. Fox. It is certain that they were known to the British government before the 6th of May, because no that day they were referred to by John Russell in the floor of the house of commons as a document in possession of the British cabinet.

I shall now offer a few remarks on the question of public law involved in this case, and then close what I have to say. I sincerely believe the administration of Mr. Van Buren is perfectly correct on this doctrine, as laid down by Mr. Forsyth. If I had found any authority to induce me to entertain a doubt on that point, I would refer to it most freely. I now undertake to say that the only circumstances which has produced confusion and doubt in the minds of well-informed men on this subject is, that they do not make the proper distinction between a state of national war and national peace. If a nation be at war, the command of the sovereign power to invade the territory of its enemy, and do battle there against any hostile force, always justifies the troops thus engaged.

When any of the invaders are seized, they are considered as prisoners of war, and as having done nothing but what the laws of war justified them in doing. In such a case they can never be held to answer, criminally, in the courts of the invaded country. That is clear. The invasion of an enemy's territory is one of the rights of war, and, in such an occasion, the law is justified by the laws of war. But there are offences, committed even in open war, which the express command of the offender's sovereign will not shield from exemplary punishment. I will give gentlemen an example. A spy will be hanged, though he be taken up and ordered under the express command of his sovereign. We might cite the case of the unfortunate man Amire. He was arrested on his return from an interview with Arnold, and his life being in danger, the British commander-in-chief (Mr. Henry Clinton, I believe) made an effort to save him by taking upon himself the responsibility of his act. But although he had crossed our lines, whilst the two nations were in a state of open and flagrant war, in obedience to instructions from his commander-in-chief, yet Washington, notwithstanding, rightfully hanged him as a spy.

Now, let me tell whoever shall answer me, (if indeed, any gentleman will condescend to notice what I have said,) that in this case the laws of the house are to do all the speaking, and they all the voting; that all the authorities concur in declaring that the law of nations protects individuals whilst obeying the orders of their sovereign, during a state of open and flagrant war, whilst it has been solemnly declared, or not, whether by general or partial. These authorities go no further. But, to decide correctly on the application of this

principle in the case before us, we must recollect that the two belligerents here were England on the one hand and her insurgent subjects on the other, and that the United States were a neutral power, in perfect peace with England. But what is the rule in regard to nations at peace with each other? This is the question. As between such nations, does the command of an inferior officer of the one, to individuals, to violate the sovereignty of the other, and commit murder and arson, if afterwards recognized by the supreme authority, prevent the nation whose command has been outraged from punishing the offenders? Under such circumstances, what is the law of nations? The doctrine is laid down in Vattel, an author admitted to be of the highest authority on questions of international law, and the very question, *foliis*, which arises in this case, is in his book stated and decided. He admits that the lawful commands of a legitimate government, whether to its troops or other citizens, protects them from individual responsibility for hostile acts done in obedience to such commands. But he says that in open war. In such a case, a prisoner of war is never to be subjected to the criminal jurisdiction of the country within which he has been arrested. But what is the law of nations in regard to criminal acts committed by individuals in a state of peace, and under the sovereignty and jurisdiction of another, they being at peace with each other, even if these criminal acts should be recognized and justified by the offender's sovereign? This is tried for the first time in the case before the court. The subject is treated by Vattel, under the head "of the concern a nation may have in the actions of her citizens," book ii, chap. 6, page 161. I shall read sections 78, 74 and 75.

"If the offended state has in her power the individual who has done the injury, she may, without scruple, bring him to justice and punish him. If he has escaped and returned to his own country, she ought to apply to his sovereign to have justice done in his case." Can anything in the world be clearer? The author puts the case distinctly. The nation injured ought not to impute to the sovereign of a friendly nation the acts of its individual citizens; but if such friendly sovereign shall recognize the acts as his own, it then becomes a national concern. But does such a recognition wash away the guilt of the offender and release him from the punishment due to his offence under the jurisdiction of the country whose laws he has violated? Let Vattel answer this question. He says: "If the offended state has in her power the individual who has done the injury, she may, without scruple, bring him to justice and punish him." There is the direct, plain and palpable authority. And here permit me to add, that we can prove that according to sound reason, the principle is correct; and that the question would now be so decided by our courts, even if the law of nations had been silent on the subject. This not only settles the question, but it settles the principle.

Mr. Webster, in his letter to Mr. Fox of the 24th of April, tells the British minister that the line of frontier which separates the United States from her Britannic majesty's North American provinces "is long enough to divide the whole of Europe into halves." This is true enough. Now, by admitting the doctrine of Vattel to be incorrect and unfounded, on what consequences are we forced? I beg senators to consider this question. The line which separates from the British possession is a line long enough to divide Europe into halves. Heaven knows I have no desire to see a rebellion in Canada or the Canadian provinces annexed to the United States, but I do not want to see the United States so that those provinces are destined to be ultimately separated from the British empire. Let a civil war come, and let every McNab who shall then have any command in the British possessions along this line be ordered to march to the aid of the expedition into the territory of the United States wherever he shall believe or pretend that it will aid in defending the royal authority against those who are resisting

it, and was between Great Britain and the United States become inevitable. A British subject, mutinying under the orders of his superior officers on this side of the line is seized in the very act. Well, what is to be done? I suppose we are to wait, until we can ascertain whether his government choose to recognize his hostilities, and then, if not, before we can inflict upon him the punishment which he deserves for violating our laws. If it does, the jail door is immediately to be thrown open; the offender, if may be the murderer, takes his flight to Canada, and we must settle the question with the British government. Such is the doctrine advanced by the British government and our own secretary of state. This principle would, as I say, lead us inevitably into war with that power. What can be done in a state of war? What can the laws of war provide that persons invading our territory who are captured, shall be considered and treated as prisoners of war. But while the two countries continue at peace, a man taken in the flagrant act of invading our territory cannot be made a prisoner of war. McLeod, however, is not to be treated on this principle, and punished under our laws if he be guilty, lest we should offend the majesty of England. The laws of New York are to be nullified, and the case sent to the British government.

But if the principle laid down by Vattel be sound and true, all difficulty at once vanishes. If such an offender be caught in the perpetration of a criminal act, he is then punished for his crime. Let him be guilty of murder, and he is then punished for his murdering circumstances in his case, for the sake of good neighborhood let him escape. There will thus be no danger of war from this case. Let me suppose a case. Suppose colonel Allan McNab should take it into his head to invade the territory of the United States a conspiracy against the British government and should believe that he could unravel the whole plot by seizing on the United States mail in its passage from New York to Buffalo. He places himself at the head of a party of soldiers, overruns the mail, and seizes the mail; but in the act he is overtaken and arrested, and he is indicted before a criminal court of the United States. Will it be maintained that, if the British government should say, we recognize the acts of this man as his own, as we have already recognized that of McNab, would Mr. Webster be justified in directing a *habeas corpus* to be entered in his favor, and thus suffer him to go at large?

I do not say that the British government would act in this manner; but I put the case as a fair illustration of the argument. There was one case in which something very like this might have happened, and it was even thought probable it would happen. It was reported that an expedition had been planned to seize the person of McLeod, and to carry him off to Canada; and I believe that a very distinguished and gallant general in the United States service, (general Scott)—an officer for whom, in common with all his fellow citizens, I cherish the highest respect and regard—went, in company with the attorney general, to Lockport; and it was conjectured that he had received orders to hold McLeod and defend the Lockport jail against any incursion of sir Allen McNab or any other person.

Suppose now that such an expedition had been set on foot; that it had succeeded, and that McLeod had been seized and carried off in triumph, the two nations being still in profound peace. The rescue of a prisoner of war by force of arms, if it had not already been done with McNab if he had voluntarily come within our jurisdiction and been arrested. If he could be indicted and tried and punished before the British government should have time to recognize his acts as his own, and then, at the moment of such recognition, he would be free. The principle of Vattel, rightly understood, absolutely secures the territorial sovereignty of nations in times of peace by preventing them from punishing any invasions of it in their own criminal courts, and his doctrine is amply calculated to preserve peace among all nations. War has its own laws, which are never to be extended to the intercourse between nations at peace.

The principle announced in Mr. Fox's letter is well calculated for the benefit of powerful nations when contending against their weaker neighbors. (But in saying this I do not mean to admit that we are a weak nation, or that we are comparable with England. We do not, indeed, wish to be so weak as to be so confident in the belief that whatever we might suffer during the first period of such a contest would be amply compensated by our success before we reach the end of the first year.)

Let us suppose that the empire of Russia were a weaker state, a contemptible nation, which is comparatively weak. A Russian colossus, during a season of

Mr. Ingersoll was understood to suggest to the house that, under the decision of the speaker, the previous question was open to debate, and that thus the whole subject might be discussed.

Mr. Briggs submitted that the speaker certainly could not have made such a decision.

The speaker said he had not. He had merely decided that the propriety of the previous question was debatable.

Mr. Mallory moved that the house do now adjourn.

Mr. Morgan asked the yeas and nays; which were ordered, and, being taken, were: yeas 66, nays 149. So the house refused to adjourn.

At the request of Mr. Wise, the speaker stated the exact position of the question.

Whereupon Mr. Slade withdrew his motion that there be a call of the house.

And the question then recurred on ordering the main question.

Mr. W. C. Johnson inquired of the chair whether, if the amendment were adopted, abolition petitions would not be received by the house.

The speaker. It will strike out the 21st rule from the rule of the house.

Mr. Johnson. And thus let in abolition petitions.

Mr. Rencher asked the yeas and nays on ordering the main question; which were ordered, and, being taken, were: yeas 132, nays 89.

So the house refused to adjourn. The main question should be now taken. And the speaker having announced the main question to be on the modified amendment of Mr. Adams—

Mr. Dawson rose to dissent from the decision of the chair; and contended that the main question was on the proposition of the gentleman from Virginia, [Mr. Wise], and that it never could be on the amendment. By our rules, it was true, it had been decided that the main question should be on the amendment; but that question had been settled otherwise by the parliamentary law. Mr. D. supported his position by reference to that law, page 66, &c.

Mr. Fillmore inquired of the speaker whether an appeal had been taken from his decision?

The speaker replied that he so understood.

Fillmore submitted that the very authority which the gentleman from Georgia [Mr. Dawson] had read in support of his own views sustained distinctly the decision of the chair.

Mr. Fillmore then moved that the main question be expressly stated to the house, before the main question was ordered, as being on the amendment of the gentleman from Massachusetts, [Mr. Adams].

He [Mr. F.] hoped the gentleman would withdraw his appeal.

Mr. Dawson said he had not taken an appeal from the decision of the chair.

Mr. Gilmer contended that some gentlemen had voted under a misapprehension as to what the main question was.

The question was then stated to be on the modified amendment of Mr. Adams, to strike out the words "except the 21st rule."

Mr. W. C. Johnson inquired if a motion to lay the whole subject on the table would now be in order.

The speaker said it would not.

[Cries of "question, question," "let it come, let it come,"]

Mr. Slade asked the yeas and nays on the adoption of the amendment; which were ordered, and, being taken, were as follows:

YAS.—Messrs. Allen, S. J. Andrews, Avery, Babcock, Baker, Barnard, Beeson, Bradsley, Briggs, Boardman, Burden, Buns, Bowne, Brewster, Briggs, Brockway, Brown, Brown, Jeremiah, Brown, Burnell, Calhoun, Chase, Chittenden, J. C. Clerk, Bailey, N. Clarke, Clinton, Gove, Cranston, Craven, Cushing, R. D. Davis, Dimock, Doug, Egmont, Everett, Fernald, Fessenden, Fillmore, J. G. Floyd, C. Floyd, Farnham, A. L. Foster, Gees, Geddings, Fairbank, G. Goode, Gordon, Gray, Gustine, Hall, Hale, Hastings, Wm. S. Hastings, Henry, Howard, Hudson, Ingraham, James, Jr., Wm. W. Irwin, James Andrew Kennedy, Lane, Lawrence, Linn, Littlefield, Lowell, Robert McClellan, McKen, Murchand, A. Marshall, Mathews, Matteson, Maxwell, Maynard, May, Merrick, Morrill, Osborne, Parmenter, Partridge, Pennington, Plumer, Ramsey, Benj. Randall, Alexander Randall, Randolph, Ridgway, Roosevelt, Roswell, Russell, Sanford, Sargent, Sargent, Slade, Smith, Snyder, Siskler, Stratton, Stuart, R. W. Thompson, Tillinghast, Toland, Tomlinson, Trumbull, Underwood, Van Buren, Van Rensselaer, Wallace, Thomas Williams, Windrop, Yorks, Augustus Young, John Young—112.

NAYS.—Messrs. Alfred, L. W. Andrews, Arnold, Arrington, Abertson, Barton, Black, Boyd, Aaron V. Brown, Milton Brown, Butler, W. W. Butler, Wm. O. Butler, Green W. Caldwell, P. C. Caldwell, John Campbell, Wm. B. Campbell, Thomas J. Campbell,

Caruthers, Cary, Chapman, Clifford, Coles, Daniel, G. Davis, Wm. C. Dawson, John B. Dawson, Dean, Dever, Eastman, J. C. Edwards, Thomas A. Foster, George Graham, Gerry, Gilman, George, William G. Goode, Graham, Green, Habersham, Harris, Houck, Hoops, Holmes, Hopkins, Hubbard, Hunter, Jack, W. C. Johnson, John W. Jones, Isaac B. Jones, Keim, J. W. Kimball, A. McClellan, McKay, Mallory, T. F. Marshall, Samuel Mason, J. T. Mason, Medill, Menwether, Miller, Moore, Newhard, Nisbet, Oliver, Owen, Pearce, Pickens, Pope, Post, Pringle, Rogers, Redden, Rencher, Rhett, Rogers, Rodney, Rogers, Saunders, Shaw, Sheppard, Solters, Stanley, Stearns, Summers, Sumner, Talcott, John B. Thompson, Trippe, Trowbridge, W. W. Warren, Lewis Williams, Weisbro, James W. Williams, Lewis Williams, Christopher H. Williams, Joseph L. Williams, Wise, Wood—194.

So the amendment, as modified, was adopted.

The question then recurred on the adoption of the resolution of Mr. Wise, as thus amended.

Mr. Wise, after remarking that under the preliminary law the previous question applied only to the amendments, proceeded to say that he was constrained now to vote against the resolution, because it was his desire to despatch business; and he was satisfied that if this rule were taken away, and if a flood of abolition petitions should be poured in upon us as heretofore, we should do nothing else upon this question, but discuss abolition petitions. There were various steps yet to be taken in relating this movement. The vote (Mr. W. was understood to say) was too striking for him not to admit that there was a majority in this house in favor of receiving these petitions. He gave notice that he would be object to move to lay the question of reception on the table. He would not, dared not, yield one inch of ground ever occupied by the south on this question; and, therefore, he moved to lay the resolution on the table.

Mr. Fillmore rose and said that, when he had said a few words as to laying the subject on the table, he had not understood what the decision of the speaker as to the main question was. He now understood the speaker to have decided that the main question was to be discussed on the amendment of the gentleman from Massachusetts. Was it so? The speaker said it was.

Mr. Fillmore. That being the case, without stopping to inquire whether the chair is right or wrong, I will move the shorter mode of arguing at which I have in view to move the previous question again on the main proposition. And I submit that that motion, under the parliamentary law, takes precedence of a motion to lay on the table. And I submit to the gentleman from Virginia [Mr. Wise] that it is impossible to place this question in a shape where it will better enable the members of the house on all sides to express their opinions by their votes than as it now stands. I submit whether it would not be better to go on and take the vote on the main question, and thus at once proceed to business.

Mr. Wise suggested that if it was true, as the gentleman had stated, that the motion for the previous question superseded the motion to lay on the table, there was no necessity for submission to him. On this question of abolition petitions he conceded nothing, he yielded nothing; he knew what obtrusiveness would do, and he was taught to know what he was to expect.

Mr. Briggs asked the chair to decide which of the two motions had precedence. The speaker decided that the motion for the previous question had precedence.

And the demand for the previous question was then seconded. And the main question was ordered to be now taken.

Mr. Chapman, remarking that this question was one on which the state of Alabama (whose representatives had not yet arrived) ought to be heard, moved that the house do now adjourn.

Mr. Briggs asked the yeas and nays, which were ordered, and being taken were: yeas 91, nays 102.

And the question recurring on the adoption of the resolution of Mr. Wise, as amended—Mr. W. asked the yeas and nays, which were ordered.

After some conversation on a question of order—Mr. Rencher asked a division of the question on the resolution, the first division to embrace so much as applied to all the rules of the last house, and the second so much as related to the 21st rule. The question was then put on the parliamentary law, and the question was not divisible.

And the main question (being on the resolution of Mr. Wise, as amended), was then taken, and decided in the affirmative; yeas 125, nays 91.

Mr. Briggs moved that the house now take up the resolution heretofore offered by him, in relation to the appointment of standing committees.

Mr. Wise submitted to the speaker that the business first in order was the unfinished business of

Thursday last, to wit: the resolution of Mr. W. calling on the secretary of the treasury for his plan of a fiscal agency which would obviate constitutional objections, &c., and providing for the appointment of a select committee of nine members thereon; (with the substitute proposed by Mr. Underwood, and the question of order raised in relation to it). Mr. W. modified his proposition by withdrawing so much thereof as provided for the appointment of a select committee.

A discussion, directed to the priority of business, took place, in which Messrs. Briggs, Wise, Everett and Underwood participated; (Messrs. Briggs and Everett contending that the resolution as to the appointment of the committee was a matter of priority, because it had reference to the organization of the house).

The discussion was brought to a close by a motion submitted by Mr. Trippe to lay the resolution of Mr. Wise, with the amendment or substitute of Mr. Underwood, on the table; which motion prevailing, the whole subject was laid on the table.

The resolution of Mr. Briggs then came up in the order of business; it is in the following words: Resolved, That the several standing committees of the house, as provided for by the rules of the last house of representatives, be now appointed by the speaker.

Mr. Sergeant moved to amend the resolution by adding thereto the words, "and that a select committee of nine members be appointed on the subject of the currency, and the establishment of a suitable fiscal agency capable of adding increased facilities in the collection and disbursement of the public revenues, and rendering their custody more secure."

Mr. Briggs accepted this as a modification of his resolution.

And the question being on the resolution as thus modified—Mr. Proffitt inquired if it was customary to legislate on a subject which was not even in embryo? Was it proper and customary to call upon a secretary of the treasury for his plan? He was willing to do so, and when it should come in he was willing to refer it to the committee of ways and means if that committee should be so organized as to suit his views, or not bring so, to a select committee. But he protested at this time against any gentleman assuming without deliberation or consultation with the body of whig members, to know what the wishes of that party were. Let them hold a consultation among themselves; let them see the plan, and then they could decide whether it should go to a committee of ways and means, or to a standing committee. For his own part, he would set upon no subject without first knowing what the views of the majority were.

Mr. Stanley moved the previous question on the resolution.

Mr. McKen asked a division of the resolution: first on the appointment of the standing committee, and then on the appointment of a select committee. And the division was ordered.

The demand for the previous question was seconded, and the main question was decided as now taken. And the first branch of the main question, to wit: on the appointment of the standing committee, was then taken, and decided in the affirmative without a division. So the first branch of the resolution was adopted; and the standing committees were ordered to be appointed by the speaker.

Mr. McKen asked the yeas and nays on the second branch of the main question, to wit: on the appointment of a select committee, which were ordered, and, being taken, were: yeas 125, nays 90.

So the second branch of the resolution was adopted. Mr. Wise moved that the house do now adjourn until 12 o'clock to-morrow; assigning as his reason for the hour named, that the speaker might have as much time as possible to select his committee.

Mr. Morgan asked leave to introduce a resolution providing that the daily hour of the meeting of this house should be 12 o'clock until otherwise ordered. Objected to.

And then the house adjourned until 12 o'clock to-morrow.

Tuesday, June 8. Some inaccuracies having occurred in the list of committees, as published in page 289, it is deemed proper to make the following corrections:

District of Columbia—Mr. Habersham substituted for Mr. King.

Naval affairs—Mr. Calhoun substituted for Mr. G. Davis.

Territories—Mr. G. Davis substituted for Mr. Pope.

Treasury department—Mr. A. L. Foster substituted for Mr. McKen.

On the rules—Messrs. Calhoun, Lewis Williams, Habersham, Hopkins, A. L. Foster, T. J. Campbell, Lawrence, J. W. Williams and Banks.

NILES' NATIONAL REGISTER.

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BALTIMORE, JULY 3, 1841.

[Vol. LX.—Whole No. 1,558.

THE PAST—THE PRESENT—FOR THE FUTURE.

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ERROR IN STATEMENT OF STATE EXPENSES.

In the REGISTER of the 15th May, page 165, of this volume, we inserted a table from the *Tusculum* *Monitor*, purporting to give the expenses—executive, legislative and judiciary—of the several states of the union. The data from which that table was compressed, in some instances at least, must have been very erroneous—or not very recent.—The state of Maryland, for instance, is put down—

For executive	\$10,930
Judiciary	23,300
Legislative	15,840

Whereas the treasurer's report, for 1840, shows that he paid for—civil officers, who may be termed

The executive	\$14,682 48
Judiciary	40,322 35
Legislative	60,632 01

Some of the other states, we fear, are inserted in that table with as little claim to accuracy.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.

COLLECTORS OF CUSTOMS.

James Hunter, Savannah, Georgia, vice Abraham B. Fanning, removed.

Joseph C. Noyes, Passamaquoddy, Maine, vice Sullivan H. Rowan, removed.

John M. Hale, Frenchman's Bay, Maine, vice Edward S. Jarvis, removed.

Curtis J. Abbott, Penobscot, Maine, vice Rowland H. Bridgman, is novel.

William B. Smith, Machias, Maine, vice William Brown, removed.

George Thatcher, Belfast, Maine, vice Nathaniel M. Leroy, removed.

George Allen, Walboro', Maine, vice Donny McGee, removed.

William Good, St. Mary's, Maryland, vice James W. Arch, removed.

Arnold Naudin, Wilmington, Delaware, vice Henry Whitely, removed.

Nathaniel F. Williams, Baltimore, Maryland, vice William French, removed.

Lavi Lincoln, Boston, Massachusetts, vice George Bancroft, resigned.

James Pringle, Mobile, Alabama, vice J. B. Hogan, removed.

Jonathan Roberts, Philadelphia, Pennsylvania, vice Quilleylythe, resigned.

Thomas Titus Morgan, New Orleans, Louisiana, vice Bonnie Price, removed.

Wills H. Arnold, Pearl River, Mississippi, vice Isaac W. Jewett, removed.

Thomas J. Clark, Jr., Election, North Carolina, vice Robert M. Norton, removed.

William C. Lord, Wilmington, North Carolina, vice Lewis H. Mansfield, removed.

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NAVY OFFICERS.

Martin Dufaisle, New Orleans, Louisiana, vice Henry D. Polie, removed.

Isaac P. Davis, Boston, Massachusetts, vice Isaac O. Barnes, removed.

SURVYORS.

Silwitt S. Whipple, Eastport, Maine, vice Ezekiel Foster, removed.

Barzille Cushman, Portland, Maine, vice Stephen W. Eaton, removed.

William Floyd, Town Creek, Maryland, vice James R. Thompson, removed.

J. Washington Tyson, Philadelphia, vice George W. Ritter, removed.

John Wilcox, Pittsburg, vice Robert H. Kerr, removed.

Isiah Wing, Cincinnati, Ohio, vice J. B. Warren, removed.

Philip J. Gray, Camden, New Jersey, vice Morris Crovill, removed.

APPRAISERS.

Richard Coe, Philadelphia, vice Henry Simpson, removed.

Samuel Sparkman, Philadelphia, vice Thomas Stewart, removed.

Abraham Inskip, New Orleans, Louisiana, vice Sheldon S. Clark, resigned.

LAND OFFICERS.

Registers.

Thomas Scott, Chillicothe, Ohio, vice James S. McGinnis,

Hiram Decker, Vincennes, Indiana, vice A. Ba-

doleit.

Joshua D. Weston, Muscoday, Wisconsin Territory, vice John V. Ingersoll.

James Watson Riley, Lima, Ohio, vice John P. Helfenstein.

Henry Harrison, Dubuque, Iowa, vice Benjamin R. Patrikin.

Garret Elkin, Springfield, Illinois, vice Marvelous Eastham.

William Ross, Burlington, Iowa, vice Enos Lowe.

Paraclete Potter, Milwaukee, Wisconsin Territory, vice A. B. Merion.

James Scott, Jeffersonville, Indiana, vice Mason J. Hurst.

RECEIPTS.

Daniel G. Garaney, Dixon, Illinois, vice John Demast.

John Beard, Crawfordville, Indiana, vice Marks Crume.

Ralph Guild, Jackson, Missouri, vice Felix G. Allen.

Stoddard Judd, Green Bay, Wisconsin Territory, vice L. S. Pease.

Joseph C. Hawkins, Burlington, Iowa, vice Verplank Van Antwerp.

Levi Sterling, Muscoday, Wisconsin Territory, vice Paschal Bequette.

NORTH EAST BOUNDARY SURVEY. The N. Y. Commercial says: "The accuracy of col. Bouchette's survey of 1817, has been questioned by the report of Messrs. Featherstonhaugh and Mudge; but in a recent elaborate report on the subject of the boundary, col. B. not only vindicates the correctness of his operation, but establishes the total inaccuracy and fallacy of the statement of Mr. Featherstonhaugh. The report is, we understand, now in the hands of her majesty's ministers.

This paragraph appears as a note to a biographical sketch of col. Bouchette, in a late Quebec Gazette. We suppose there never was a more unworthy, de-

ceptive and untrue public document than that same Mr. Featherstonhaugh's report; certainly never was one more speedily and effectually annihilated by demonstration of utter worthlessness. Even the English papers seem to have soon become ashamed of it. Since the first week or two after its production in parliament we have never seen it quoted or even mentioned."

The Commercial does not place too low an estimate upon the report of Mr. Featherstonhaugh—Mr. F. never put foot upon much more than a tith of the territory which he disposes of in his report with a mere dash of the pen. It must have disgusted every honorable Englishman, and is regarded as impudently and ridiculous in the United States.

POPULATION OF THE UNITED STATES. The following table was furnished to the senate by the secretary of state, in obedience to a resolution of that body:

Statement showing the aggregate in the population of the several states and territories in the District of Columbia under the last census, distinguishing the number of whites, free persons of color, and all other persons, as nearly as can be ascertained at this time.

States and territories.	White population.	Free colored persons.	All other persons.	Total.
Maine	500,438	1,358		501,793
N. Ham.	284,090	597	1	284,574
Mass.	729,030	8,666	1	737,697
R. Island	105,567	3,238	6	108,810
Conn.	301,858	8,105	17	309,980
Vermont	291,218	730		291,948
N. York	2,378,890	50,027	4	2,428,921
N. Jersey	351,558	21,041	671	373,269
Penn.	1,676,118	47,554	64	1,723,735
Delaware	58,561	16,919	2,608	78,085
Mary'd	317,712	62,021	89,499	469,232
Virginia	740,966	49,841	448,967	1,239,774
N. Car.	484,870	22,732	245,811	753,411
S. Car.	259,081	8,270	327,038	594,398
Georgia	407,692	2,750	250,844	659,286
Alabama	335,181	2,031	253,538	590,756
Miss.	179,074	1,366	195,211	375,651
Louis'a	153,957	24,366	166,216	344,570
Tenn.	610,621	5,521	183,051	829,510
Kent'y	587,544	2,808	182,071	776,923
Ohio	1,502,121	17,341	2	1,519,461
Indiana	678,696	7,165	2	685,863
Illinois	472,354	3,599	331	476,183
Missouri	323,889	1,574	58,244	383,707
Arkansas	77,174	467	19,931	97,574
Mich.	211,560	707		212,267
Flo. Ter	27,728	820	25,556	54,107
Wis. do.	30,567	178	6	30,752
Iowa do.	42,861	15	18	43,035
D. of Col.	30,657	4,361	4,694	43,712
	14,181,577	186,067	2,483,537	17,051,180

17,051,180

Lafayette Parish, Louisiana, not included in the above

Estimated population of Carter county, Kentucky, not included

17,062,012

Seamen in the service of the United States June 1, 1840

37,100

Total population of the U. States 17,098,112

COMMERCE AND NAVIGATION OF THE UNITED STATES. The Madisonian learns from the annual statement of the commerce and navigation of the United States, communicated to the senate by the secretary of the treasury, that the imports during the year 1840 amounted to \$107,141,519, of which three were imported in American vessels \$92,802,382, and in foreign vessels \$14,339,137.

The exports during the same year amounted to \$132,085, of which \$113,895,634 were of domestic, and \$18,190,312 of foreign articles. Of domestic articles, \$20,030,898 were exported in American vessels, and \$21,864,736 in foreign vessels. Of the foreign articles, \$12,591,359 were exported in American vessels, and \$4,598,953 in foreign vessels.

Shipping. During the same year 1,576,946 tons of American shipping entered, and 1,646,000 tons cleared from the ports of the United States. Of foreign shipping, 712,383 tons entered, and 705,484 tons cleared during the same period.

District tonnage. The registered tonnage for the year is stated at 899,764 Enrolled and licensed tonnage, at 1,176,694 And fishing vessels at 104,304

Tons, 2,180,76

Tons employed in the whole fishery, 136,926

Tonnage of shipping built. The total tonnage of shipping built in the United States, during the year ending on the 30th of September, 1840, amounted to—Registered, 56,121 Enrolled, 62,187

Tons, 118,309

COMPARISON OF IMPORTS AND EXPORTS.

Amount of exports as above stated, \$132,085,946 Amount of imports do 107,141,519

Excess of exports over imports. \$24,944,429

ARMY.

Col. Worth in Florida. This officer, who has just taken command in Florida, has issued an order suspending all negotiations with the Indians, and revoking all passports, except, we suppose, a *laissez-passer*. The Savannah Republican, in noticing his arrival in the territory, says:—Col. Worth commences his campaign at a most inauspicious season, surrounded by all the difficulties with which his predecessors have contended, with no less than 1200 men sick and the number increasing. Under these circumstances it would be unreasonable to expect much for the present, for it should be remembered that those soldiers who sicken at this season are almost invariably disqualified from doing more than garrison duty for the remainder of the summer.—The experience of the five last years abundantly proves this assertion.

NAVY.

The U. S. ship Ohio and Preble sailed from London on the 8th inst., the former for the United States—the latter for Mahon.

The general award court martial convened at the navy yard, Brooklyn, on the 4th instant, adjourned on the 10th. The person tried was Henry Garbutt, leader of the band of the ship North Carolina, on charges of "disobedience of orders" and "mutinous conduct."

The court was composed of the following officers: captain M. C. Perry, (president,) Benjamin Cooper, William D. Sater, commodore Silas H. Stringham, Hiram Paulding, J. D. Williamson, Jas. McIntosh, Phil. Hamilton, judge advocate.

United States exploring squadron. The New York Journal of Commerce says:—The United States naval system will forward letter bags for the United States exploring squadron in a few days.—

Letters, postage being paid to New York, will be taken from the post office and duly forwarded.

The *Rassels*, at Boston, from river of Platte, touched off Montevideo 3d ult., and reports U. S. ship Concord, capt. Borum, all well. The R. left at Buenos Ayres, April 29, U. S. schooner Enterprise, commander Goldsborough, all well.

Lieut. Hunter's invention. The *German*. We notice with great gratification the arrival at the navy yard in this city, of the experimental steam-vessel of lieut. Hunter in thirty-two hours from Norfolk.

The *German*, as she is most appropriately named, is propelled by lieut. Hunter's submerged propellers, of which our readers have before seen some notice taken in our columns.

We cannot too highly estimate the value of such an invention as this, and of that of Ericson, recently tested on the ship Neptune on her passage outward to Havana and homeward. Should they prove successful, as we have for some time past believed they would, their value to the nation as a means of extinguishing effectually the whole steam armament of the ordinary construction of any nation which may attack us, will be beyond computation.

Too much credit cannot be given to the secretary of the navy for the prompt manner in which he has sought to secure to the country the benefits of these inventions, by sending an experienced naval constructor (Mr. Rhodes) to New York immediately after the return there of the Neptune, that he might possess himself of the facts relative to the operations of Ericson's propellers during her trip, and by the means adopted to bring into the public service the invention of lieut. Hunter.

The *German* performed the trip from Gosport yard to Washington in 32 hours, a distance of two hundred and fifty miles, or three-fourths—and making at times nine miles per hour.

This is but a *germ*, it is believed, of what she can do. The invention, it is believed, will also prove invaluable to the inland commerce of the country, as no greater *water or swell* is produced by the action of this propeller than by the motion of an ordinary boat, propelled by sails or otherwise, at the same speed.

The *German* is believed to be the smallest steam vessel ever sent to sea, being but 9 feet bent at the water line, and of 50 feet in length, drawing but 2 feet water, and possessing 6 horse power. Her propellers are 5 feet in diameter, superficial of each paddle 3 square feet.

In passing through Hampton Roads against a heavy head sea and in the face of a strong N. E. blow, her engine performed the usual number of revolutions, and worked as steadily as in smooth water, giving conclusive proof of the safety and fit adaptation of these propellers for sea navigation.

The well established fact, that the speed of a vessel is accelerated by an increased diameter of the paddle wheels, leaves no doubt that a vessel on lieut. Hunter's plan may be propelled as rapidly as one of equal size by the propellers now in common use.

This little steamer is indeed a "*germ*" of great promise. It was presented to the notice of the hon. secretary of the navy soon after he assumed the duties of his office in March last, and by his characteristic discrimination and promptness of action, he has, within the short period of three months, at trifling expense to the country, constructed and put in operation this vessel, and thereby practically tested this important invention. [Madisonian.]

Steam revenue cutters. The Boston Daily Advertiser is strongly urging the propriety of employing steam cutters in the revenue service, and addresses an ample list of instances in which that species of vessels could have rendered most important, nay, invaluable services in the cause of humanity, and been instrumental in saving not only life but property to an immense amount. There can be no doubt that the Advertiser is right, and none whatever, that its suggestions should be adopted by the Government.

DEBATE ON THE MCLEOD CASE.

IN SENATE, THURSDAY, JUNE 10.

The question before the senate being the motion of Mr. Rice, to refer to such of the president's message as relates to our foreign affairs to the committee on foreign affairs, and Mr. Buchanan having concluded his remarks on the subject—

Mr. Rice rose in reply, and commenced by observing that, as a member of the committee on foreign relations, it was fit and necessary that he should offer some remarks on the subject which had thus been urged on the notice of the senate.—Nothing could present a more striking example of the least of efforts to recall the attention of our public bodies to assume a proper character, than the remarks of the honorable senator from Pennsylvania, (Mr. Buchanan), which had just been submitted to the senate.—The gentleman had commenced by a disclaimer—"I am not here to say that Mr. R. had no doubt of the influence of anything like party feelings in what he should say; and yet he had boldly entered upon the threshold of his subject, when the dishonest and unconscious bias of a party man, as the senator fairly avowed himself to be, exhibited itself in a manner too unequivocal to be mistaken.

All who have had occasion to treat, in our legislative halls, questions such as that now presented to the notice of the senate, must have felt how difficult it often is to reconcile the impulses of an American spirit with the measure and reserve which might seem to be due to the natural susceptibilities of foreign powers. In the view taken by the honorable gentleman of the aggravated character of the outrage perpetrated in the destruction of the "*Caroline*," Mr. R. said he heartily concurred. The gentleman had not uttered a word in reprobation of that transaction to which his heart and his judgment did not respond. But the very terms in which the senator characterized the character of the aggression, made it a national wrong, to be redressed by national means, and not to be avenged by visiting the responsibilities of this public offence on the head of such an instrument as *Alex. McLeod*, if, indeed, as we all well all agree in the scene, there is every reason to believe he was not.

Mr. Rice said he should endeavor, in the outset, to recall the discussion to its true merits—to the question of international law, which the senator from Pennsylvania had endeavored to omit from the scope of his remarks. He should place it in the foreground of the argument, because by it only can the conduct of the administration, in the particular in which it was now impugned, be fairly tried and judged. He would not go on now to recapitulate the story of the controversy respecting the destruction of the *Caroline*, further than to show the new position which the question assumed immediately upon the accession of the present administration to power.

This was an arduous charge, involving a violation of the national sovereignty over our territory, as well as the destruction of the lives and property of American citizens, was committed in December, 1837, and aroused a general feeling of indignation throughout the union. Our minister at London, under the instructions of the government here, addressed, in May, 1838, a representation to the British government on the subject, to obtain a "disavowal and disapproval of the act, and also such redress as the nature of the case required." Notwithstanding the solemnity of the outrage, as pointed in this very communication of our minister at London, drawn up in conformity to instructions from Washington, the late administration, the senator's political friends, in whom he thinks there was no want of energy in presenting the demand for redress, actually slept over this national injury from May, 1838, to March, 1841, when they went out of power! And so profound was their slumber that, in a late debate in the house of commons, the British secretary of state for colonial affairs (lord John Russell) stated that the complaint of the American government was, for a long period, considered as dropped. It is true, that Mr. Stevenson, who could not but feel the awkward contact between the lofty tone of his communication to lord Palmerston, in May, 1838, and the patient acquiescence which followed the long continued silence of the British government, did, in July, 1839, write to Mr. Forsyth to know if he should renew the subject with lord Palmerston, and, if so, the degree of urgency he should adopt. To which Mr. Forsyth replied:—"the president expects, from the tone of Mr. Fox's conversation, that the British government will answer your application in the case, without much further delay." But in point of fact, no answer was given by the British government down to the period of the late administration's exit from power.

All this while, then, the destruction of the "*Caroline*," stood unexplained and unavowed by the British government, and there was nothing of a conclusive nature to determine, whether it was to be

viewed as an authorized act of an individual or as the public act of the British authorities. In this state of things, McLeod, in November last, came into the state of New York, and having, from his side, and, as is now universally believed, false boasts, incurred the suspicion of having been a guilty and conspicuous actor in the destruction of the *Caroline*, he was arrested and indicted upon a charge of murder and arson. Mr. Fox, on the 13th of December, demanded of the government of the U. States the liberation of the accused, on the ground "that the destruction of the steamboat *Caroline* is well known to have been a public act of person in her majesty's service obeying the order of their superior authorities." Their demand was refused, because the government of the U. States has no right to interfere with the judicial tribunals of New York, which had taken cognizance of the case; and in regard to the declaration of Mr. Fox, Mr. Forsyth stated that "if the destruction of the *Caroline* was a public act of persons in her majesty's service, obeying the order of their superior authorities, the fact has not been before communicated to the government of the U. States by a person authorized to make the admission; and it will be for the court, when he takes up the question, to decide upon which McLeod is charged to decide upon its validity, when legally established before it." Mr. Fox, recurring to the same subject, in his letter to Mr. Forsyth of the 29th December, 1840, stated that "the act of the *Caroline* was not a public act of her majesty's government upon the remonstrance which had been addressed to it by the U. States against the act in question."

Thus stood the question at the accession of the present administration. The destruction of the *Caroline* had not as yet been avowed by the British government as a public and authorized act. But on the 12th of March, eight days after the inauguration of president Harrison, Mr. Fox addressed a letter to Mr. Webster, secretary of state, informing him that he was then instructed by his government to state that "the transaction" (the destruction of the *Caroline* within the territorial limits of the U. States), "on account of which McLeod was arrested, was a transaction, public in its character, and executed by persons duly empowered by her majesty's colonial authorities to take any steps and to do any acts which might be necessary for the defence of her majesty's territories, and for the protection of her majesty's subjects, and, in consequence, that those subjects of her majesty who engaged in that transaction were performing an act of public duty, for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country." Upon these grounds, he was instructed to demand again from the government of the United States the immediate release of Alexander McLeod.

This communication of the British minister gave us new respect to the subject, and presented for the consideration of the American cabinet a grave question, of the first importance in the intercourse and responsibilities of nations. The destruction of the *Caroline*, for a supposed participation in which McLeod had been arrested and indicted in the courts of New York, was now avowed by the British government to have been an act of public military force, planned and executed by the competent public authorities, in alleged defence of her majesty's territories, and in the protection of her majesty's government at home. However unwarrantable the act, from that moment it could be viewed only as a national wrong, the full responsibility of which was assumed by the British government, and in which the individuals engaged were but irresponsible instruments, acting under orders which they were implicitly bound to obey.

Under these circumstances, the present administration was called on, within the first week of its existence, to decide upon what to be in accord with the national honor in this new attitude of things—"They could not but admit that, by the principles of public law, as recognized and sanctioned by the usage of all civilized nations, persons engaged in military or naval enterprises, under the orders of their lawful superiors, could not be held individually responsible for what was done in the execution of those enterprises. McLeod, however, was in the hands of the judicial tribunals of the country, and by regular judicial process only could he be discharged. The executive authority had no right to trespass its arm for his release. What, then, was the answer of the administration to the communication of the British government? It was such as Mr. R. has several times stated to be in accord with America with the honest national pride of every American bosom. It was, in substance, this, for he had not the answer of the secretary of state then before him: "You (the British government) now avow the destruction of the *Caroline* as a public act of

military and naval force, done under your authority. Henceforward McLeod and others, who acted under your orders, must stand excused in the eye of the law. Let the courts, in the exercise of the jurisdiction which of right belongs to them, allow his plea of insanity, and discharge him, who held him responsible in his place, through all those modes of international redress which the code of nations has provided for the prosecution or vindication of national rights. The American people, (and betwixt war and Mr. R. I use the very words of the answer returned by the secretary of state), "not distrustful of their ability to redress public wrongs by public means," is incapable of the poor revenge of pursuing an individual for a national offence, in which it was but the instrument of its government.

Mr. Rives appealed to the senate—"to the sentiment of American pride—to that Roman spirit which, he believed yet survived in the bosoms of his countrymen, to say whether such a reply was not worthy of the country and the government—"Parcere subjectis et debellare superbis" was the dictate of a lofty and magnanimous spirit, whether in individuals or in states. Historians have recorded the conduct of the Roman senate on the occasion of the capture of the Gauls, killed at the battle of Demetrius, one of the most powerful princes of antiquity. Demetrius delivered up the perpetrators of the act to the Romans; but the senate, respecting that he had been convicted or encouraged, the senate refused to receive him back into the empire, and, notifying Demetrius that they would hold the sovereign, and not the subject, responsible. It is in following the example of that proud republic that the honorable senator from Pennsylvania finds a ground for the adoption of the attitude which he assumes. "McLeod," said he, "is a man of his own nation and his own spirit!"

But the senator tells us, also, that he disents entirely from the views of the administration in regard to the principle of international law involved in the correspondence between Mr. Rives and the secretary of state. What is the principle thus denied? He cites it, as the honorable senator did, from the letter of instructions to the attorney general. It is there laid down in the following words:

"The law, therefore, now in force, not only declares that the attack on the *Caroline* was an act of public force, done by military men, under the orders of their superior officers, and is recognised as such by the queen's government." That an individual engaged in such an act of public force, and in the authority of his government, is not to be held answerable as a private trespasser or malefactor, is a principle of public law, sanctioned by the usages of all civilized nations, and which the government of the United States has no inclination to dispute.

The senator from Pennsylvania contends that this doctrine is applicable only to a state of open, formal and declared war. In this I beg leave to differ from him. It is applicable to every case of military force, whether it be authorized by the government in obedience to their superior authorities, whether it be in a state of general and formal war or not—"What is the reason of the thing? Let us not stick in the letter, but look to the considerations to which the rule is founded. Why are soldiers and military men not held responsible for acts of violence and trespass committed, in military operations, on the persons and property of citizens of another nation? Because in those acts they are the mere instruments of the government, and they are bound to obey the allegiance to yield their services at the call of the constituted authorities of their country, and to obey implicitly the orders of their commanding officer. It is not for the soldier or the volunteer (for they are not volunteers) to question the authority, the justice or legality of the orders he receives. His duty is obedience, while the responsibility for his orders is with his sovereign, or the superior officers who issue them. And here I beg leave to refer to the question of the *Caroline*, as stated by Mr. Vattel, from which he read an extract, which I shall presently show completely sustains, when properly understood, the position he used it to assail. The passage I am about to read refers to the case of a "state of general war, or of a declared war, or to expose the sovereign who wages it to the unanimous reprobation of the whole family of nations."

On that there says:

"But, as to the reparation of any damage, are the military, the general officers and volunteers obliged in consequence to repair the injuries which they have done, not of their own will, but as instruments in the hands of their sovereign?" "It is the duty of subjects to suppose" the orders of the sovereign "just and lawful." "When a sovereign has ordered their assistance in a war which afterwards found to be unjust, the sovereign alone is guilty—He alone is bound to repair the injuries. The subjects, and in particular the military, are innocent; they have acted only from a necessary obedience."

"Government would be impracticable, if every one of its instruments were to weigh its commands," &c.—Vattel, b. iii, c. 11, sec. 187.

In this passage, both the rule and the reason of it, respecting the immunity from individual responsibility of persons engaged in military operations, are laid down in the most comprehensive terms. They are regarded as mere instruments in the hands of the sovereign or superior authorities; as much so, in effect, as the bayonets they ply or the cannon they discharge. "The rule, too, is expressed in terms so large and comprehensive as to apply to every kind of war, in regard to its character for justice, and to every degree of war, in respect to formality, duration, and extent. There are many forms and varieties of the state of war. In general, a declaration of war is required, to constitute a solemn or formal war. But "defensive war requires no declaration, nor even, on urgent occasions, an express order from the sovereign." (Vattel, b. iii, c. 4, sec. 60.) So as to reprisals, and partial acts of hostility. They are not accompanied with a declaration of war, and yet they are public wars, though of the imperfect sort. Rutherford, an able writer on the law of nature and of nations, has become notorious as the vigorous decrier and denouncer of war. He says:

"If one nation seizes the goods of another nation by force, upon account of some damage, &c. such restraints by force are reprisals. There may be reprisals on other nations, and these nations are the contending parties. But, as they are confined to some particular objects, they are of the imperfect sort, &c.—B. i, c. 9, s. 10.

Of these informal and imperfect wars, neither accompanied with a declaration of war, nor extending into general and continued hostilities, the examples in modern times are very numerous. Not to speak of the memorable attack on Copenhagen, we have but, in our own day, repeated instances of these informal, partial and interrupted hostilities, extending nevertheless, during their continuance, to a state of war, and carrying with them all the legal consequences of that state. One instance was too fresh in his recollection, Mr. R. said, having occurred during the late war, and he was anxious to illustrate and furnish too apt an illustration of the principle under discussion, not to justify a passing notice. While the tyrant Don Miguel was on the throne of Portugal, he practised the grossest atrocities, not only on his own subjects, but on foreigner residents in his kingdom. The subjects of France came in for a large share of these injuries and indignities. Failing to obtain suitable reparation for them by negotiation, France resorted first to reprisals on the Portuguese coast, and afterwards, to the capture of Roussin, she dispatched a squadron under admiral Kousin, which forced the entrance of the Tagus, and passing through the fire of the fortress which line its banks, and anchored within gunshot of the royal palace. The required concessions were speedily yielded to this vigorous display of force, and admiral Kousin returned in a few days to Brest, with the whole Portuguese fleet in his train, as the trophy of his sudden and successful coup de main. Here, we find admiral Kousin, too, he is in an isolated act of force. And yet will any one contend that if a sailor of admiral Roussin had been afterwards found in Portugal, he could have been made personally answerable for the loss of life or destruction of property, which he would have aided the operation in which he bore a part?

But Mr. R. said he would hasten to present to the senate a most respectable authority on the laws of nations, which is direct and explicit to the point in question. Before doing so, he has already promised that the legal effects attributed by publicists to a state of war related, first, to the impunity of individuals for any injury to person or property they might commit in the execution of military operations, and, secondly, to the right of property acquired in goods taken by one belligerent from another. The passages he was about to read from Rutherford would show that both of these consequences applied as well to imperfect and informal wars, to reprisals, and to isolated acts of hostility, as to wars of the more formal and solemn kind. First, he says:

"The external lawfulness of what is done in a war, in respect of the members of a civil society, extends to reprisals, and to isolated acts of hostility, as to reprisals, or to other acts of hostility," &c.—Rutherford, b. ii, c. 9, s. 15.

And again he says:

"Neither the reason of the thing nor the common practice of nations will give them any other impu-

only, or allow them any otherwise to obtain property, or what is taken, while war has been declared, than in the less solemn kinds of war, which are made without a previous declaration," &c. "In the less solemn kinds of war, what the members do, who act under the authority of the nation, is not a crime in them; they cannot, therefore, be punished consistently with this law for any act in which it considers them only as the instruments, and the nation as the agent." *Mr. B.* *ibid.* 9, s. 18.

Mr. R. said he would put one more case, and only one more, in order to bring more immediately home to the senate the principle we have been discussing. He referred to the attack upon the frigate *Caroline*. It occurred in a time of profound peace, on the bosom of one of our great estuaries, and within the jurisdiction of his own native commonwealth. Would gentlemen have held this saloon and marines of the Leopard personally answerable to our laws, and avenged the national insult upon them? I presume not.

Mr. Benton, speaking across: I would have hanged every one of them.

The senator from Missouri, we all know, said *Mr. R.* loves a summary mode of proceeding, but would such an act have been recommended by civilized nations, and approved by the general sense of mankind? For the sake of rescuing the conduct of war from the cruelties and bitterness of personal revenge, the principle of individual immunity has been established; the code is, "I shall not think that the senator himself, upon reflection, would have pursued a nobler course. He would have obeyed the suggestions of a loftier civility, and directed his demands for redress to the officers of the government, and not have wreaked his vengeance upon an involuntary instrument and an unconsenting victim.

Mr. R. said he would now proceed to show that the passage read by the senator from Pennsylvania from Vattel, and which he so confidently relied upon to overthrow the position assumed by the administration in relation to the principle of public law involved in the case of *McLeod*, was, in truth, an authority directly and expressly sustaining that position. Let us again read the passage, which *Mr. Buchanan* cited from the author, b. ii, c. 6, s. 24 and 25. It consists of two sections. The first is in the following words:

"But if a nation or its chief approves and ratifies the act of an individual, and the act becomes a public concern, and the injured party is to consider the nation as the real author of the injury, of which the citizen was, perhaps, only the instrument."

Now, this describes identically the case of *McLeod*, in reference to the burning and destruction of the *Caroline*. The act has been approved and ratified by the British government, and consequently, in the words of Vattel, it "then becomes a public question" between nation and nation, in which the government of the individual is the real and only responsible party. But the honorable senator passed slightly over this section, and dwelt with particular emphasis on the 25th section, which immediately follows, and is in these words:

"If the offended state has in her power the individual who has done the injury she may, without scruple, bring him to justice and punish him. If he has escaped and returned to his own country, she ought to apply to the sovereign to have justice done in the case."

The senator from Pennsylvania read this section as if it applied to the case of *McLeod*, and in the preceding section, to wit: where the act has been approved and ratified by the sovereign. But it is perfectly evident from the last sentence of the section that it does not; for it would be idle and absurd to apply to a sovereign to have justice done in a case subject, when he had already ratified and approved the act of that subject. This section, therefore, must necessarily contemplate the case where the act of a foreign subject has not been approved or ratified by the sovereign. It is a principle, therefore, that, in such case, the offended state may, by virtue of her jurisdiction over all persons within her territory, punish the offending individual, though a foreigner, if she have him in her power. It does not concern, in any manner, the principle laid down in the preceding section, that, where the act has been approved and ratified by the sovereign, he is responsible for the injury, and the individual is to be regarded only as the instrument. It is an universal rule of international law, where there is an apparent conflict between parts of the same authority of law, such a construction shall be made, if possible, as will give effect to both. The obvious explanation given above of these two sections of Vattel sustains this rule, as well as the plain import of the text.

The senator from Pennsylvania put a case which he seemed to suppose would fairly test the principle of international law involved in this discussion. He asked if, said *McNab* should, under the orders of the colonial authorities of Canada, seize and rob the mail of the United States, could he set up his orders as a bar to a prosecution for such an offence in the American courts? The case put has not the remotest analogy to the case of *McLeod*. Such a proceeding would be a contempt, felony, incapable of being defended under any plea of military obedience. The duty of a military man can never lay him under the obligation of becoming a highway robber. The capture and destruction of the *Caroline*, on the other hand, however unjustifiable upon any sound application of the principles of international law, is shown by the all the correspondence and documents relating to it to have been a military and naval operation, governed by all the rules and discipline of military service and subordination.

I come now (said *Mr. R.*) to notice some of those topics of party discrimination which the honorable senator from Pennsylvania, notwithstanding his usual parliamentary courtesy, scattered upon the floor of the senate in his progress of his remarks. He told us of some mysterious picture, which seemed to have seized upon the minds of men in regard to our relations with England, extending to government and people. The gentleman said the picture was that it was the duty of this nation that the attorney general was despatched with fiery speed to Lockport, attended by a gallant and distinguished general officer of the army, (major general Scott), to assist *McLeod* from impending danger. In order to complete this fancy picture, the honorable senator, for the want of other material, brought in the precipitate return of the Mediterranean squadron as the effect of the same panic at Washington. If the public journals have not greatly exaggerated the facts connected with this affair, the return of the Mediterranean squadron was owing to communications addressed directly to its commander by the American minister in London; and if there was any panic in the case, the picture that fix it in the memory of the nation at Washington. So far was the government from bringing pity to this movement, that the Brandywine, the avant-courier of the returning squadron, had sooner dropped her anchor within our waters, than she sternly and promptly ordered back her station.

Mr. R. said he did not exactly apprehend for what purpose the senator from Pennsylvania had referred to the mission of major general Scott to the frontier in company with the attorney general; but there seemed to be an intimation that it was to protect *McLeod* from the anticipated violence of popular excitement.

Mr. Buchanan promptly disclaimed any such allusion.

Mr. Rices. I am happy to find myself mistaken in what I supposed in have been the meaning of the honorable senator. It gives me pleasure to inform him, from a document now before me, (a letter of governor Sewall to the secretary of war, dated 17th March last), for what purpose this gallant defender of his country in war and guardian of her honor in peace was sent to the frontier. It was for an object strictly in accordance with his own noble calling, to meet the possible contention of an invasion of a portion of our territory from the adjoining province—a calling to which, I must be permitted to say, that distinguished officer, already covered with glory by his deeds in arms, has added a new intonation by his gallant and successful defence of the frontier. The British minister intimated that he would maintain the tranquility of our frontier, and to preserve him from interruption, as yet this peace of two great and kindred nations.

Mr. Rogers (said *Mr. R.*) to ask the senator from Pennsylvania, in what proceedings of the government he finds the evidence of an unbecoming spirit of concession to the demands of the British government? The British minister, "in the name of government," formally demanded "the immediate release of Alexander *McLeod*—Was the demand granted? No, sir; it was firmly refused, and that refusal victoriously placed on grounds intimately connected with the sanctity of American institutions. The British minister intimated "that it was of vital importance to the tranquillity of the United States that her majesty's government is 'of opinion that the capture and destruction of the *Caroline* was a justifiable employment of force for the purpose of defending the British territory from the invasion of the United States by a band of American privateers, who, having been permitted to arm and organize themselves within the territory of the United States, had actually invaded and occupied a portion of the territory of her majesty." The senator from Pennsylvania said, "By contending every point in the justification, intervening in the course of the

reply, a new, just and powerful defence of the high moral character of our legislation and policy on the subject of neutral obligations, and 'inditing up the mirror,' to the British government, reflecting the aggravations and enormities of the destruction of the *Caroline* in a slight and colorful, as it is to be read, it is hoped, to a reconsideration of that act, revolving alike to humanity and to our national sensibility and honor.

The honorable senator complimented our minister at London for the able and eloquent manner in which he had presented this subject to the British government. Far be it from me to abate a 'jot or tittle' from the praises bestowed by the senator upon this distinguished citizen of my own state, but, without detracting from his merits, I may say, that, before he was so powerful and graphic a picture of that outrage, speaking to the moral and almost to the bodily sense, been exhibited as in this following extract of the reply of the secretary of state to *Mr. Fox*:

"It must be shown that admonition or remonstrance to the persons on board the *'Caroline'* was impracticable, or would have been unavailing; it must be shown that day light could not be waited for; that there ought no attempt to be made between the innocent and the guilty; that it would not have been enough to seize and detain the vessel; but that there was a necessity, present and inevitable, for attacking her in the darkness of the night, by the aid of the British troops, and while armed men were asleep on board, killing some and wounding others, and then drawing her into the current, above the cataraict, setting her on fire, and careless to know whether there might not be in her innocent with the guilty, or the living with the dead, committing her to a fate which fills the imagination with horror."

Was there any want of American spirit in all this? No, sir. The destruction of the *Caroline* being at first sought by the British government as a public act, the administration could not but feel that it was unworthy of its own character and of the character of the nation, to dignify a miserable and subordinate instrument who may have been employed in it, by making him the selected object of national vengeance. It could not but feel also that the principle of public law which exempts these subordinate instruments from individual responsibility for acts done in obedience to the commands of their superiors, is a principle founded in reason and humanity, and recognised by the universal practice of civilized nations. What, then, did it become a high-minded and honorable government to do, under these circumstances? Frankly and unreservedly to admit that it could not but feel itself in the right—and to do whatever should devolve on it as a moral and responsible power, to fulfil and maintain the right. It had a higher game—a nobler mission than to make war upon *McLeod*.

It was not a country that he desired to release him, for that was not of its province; but thinking that the courts, in the exercise of their own proper jurisdiction, might to release him, and charged with the international relations of the country, I felt myself called on, without interfering with the functions of an independent department of the government, to contribute its moral influence in support of a great principle of international intercourse, on the due observance of which the harmony of nations depends. I felt that the attack upon the *Caroline* of the United States was, therefore, furnished, from the archives of the government, with authentic evidence of the avowal by the British government of the destruction of the *Caroline* as a public act done unlawfully, and that the attack upon the *Caroline* of the United States was, therefore, furnished, from the archives of the government, with authentic evidence of the avowal by the British government of the destruction of the *Caroline* as a public act done unlawfully, and that the attack upon the *Caroline* of the United States was, therefore, furnished, from the archives of the government, with authentic evidence of the avowal by the British government of the destruction of the *Caroline* as a public act done unlawfully, and that the attack upon the *Caroline* of the United States was, therefore, furnished, from the archives of the government, with authentic evidence of the avowal by the British government of the destruction of the 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however earnest this language, I must say I see more of depreciation than of menace in it. From what school of deplomy the honorable senator has drawn the sensitive and fastidious standard he applies to this communication, I know not. But I have thought that, in its practice, and whatever age, nations so proud and so subtletized had given place to directness and simplicity of speech, and that an appeal to the candid red-cution of a foreign government on the consequences which might ensue from the omission or performance of certain acts, if made in a tone of courtesy and friendly expostulation, was always held to be admissible, and sometimes, indeed, proper.

It is a little remarkable that language almost identical with this, in a letter of Mr. Fox to Mr. Foxworth, of 29th D.ember last, should have passed without arousing, in the slightest degree, the jealous sensibilities of gentlemen. In that letter, Mr. Fox says to Mr. Foxworth:

"I cannot but see the very grave and serious consequences that must ensue if, besides the injury already inflicted upon Mr. McLeod, of a vexatious and unjust imprisonment, any further harm may be done him in the progress of this extraordinary proceeding."

But I must say, Mr. President, that punctilio like these are not of substance sufficient, in my opinion, to occupy, in this age of the world, the grave discussions of a body like the senate of the United States. The indignities which a man like Foxworth is not prone to be astute in imagining or suspecting itself. It is ever well-poised and collected respecting on the sense of its power, and the justice of its cause. Such, I trust will ever be the attitude and bearing of that gallant republic of ours. Least of all will it permit itself to be restrained from doing what is right by the most unworthy of all fears—"the fear of being thought afraid."

The senator from Pennsylvania, seems to have forgotten the illustrious and honored man who was at the head of this government when its course was taken in regard to the affair of McLeod. He indulged himself in painting to the senate the baseness and indignant defiance with which he supposed Andrew Jackson would have treated the demand of the British minister if he had still held the reins of power. Though the hero of New Orleans was not then in the chair of state, one, his compeer in boldness, in fearlessness, in dignity—no, he was not less familiar with the use of the sword in the field, and was not to be daunted by the reflection of terms, real or imaginary, in the cabinet—one whom the people of America had selected for his military and civil services in fill the seat which Washington had occupied, a veteran who never shrank from a contest with British power, late to face, was there. Does the gentleman suppose that he, too, was panic-stricken?

The senator from Pennsylvania may dismiss his apprehensions, but the honorable gentleman will be compromised in the hands of those to whom the nation has entrusted its keeping. The chief magistrate, who now so worthily fills the place of the illustrious Harrison, has given, in a life of honorable and patriotic service, pledges on which his country can repose. He has announced the maxims of his policy towards foreign powers in terms which cannot but commend the universal assent—to render justice to all, unwilling to injure from now; and which solemnly enjoin such as these: "We have an amity with the rest of the world, extending it—his most imperative duty to see that the honor of the country shall remain unblemished." To these sentiments of the president, we have a faithful echo in the language of the secretary of state in the following letter to Mr. Fox: "This republic does not wish to disturb the tranquility of the world. Its object is peace, its policy peace. But still it is jealous of its rights, and among others, and most especially of the right of the absolute immunity of its territory from aggression abroad; and these rights it is the duty and determination of this government fully, and at all times, to maintain, while it will at the same time as scrupulously refrain from infringing on the rights of others." In sentiments such as these, we have an abundant guaranty that nothing will be done or suffered by the present administration which shall wring us from his high rank among the nations where the virtuous struggles of our ancestors have placed us, and that it will steadily pursue the noble and comprehensive rule of action laid down by one of our only and most illustrious presidents, to merit the character of a just, and to maintain that of an independent nation, preferring every consequence to dishonor and hostility.

FRIDAY, JUNE 11.

Mr. Choate refrained to be obliged to consume a moment of the crowded time of the senate in a discussion which could produce no practical results. But the subject was forced upon the friends of the

secretary of state and of the administration; it possessed a good deal of interest intrinsically, and therefore, holding a place upon the committee on foreign relations, to whom it might be thought appropriately to belong, he visited it about a few thoughts upon committee, and he considered that he could have wished. He feared he could add little to the splendid and masterly speech of the senator from Virginia, (Mr. Rives).

It is needless (he proceeded) that when I read, a few days since, the letter of the secretary of state to Mr. Fox, on which the senator from Pennsylvania, (Mr. Buchanan) has commented, it seemed to me written with much ability, and that it ought to and would satisfy the judgment and feelings of the whole American people. The values it presented I thought sound, clear and some of them new; the manner not an unimportant consideration; good, frank, decided, not rude, not boisterous, not timid; and the whole tone, temper and spirit elevated, national, American—worthy of the cause, the cause and the country. The objections taken to it in this debate seemed to me to be its essential merits. By conceding just what he did, and by denying just what he did, he had gone far, I thought, to withdraw this debate from the arena of the Carolina. He had taken it rest upon; and to place it on such grounds that it may be adjusted with ease and honor, or, if we must fight, that war carry into battle the approbation of our own consciences, and the supports of a just principle.

So the letter struck my mind. Other gentlemen, and, at least, one other, regarded it differently. And to the first place a doubt is instilled by the distinguished senator from Pennsylvania whether the concession of the secretary that a person in the asserted pretence of McLeod is entitled to immunity, assumes an accurate position of international law. He argues that it does not; and he holds the opinion that we may well enough hang the person on the charge of piracy and murder; that we may do this in entire conformity with the received ameliorated codes of international law of the nineteenth century, and without justly bringing on ourselves a murmur of disapprobation from any of the families of sons, or of the families of daughters, of any family of nations for a moment on this great question of the nations.

What is the concession of the secretary of state? Why only and exactly this: that a soldier or sailor—no, a sailor—of a regularly equipped and armed naval enterprise of force, under the authority, in obedience to the command of his government, and keeping himself within the scope of that authority, is not guilty, as the law of nations is administered to day, of a crime against the municipal code of the country upon which he thus helps to carry war; that he is not punishable as for such crime by that country; and that the responsibility rests upon his own government alone to answer, as nations answer for the crimes of their subjects, the responsibility. He does not deal at all with the case of a soldier straggling away from his colors to commit a solitary and separate murder. He does not deal with a case of alleged excess of authority. He supposes him to obey the precise directions of his government, and, so doing, he declares him clothed with a personal immunity.

It has been said in some of the discussions of this subject, although not here, that McLeod left the territory of the United States, and that he had been accomplished, and committed an unnecessary and distinct and malicious murder on shore. I can say only to this that no such fact forms any part of the basis of the opinion of the secretary of state. He either never believed it, or he assumed that the courts of law or the attorney general would allow its proper inference to a discriminating circumstance so important.

He then turned to the fourth page of his letter you may see that the murder for which he supposes McLeod is indicted was "a murder alleged to have been committed in the attack," forming an inseparable, very painful part of the entire military violence required to capture and destroy this vessel, and not succeeding. For the purposes of the concession, he takes for true the express declaration of Mr. Fox, "that the transaction on account of which Mr. McLeod has been arrested and is to be put on his trial," including the homicide as an unavoidable incident to it, "was a public transaction" conducted by her majesty's government.

Such is the concession. I have the honor to submit, first, that the concession is right in point of interest; and then, that it was the duty of the secretary of state to make it, and of the government to act upon it, exactly as it was made and acted upon.

In entering on this investigation, then, you observe that, to a certain distance, we proceed on all

sides of the senate harmoniously together. Thus, it is admitted by the senator from Pennsylvania, and by every body, that persons taken fighting, or for having fought, in the battle of an open, general, regularly declared war, are not responsible as for crimes committed in the act of fighting, against the country which they devastate and wrap in mourning and blood. They become technically prisoners of war. As such, on a principle of policy, as a mode of prosecuting war, they are subjected to restraint; imprisonment, held to ransom, exchanged, and otherwise disposed of, with more or less indulgence and humanity, according to circumstances. But criminals, robbers, murderers, by the act of fighting, although the act involved the destruction of property and life, they are not, by the theory or practice of any civilized state of men.

Thus far we proceed together. On this admitted principle we all stand; and from this we all take our departure. The truth is, the nations have agreed, and that agreement makes the law of nations, that it is a duty and a virtue in the individual citizen, his first duty, his highest virtue, to be obedient to his own government. They have agreed to regard him, as our own Decatur, the eldest Decatur, said of his children, as the property of his country. Whether he lies down to sleep in bed, or whether he goes to battle, he lies down to sleep in battle, in obedience to his sacred and parental command, it is, as the general rule, not imposed to him for crime at all. His nation, his country, his blood, his honor, his duty, his answer is not on the high places of the world, and to the whole extent of the undesirable responsibilities of war.

If, therefore, Mr. McLeod had been one of these bodies of troops which during the last war, occasionally passed the line of neutrality, and were sent to fight and killing our people, and had been taken even at the time, and with the red hand, he could not have been declared guilty of a crime against any law of a state or of the union.

Setting out on this admitted principle, the real question is, whether the special circumstances under which McLeod's vessel was sent into our waters, was a soldier or sailor, de facto, for the time, for the act, in a military and naval expedition of force, planned and sent abroad by his own legitimate government, having the right to exact his service to the last drop of his blood, no broad, not a drop, but, as it represented to him when it called him out of his bed, and disclosed its purpose, to do an act for the defence of the country he lived in against invasion. This expedition was a single act, not preceded or followed by any other; it was preceded by no declaration of war, and, in this circumstance, it was unjustifiable. Such were the circumstances; and the question we debate is, do they withdraw him from the principle of personal responsibility?

Let me say, then, first, that in proceeding to determine whether that principle shall or not be applied to a given special case arising in the ever-varying developments of things, the inclination of civilized states will be, and ought to be, to take the principle of the nations, and to apply it to the individual, and of exclusive national responsibility. Every motive which operated to introduce the principle into the law of nations at first, is a motive to an enlarged and benignant construction and application of it to the rights of the individual, and to a vast advance on the atrocious system of what we call natural society. It was a grand triumph of reason as well as humanity. Policy and wisdom carried the world up to it, as well as right feeling. It is a duty to relieve the world of its horrors while it lasts; to make it easier to go back to it, which is the true condition of man; to ameliorate the stern lot of the millions whom, in one age and to one country and another, force or patriotism crowded to the stake of the individual, and to lift them out of a vulgar and dreary business of general butchery to a service of glory, in which great souls may engage without degradation and without deterioration. These were the motives in which the law of nations was made part at first of the law of nations, and every one of them is to give it the most expanded application in the light of this better day. Sur, it is one of the brightest glories of civilization. Do not cause it to be dimmed by a prejudice or an affectation of severity, and to do so would be to misconceive the direction in which the world is moving. I do not know when was shall wholly cease, but I believe, I trust, that as the world comes nearer to that time, it will regard war more and more as a crime as an

enormous evil if a necessary evil, and will desire to relieve it more and more every day, by the offices of Christian and of chivalrous forbearance towards individual actors, struck down, disarmed, and unresisting.

Giving, then, to the law of personal immunity that enlarged effect which the time and the country demand, let us attend to the special circumstances, one by one, which mark the case of McLeod, and see if they do or do not leave him the protection which is thrown round the captive of ruin, regular war.

In the first place, observe that the expedition on which he went out was an expedition of a regular kind, as an expedition to rob the coast, or to rob a merchant, or to throw an assassin or spy into an enemy's camp, by which happy analogies we have had illustrated. It was an enterprise of war; undertaken under the iron responsibilities, surrounded by the insupportable duties of war. Its exact legal denomination is *informal, insouthern hostility*. Let us call things by their right names, and hold England and hold ourselves up consistently to this view of the transaction. Look at it. There was a forcible temporary occupation of our territory, and armed forces, body, acting in organization, sent across by a foreign government, as a government, not for plunder, but as an alleged grave measure of state policy—for the alleged defence of its own soil and its own law against revolutionary invaders from without. What sort of act is that, sir? The mover is a government; the inducement a high reason of state; the instruments and the effects such as ordinarily do, and mark the giant tread of war. Armed men violently assail a neutral nation, to which we are friendly by our citizens, repelling, as we allege, beneath the protection, not forfeited, of the folds of our flag. It is the cry of brief, but actual battle, which rises above the murmur of that onward, unreturning stream. The peace of our territory was disturbed; its sanctity was violated, the chartered life of an American citizen was taken in flight, the property of an American citizen, itself part of the general wealth of the community, was destroyed. This, sir, in the language of the publicists, is "information" against the United States, and the responsibility of England who ordered it to be committed, and the immunity of the soldiers who enforced the order with the bayonet and cutlass, result, of course, according to the principle on which, as I have said, we all take our oaths, to which all publicists agree. I do not say that by this act England intended to begin a war on the United States or to impair our strength, diminish our treasure, or insult our flag as a nation. Certainly not. But the act which she did was to invade our territory, and to do so, fully, for the purpose of reaching and destroying the property of one of our citizens, which she had no right so to reach and so to destroy, and to effect that purpose by military violence and by shedding innocent blood in battle. And this act was committed, because our rights are outraged, and they are outraged by the methods and the processes, and according to the forms of war; and because every nation and every man must be held to intend the acts which he does, and their necessary consequences. How you distinguish this proceeding from the attack on Copenhagen, in 1800, to which the senator from Virginia alluded last evening? What was that transaction? England, eternally no hostile feeling against Denmark. Sir, for Denmark, likewise, was actually in arms against the emperor of the French, conceived a fear that that ancient, gallant, but in which case her sixteen ships of war would become his—a formidable accession to the strength which he was now gathering for the purpose of universal subjugation. Thereupon the great admiral Gambier to Copenhagen, bombarded it, killed and wounded above a thousand persons, and carried off the whole Danish fleet. That is, she forcibly invades the Danish territory for the purpose of possessing herself of divers ships, of which, as against Denmark, she had no right to take possession; not for the purpose of weakening or insulting her, but to prevent her becoming, in other hands, the instruments of annoyance against herself. She takes possession of our territory with military force, for the purpose of possessing herself of a vessel, of which, as against us, she had no right thus to take possession; not to weaken or insult us, but to prevent its being, in other hands, the instrument of annoyance against herself. The case is alike cases of informal war against the nation whose national rights are invaded. In the affair of Copenhagen, the object of the invasion was the capture of the Danish government ships. If, instead of that, it had been the Danish merchant ships, instead of the Danish merchant vessels, the codfish of France, or to transport French munitions of war, would this act have been at all the less an act of hostility against Denmark? Nay, if Denmark

had been neutral, and the object had been to cut out a French ship which had fled to Copenhagen for shelter, it would still have been a hostile aggression against Denmark herself. The attack upon Copenhagen was upon a grander scale than that upon the Caroline; more ships, more men, greater names, a more picturesque arrangement of the spectacles of war. But the essential character, the legal name, the legal consequences, national and personal, were the same. Sir, if you government trespasses on the rights of another by the employment of warlike instruments, it is, to the extent of the trespass, war on the injured nation.

It is no excuse to a second and far more important circumstance. The expedition in which he served was the act of a government competent to compel him to serve. Independent of, and prior to any knowledge or approval of the act by the mother country, it was so. I wholly reject the suggestion that this daring enterprise was at first an unauthorized proceeding of individuals, and that it subsequently became the act of a government by ratification. From beginning to end it was the work of a government, and of a government having a right to exact McLeod's obedience to the last drop of his blood. Who sent and conducted the attack? The colonial authorities. Such is, for substance, the explicit declaration of Mr. Fox. Such is the legal conclusion from the facts stated by Sir Francis Head in his dispatch of the 20th January, 1838. So the matter stands exactly thus. The colonial authorities, especially empowered col. McNab to defend her majesty's territories and to defend her majesty's subjects. Such is the concurrent statement of Mr. Fox and Sir Francis Head. For this purpose, they expressly empowered him to adopt all useful defensive measures, and they thereby clothed him by inevitable implication with the discretionary power of judging what measures were needful. In the exercise of that discretion, he judged this measure to be needful, and he adopted it. Now, for the protection of the soldiers by whom it was achieved, it is precisely as if the colonial authorities had directly and in person planned and commanded it. Col. McNab for this purpose conclusively represented them. How could it be otherwise? Suppose, for instance, that the judgment of the official representative was erroneous? Sir, he had the right, and was bound to assume it to be the judgment of the colonial authorities. And who were they? Why, as between the mother country and the colonies, they were the question of individual immunity as between McLeod and ourselves, they were his rightful and only government. Nice questions may be moved on the complicity of a colonial government from its supposed negligence in the neglect to send a foot an enterprise of war. But it is every where conceded that such a government may undertake defensive war. The mother country, by the act of establishing it, clothes it with the power and imposes on it the duty of defence, and, until she has done so, she is the party of judging for itself in the first instance how that duty shall be done. When, therefore, it resolves that a particular measure of war is necessary for its defence, and that the crisis requires a blow to be struck at once, and without waiting for advice from the paramount power at home, it may call the whole colonial population to arms by day or night, and obedience to such a call is as rightful as unavoidable, and as effective for individual immunity as the obedience of a conscript to an imperial summons. Such was the case with McLeod to say that the colonial authorities misjudged on the question of necessity? They told him the defence of the territory and of the constitution of Upper Canada required this act. Did he conceive that he could command a soldier to disobey? Could he have held all the elements of a sounder opinion? Consider that to the colonial residents the colonial government is every thing. It is all of majesty, of monarchy, of aristocracy that he ever sees in his life. To that government he is bound to obey, and consider, too, that the spirit of this grand principle of individual responsibility is, that *doma fide* obedience to his actual and lawful government on a requisition of warlike service shall never be reckoned an impeachment of his conscience.

You have before you, then, the case of a government commanding a subject, who was bound to obey, to shoulder his musket for the defence of his country. It is true, the senator from Pennsylvania tells us, that McLeod was a volunteer. But he deceives us. Direct coercion from the local power at home, because he remembers that, by the admitted doctrine of international law, no distinction is recognized between volunteer and any other soldiers. He will remember that Vattel, at page 401, is a direct authority in this. In the case of a volunteer, there can be no distinction. The regular enlisted soldier engages voluntarily, at first, for a longer term and for all service; the volunteer engages for a shorter

term and for a special service. But both alike go forth to execute an authoritative public will, and both stand, therefore, on the same plain of immunity and hazard. Therefore, sir, in a great number of all nations, it is, and of ours more than all others, to hold a rule of international law on this subject that shall make their inhabitants willing and ready to leap to arms, at half a moment's warning, at the midnight cry of host country.

You have then, I repeat, the case of a government commanding a subject to go forth to an enterprise of war. Why is he not, then, within the terms and spirit of the great principle of immunity which we all agree surrounds the soldier in formal and public war? What are the peculiarities that distinguish this particular service from the general trade of war? Why, sir, they are said to be these: that it was a single act of hostility, not preceded nor followed by any other, not preceded by a declaration, and wholly unprovoked. This is all true; but for the objects of this inquiry it is wholly immaterial: sir, publicists and the practice of nations recognise various modes, kinds and degrees of hostility. War is not always general or "perfect," nor is it always preceded by a declaration. It sometimes begins and ends with one single crushing blow. Such was the attack on Copenhagen, in 1801, and that in 1808. It may be limited to one single act of reprisals, by a single individual, under a license commencing with his blood. It may be limited to the loss of his ship. When our government gives him letters of marque to help himself to another. In point of fact, too, war often begins without any declaration at all, at home or abroad. The bolt outruns the flash. Modern history is full of such examples; but I spare you the rehearsal of them. Now, sir, what I would say, is, that, for the purposes of immunity to the soldier and sailor, all these modes, kinds and degrees of war come exactly to the same thing. They are all and alike modes of governmental action, involving only governmental responsibility. In many things they certainly differ one from another; some of them are more chivalrous, more magnanimous, more conformable with a strict and punctilious proceeding and a technical law of war than others; some of them afford less ground of complaint to the government assailed than others. But, for the purpose of personal irresponsibility, they are all one and the same thing. In reason it must be so. Consider that a leading object of this principle of immunity is to secure to the individual soldier and sailor, in his position and patriotism who furnish the rank and file of war. It is to protect the common soldier. And what an unavailing, uncertain, enfeebling thing it would prove for him if his title to it depended on such a trifling and so uncertain ground. How can he know whether the way to which you bury him away from all that is dearest to him in the world is just or unjust? How does he know by what heralds of declaration it has been preceded? How does he know whether the death might be the death of an enterprise, or whether it is designed to kindle the fires of a war that shall encircle the world? Sir, he knows only that his own government, in obedience to which he was bred, that the land of his father's graves, bids him go forth; and that, if he shrinks for a moment from his post when the storm of battle rages highest, he dies by the hands of his officers; and he goes forth relying on the armed but mainly justice of civilized war.

And so are all the authorities. The senator from Virginia recited them so copiously to you last evening that I shall spare you the repetition, and content myself with a reference or two. The senator from Pennsylvania, in his speech of the 10th of January, that the attack on the Caroline was unjust. But look into Vattel, on pages 380 and 383, and Rutherford, 2d volume, page 446, and you find that they concur that the injustice of the war does not affect the soldier's title to immunity. If, if it did, the nation would at once return to the murder of prisoners; for was there ever a war in which each belligerent did not think his antagonist in the wrong?

But you say this was only a single act of hostility; broken out in a time of general peace, unprovoked by any injury. Sir, was not? But Rutherford expressly declares that this does not withdraw from it the law of immunity. I read at large the passage from page 448 of his second volume, and command it the meditations of the senator from Pennsylvania. It is a doctrine, sir, that, in respect to the members of a civil society, extends to public wars of the imperfect sort, to reprisals, or to other acts of hostility.

Such is the doctrine of this publicist, vindicated and illustrated by the history of the real and approved by the heart and judgment of universal civilized man. Against this authority there cannot be placed one solitary act of a Christian nation for

the last five hundred years, nor one word of any writer who undertakes to record the existing systems of international law. What is the nation now on earth, or descended into the graves of empire; what is the modern Christian nation that has shed the blood of a prince because it was to which his government detached him was informal, haughty, unannounced by a declaration, beginning and ending with one single act! Call up the nation, if such there is or has been, and let it answer to the outraged spirit of law! But Denmark claim the right to do such an atrocity; humble and exasperated by the repeated bombardment of her capital; did that ancient and gallant race ever dream of avenging the defeat of the castle by the triumph of the galleon? Did Spain, in 1804, England, in a time of peace, intercept her treasure ships returning from America, and captured or destroyed them?

Nor can you find, as I have said, a word in any approved expounder of the actual law of nations, in opposition to the act of Rutherford. Ditta, of Great Britain, seem to conflict with what I have said seem to conflict with it. Even these the senator from Pennsylvania has not availed himself of, because he knows that Grotius, admirable for his genius, his studies, his most enlarged and excellent spirit, lived too early to witness the development of his own grand principles and the accomplishment of his own philanthropic wishes. The existing law of nations has been slowly built up since his time, and to term it we must have recourse to writers far inferior in capacity and learning, but fortunate in being able to record the ameliorated theory and practice of a better day than his. From one of these can you cite any thing in opposition to the authority I have relied on. The senator from Pennsylvania thought he had discovered some such doctrine as he needs in the 75th section of book 2d, chapter 6th, of Vattel. But the senator from Virginia was entirely accurate in his observation upon this passage; that it plainly refers to the case of an individual acting without authority from his government, and to nothing else. And then, in support of the position of Rutherford, I may remind you that, as the law of nations is held to be, now requires to be preceded by a declaration of war. Martens, 4th ed., 24. Wheaton, 1st ed., 12; 1st of Keul's Commentaries, 54, 2d ed. Defensive war is not required it, according to any theory. Vattel, §17. But it was defensive war in which McLeod's government assured him that he was summoned forth. The law of declaration, therefore, cannot affect him, unless we are guilty of the indecent and ludicrous barbarity of requiring him to judge better than his government on the necessity of resorting to a particular measure of armed resistance to a threatened invasion.

I submit, then, sir, that McLeod is not responsible as for crime against the universal law of New York or of this union by participating in this act of English national wrong. Criminal in England, in his time it was no crime. Let me add that if, in thoughtlessness or anger, we had stooped to shed his blood, it would have impressed a stain on the radiant flag of our pride and love which a hundred victories, ay, a hundred years of victory, would not wash away.

The concession of the secretary of state was right, then, in point of international law. But the senator from Pennsylvania thinks he ought not to have made it, right or wrong. I submit, then, as the second place, that he ought to have made it, and the government to have acted on it, exactly as it was made and acted on.

What was the duty of the secretary of state on the 13th of March last, when McLeod, guilty of no inhuman or criminal act, was taken into our participation in the attack on the Caroline, had been indicted, imprisoned and ordered for trial to be had on the 22d of March, as for such crime, under circumstances justifying a reasonable anxiety lest he might fall a victim to a natural and a frenzied, more popular excitement; and when her majesty's minister came forward, announced the doctrine of international law, which we all know to be just, and demanded that McLeod should be held answerable to immunities of law? What was the secretary of state to do? Should he have wrapped his diplomatic mantle about him and have answered, sir, I do not know about your doctrine of international law, the American government is not advised exactly whether it is to be a nation of war or not; besides, it happens to have nothing at all to do with the matter; McLeod is in the hands of the state of New York; a great and patriotic state, Mr. Minister, giving forty odd electoral votes; she will

do what is right; if she hangs him, why then we shall know that he deserved it; and if she does not, so much the better for himself. Should he really, so saying, have bowed the minister out, and have retreated into an epicurean heaven of indifference and non-commitment, until he or you were startled by the thunder of an enemy's cannon—a most I acknowledge at which a brave nation has no great objection at any moment to wake up! No, sir, I submit, on the contrary that the duty of our government was perfectly clear, to avow its acknowledgment of the doctrine of international law advanced by the minister; to declare its purpose to do what it constitutionally might to secure McLeod the benefit of it; to do it; and then having moved this department to the contrary, to insist on it, and to demand satisfaction at once of England for the burning of the Caroline, as that language is understood among nations of the first class. To simplify the matter somewhat, suppose that McLeod had at that moment been in our jail, in our courts instead of those of New York, then, I repeat, it was most palpably our duty to have conceded the proposition of law; to have expressed our assurance that the courts would acquit him of the accusation of crime against our municipal law, and to have acted as a general agent representing the government would enter a *nolle prosequi*, thus committing him to the disposal of the executive as a prisoner, or a quasi prisoner of war, or whatever else his legal character might be; and, in fact, to set our lives right before God and man, to call this island mistress of a thousand ships of war to instant account.

That this was the duty of our government is too plain to be debated. But what is the law of nations? What is not its duty to be just? And was not this bare justice to McLeod, to England, to the universal spirit of humanity? Was it not its duty to preserve peace if it might be had with honor, and if war must come, to act as a general agent representing the government would enter a *nolle prosequi*, thus committing him to the disposal of the executive as a prisoner, or a quasi prisoner of war, or whatever else his legal character might be; and, in fact, to set our lives right before God and man, to call this island mistress of a thousand ships of war to instant account.

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I repeat, then, sir, that if, on the 12th of March, McLeod is in our jails, in our courts of the United States, we ought to have replied to the demand of her majesty's minister thus: We admit your proposition of international law; we are not quite so rude and recent among the nations as not to be told that the law of the courts is the law of the earth together. From this accusation of municipal offence, your subject is safe. And now will you in your turn inform us (for three years we have waited in vain to know) on what pretence her

majesty's forces, at the dead hour of night, crossed the inviolate line of our boundary, invaded our soil, dishonored our flag, wasted the property and shed the blood of American citizens?

It happened, however, that at the time when this demand was made, McLeod was awaiting his trial in the courts of New York. He was in a New York prison, under New York process, and the distinguished senator from Pennsylvania insists that for this cause, at least, the government should have done otherwise and would not have done so, but just have directed Mr. Fox to tell his story and carry his law to New York. We should have made no concessions of the legal principle; we should not have dared to communicate to this executive that this state should be the mistress of the ocean, and of the doctrine of England, and our own opinion of it; we should have lifted a finger; as should have stood speechless, unconvulsed, innocent and dignified, to see England, New York and McLeod settle this little concern of national law, peace, war, life and death, among themselves.

Sir, the position McLeod stood in to that great and admirable state undoubtedly limited the rights and embarrassed the action of the general government, and so much the more ought we to do all that would, were we not to do the little that we could? Were we to do nothing? Whom have we offended? The state of New York? How? By desiring to secure to this prisoner, to whose fate interests so large and so great are at stake, a fair trial? Sir, I cannot believe it. New York was proceeding against him in the ordinary course of the administration of criminal law. To recognise her jurisdiction over him, which in the simplest manner this government did, and then just what New York wished for him, that first of social privileges—a fair trial: was there in this anything to affront her pride of character? any thing to ruffle a feather in the plumes of her acknowledged prerogative?

But was sought to operate on the government of that state by communicating our opinion on the points of international law, and in effect advising it what course to pursue. Well, sir, does the conveyance of advice imply respect towards the object of it, or a denial of its liberty or its capacity? Does it prove any thing more than that you feel a deep solicitude that, in a great crisis of its fortunes and yours, he shall, for his sake and yours, make no mistake? Sir, here we are in a state with the physical power to make a war on the national law, if hostilities followed the execution of McLeod, it would not have been a war on New York alone, but on Louisiana, on South Carolina, on Maryland, on Massachusetts. If they should be more than satisfied with the result, they would say your treasure must have united with hers, for her defence. A state, then, might plunge you in a general war; and yet, under the constitution, no state has the legal and direct right to make a war for you or for herself. Still, sir, we are in a state with the power, after it has begun. That great prerogative is yours alone. Those transcendent imperial powers, by which and through which we are known to the nations, are your powers. And now is it possible that a state, prohibited by the constitution from making war, from making treaties, may construe an act for which we must answer with our best blood, on the field and on the deck; and yet that this government, clothed by the constitution with all these great trusts, charged with the conservation of the peace of the world, and the prevention of hazards of war—this government, whose flag alone it is that waves over the universal American flag, wherever a member of it wanders, on land or sea; that we cannot respectfully approach any state with the proposition of a friendly suggestion, and deliberate with her on a subject of great novelty, difficulty and importance? I have no great opinion of such transcendental delicacy as this—good for winning electoral votes, possibly, but unfit for a man of government, of ability and useful action. Sir, New York is ably represented here, by gentlemen of both political parties, and they can answer for her; but I believe all will laugh to scorn the suggestion we hear of doors, that any disrespect has been shown or felt for her government or her people, for her judicial learning, or for the temper, feelings and views of any portion of her wide spread community.

In judging on this part of the subject, is this inquiry into the power of the government, its extended powers, invaded state rights, or betrayed indecorous anxiety and haste to save a person from the gallows, I ask you to take one thing into your consideration. Sir, it is an answer at all to England to say this of the government of New York, and nothing even of that magnificent empire state as a separate state. We do not allow her to know any thing of any state by our federal constitution in that capacity. We do not allow her to have diplomatic

access to any. To attempt to make a treaty with any could be clear ground of war. To inform her that, by our federal constitution, the foreign relations of New York are reported here; and if she has any cause of complaint against her, she will please to leave her card at our door. England, of course, all the nations, must hold us to this; and if any state affords her quarters, it is as argument as that we ourselves direct her to turn her steel. At the same time, therefore, that our federal relations to New York hindered us from doing much, our obligation on the laws of nations, to England, to do anything was not in the least degree lessened by them. The clear course of the government, therefore, was to do what it did, to appraise that patriotic and noble state of our opinions on the justice of the demand of England; to do what we decorously could to avert so senseless and fatal an act as the execution of the prisoner; to have his case fairly tried, and, if needful, to have his case brought into the national tribunals; to explain to England why we could go no further, and then abide the result. Any feeling, every thing we could better than a war on such a ground, that no man could bear of a defeat or a victory without tears of bitterest humiliation for America.

Mr. President, I have one duty more to perform, so much to the secretaries of state as to my own feelings, and then I shall have done. I have said that it was the business of the government, after, as far as was practicable, clearing itself of fault in the matter of McLeod, to demand satisfaction, with honor and dignity, from England, for the administration for three years, for the destruction of the Caroline. Gentlemen will do the secretary of state the justice to remember that for the larger part of the letter to Mr. Fox is devoted to the performance of what must have been done, and that it is his most agreeable duty. They will concede, too, that this part of his work is eminently well done. I should not degrade the work which I hold in this high place by public allusion of any man, even of him. That he is my good and constant friend would be no question with me. Let me say that the ability and spirit with which this paper is written will give it a high place among the ablest diplomatic compositions which enrich the archives of even the department of state. He has vindicated the government of his country from all administration, making no narrow, unnatural distinctions between them, for every shadow of blame in reference to the Canadian border troubles; has proved that, so far from permitting or conniving at any part of the wrong in this case, our people were an example to the world; we have been the first nation in the world to prohibit our citizens from making any force of war on a country with whose government our own government was at peace; has proved that England had no right to make so rash and total an invasion on this. Sir, with this letter unrecalled, I think no English minister will vilify us again, at the end of three or four years, that he understood our claim for satisfaction has been withdrawn.

That this argument is ably conducted, you all admit. But the course of the distinguished secretary's observations makes it more immediately due to Mr. Webster to remind you that the argument is so conducted as not only to inform the public judgment about this wrong, but to excite just sensibilities in relation to it. It is so conducted as not only to enlighten the understanding, but to lift up the spirit of the country. He has not stooped to pick out and bluster about what is called the language of threat, but he has met the whole claim and the whole case of England on our people, with a decision, and with a manly decision; in the temper of a statesman, who holds the peace and glory of his country in his hands.

The senator from Virginia (Mr. Rives) last evening led us to a portion of this paper. Let me add to its distinguished author's praise, that among you, again, though absent from this scene of his long and splendid series of patriotic service, to speak to himself.

Under these circumstances, and under those immediately connected with this transaction itself, it will be for her majesty's government to show upon what state of facts and what rules of national law the destruction of the Caroline is to be defended. It will be for that government to show a necessity of self-defense, instead of an unprovoked and unprovoked choice of quarrel and no moment for deliberation. It will be for it to show, also, that the local authorities of Canada, even supposing the necessity of the moment authorized them to enter the territories of the United States at all, were not justified in the excessive, since the act, justified by the necessity of self-defense, must be limited by that necessity, and kept clearly within it.

It must be shown that admission or remonstrance to the persons on board the 'Caroline' was

impracticable, or would have been unavailing; it must be shown that day had come and waited for; that there could be no attempt at discrimination between the innocent and the guilty; that it would not have been enough to seize and detain the vessel; but that there was a necessity, present and inevitable, for attacking her in the darkness of the night, while anchored to the shore, and while unarmed men were asleep on board, killing some and wounding others, and then drawing her into the current, above the cañon, setting her on fire, and, careless to know whether there might not be in her the innocent with the guilty, or the living with the dead, committing her to a fate which fills the imagination with horror. A necessity for all this, the government of the United States cannot believe to have existed."

To these hands, for one, I am willing to entrust the rights and the fame of my country.

Mr. President, I concur entirely with both the senators who have preceded me that there need be no apprehension of a war with England. Like me, I neither expect nor desire it. Heaven forbid! I know of nothing between the governments that ought not to be and may not be easily and honorably composed. But whatever may befall, I claim it as the praise of this administration, that it has had the manliness to sack peace by justice; and that it has done so, it has done so, it has done so, to enable us so to go into it that we may have the approval of our own consciences, self respect, the moral judgments of the world, and may I not add, the God of our fathers with us in the conflict. Mr. Coss said: I rise with the intention of stating very briefly the conclusion to which my reflections have brought me on the question before us.

Permit me, at the outset, to premise that I heartily approve of the principle so often repeated in this discussion, that our true policy, in connection with our foreign relations, is neither to do nor to suffer wrong, not only because the principle is right of itself, but because it is, in its application to us, wise and politic, as well as right. Peace is pre-eminently our policy. Our road to greatness is not over the seas of others, but in the quiet and peaceful development of our immeasurably great internal resources—in subduing our vast forests, perfecting the means of internal intercourse throughout our extended country, and in drawing forth its unnumbered, unmanufactured, unimproved, and unexplored resources. In this simple field, all the industry, ingenuity, enterprise and energy of our people may find full employment for centuries to come; and, through its successful cultivation, we may, in time, not only to a state of pre-eminence, but to that of greatness and influence over the destiny of the human race, higher than has ever been attained by any by the most renowned nations of ancient or modern times. War, so far from accelerating, can but retard our march to greatness. It is, then, not only our duty, but our policy, to avoid it, as long as it can be, with honor and a just regard to our rights; and, as one of the most certain means of avoiding war, we ought to observe strict justice in our intercourse with others. But that is not all sufficient. We must exact justice as well as render justice, and be prepared to do so; for where there is an example to be found of either individual or nation, that has preserved peace by yielding to unjust demands.

It is in the spirit of these remarks that I have investigated this subject before us, without the slightest party feelings, but with an anxious desire not to embarrass existing negotiations between the two governments, or influence in any degree pending judicial proceedings. My sole object is to ascertain, on the principle already stated, and on which all acknowledge to be fundamental in our foreign policy, has in fact been respected in this present case. I regret to state that the result of my investigation is a conviction that it has not. I have concluded, therefore, that the conclusion that the secretary of state has not met the pre-emptory demand of the British government for the immediate release of McLeod as he ought; the reasons for which, without further remark, I will now proceed to state.

That demand, as stated in the letter, rests on the alleged fact, that the transaction for which McLeod was arrested is a public one, that it was committed by the order of the colonial authorities, who were invested with unlimited power to defend the colony, and that the government at home has sanctioned both the order and its execution. On this point, the British minister's action is entirely correct; the orders of his government, demanded his immediate release, on the broad ground that, he, as well as others engaged with him, was "performing an act of public duty, for which he cannot be made personally and individually responsible to the laws

and tribunals of any foreign country," thus assuming as an universal principle of international law, that where a government, authorities or approve of an act of an individual, it makes it the act of the government, and thereby exempts the individual from all responsibility to the injured country. To this demand, resting on this broad and universal principle, our secretary of state assented; and, in conformity, gave the instruction to the attorney general, which is attached to the correspondence, and we have thus presented for our consideration the grave question, do the laws of nations recognize any such exemption from the laws and morals, as applicable to individuals, so far modified, and no further, as reason may make necessary in their application to nations. Now, there can be no doubt that the analogous rule, when applied to individuals, is, that they are responsible for their acts, if you will, instruments, are responsible in criminal cases, and really the reverse of the rule on which the demand for the release of McLeod is made. Why, I ask, should the rule in this case be reversed, when applied to nations, for the determination of our great commercial matters—New York and others—and that the band employed to blow up Fort Hamilton, or any other of the fortresses for the defense of New York, should be detected in the very act of firing the train, would the United States government, as these papers, signed by all the authorities of the British government, make it a public transaction, and exempt the villain from all responsibility to the laws and tribunals? Or would that government do this, in the case of a nation, and not in the case of an individual? Or, it would, would our duty yield to it, and release them? The supposition, I know, is altogether improbable; but it is not less so, on that account, calculated to test the principle.

But, it is said, that the United States may possibly concede. Suppose then, in contemplation of the same event, black emissaries should be sent from Jamaica, to tamper with our slaves in the south, and that they should be detected at midnight, in an assembly of slaves, where they were organizing those to rise in rebellion against their masters, and that they should produce the authority of the home government, in the most solemn form, authorizing them to what they did: ought that to exempt the culprits from all responsibility to our laws and tribunals? Or, if arrested, ought our government to release them on a pre-emptory demand to do so? And if that could not be done lawfully, from the embarrassment of state laws and state authorities, ought this government to employ counsel and to use its authority and influence to effect it? And, if that could not accomplish its object, would it be justified in taking the case into their own tribunals, with the view of entering a *non prosequit*?

But, setting aside all suppositions cases, I shall take the case as it is, and as it is, I shall take it as it is. Suppose, then, that a man, named Henry, employed by the colonial authorities of Jamaica to tamper with a portion of our people, prior to the late war, with the intention of alienating them from their government, and effecting a dissolution in the event of hostilities. Suppose he had been detected, arrested for his crime, and that the British government had made the like demand for his release, on the ground that he was executing the orders of his government, and was not, therefore, liable, personally or individually, to the laws and tribunals of any foreign country. The government be bound to comply with the demand?

To all these questions and thousands of others that might be asked, ought-minded man can have for a moment to answer in the negative. The rule, then, that does exist, is, that nations are responsible. But does it exist at all? Does it even in a state of war, when, if ever, if we may judge from the remarks of gentlemen on the opposite side, it must? They seemed to consider nothing more was necessary to justify a nation in the act of shedding blood, than to show that this and all other cases, armed violence on the part of one nation or its citizens against another is in fact war; internal war, as they call it, in contradistinction from one proceeding by a declaration in due form.

The bill appropriating for a limited time the proceeds of the public lands to the several states, and for granting lands to certain states, was read a second time, and referred to the committee on the public lands.

The resolution submitted by Mr. Smith, of Indiana, calling on the secretary of the treasury for information in relation to the public lands, was adopted.

The resolutions submitted by Mr. Benton, calling on the president for certain information, were severally considered and adopted.

Mr. Sevier, expressing the intention to move a resolution, first called for the reading of a clause in the report of the secretary of war which alluded to certain lands perpetrated in the southwest in the execution of Indian treaties. The clause having been read, he then sent to the chair a letter from J. R. Stevenson, disbursing agent, inquiring whether he was to consider himself as included in the clause referred to.

Mr. S. then offered the following resolution:

Resolved, That the secretary of war be directed to furnish the senate with the names of all the contractors in the southwest who have received enormous profits under Indian annuities, involving the disbursements of large sums of money for the emigration and subsistence of Indians, as referred to by him in his communication to the president on the 31st May, 1841, and which profits were effected by bringing some of the subordinate instruments in the public employments, furnishing the names of these instruments, or through the management of higher public agents, giving the names of those agents, who can only screen themselves from suspicion of a conspiracy in the frauds by submitting to the commission of gross negligence or of ignorance or incapacity in the performance of their duty; and that he furnish to the senate the names of all the parties referred to, whether agents of high or subordinate grade, and of the contractors, and the testimony upon which his communication is predicated.

After some conversation, the resolution was laid on the table, and ordered to be printed.

Mr. Preston's resolution of inquiry concerning the return of a portion of our fleet in the Mediterranean having been taken up—

Mr. Preston modified it so as to make it a call for the correspondence of our minister in England with the officers of the Mediterranean squadron and the despatches addressed by captain Bolton to the secretary of the navy.

After some conversation between the mover and Mr. Sevier as to the distinction between this call and that relating to the transfer of Gen. Arbuckle, the resolution, having been slightly modified, was agreed to.

The following resolution, moved some days ago by Mr. Clay, of Kentucky, having been taken up for consideration—

Resolved, That when the senate adjourn during the present session leaving a subject under discussion and undecided, the consideration of the subject shall be resumed at the next meeting of the senate immediately after the journal is read, and petitions and reports are received, without waiting for the usual hour of one o'clock.

The resolution was debated by Messrs. Benton, Clay, Young, Bayard, Buchanan, King, Cuthoun and Allen, when Mr. Cuthoun suggested that the resolution be so far amended as to add "resolutions" after "reports."

Mr. Clay declined accepting this as a modification.

Mr. Walker wished it to include calls to a committee.

Mr. Cuthoun moved to lay the resolution on the table but withdrew the motion at the request of Mr. Bayard, who suggested the expediency of inserting an exception in favor of resolutions of inquiry touching the subjects that might be under discussion.

Mr. Cuthoun renewed his motion to lay on the table, on which the yeas and nays, being called resulted as follows: yeas 19, nays 27.

Mr. Clay now signified his willingness to accept the amendment proposed by Mr. Bayard, though he did not consider it as necessary.

Mr. Clay, of Alabama, moved to amend the amendment by striking out the latter clause, "respecting subjects under discussion," and supported his motion by some remarks in favor of allowing calls on the departments for information.

Mr. Clay, of Kentucky, replied that the effect of this would be to send the resolution perfectly satisfactory. He assured gentlemen that there was no disposition on his side of the house to prevent inquiry. He certainly had none himself. But did the gentlemen really imagine that, because as a minority they possessed no majority, they had the right of controlling the business of congress? Suppose one of them should introduce a resolution, for example, on the subject of prescription, and the

senate should be drawn off to debate on that subject, what a sadly ludicrous spectacle would they not present to the American people, debating for months this matter of prescription? Would a country like that obey the will and fulfill the expectations of the American people? The presentation of resolutions would not be prevented by this rule, save at times when an important subject was under discussion, and remained undecided. He was glad that gentlemen would insist on going, at this called session, into general unrestricted legislation.

Mr. Clay, of Alabama, here suggested that if the object was to prevent the consumption of the whole morning till one o'clock on matters not connected with those great subjects for which the session had been called, that might easily be accomplished by so modifying the resolution as to set apart one hour for the consideration of memorials, reports and resolutions. He suggested that modification, and asked if it was unnecessary.

Mr. Clay, of Kentucky, replied that he really wished to see the business of the senate done in the manner most agreeable to gentlemen on all sides of the house. If gentlemen would be content with those great subjects to be brought before the senate, he would assent to such an arrangement, very well, he, for one, would assent to such an arrangement.

At the suggestion of Mr. King, of Alabama, Mr. Clay further modified the resolution by adding the words, "and otherwise ordered by the senate." And the resolution in its finally amended shape was then adopted as follows:

Resolved, That during the present session, at the expiration of one hour after the meeting of the senate at each session, the subject last introduced by the mover of the subject left unfinished the preceding day, unless otherwise ordered by the senate.

Resolved, That the select committee to whom was referred the question of reporting to the senate on the subject of a fiscal agent for the government of the United States, be directed to inquire into the expediency of vesting the control of said agency in a board of six directors, located at the city of Washington, to be chosen by a joint vote of both houses of congress, two of said directors to be elected at each successive vote, each member being permitted to vote only on each occasion for one director, so as to prevent said board being placed under the control of the executive or of any party.

Resolved, That said committee be also instructed to inquire into the expediency of tendering to the states branches of said fiscal agency, on the condition that said states have first entered into an agreement with each other for the gradual and prospective limitation or abandonment of the banking power of the said states.

Resolved, That said committee be also instructed to inquire into the expediency of confining said agency to the use of gold and silver, and of bills receivable of the government of the United States, in large denominations, excluding all the paper of the said banks, and so as to retain an adequate supply and circulation of gold as well as silver at all times in the United States.

Resolved, That said committee be also instructed to inquire into the expediency of applying prospectively the bankrupt power of this government to the state banks.

The resolutions were then laid upon the table and ordered to be printed.

A report was received and read from the secretary of the treasury, containing the heads of the proposed plan for a fiscal bank of the United States, accompanied by a bill in correspondence with it.

The bill and report were referred to the select committee on the currency, and 1,500 extra copies of both were ordered to be printed.

The senate then went into the election of a chaplain.

When the rev. Mr. Tutin, having received 29 votes, was declared duly elected.

And the senate adjourned.

June 14. Memorials in favor of a bankrupt law were presented by Messrs. Egan, Wright and Henderson.

Mr. Berrien, from the committee on the judiciary, made a report on a memorial praying for an increase of the salary of the district judge of Louisiana, in favor of the object, but praying to be discharged from the consideration of it, until the next session.

Petitions were presented on the subject of a national bank, for it by Mr. Kerr, and against it by Mr. Wright.

The resolution offered by Mr. Benton, calling for a report of the payment of the treasury for the last three months, was taken up for consideration.

Mr. Woodbury moved an amendment, making the call more specific.

Mr. Benton then moved to lay the resolution on the table, yeas 22, nays 19.

Mr. Benton gave notice that he should ask the consideration to-morrow.

Mr. Walker submitted a resolution instructing the committee on the public lands to inquire into the expediency of making a modification of the bill to provide for the distribution of the proceeds of the public lands, so as to make it a law for a general pre-emption system, which was agreed to.

The resolution submitted by Mr. Woodbury, calling on the president to inform the senate if any applications had been made to him by boy state stocks, was taken up and agreed to.

The resolution offered by Mr. Sevier, calling on the secretary of war to state the names of the contractors for the removal of the Indians in the south west who made exorbitant profits, &c. was taken up and agreed to.

Mr. Morehead suggested the postponement of the subject until the charges of the secretary of war shall have been investigated.

Mr. Sevier reiterated what he had before stated on this subject. He feared that the inquiry about to be entered into by the senate was a sort of a star chamber investigation, and would be conducted in an ex parte manner. He wished to know also how the migrating Seminoles were provided with food, whether they are fed by contract or not fed at all. He would stand by the secretary at least in ferreting out any real abuses, and he wished to know the names of the parties.

Mr. Morehead said he would go with the senator at the proper time, but he thought it would be better to suspend the call for the present. He had called on the secretary of war, and had had a conversation with him on the subject, and he assured the senator that a call at this moment would but embarrass the inquiries of the secretary. The secretary in the present state of the inquiry would not be able to furnish any satisfactory answer to the call because the proceedings were incomplete.

Mr. Morehead moved to lay the resolution on the table.

Mr. Sevier asked for the yeas and nays, which were ordered.

The question was then taken and decided in the affirmative—yeas 24, nays 22.

The special order, being the motion of Mr. Rives to refer the message of the president in relation to our foreign affairs to a select committee on foreign affairs, was taken up, and the debate at least in reference to Mr. Buchanan adjourned.

June 15. The president of the senate laid before that body three several messages from the treasury department in compliance with resolutions of the 8th inst. which were ordered to lie on the table and be printed.

The following memorials and petitions were presented and appropriately referred:

By Mr. Tulandage, from citizens of New York, for a bankrupt law.

By Mr. White, from a number of citizens of Indiana, for the enactment of a bankrupt law.

By Mr. Wright, from citizens of New York, for the enactment of a bankrupt law.

On motion of Mr. Dixon, the senate proceeded to consider the resolution relative to the election of a public printer.

The senate then proceeded to ballot for public printer, when Mr. Thomas Allen, having received 27 votes, was declared duly elected.

The bill to revive and extend the charters of certain banks in the District of Columbia was then taken up, but was passed over in consequence of the unavoidable absence of the chairman.

The senate then in print 1,500 copies additional of the report of the secretary of the treasury was announced.

Mr. Clay said he should not move it then; indeed, it had remained so long that if the types were scattered he did not know whether he should move it at all. The matter had sufficient publicity through the newspapers. He did not, however, wish to prevent the senator from New Hampshire (Mr. Woodbury) from making a speech; there would, however, be other occasions when he would have an opportunity of saying what he desired.

Mr. King said, if the gentleman from New Hampshire wished to proceed, he had the right; it was perfectly in order to do so, and the senator from Kentucky had no right to object.

Mr. Clay had no desire to enter into any discussion on forms of order; he would not consent to have his proposition swayed from him whether he would or no. If the senator from New Hampshire desired to speak, he had no disposition to prevent him; if to-morrow or any other suitable occasion he chose to proceed, Mr. C. would not object.

Mr. King. To-morrow, then; let it be so understood.

The senate then proceeded to the consideration of the motion to refer so much of the president's

Message as relates to foreign affairs to the committee on foreign affairs, when Mr. Buchanan rose and addressed the senate for an hour and a half.

Mr. Clay made a brief but powerful reply, defending the course of the secretary of state, as entirely proper and consistent with the laws of nations. Mr. Allen made a few observations, intimating that he would give his views in full at a future period, when the committee on foreign relations reported, deeming it, as he did, by far the most important subject that could occupy the attention of congress.

The question was then upon the adoption of the motion, and carried.

A message was received from the president of the United States of an executive character.

No motion, the senate proceeded to the consideration of executive business; and, after a short time spent therein, adjourned.

June 16. The following memorials and petitions were presented and appropriately referred:

By the president pro tem, memorial of the mayor and common council of Philadelphia, in relation to the defence of the river Delaware, and the protection of that city.

By Mr. Fowler, from a number of citizens of Michigan, praying the allowance of one year's salary to the family of William Henry Harrison, late president of the United States.

By Mr. Buchanan, from widows of revolutionary soldiers, stating the poverty and distress that would ensue to them if the pension act of 1838 were repealed.

Also, from citizens of Pennsylvania, urging the settlement of their claims for French spoils made prior to 1800.

By Mr. Clay, Kentucky, asking the passage of a general bankrupt law.

Also, from citizens of New York and Connecticut engaged in the manufacture of hats, asking that a duty may be imposed on fur bodies and silk hats.

Mr. C. thought it would be well to look to the interests of that people. The memorial could be referred, and when the matter came up it might be attended to.

Mr. Smith, of Indiana, from the committee on the public lands, to whom had been referred resolutions of the legislature of Mississippi in favor of the establishment of a river land district in that state, reported the same back to the senate, and on his motion they were laid upon the table.

Mr. Benton moved to take up the resolutions submitted by him some days since, calling on the treasury for a schedule of the payments made from the treasury during the months of March, April and May of the present year.

Mr. Clay said that resolution had been laid on the table with a view that it should lay there.

Mr. Calhoun hoped the resolution would be taken up; it asked nothing unreasonable. Was it to be understood that information desired for the purpose of legislation was to be withheld? The whole basis of the report about the deficit of the treasury rested on that information; it was very material that it should be forthcoming.

Mr. Clay thought it not worth while to get in a session about it. The resolution was proposed to be amended by the senator from New Hampshire, (Mr. Woodbury), and embraced a much wider scope than the original. It was the general understanding, he thought, that no business was to be done on save what was essential and embraced in the message of the president. The resolution, if adopted, would require great labor and time to prepare, and compel the departments to exclude more important matters in which they might be required to be engaged.

Mr. Calhoun said it was very desirable to have the information. The secretary, in his report, had given aggregate; but general results were wanted. In making out the report, he did not give the expenditures from the fourth of March to the first of June. Mr. C. expressed the hope that no gentleman would be resorted to preventing them from having the desired information. He spoke in no passion; but in a matter immaterially dangerous to the country and constitution, he expressed himself with force.

Mr. Woodbury said he had suggested the amendment because it opened the door for inquiry; it could be voted down if gentlemen desired.

Mr. Benton said the question was on taking up the resolution, and he certainly had the right to do that. If they desired to exclude information, they could vote it down; they had the numbers.

Mr. Clay was sure there was no senator on that side of the house any more than himself that would not cheerfully furnish any information that was requisite to the purposes of fair legislation. But if

gentlemen made calls on the departments which would have a tendency to check and embarrass them in their operations at this critical moment, could they blame them for interfering? He put it to their candor to say whether at any time there had been evinced a desire to withhold information? Gentlemen talk of their opinions of the danger to be apprehended to the country and constitution by our measures. They were entitled to their opinions; but which were to prevail, those of the majority, or those of the minority? He thought no decisive purpose could be effected by the adoption of the resolution.

Mr. Calhoun hoped the senator from New Hampshire would withdraw his amendment, and leave the simple resolution as originally drafted.

Mr. Woodbury thought he could show that the amendment could not involve the department in any unnecessary expense, and that it bore directly on the matters for which they were called to legislate at the extra session.

The motion to take up having been waived—the resolution of Mr. Clay to print 1,500 extra copies of the report of the secretary of finance, was taken up, when Mr. Woodbury rose and delivered his views at length on the report.

Mr. Evans rose to reply, but, at the suggestion of Mr. Clay, the hour being late, the senate went into the consideration of executive business, and, after some time spent therein, adjourned.

June 17. The president pro tem of the senate communicated a letter from the president of the United States, transmitting reports of the secretary of state in compliance with a resolution of the 12th instant, calling for orders sent to officers of the army, navy, &c. in relation to political interference in elections, &c.

Also, in compliance with a resolution of the same date, a copy of the instructions to the commissioners to investigate the public works in the city of Washington.

Also, a report from the secretary of the treasury, in compliance with a resolution of the 8th instant calling for the amount of treasury notes issued prior to the 4th day of March last.

The communications were severally laid on the table, and ordered to be printed.

The following memorials and petitions were presented, and appropriately referred.

By Mr. Tilden, from the town of Millersburg, Ohio, asking the enactment of a general bankrupt law.

By Mr. Merrick, from the president and directors of the Bank of Georgetown, asking an extension of time to wind up their concerns.

Resolutions of inquiry were offered by Messrs. Nicholson, Henderson, Merrick and Buchanan, which will be taken up in their progress.

The bill to revise and extend the charters of certain banks in the District of Columbia was read a second time; when Mr. Evans expressed a wish that the senator who had especial charge of the bill would let it over until to-morrow. The subject might lead to discussion, which would expend the time of the senate to the interruption of the unfinished business of yesterday.

Mr. Merrick said he would cheerfully yield to the wishes of the senator in postponing the consideration of the bill for to-morrow. He did not apprehend, however, that it would lead to any debate, as the subject had been simply discussed at a prior session. It was a matter in which the people of the District were deeply interested, and he was therefore disposed to have it acted upon as possible.

He should call up the bill to-morrow.

The senate then proceeded to the unfinished business of yesterday, viz: the motion to print an extra number of the report of the secretary of the treasury on the finances.

Mr. Evans rose and addressed the senate at great length, chiefly in answer to Mr. Woodbury's remarks of yesterday.

Mr. Felt followed; and after speaking for half an hour, gave notice of a motion to go into executive session. After which, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Wednesday, June 8. Some explanations took place between the speaker and several members in relation to certain proposed corrections of the journal, which, however, resulted in no action.

Mr. C. Brown, of Pennsylvania, rose to make an inquiry of the speaker. He (Mr. B.) saw, on looking at the papers, that the committees there announced were not the same as the committees which had yesterday been read at the clerk's table. He desired to know where the real committees would be found.

The speaker stated that it was known to the house that the chair had had only a very short time in

which to make out the list, and there had not been time to have them copied. A few of the names had thus been transposed, and in three instances the names of three gentlemen had been entirely omitted. These errors having occurred solely from the hurry in which the committees were required to be made up, the speaker presumed that it would be to the power of the chair to make the corrections. The committees would be found on the clerk's table.

[The corrections will be found in our last on page 271.]

Mr. Graham rose, in pursuance of notice given on the second day of the present session, and asked leave to introduce a bill to repeal the act of July 4, 1840, commonly known as the sub-treasury bill.

Mr. Welles objected.

The house then proceeded to vote for the election of door keeper, the speaker appointing Messrs. Warren, Clinton and Green tellers to superintend the voting.

The following gentlemen were put in nomination, on the first voting, which resulted as follows:

Whole number of voters	218
Necessary to a choice	107
Of which	
Mr. Joseph Follansbee received	112
Mr. R. C. Washington	16
Mr. John Addison	2
Mr. Jesse E. West	49
Mr. J. W. Hronough	4
Mr. A. B. Livsey	4
Mr. Cranston Laurie	13
Scattering	6

So, on the first voting, Mr. Joseph Follansbee was declared to be duly elected door-keeper of this house.

Whereupon he appeared and took the oath of office.

The next election in order, under the resolution of yesterday, being that of assistant door-keeper—

The speaker appointed Messrs. Snyder, Morris and Sallantail to act as tellers.

The following gentlemen were nominated, and the vote resulted as follows:

Whole number of voters	195
Necessary to a choice	98
Of which	
Mr. Hunter received	149
Mr. Hunt	4
Mr. Cunningham	10
Mr. Ellison A. Hopkins	4
Mr. Beck	8
Mr. Powell	7
Mr. Samuel Duncan	3
Mr. Clark	14

So Mr. Hunter, having received a majority of all the votes, was declared to be duly elected assistant door-keeper of this house. Whereupon he appeared and took the oath of office.

On motion of Mr. Morgan, by unanimous consent, it was resolved that Mr. M. McCormick be re-appointed postmaster of this house.

On motion of Mr. Wise, the house then proceeded to the election of chaplain to this house.

The speaker appointed Messrs. Cadwallader, Young and Campbell, of S. C. tellers to superintend the voting. The following gentlemen were nominated and the vote stood as follows:

Whole number of voters	189
Necessary to a choice	95
Of which Mr. French received	113
Mr. Page	6
Mr. Bristol	16
Mr. Braxton, withdrawn.	16
Mr. Bailey	16
Mr. Weldon	16
Mr. Reese	3
Scattering	12

So the rev. Mr. French, having received a majority of all the votes, was declared elected.

Mr. Sergeant then rose and offered the following resolution.

Resolved, That the house now proceed to the election of printer of this house for the 27th congress, whose compensation shall be twenty per cent less than the prices fixed by the joint resolution of 1819.

A question was raised by Mr. Clifford as to the business now in order, which was discussed for some time, by several members, when the decision of the chair was called for.

The chair decided that the first motion in order was the motion of the gentleman from Pennsylvania, (Mr. Ingersoll) and that that gentleman was entitled to the floor on that motion.

This motion was read from the journal (substantially) as a motion by Mr. Ingersoll to reconsider the vote of yesterday, adopting the amendment of Mr. J. Q. Adams to the resolution of Mr. Wise to adopt the rules of the next house of representatives, by adding to the resolution the words, excepting the 21st rule; that Mr. Everett reported to the

reception of the motion, on the ground that it was not to order.

Mr. *Eggers* then took the floor and spoke for some time, being repeatedly called to order by members, but without concluding, gave way to a motion of Mr. *Wise* that the house adjourn.

The yeas and nays were ordered, and being taken, were yeas 101, nays 82. So the house adjourned.

Thursday, June 10. The journal of yesterday being read, some conversation was had concerning an alteration of yesterday's report. After discussion the subject was dropped.

Mr. *Delinghup* then introduced a resolution providing for the appointment of a committee of three, on the part of this house, on the library of congress. Rescued, which was adopted.

Mr. *Fillmore* asked leave to offer a resolution providing that the report of the secretary of the treasury, made to this house at the present session, be committed to the committee of ways and means, except such parts thereof as related to the subject already submitted to select committee.

Mr. *Randolph* objected to more an amendment.

Mr. *Weller* objected to the introduction of the resolution.

The speaker said the resolution could not be introduced but by unanimous consent.

Mr. *Randolph* (to the committee of Mr. *Fillmore*) withdrew his proposition to amend.

Mr. *Fillmore* hoped the gentleman from Ohio [Mr. *Weller*] would withdraw his objection. The committee of ways and means had no business before them.

Mr. *Stang*. Move to suspend the rule.

Mr. *Fillmore* moved a suspension of the rule.

Mr. *Pickens* was understood to suggest that there was some business requiring the action of the committee of ways and means, and that the appropriators necessary to pay themselves. [Laughter.] He presumed there would be no objection now.

[Cries of "No, no," "that will fix it."]

The speaker here stated to the house that the applications for money had been very numerous and pressing, and that the heavy responsibilities on this subject had already been taken by the speaker. No appropriations had been made, and the chair was now checking upon a bank on his own responsibility. It was for the house to say how long this state of things should continue.

The question was then taken on the motion of Mr. *Fillmore*, and the rules were suspended. And then the resolution was adopted.

A message was received from the senate in relation to the appointment of a select committee on enrolled bills.

Concurred in, on motion of Mr. *Biggs*.

Mr. *Holmes*, of South Carolina, on leave, presented a resolution passed by citizens of Charleston, S. C. recommending an appropriation to the amount of one year's salary for general Harrison's family. On motion of Mr. *H*, the resolution was referred to the committee of the whole on the state of the union, to which had been referred the bill upon that subject. And, on motion of Mr. *Everett*, the resolution was ordered to be printed.

The speaker laid before the house a communication purporting to be testimony in the case of contested election from Virginia. On motion of Mr. *Underwood*, it was referred to the committee on elections.

Mr. *Underwood*, by unanimous consent, presented a memorial from the Patriotic Bank and the Bank of Alexandria, (the purport of which did not transpire); which were referred to the committee for the District of Columbia.

The speaker laid before the house a communication from the treasurer of the United States, transmitting an account of the receipts and expenditures for the service of the post office department for the year terminating the first of July, 1840. On motion of Mr. *Weller*, laid on the table and ordered to be printed.

Mr. *Billack* rose and said he did not wish to interrupt the business of the house, but he desired to inquire of the chair whether a day would soon be assigned for the presentation of petitions and appeals generally, or whether it would be in order for him now to present a memorial. He held in his hand a petition which was desirous to present, if he could do so in order.

The speaker was understood to say that, after the appeal business (not reconsideration) now before the house had been disposed of, petitions and memorials would be entertained.

Mr. *McKee*, by unanimous consent, presented the memorial of the chamber of commerce of the city of New York in favor of a national bank, which, on motion of Mr. *McK* was referred to the select committee on the currency.

Mr. *C. H. Williams* asked leave to introduce a resolution providing for the appointment of a select

committee, whose duty it should be to report, as early as possible, a bill for the appointment of representatives within the several states according to the census. Mr. *W*. made an explanation on the subject of his motion.

Mr. *Everett* testified constrained, he said, to object to the introduction of the resolution.

A point of order was raised from the senate in relation to the appointment of a joint committee on the library, &c. Concurred in.

The house then resumed the consideration of the motion heretofore submitted by Mr. *Eggers*, to present the vote by which the house had decided in favor of omitting the 21st rule of the last congress.

Mr. *Ingersoll* resumed his remarks, commenced yesterday, (during which he was repeatedly called to order for not confining himself to the subject), after proceeding for sometime, by permission, he concluded by expressing his deep anxiety and solicitude to put an end to the excitement prevailing in the country in relation to questions of abolitionism, and to restore it to repose, peace and tranquillity.

Indulently on Mr. *Eggers* laid resuming his seat, Mr. *J. C. Clark* rose and moved the previous question on the motion to reconsider; (there being some eight or ten gentlemen struggling for the floor).

Mr. *Tramson* moved a call of the house.

Mr. *Marshall*, of Ky. desired Mr. *C*. to yield the floor. He was understood to say that he had a request to make of the gentleman from New York; and if the gentleman declined to concede to it, he (Mr. *M.*) was understood to say he would not press the matter.

Mr. *Clark* said he would withdraw the previous question if the gentleman from Kentucky (Mr. *Marshall*) would pledge himself to renew it.

Mr. *Warren* insisted that, if there was any yielding it should be unconditional.

The speaker inquired of Mr. *Clark* whether he yielded the floor.

Mr. *Clark* replied that unless the gentleman would pledge himself to renew the demand for the previous question, (Mr. *C.*) must insist on his action.

And, after some conversation, the demand for the previous question was persisted in.

And the question was then put on the motion of Mr. *Smith*, that there be a call of the house, and was decided in the affirmative. Yeas 80, nays 43.

And a call of the house was ordered.

The clerk then called the roll, and 196 members answered to their names.

And the names of the absentees having been called over, the speaker announced that 211 members were present.

On motion of Mr. *Morgan*, by a vote of yeas 115, noes not counted, all further proceedings on the call were suspended.

Mr. *Marshall* appealed to the gentleman from N. York. (Mr. *Clark*.) to withdraw the demand for the previous question. (If the gentleman would consent to do so, he (Mr. *M.*) was willing to pledge himself to renew the motion after he should have concluded the remarks he desired to make.

Mr. *Clark* thereupon withdrew his demand for the previous question.

Some conversation ensued, involving the right of a member to make these conditional surrenders of motions submitted by him, but no action was taken on the point of order.

Mr. *Marshall* then rose and addressed the house for a space of two hours on the subject matter involving the 21st rule, and generally in reply to the remarks of Mr. *Adams*, and concluded by saying again that he (Mr. *Clark*), should, in compliance with his contract, renew the motion for the previous question, although his own impression was that it ought not to be seconded, but that, inasmuch as the debate had been fostered upon the house it was his permission to go forward.

And the question being on reconsidering the demand for the previous question, Mr. *Randolph* moved to lay the motion of reconsideration on the table.

Mr. *Briggs* asked the yeas and nays; which were ordered.

Mr. *Wise* submitted to the chair that this motion to lay on the table, if it should prevail, would not touch the second motion to reconsider, [i. e. that] submitted the other day to reconsider the final vote by which the rules of the last house were repealed, amended, and by which a committee was appointed thereon.]

The speaker said: Not at all.

The question was then taken on the motion to lay the motion of reconsideration on the table, and was decided in the negative. Yeas 77, nays 42. So the motion to reconsider was not laid on the table.

The question then recurred on seconding the demand for the previous question on the motion to reconsider.

Mr. *Stewart* asked for tellers; who were ordered; and the question was seconded, yeas 118, nays 84. The yeas and nays were ordered on the question, "Shall the union question be now put?" and, being taken, were: yeas 116, nays 100. So the main question was ordered to be now taken.

Mr. *Briggs* asked the yeas and nays on the main question which was now ordered.

And the main question, "Shall the vote be reconsidered?" was then taken, and decided in the negative; yeas 110, nays 116. So the vote was not reconsidered.

Mr. *Wise* then called up the second motion for reconsideration, to wit: the motion of Mr. *Fornace*.

"That the house reconsider the vote adopting the resolution for the appointment of a committee to report rules for the government of the house, and temporarily adopting the rules and orders of the last house."

Which motion being regularly before the house, Mr. *Wise* said he had a few words to say, and was willing either to go on now, or if it was the pleasure of the house, to yield to a motion for adjournment, and submit the question to the morrow morning.

Mr. *W*. having yielded the floor for the purpose, Mr. *Hopkins* moved that the house do now adjourn.

The yeas and nays were ordered, and, being taken, were: yeas 107, nays 97. So the house adjourned.

Friday, June 11. The first business in order was the motion of Mr. *Fornace*, "that the house reconsider the vote adopting the resolution for the appointment of a committee to report rules for the government of the house, and temporarily adopting the rules and orders of the last house."

Mr. *Wise* being entitled to the floor,

Mr. *Pendleton* asked the gentleman to give way to enable him to present a memorial from the chamber of commerce of Cincinnati; also, one from the citizens of New Richmond, Clermont county, Ohio, asking for an establishment of a national bank. But Mr. *Wise* declining to yield the floor, the memorials were not presented.

Mr. *Bolls* now arose, and said that if he understood the proposition before the house, it was a motion to reconsider the vote adopting the resolution for the appointment of a committee to report rules for the government of the house, and temporarily adopting the rules and orders of the last house. In pursuance of these rules, thirty-three standing committees had been appointed, and a sergeant at arms, doorkeeper, &c. elected. He desired to be informed whether, if the vote adopting the resolution be reconsidered, all these elections would not be thereby annulled?

Mr. *Wise* replied he was always willing to give way, but could not on the present occasion, as he was desirous that the question should be speedily disposed of by the house. He proceeded at some length in his remarks; but without concluding, suddenly he rose, and, taking his seat, at the same time, that he was very sick. He was immediately removed from the hall.

At the suggestion of Mr. *Fillmore*, the further consideration of the subject before the house was postponed until to-morrow.

Mr. *Fillmore* said, if it was in order, he would move that the house now proceed to the election of a printer.

The resolution relative to that subject, offered by Mr. *Sergeant* a few days ago, having been read, Mr. *W*. called for the yeas and nays, and the question was ordered. The chair said it was; whereupon Mr. *Alderson* appealed from his decision.

After some conversation between Messrs. *Gilmer*, *Alderson*, *Clifford*, *Everett*, *Fillmore*, *Chapman*, *Dean* and others, the question on the yeas and nays was taken, by yeas and nays, and were, yeas 145, nays 75. The decision was sustained.

The question now recurred on seconding the demand for the previous question; and it was agreed to.

The main question was ordered to be put, and the resolution was then read, as follows:

Resolved, That the house now proceed in the election of printer of this house for the twenty-seventh congressional session, on the basis of one cent per line less than the prices fixed by the joint resolution of 1819.

Mr. *Wood* moved a division of the resolution, which was agreed to; and the question being taken on the first branch thereof, it was decided in the affirmative.

The question then recurred on the second branch: whereupon Mr. *Weller* called for the yeas and nays, which were ordered, and the question was taken on the second branch of the resolution, and was decided in the affirmative.

Mr. *Watkinson* moved to reconsider the vote just given with a view, in case the motion should prevail, of then offering resolutions referring the

Mr. Hunter said the chair would doubtless recollect that it had been the practice of the house, for some time past, when motions were made to reconsider resolutions under the previous question, to consider the previous question exhausted. Hundreds of cases could be shown where propositions to amend had been received and been debated under such circumstances; and, indeed, in this very case, the gentleman from Virginia (Mr. Wise) had entered into debate.

Mr. Barnard asked the decision of the chair on his point of order.

Mr. Briggs asked that the precise question, as it stood, might be stated. As to the point of order, he concurred in the view taken by the gentleman from Virginia (Mr. Hunter).

The speaker said that the question now before the house was the original resolution of the gentleman from Virginia (Mr. Wise), adopted some days ago, after the amendment of the gentleman from Massachusetts (Mr. Adams) had been incorporated with it; (the gentleman from Virginia) having, previous to such incorporation, accepted the amendment of the gentleman from Kentucky (Mr. Underwood), proposing for the adoption, for a certain time, of the rules of the last house, and appointing a select committee to revise them.

The house now stood precisely as it did when the final vote was taken upon the resolution of the gentleman from Virginia (Mr. Wise) with the amendment of the gentleman from Massachusetts (Mr. Adams) incorporated with it. Prior to that vote having been taken, the previous question had been ordered upon the amendment of the gentleman from Massachusetts; and the operation of the previous question, that amendment had been adopted. Prior to the final vote having been taken upon the resolution, thus amended, the previous question was again demanded and ordered, and, under the operation of the previous question, this resolution had been adopted. A motion was made to reconsider, and, after a postponement, was finally acted upon yesterday, and the vote on the resolution of the gentleman from Virginia, as amended, was reconsidered, thus leaving the house precisely where it stood prior to the final vote on the adoption of the resolution as amended.

The question, therefore, recurred, what could now be done in the way of amendment or discussion?

In the opinion of the chair, nothing more could be done now than could be done then. That could not be done by indirection which could not be done directly. If so, the whole force and efficacy of the previous question, thus demanded and ordered, could be got rid of by a gentleman who had been given a reconsideration. Notwithstanding that the chair had found on examination, and well recollected, one of the decisions referred to by the gentleman from Virginia (Mr. Hunter), when a proposition for reconsideration of a question which had been decided under the previous question had been adopted, and where amendments had been offered by various gentlemen and been debated, yet (the speaker was understood to say) there had been no solemn decision on that point, no question of order raised, no appeal taken. It seemed to the chair that if there were any force or effect in the application of the previous question, it must apply now. This was the only way of preventing the house from doing indirectly that which it cannot do directly.

Mr. Wise. Do I, then, understand the chair to decide that the previous question has not been exhausted?

The speaker. Yes.

Mr. Wise appealed, he said, from the decision of the chair, on the ground that the previous question was exhausted.

Mr. Royner. And I appeal, also, to the magnanimity of this house.

[*Lord cries to "order."*]

Mr. Deuss asked the speaker to state what the question was, representing under what great a title, voice gentlemen in his part of the house labored, in being unable to hear any thing that was going on.

Mr. Wise inquired of the speaker if the appeal was debatable.

The speaker said that the question was debatable under the parliamentary law, so far as related to the propriety of the previous question. And, in answer to an inquiry—the speaker said the question now was, whether the previous question under which the resolution of the gentleman from Virginia (Mr. Wise) as amended by the resolution of the gentleman from Massachusetts (Mr. Adams), had been adopted, was or was not still in force.—The chair had decided that it was in force; and from this decision the gentleman from Virginia (Mr. Wise) had appealed.

Mr. Deuss inquired of the speaker whether it was now in order to move an amendment to the resolution of the gentleman from Virginia?

The speaker said it was not.

Mr. Wise spoke briefly to his appeal.

Mr. Proffitt demanded the previous question on the appeal. And there was a second. And the main question, by yeas 116, nays 96, was ordered to be taken.

Allett asked for the yeas and nays on the main question; which were ordered.

Yeas 145, nays 104. The yeas moved a cull of the house; which was refused.

Mr. Fillmore. May I ask that a single paragraph be read from the manual?

Mr. Mallory. No, sir, no. [Other members in various parts of the house also objected.]

Mr. Marshall asked that the question might be stated.—It was, he said, very difficult to hear what was going on in that part of the house.

The speaker again stated the question.

Mr. Morgan hoped the house would be brought to order, and that the speaker would insist on members taking their seats.

[*Lord cries to "order."*]

Mr. Wise was proceeding to state, more specifically, his appeal and the grounds thereof, when Mr. Nelson of Ohio, called him to order.

Mr. Wise demanded that the point of order be reduced to writing.

Messrs. Bolls, Mason, of Ohio, Mallory and Morgan rose successively to order.

The speaker comments the main question, "Shall the decision of the chair stand as the judgment of the house?" was taken and decided in the negative as follows: yeas 105, nays 112. So the house reversed the decision of the chair.

The question recurring on the resolution of Mr. Wise, as amended by the proposition of Mr. Adams, when Mr. Royner rose and addressed the house at considerable length.

Mr. Morgan said he did not rise for the purpose of entering into this debate. Congress had now been upwards of two weeks in session, and yet they found themselves just where they were.

Some conversation here followed, Mr. Royner still claiming the floor on the ground that, though he had concluded his speech, he had not offered to yield the floor, as at the outset of his remarks, he had announced his intention to do.

Mr. Fessenden said the gentleman expressly stated that he had closed.

Mr. Wise. He has finished his speech, but not yielded the floor.

Mr. Morgan claimed the floor and proceeded. I was saying that we had been here more than two weeks, and we find ourselves nearly where we were when the session commenced. We have done nothing. We have been assembled here under a proclamation from the president of the United States. And for what purpose? Have we come here merely to gratify our own personal feelings?

Mr. Royner again rose to assert his right to the floor. Mr. Morgan claimed it.

The speaker said the gentleman from New York (Mr. Morgan) would proceed.

After a few remarks from Mr. Morgan, in reply to Mr. Royner, a question of order, involving the right of Mr. Royner to the floor, for the purpose of offering his amendment, was here again raised, and gave rise to some conversation, in which Messrs. Royner, Morgan, Wise, Bolls, Cooper, of Pennsylvania, and W. C. Johnson participated.

Mr. Dawson thought the house was now in a position where it suggested that the gentleman from New York (Mr. Morgan) should consider the proposition of the gentleman from North Carolina (Mr. Royner) in his hands, and call the previous question upon it.

Mr. Royner inquired whether he could withdraw the motion for the previous question, to admit the resolution of the gentleman from North Carolina (Mr. Royner) and then renew the call for the previous question.

The speaker was understood to reply in the affirmative.

Mr. Cushing inquired of the speaker if the previous question was pending or not?

The speaker (addressing Mr. Morgan) said the gentleman must either say that he withdrew his demand for the previous question, or that he did not.

Mr. Morgan said that he would withdraw the previous question for the sake of offering the following resolution. It was the resolution of the gentleman from North Carolina (Mr. Royner); and he (Mr. M.) offered it for that gentleman, the house might have an opportunity of voting directly upon it.

And, he said, he would move the previous question thereon.

The following resolution of Mr. Royner was then read as a substitute for the original resolution of Mr. Wise, as amended by the proposition of Mr. Adams:

Resolved, That the standing rules and orders of the last house of representatives be adopted as the rules and orders on the demand of otherwise ordered; and that the committee heretofore appointed on the rules be ordered to revise, amend, and report upon the said rules and orders, and that they have power to report at any time; and that the election of officers heretofore chosen by this house, and the committees raised by its orders, be, and they are hereby, confirmed.

After considerable discussion on points of order, the question on the demand of otherwise ordered; the question being taken, there was a second; and the main question was ordered to be taken. The yeas and nays were demanded, and were taken, and were as follows, yeas 96, nays 105. So the amendment of Mr. Royner was rejected.

And the question recurring on the original resolution of Mr. Wise, as amended by the proposition of Mr. Adams—

Mr. Royner moved to amend the same by striking out all after the word "resolved," and inserting the following:

"That the rules and orders of the last house of representatives be adopted as the rules and orders of this house, until otherwise ordered; and that a committee of nine members be appointed by the speaker, under and under the rules, to revise, amend, and report on the same."

Mr. Wise demanded the previous question.

The yeas and nays were asked for by Mr. Allett and ordered, and being taken, were yeas 104, nays 107, so the amendment of Mr. Royner was rejected.

And the question again recurring on the original resolution of Mr. Wise as amended by the proposition of Mr. Adams, in the words following:

Resolved, That a committee of nine members be appointed to revise, amend, and report on the rules for the government of this house, and that said committee make report; and the same be finally acted upon, the rules and orders of the last house of representatives, except this 21st, shall be considered as the rules and orders of this house.

Mr. Bolls moved the previous question thereon. And there was a second.

The yeas and nays were asked for on ordering the main question, which were ordered, and, being taken, were yeas 111, nays 89.

Mr. Wise asked the yeas and nays on the main question, which were ordered.

And the main question (being on the adoption of the original resolution) was then taken, and was as follows:

YEAS—Messrs. Adams, Allen, L. W. Andrews, Sherlock, J. Andrews, Arnold, Ayer, Babcock, Baker, Bernard, Barton, Birdseye, Blair, Boardman, Borden, Bonn, Briggs, Brockway, Brown, Brown, Brown, Burnell, Calhoun, Thomas J. Campbell, Childs, Chittenden, John C. Clarke, Staley N. Clarke, Cooper, Cowen, Crissman, Craven, Cushing, John Edwards, Green, Fessenden, Fillmore, John G. Floyd, A. Lawrence Foster, Gates, Gentry, Giddings, Patrick G. Goode, Greig, Hall, William S. Hastings, Henry, Howard, Hudson, Hunt, James Linn, William W. Irwin, James J. F. Kennedy, Lane, Lawrence, Thomas J. Marshall, Sampson Mason, Mathew, Matlock, Maxwell, Maynard, Moore, Morgan, Monro, Morrow, Osborne, Selig, Parmeter, Pendleton, Pope, Powell, Ramsey, Randall, Randolph, Ridgway, Rodin, Russell, Salomon, Stein, Sergeant, Simonton, Slater, Smith, Spragg, Stanley, Stokely, Stratton, Stuart, John B. Taylor, Thomas J. Taylor, Thomas J. Taylor, Tomlinson, Trimball, Underwood, Van Rensselaer, Wallace, E. D. White, J. L. White, T. W. Williams, Christopher H. Williams, Joseph L. Williams, Winthrop, Young, Young.

NAYS—Messrs. Alford, Arrington, Atherton, Banks, Benson, Bellard, Boyd, Aaron V. Brown, Mill Brown, Chittenden, Bonner, Barker, Sampson H. Butler, Win. Butler, W. O. Butler, W. C. Caldwell, P. C. Caldwell, John Campbell, Wm. B. Campbell, Carberry, Chapman, Clifford, Clinton, Coler, Daniel, G. Davis, R. D. Davis, R. W. Davis, Wm. Davis, Dawson, Dear, Deberry, Dinwiddie, Doug, Eery, J. C. Edwards, Egbert, Fennison, Gamble, Gerry, Guirner, Grogan, William O. Goode, Gooden, Graham, Gustine, Hays, Henry, Harris, Hastings, Jay, Holmes, Hopkins, Hubbard, Hunter, Ingersoll, J. W. C. Johnson, Cave Johnson, John W. Jones, Isaac D. Jones, Keane, Kennedy, Kier, Littlefield, Lowell, A. McClellan, R. C. McLean, McRay, Mallory, Marchand, A. Marshall, J. T. Mason, M. B. Oliver, Muller, Meriwether, Miller, Newbold, Nisbet, Owens, Partridge, Payne, Pease, Pender, Peck, Royner, Redin, Rogers, Roger, Rogers, Russell, Saunders, Shaw, Sheppard, Smith, Sells, Sireen, Summers, Sumner, Taberner, Triplett, Turner, Van Burck, Van Dine, Van Dine, Van Dine, Van Dine, Weiler, Westcott, James W. Williams, Lewis Williams, West—110.

So the original resolution was rejected.

[And the house stands where it did on Monday noon of May 21st.]

On motion of Mr. *Wise*, at eight o'clock, the house adjourned.

Wednesday, June 16. Mr. *Stuart*, of Virginia, offered the following resolution:

Resolved, That all the rules and orders of the last house of representatives, not superseded by any rule or resolution adopted at the present session and now in force, be and the same are hereby adopted for the regulation of the house at the present session, and that the select committee upon the rules heretofore named, proceed to revise and amend the rules hereby adopted, and that they have leave to report at all times.

Mr. *L. H. Wilson*, of Virginia, moved to question; but withdrew it on the pledge of Mr. *Stuart* to question.

Mr. *S.* made some remarks, and closed by moving the previous question.

Mr. *Nisbet*, of Georgia, asked Mr. *Stuart* to withdraw that motion; which he did, on condition that Mr. *N.* would renew it.

So the call for the previous question was withdrawn, and Mr. *N.* proceeded to address the house, and concluded by renewing the call for the previous question.

Mr. *Rhett* rose to debate the call for the previous question. During his remarks he called on Mr. *Brown*, from Pennsylvania, to read a proposition he had prepared on this subject, which after some objections was postponed to the following day.

Resolved, That the rules and orders of the last house of representatives be adopted as the rules and orders of this house during the present session, and that instead of the 21st rule, the following be adopted, to wit:

"No petition, memorial, resolution, or other paper praying the abolition of slavery in any state, or the slave trade between the several states, or the slave trade, nor shall any petition, memorial, resolution, or other paper praying the abolition of slavery at the slave trade in the District of Columbia or any of the territories of the United States be received, unless they shall be from and signed exclusively by people resident in a district or territory where slavery or the slave trade is asked to be abolished; and as to all such petitions, memorials, resolutions, or other papers the question of reception shall be considered as raised without motion, and such question of reception shall be laid on the table without debate."

A lengthy debate now ensued, in which a number of members participated, after its termination, the demand for the previous question was sustained.

Mr. *Fillmore* moved a call of the house, which was ordered.

And the oral proceedings having been gone through, and 216 members answering to their names, all further proceedings on the call, by a vote of yeas 122, nays 67, were suspended.

And the question recurring on ordering the main question.

Mr. *Goggin* inquired of the speaker whether, if the house refused to sustain the call for the previous question, the subject would be taken from under the consideration of the house for this day.

The speaker said that, under the parliamentary laws, such would be the effect.

Mr. *Coles* asked the yeas and nays on ordering the main question, which were ordered, and being taken, were yeas 113, nays 101. So the main question was ordered to be now taken.

Mr. *Weller* asked the yeas and nays on the main question, which were ordered, and being taken, were as follows:

YEAS—Messrs. Allen, Landolf W. Andrews, S. J. Andrews, Arnold, Ayres, Babcock, Baker, Barnard, Barton, Birdseye, Blair, Boardman, Burden, Butts, Briggs, Brockway, Bronson, M. Brown, Jeremiah Brown, Burnett, Calhoun, Williams Campbell, Thomas Campbell, C. Campbell, Cass, Chalmers, John C. Clark, Steley N. Clarke, Cooper, Crane, Cranston, Craven, Cushing, Garrett Davis, William C. Dawson, Deberry, John Edwards, John W. Edwards, John W. Giddens, John A. Foster, Thomas F. Foster, Gamble, Gates, Gentry, Geddings, Guggin, Patrick G. Goode, Greig, Hoberhausen, Hall, Wm. S. Hastings, Henry, Howard, Jackson, Hunt, James Irwin, William L. Irwin, James John P. Kennedy, Lane, Lawrence, Thomas F. Marshall, Samuel Mison, Mathews, Mattocks, Maxwell, Maynard, Moore, Morgan, Morrow, Robinson, Rowley, Rendell, Ross, Ruffin, Profit, Russell, Benj. Randall, Randolph, Ridgway, Rodney, Russell, Salmonstall, Sergeant, Shepperd, Simonson, Slade, Stanley, Spring, Stanton, Stratton, Sumner, Summers, Taliaferro, J. B. Thompson, Richard W. Thompson, Tullaghast, Toland, Tomlinson, Triplett, Trumbull, Underwood, Van Rensselaer, Wallace, Warren, Washburne, Edward D. White, John W. White, Thos. W. Williams, Lewis Williams, Christopher H. Williams, Joseph L. Williams, Winthrop, Yorks, Augustus Young, Adams, Abner, Arrington, Atherton, Banks, Becon, Bidlack, Bowne, Boyd, Brewster, A. V. Brown, Charles Brown, Burke, Sampson H. Butler, William Butler, William D. Butler, John W. Caldwell, C. Caldwell, John Campbell, Cary, Chapman, Clifford, Clinton, Coles, Daniel, Richard D. Davis, John D. Dawson, Deas, Doug, Earman, John C. Edwards, Egbert, Ferris, John G. Floyd, Charles

A. Floyd, Fernon, Gerry, Gilmer, William O. Goode, Gordon, Graham, Gusine, Harris, John Hastings, Hays, Holmes, Hootch, John H. Hootch, Hootch, Ingersoll, Jack, W. G. Johnson, Cave Johnson, John W. Jones, Isaac D. Jones, Keim, Andrew Kennedy, King, Littlefield, Lowell, A. McClellan, R. McClellan, McKay, Mattory, Marchand, A. Marshall, J. T. Mason, Mathews, Medill, Merriweather, Miller, Newhard, Oliver, Parmenter, Patridge, Payne, Perkins, Plumer, Rayner, Redner, Rencher, Rheis, Riggs, Rogers, Roswell, Sanford, Saunders, Shaw, Snyder, Sells, Steenrod, Sumner, Sweeney, Turney, Van Buren, Ward, Waterman, Weller, Westbrook, J. W. Williams, Wise, Wood, Woodhouse.

So the house resolved that all the rules and orders of the last house of representatives, not superseded by any rule, or resolution adopted at the present session and now in force, be and the same are hereby adopted for the regulation of the house at the present session; and that the select committee upon the rules, heretofore raised, proceed to revise and amend the rules hereby adopted, and that they have leave to report at all times.

Mr. *Steady* rose and said that the house was now nearly organized; one more vote and the organization would be completed beyond the power of any gentleman to disturb it. To secure that object, he moved a reconsideration of the vote just taken.

Mr. *Steady* then demanded the previous question, which was seconded.

And the main question was ordered.

And the main question (being on the reconsideration) was taken, and decided in the negative without a vote.

So the vote was not reconsidered. And the house adjourned.

Thursday, June 17. The journal of yesterday being read, Mr. *Sergeant* by leave offered the following resolution:

Resolved, That from and after Saturday next the daily hour of the meeting of this house shall be 10 o'clock A. M.

Which after remarks, on the rules of order, were passed yeas 120, nays 60.

Mr. *Fillmore* then offered the following resolution, which was read for information:

Resolved, That after Saturday next, for the ensuing week, and so long, it shall be the duty of the speaker to adjourn the house at 3 o'clock P. M. unless it shall adjourn at an earlier hour.

Objection being made to the reception of the resolution, Mr. *Fillmore* said that, for the purpose of settling whether the house was willing to give the committee of ways and means proper time to transact its business, he would move a suspension of the rules.

Mr. *Lewis Williams* said the committee of ways and means might obtain the leave of the house to sit during the session of the house.

Mr. *Fillmore*. We must be in the house when the measures we report are acted on.

Mr. *Campbell*, of Tennessee, asked the yeas and nays on the motion to suspend the rule, which was ordered, and being taken, yeas 158, nays 52.

So the rules were suspended.

Mr. *Fillmore* demanded the previous question; which was seconded.

And the main question, being on the adoption of the resolution, was ordered to be now put; and, being taken, was decided in the affirmative.

So it was also resolved that, after Saturday next, for the ensuing week, and so long, it shall be the duty of the speaker to adjourn this house at three o'clock P. M. unless it shall adjourn at an earlier hour.

Mr. *Watson* offered to present a preamble and resolutions, which, after quoting, at great length, certain speeches reported to have been delivered by Mr. Webster, Mr. Clay and Mr. Crittenden, he made a call on the departments as to the names of persons removed since the present administration and into power, and the reasons for such removal.

Which being read, and objection made, Mr. *W.* moved a suspension of the rules, which motion was, after debate decided in the negative, yeas 57, nays 150.

Mr. *W.* then on leave introduced the following resolution:

Resolved, That a committee of five members of this house be appointed, whose duty it shall be to examine particularly as to the number of officers or agents employed, the expenditures and mode of transacting business in the several departments of the public service at the seat of government, and at such other points as the committee may deem necessary, or may be indicated by the members of the house, and that such committee report at the next session whether it is proper to make any reduction of the expenses of the civil list, or to the number of agents, or to the number of officers, or to the number of the patronage of the executive branch of the government may not be diminished or regulated as to those appointments for which there is an indispensible necessity.

Mr. *C. Brown*, of Pa. moved to amend the resolution by providing "that the committee shall have authority to sit during the recess of congress;" the amendment was rejected and the resolution agreed to.

Mr. *J. C. Clark* asked leave to offer the following resolution, which was read for information:

Resolved, That hereafter all articles of stationery and other supplies usually furnished by the clerk for the use of the members of the house shall be purchased by contract, to be made with the lowest bidder, having reference to the quality of the specimens of the articles to be exhibited. And for such purpose the clerk advertise in three of the newspapers printed in the city of Washington, one in Boston, one in New York, one in Baltimore, and one in Philadelphia, inviting sealed proposals for furnishing such stationery and supplies, giving sixty days' notice that on a specified day all the proposals would be considered, and the specimens furnished estimated; and that on such day the proposals shall be opened in the presence of the speaker and clerk of the house, or in the absence of the speaker, in the presence of the secretary of the treasury and clerk, who shall determine to which of the bidders the contracts shall be given, always contracting with the lowest bidder, having reference to quality as aforesaid. *Provided*, That the contractor shall give bond, with sufficient sureties to determine to which of the bidders he shall fulfill his contracts and to furnish the articles equal in quality to the specimens.

Mr. *Bowen*, of New York, moved to amend by inserting "and providing that said committee be instructed to inquire and report to the house the amount of stationery used, and by whom owned," in the recess between the two sessions of the 26th congress."

After some remarks from Messrs. *Pickens*, *Alford* and *Clark*, Mr. *Truman Smith* proposed the following proposition; which, on his suggestion, Mr. *J. C. Clark* adopted, as a modification of his own.

Resolved, That a select committee of five be appointed to inquire into the contingent expenses of this house, and into any corrupt, illegal or improper practice which may have existed or which do exist in this branch of the public service, and to ascertain whether the expenditures, or some part of them, have not been wasteful and extravagant; and whether the same can be reduced consistently with a proper discharge by this house of its constitutional duties; and whether the method of determining the public good requires; and whether the salaries or pay of such clerks and other persons should be reduced or otherwise altered or modified; and have authority to report by bill or otherwise, as they may see fit.

Some further remarks were made by Messrs. *Briggs*, *Sergeant*, *Cooper*, of Penn. *Underwood*, *Taliaferro* and *Hopkins*.

Mr. *C.* then suggested a modification of the resolution which called upon the heads of the departments to report the number of clerks in their departments, the amount of compensation, &c. but the modification was not accepted.

On motion of Mr. *Adams*, the house resolved to sell into committee of the whole on the state of the union, (Mr. *Taliaferro*, of Va. in the chair), on the bill for the relief of the widow of the late William Henry Harrison; which was read, as follows:

A bill for the relief of the widow of the late William Harrison, late president of the United States.

It enacted by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury pay out of any money in the treasury not otherwise appropriated, to Mrs. *William Henry Harrison*, late president of the United States, in the event of her death before payment, then to the legal representatives of the said William Henry Harrison, the sum of \$50,000.

Mr. *Adams* moved to lay the blank upon the table, and proceeded to address the house in support of the bill. The subject was further discussed, by Messrs. *Cooper*, of Pa. *Ward*, *Lane*, J. C. *White*, *Briggs*, and Messrs. *Snyder*, *Doro* and *Fugate*, against it. Mr. *Gilmer* remarked it was now a late hour, and there were a number of gentlemen who desired to obtain further information on the subject, and he himself was in that situation. He wished information as to matters of fact. He wished to inform the committee rise and report progress, and ask leave to sit again.

Mr. *Buttard* said that if the motion was to rise and report progress, and obtain leave to sit again, he should oppose it, because he desired to submit a few remarks.

And the question being taken on the motion of Mr. *Gilmer*, it prevailed. And the committee rose, reported progress, and obtained leave to sit again. And then the house adjourned.

NILES' NATIONAL REGISTER.

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BALTIMORE, JULY 10, 1841.

[VOL. LX.—WHOLE No. 1,354.]

THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN AFFAIRS.

By the steamer Britannia, Cleland, which arrived at Boston in thirteen and a half days from Liverpool, via Halifax, we have Liverpool dates to the 19th June.

The Britannia brought 67 passengers of whom 18 were left at Halifax, and 10 received there for Boston.

Nothing had been heard of the steamer Prædèut.

GREAT BRITAIN.

The ministers had sustained repeated defeats in parliament. Sir Robert Peel's motion for a censure of the ministry was brought forward in the house of commons on the 6th of June, and passed by a majority of one.

For the motion, 312
Against it, 311
By this vote, the house have declared that the present ministers of the crown do not possess the confidence of parliament, and that their continuance in office is at variance with the spirit of the constitution. The announcement of this vote excited, of course, great cheering from the opposition members. Lord John Russell, the ministerial leader, then rose, and stated that he should deliberate till Monday following, (this on Saturday evening), as to what course he should pursue for the vindication of the ministry.

On Monday he announced to the house his intention of advising the queen to dissolve parliament. Sir Robert Peel, who was prepared to follow up his attack by opposing the supplies, stated that, in consequence of this measure, he should defer his attempt. Subsequently, the strength of parties was tried again on the criminal law question, and the ministry were beaten by a majority of ten.

It was expected that parliament would be prorogued on the 23d or 24th ultimo.

Active preparations were in progress for the election. Lord J. Russell was to stand for the city of London. Parliament continued to sit, but was to be dissolved in a few days, by commission. The ministry were confident of adding much to their strength at the new election.

The English journals are so engrossed in their own affairs, that they have nothing to say of Mexico, or of American politics in general.

The steamer Calcedonia, from Boston, arrived at Liverpool on the 14th, making the passage in twelve days and fourteen hours.

A contract has been concluded with Mr. Green, the ship owner, for tonnage for the conveyance of 1,000 troops which the government are about to send to China. Three vessels have been taken up for this service, at a charge to the public of £10,000.

From China nothing new.

The London money market was quiet. Consols for the account are at 89 to 91. Three per cent. redeemed, do. India bonds par. An American loan of seventy-five millions of dollars has been taken by the Rothschilds, at 103 for a five per cent. stock. Stock markets on the continent have varied little.

The venerable earl of Fortescue died at Castle Hill, South Molton, Devon, on the 16th ult. after an illness of two weeks.

Mr. Fox Maule is to be appointed vice president of the board of trade, in the room of Mr. Shell, who goes out as governor of Bombay.

VOL. X.—No. 19.

Among the most important of the commercial failures, are that of Corkum & Co. of London—a house extensively engaged in the East India trade, and the extensive commercial house of Grant & Co. in Glasgow. Their liabilities are said to amount to £180,000, and it is feared the effect will be ruinous to other houses.

Harvest Crops. The hay harvest appears to be generally abundant—and the grain crops in general appear to wear a promising aspect—although great deprivations have been committed by the wire worm.

The cotton market at Liverpool had improved, but not much. The state of trade in the manufacturing districts was such as not to create much hope of any steady advance. The tobacco market is dull. Penny stocks 5 per cent. stocks sell at 72 to 74; Ohio sixes, 87½ to 89; New York fives, 81; Maryland fives, 73 to 75; U. S. bank shares £4.

Correspondence of the N. Y. Courier and Enquirer.

Liverpool, 16th June, 1841.
Since we wrote you per Columbia, our cotton market has remained in a very inanimate state until this week, when there has been rather more doing, but inasmuch as your advices lead us to believe that your present crop will be rather over than under 1,600,000 and the accounts from the Mississippi bring so far favorable to a large produce from that which is now pointed in that section of the country, and a considerable quantity coming from British India, with a very heavy stock of all kinds here, the market is freely met a decline of fully 4d. per pound, chiefly, however, in the inferior and middling qualities. Unless we have a great change in our manufacturing districts, we do not see from present appearances much hope of an abundant, and a crop such as you had last year would make prices very low. Although we do not at present see our way to any advance, yet we hope when the pending elections are over there will be some reasonings done, and keep prices from receding further, and that cottons can be disposed of without giving way to the purchasers sale after sale. The sales for the week ending the 4th instant, they were 12,000 bales for that ended 11th instant, they were 19,800 bales—and for the present week they are estimated to 23,100 bales, of which 5,500 were Upland at 57½; 12,430 Orleans at 51½; 4,450 Alabama and Mobile at 57, and 70 Sea Island at 12 a 17½d. per pound, and the business has been chiefly by the consumers. The stock in this port is now estimated at 519,000 bales of which 410,000 bales are American, against 376,000 bales at this period last year of which 320,000 were American.

The weather has been cold and dry for the past fortnight, and our harvest will not be so early as was at one time expected, the corn markets are consequently rather higher, and bond wheat selling at 52s 6d. 8½s. per bush. Should a change of the weather take place, we have no doubt that some aid might be derived for the benefit of our commercial relations will be adopted, particularly in regard to the duty on grain, on which all parties seem to be of opinion some modification is necessary. The wheat is again lower, a parcel of 500 bushels having been sold at 10s. 10d. 10½, 11d. per cwt. and for 1,500 bbls. of very good quality 10s. 10d. being the highest offer; it was withdrawn and is going into store. The tobacco market is very dull.

American stocks in London—June 18, 1841.		
Pennsylvania	5 per cents	72 7/4
Tennessee	6 do.	79 3/4
New York	6 do.	87 3/4
Indiana	5 do.	81
Illinois	5 do.	65-67 nom.
Maryland	5 do.	73 3/4
U. S. bank shares		£4

FRANCE.

From France there is little news of moment.—Marshal Stoll retired from the ministry, on being opposed in a measure relating to the recruiting of soldiers, but came back again on being told he might have his way.

Some of the Paris papers state positively that a treaty has been agreed upon by the last great powers, for the partition of the Ottoman empire, and adds that Great Britain was to have Egypt; Russia, Constantinople; Austria, the provinces bordering

the Danube; and Prussia was to be aggrandized by the acquisition of Saxony, a part of Poland, and Hanover. It states, likewise, that another part of the arrangement declared that France would not be disturbed in her African possessions. This report of course obtained no credit in England.

An Englishman in London, who had been arrested with "an infernal machine" in his possession, which had fifteen barrels so constructed that all would go off at once.

The French are making progress in Africa—Their troops are generally successful against the Arabs.

A letter from Naples announces that the house of Rothschilds has made a loan of 3,000,000 of ducats to that government. The Messrs. Rothschilds, it is also stated, have just loaned the Neapolitan government 75,000,000 florins, about 36,000,000 dollars! This is a five per cent. loan at 103. The French government also want a great loan. All the governments, it seems, are borrowing, now-a-days, as well as our own.

Haver, June 14th, 1841.

The cotton market remained in about the same position as before. The sales affected that day amounted to 1,064 bales, viz: 670 bales Louisiana at 85½; 96½; 761 Mobile at 77½; 86½; 417 Georgia at 74½; to 92½; and 120 Florida at 75½. In coffee nothing worth mentioning was done. The transactions in colonial sugar were composed of 200 loads, at the rate of 56½ for good middling. In all other articles, save two classes, Bengal indigo, at 9, 9½; and 25,000 kilograms while oil, sold on delivery, at 35½, nothing occurred.

SPAIN.

A telegraphic despatch from Perpignan, dated the 11th June mentions that on the 7th a disturbance, which threatened to be very serious, took place at Barcelona. It appears that 400 weavers of that town endeavored to obtain possession of some confiscated goods advertised for auction, and the authorities, being unable to restrain them, put down the goods, and gave them to the workmen to be burnt in front of the town hall, which the workmen caused to be illuminated.

Advices from Madrid to the 10th of June, state, that the *Don Diego* was solemnized with great pomp in that capital. The procession was headed by Episcopate, who took the place of the king of Spain. The young queen was among the spectators at the hotel de Ville, where her majesty was attended by all the distinguished members of her household.—Not the slightest interruption of public tranquility took place.

PORTUGAL.

Advices from Lisbon to the 7th of June state that the ministerial crisis was not yet over. The queen had addressed congratulatory letters to the patriarch of Lisbon, the archbishop of Braga, and other prelates announcing her recognition by the pope, and in consequence declaring that a road was opened for the withdrawal of the excommunicated king from the two courts. It was supposed that the proceeding of the court of Rome would prove the forerunner of the recognition of the queen of Portugal by Austria and other powers.

TRACY.

There seems to be no tranquility for Turkey—her difficulties seem to increase. The young sultan's health is rapidly declining, notwithstanding he has for some time past been residing at the "valley of the sweet water."

THE EAST.

Affairs in the Levant present nothing of particular interest.

The French have taken the town of Mascara in Algeria, and are fortifying it.

In the memory of man, a more abundant crop of all kinds of grains was never seen in Egypt than that of the present year. The government calculates on being able to dispose of nearly 2,000,000 ardebs of corn. The cotton crop would also considerably exceed that of 1840, which amounted to 140,000 quintals.

The Augsburg Gazette published advices from Alexandria to the effect that the sultan of Mecca has taken up arms against the sultan, and driven the Turkish garrison out of the holy city. The news, coming, as it does, upon the heels of the accounts of the insurrections in Candia and Bulgaria, bodes much mischief.

The latest advices from Candia, to the 15th of May, state that the insurrection has not been suppressed, the number of insurgents increases daily, and they resolved to let things come to extremities. Many of the principal families, have already left the island for Syria and other parts of Greece. It was rumored that Tahir pasha had landed there, with 8,000 men, and a strong party of artillery, determining to reduce the rebels to subordination. Letters from the Turkish frontier, of the 3d ult. state that the Greek patriarch at Constantinople, was dissuaded by the pasha for privately encouraging the rebellion in Bulgaria.

NATIONAL AFFAIRS.

THE NATIONAL ANNIVERSARY. THE FOURTH OF JULY falling this year upon the Sabbath day, afforded a kind of double anniversary. Such observances as were not inconsistent with the sanctity of the Christian Sabbath, including certain temperance and Sabbath school movements, in many places occupied communities a part of the FOURTH. A missionary party was moving throughout the land—and the pulpit and the rostrum lent their whole voice aid to the commemoration of a grateful people. But the more distinct celebration of the national birth day was postponed to Monday, the 5th inst. That beautiful morning was ushered in by the sound of artillery, reverberating from one extremity of the union to the other—as the "stripes and stars" were gaily run up to mast head, or fluttered in the breeze from thousands of spires that here and there taper toward the sky. Business was suspended, and the people devoted themselves to enjoyment in whatever direction their fancy indicated. Country people crowded to the towns—and the towns people to the country. Public, military, and civic processions—social meetings—excursions and parties of pleasure—all had their attractions. It was a NATIONAL HOLIDAY, in the holidays of which it is most gratifying to record the fact, that temperance was a distinct ingredient. The influence of reformation was manifest in every direction from which we have yet received accounts. A rational people were rendering homage to the enjoyment of LIBERTY—as regulated by THEIR OWN GOOD GOVERNMENT—"under their own vine and their own fig tree, none daring to make them afraid."

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.

Brigadier General Winfield Scott, major general by brevet, to be major general June 25, vice major general Alexander Macomb, deceased.

Elisha M. Huntington, commissioner of the general land office of the United States.

Philip R. Fendall, attorney of the United States for the District of Columbia.

Postmasters. Solomon Van Rensselaer, Albany, N. Y.; James Rice, Geneva, N. Y.; William Stearns, Newark, N. J.; Joseph M. Moore, Indiana, Ind.; Samuel H. Jenks, Nantucket, Mass.; Asher Robbins, Newport, R. I.; Wm. H. Harrison Taylor, Cincinnati, Ohio; Benjamin W. Gause, Tallahassee, Fla.; John G. Miller, Columbus, Ohio; Jonas M. Wherry, Cambridge, N. Y.; George Wm. Gordon, Boston, Mass.; James W. Coburn, Mayville, Ky.; Keelard Tynor, Mead, Ga.; Sylvanus R. Lyman, Portland, Me.; George Hill, Brooklyn, N. Y.; Thomas Finley, Baltimore, Md.; David Agnew, Wheeling, Va.; Jacob Alricks, Wilmington, Del.; Charles Tixell, Reading, Pa.; Charles Martin, Chillicothe, Ohio; Caleb Foote, Salem, Mass.; Henry B. Stacey, Burlington, Vt.; William Collins, Steubenville, Ohio; Adley H. Gladwin, Columbus, S. C.; John Watt, Washington, V. S.; James H. Torrey, New London, Ct.; Samuel Gookin, Portsmouth, N. H.

PERUVIAN DECREE. Department of state, July 7, 1841. A decree, of which the following is a translation, has been issued by the government of Peru, taking effect from and after the 1st of February of this present year.

"All vessels, whether national or foreign, coming from a foreign country, are absolutely prohibited from touching at any of the minor ports or coasts of the republic, under pain of a fine of one thousand dollars, payable by the captain in favor of the sufferer, for which the vessel is liable, whether belonging to the captain or to others. If, moreover, it be proved that any person, or goods, or letters, have

been landed from the vessel at any port at which she may have thus touched contrary to the law, the vessel shall be confiscated, and the captain will, in addition, become liable to a criminal prosecution."

It is important that this regulation should be made known to our vessels, particularly to those employed in whaling, which have been in the habit of touching at many of the minor ports and coasts, (including all places on the coast which are not regular ports of entry, for the purpose of obtaining refreshments. Revenue cutters have been fitted out at Callao for the enforcement of the decree.

TREASURY NOTES. Treasury department, July 3, 1841. Amount of treasury notes issued under the provisions of the acts of congress of 1837, 1838, 1839 and 1840, \$26,617,327 53

Redeemed of those issues \$2,916,402 40

Leaving outstanding \$23,696,925 13

Issued under the act of February, 1841, viz:

From March 4, 673,681 32

Since March 4, 4,019,349 70

Redeemed of that issue 1,753,021 02

Leaving outstanding 144,368 48

Making the aggregate outstanding on the 1st instant \$24,840,653 13

T. EWING, secretary of the treasury.

INDIAN DEPARTMENT AND FLORIDA WAR.

Hon. Thomas Ewing, secretary U. S. treasury:

The undersigned takes the liberty of presenting to you a view of a condensed statement of the expenditures of the Indian department and Florida war—with a recapitulation; showing distinctly how much each department cost yearly for the last 5 years.

1836. Florida war \$3,846,443

Indian department 1,962,067

\$5,808,510

1837. Florida war 4,394,693

Indian department 3,326,053

\$7,720,746

1838. Florida war 5,124,356

Indian department 2,392,500

\$7,516,856

1839. Florida war 1,204,357

Indian department 2,078,083

\$3,282,440

1840. Florida war 994,745

Indian department 1,332,064

\$2,326,809

In all \$26,744,381

Recapitulation.

Florida war. Indian department.

1826. \$3,846,443 \$1,962,067

1837. 4,393,693 3,326,053

1838. 5,124,356 2,392,500

1839. 1,204,357 2,078,083

1840. 994,745 1,332,064

\$15,665,394 \$11,880,787—\$26,744,381

This statement is taken from your predecessor's reports—by comparing, you will perceive it cost labor, time and patience—in consequence of the different departments not being added and the cost carried out by the ear—distinctly out, the reader could see at a glance all he wished to see. Therefore it is to be hoped the error or design will be corrected. See Niles' Register, 11th, April, 1840.

Yours very respectfully, W. McNIGHT.

Pennsylvania, July, 1841.

ment, checks on banks, marked payable in specie—as all the checks on specie paying banks are—the same system will, the collector gives notice, be continued.

AMERICAN WOOL PRODUCT. The New York Tribune justly remarks that to those who have paid the subject but little attention the amount of money invested in the production of wool within the United States will seem surprising. It is very generally believed that this is quite a secondary branch of our general interest instead of one of the most fruitful sources of our wealth, and best deserving the cherishing protection of our government. As shown by the returns of the late census, we have in this country, exclusive of North Carolina, Netherland and Kentucky, 19,058,969 sheep, and taking ten dollars as the average value of land necessary to sustain a sheep and make a fair allowance for the price of the animals themselves, for the labor necessary for their proper superintendence, with that required to prepare their product for its first market, which are as much part of the investment as the land which sustains them, the aggregate amount of capital invested in this branch of industry will be at least two hundred millions of dollars. This is certainly an immense sum, and well deserves the attention of the general government.

At present England supplies us annually with some ten millions worth of broadcloths, and after all chooses to import her wool from the continent to the entire exclusion of our own. In 1839 her entire import of this article was 59,000,000 pounds, and while we had some 40,000,000 pounds of wool remaining at home, nearly two-fifths of the whole woolen manufacturers of Great Britain came to the United States. And yet we have only about \$15,000,000 invested in woolen manufactures. Of the aggregate amount of wool grown in the United States in 1839, New York produced 4,012,144 pounds; Ohio 3,650,970; Vermont 3,257,695, which, in proportion to her population, is much the largest amount grown in any state; Pennsylvania 3,076,758; Virginia 2,672,044; Maine 1,465,551; New Hampshire 1,260,958; Indiana 1,202,300; Massachusetts 1,055,591; Tennessee 1,029,526; and the other states various amounts between the 893,675 pounds of Connecticut and the 45,324 of Louisiana.

INTERESTING REMINISCENCES. The Courier states that Samuel Gouverneur, esq., is engaged upon a biography of president Monroe. Mr. Gouverneur being the son-in-law of Mr. Monroe, and having had bequeathed to him all the papers of that illustrious statesman, will be enabled to accomplish his undertaking with singular advantage. The following will be one of the interesting passages:

When Mr. Monroe was minister from the United States at Paris, and when Gen. La Fayette was confined in the prison at Olmutz, by the emperor of Austria, information was brought him, that madame La Fayette, the general's wife, was thrown into prison, and no doubt in a few days would follow the fate of her mother and grandmother at the guillotine. Mr. Monroe could save her, and as Paris was then in the hands of the mob it could only be accomplished by arousing the sympathies of the people. The destruction of life had been such in every state of society where-querelance was perceptible, that to avoid certain death, all luxuries and splendor were laid aside; and the wealthy, instead of riding in their equipages, either walked, or rode in the miserable vehicles of the city.

It therefore created a great sensation when the splendid equipage of the American minister's carriage appeared at the gate of the prison, and his lady informed the keeper that she had come to see the wife of gen. La Fayette. Such a call at such a time was like electricity. The news spread in all directions, and before Mrs. Monroe drove from the prison, thousands had collected around her carriage, and the feelings elicited by the meeting of two such females in such a situation, aroused the axe at the executioner, and eventually set the captive free.

The feelings of colonel Monroe cannot be related during the absence of his wife. He could not accompany her, as that would have counteracted the feeling he knew must be awakened to save the prisoner. When madame La Fayette met Mrs. Mon-

no who was in a state of perfect phrensy, supposing that she was led out to execution, and when she found herself embraced by the lady of the American minister, within the walls of that gloomy prison, where but a few days previously had been led forth to execution, her mother and grandmother, it was for a long time before she could realize her situation. Mrs. Monroe assured her she should be saved, and that her husband had determined to risk all if it became necessary, to accomplish her deliverance.

THE ARMY.

War department—general orders.

Adj. gen's. office, Washington, June 29th, 1841.
The following order of the secretary of war announces to the army the melancholy intelligence of the exit of the distinguished ALEXANDER MACOMBS, the late major general commanding in chief. The honors conferred on him by president MANROSS, received on the field of victory, for "distinguished and gallant conduct in defeating the enemy at Plattsmouth"—and the thanks of congress bestowed with a medal commemorative of this triumph of the arms of the republic, attest the high estimate of his gallantry and meritorious services in time of war. And his advancement since the peace, to the highest military rank known to the laws, confirms his good opinions and esteem as an officer and a man, in which the lamented general has ever been held by his fellow citizens, the government, and the army:

"Department of war, June 26, 1841.

"The secretary of war, in the discharge of a painful duty, announces to the army, the death of major general ALEXANDER MACOMBS, their late general-in-chief.

It were but small tribute to his memory in say, that in youth and manhood he served his country in the profession in which he died, during a period of more than forty years, without stain or blemish upon his escutcheon. The spotless purity of his life was not less conspicuous than his patriotism and devotion to the service. Though bred a soldier, and always an advocate of a proper degree of rigor in maintaining the discipline of the army, his heart was still open to all the benevolent sensibilities of his nature; nor was his orders and government below his personal deserts. Entering the army in youth, as a cornet, he passed honorably through every grade of command to the highest attainable in his profession. In the progress of his long career, besides the various occasions of military service, which called forth the exercise of his active talents as an officer, the late war with Great Britain afforded him an opportunity of signaling his skill and gallantry in a more eminent degree, and he availed himself of it, in a manner which entitles him to be enrolled high in the list of that distinguished and heroic band of commanders, by land and sea, who have achieved so much for the honor and glory of their country. A grateful people, speaking through their constituted authorities, were prompt to acknowledge their lively sense of the value and importance of his services, while living; nor will they fail to manifest correspondent feelings of sorrow and regret upon the occasion of his death. The army will cherish with peculiar interest the excellent traits of his character as a man, while the example of his military fortune will encourage them to emulate his active perseverance, devotion and gallantry as an officer.

"As an appropriate testimony of respect and honor for the memory of their late general in chief, the officers of the army will wear the usual badge of mourning, for six months, on the left arm and hilt of the sword. Guns will be fired at each military post at intervals of thirty minutes, from sunrise until sun set on the day succeeding the receipt of this order, during which time the national flag will be suspended at half staff. JOHN BELL."

The military honors directed by the president to be paid to the memory of the late major general ALEXANDER MACOMBS, will be duly observed, and the troops at the several stations will be paraded at 10 o'clock, when this order will be read, after which all labors for the day will cease. By order:

R. JONES, adj. gen.

Official arrangements at Washington, for the funeral solemnities and interment of the late ALEXANDER MACOMBS, major general of the army, commanding in chief, who died at his residence at the seat of government on Friday the 25th of June, 1841.

Adj. gen's. office, Washington, June 26, 1841.

Agreeably to instructions from the department of war, the following arrangements will be formed in honor of the lamented major general MACOMBS have been made.

ORDER OF THE PROFESSION.

Funeral escort in column of march.

Battalion of infantry.

Battalion of marines.

Squadron of cavalry.

Troop of light artillery.

Commander of the escort and staff.

The clergy of the District and surgeon general of the army.

Pall-bearers. Colonel Cross, Colonel Abernethy, Colonel Abernethy, General Gibson, Com. Wadsworth, Mr. W. C. Dawson, house of repr.	Pall-bearers. Colonel Totter, Colonel Walbach, General Totten, General Wool, Com. Warrington, Mr. Preston, of the senate.
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The relations of the deceased.
The general staff of the army.
Officers of the army.
Officers of the navy and marine corps.
Officers of the militia.
The president of the U. States and secretary of war.

The heads of departments.
The chief justice and associate justices of the supreme court, and district judges of the U. States.
The president and secretary of the senate.
The senators and representatives in congress.
Foreign ministers and suites.
United States and Mexican commissioners for the adjustment of claims under the convention with Mexico.

Members of the house of representatives and officers.
Governors of states and territories and members of the state legislatures.
Judges of the circuit and criminal courts of the District of Columbia and members of the bar and officers of the courts.
The comptrollers of the treasury, auditors, treasurer, register, solicitor and commissioners of land office, patents, pensions, Indian affairs and public buildings.
The marshal of the District of Columbia.
The mayor and corporate authorities of Washington, Georgetown and Alexandria.

Officers and soldiers of the revolution.
The clerks, &c. of the several departments, preceded by their chief clerks and all other civil officers of the government.
The societies and fraternities that may join the procession.
Citizens and strangers.

The troops designated to form the escort will be commanded by major general JESSE (unless a senior officer should arrive), and they will assemble in front of the mansion of the late general-in-chief at 9 o'clock on Monday, the 29th of June, from which the procession will move precisely at 10 1/2 o'clock.

The usual badge of mourning will be worn on the left arm, and on the hilt of the sword.

The adjutant general of the army is charged with the arrangements of the day, and will be aided by the assistants adjutant general on duty near the head quarters of the army. By order:

L. THOMAS, assist' adj't gen.

Adj. gen's. office, Washington, July 5, 1841.
Brevet major general WINFIELD SCOTT having been appointed by the president, by and with the advice and consent of the senate, the major general of the army of the United States, he is directed to assume the command and enter upon his duties accordingly.

By command of the president of the U. States:
R. JONES, adj. gen. of the army.

Headquarters of the army, Washington, July 5, 1841.
General orders, No. 37.

Conformably to the order of the president of the United States in the case, major general Scott assumes the command of the army.
His aide de camp are first lieutenant B. R. Allen, 4th infantry, and first lieutenant E. D. Keyes, 2d artillery. Until a successor in his late commission be appointed, the reports, returns and applications made to the head quarters of the adjutant division will be addressed to the assistant adjutant general, at Elizabethtown, New Jersey, whence they will be forwarded to general headquarters, Washington, for consideration. WINFIELD SCOTT.

By command of the president of the U. States:
R. JONES, adjutant general.

Medical staff. The following persons, candidates for the appointment of assistant surgeon in the army, were examined and approved by the medical board that was convened in Philadelphia, May 25th, viz.

1. Charles E. Isaacs, of Mississippi.
2. Richard H. Coudage, of New York.

3. Robert S. Holmes, of Pennsylvania.
 4. Charles W. Stearns, of Massachusetts.
 5. William Lewis, of Maryland.
 6. Dabney Herndon, of Virginia.
- By the same board, the following assistant surgeons were examined for promotion and were generally approved, viz. Alexander F. Suler, Charles M. Hitchcock, William Maffitt.

THE NAVY.

Regulations. The secretary of the navy has issued some orders with regard to the navy uniform, with the intent of correcting an evil which has been much observed, the want of regularity in the navy dress. The following abstract of these orders is from the Philadelphia North American.

No embroidery will hereafter be worn by captains or commanders in the navy, and in several of the other grades changes are made in the dress. The same button is prescribed for all officers, and none other than blue or white pantaloons or vests are permitted to be worn by any officer in the navy. When uniform is worn it must be the entire full dress or the entire undress, and uniform is ordered to be worn by all officers attached to vessels, navy yards, stations, the recruiting service hospitals. Strict obedience to these orders is enjoined. The hair of all persons in the navy is to be kept short, no part of the beard is to be worn long except whiskers, which shall not descend more than one inch below the top of the ear, and then in a line toward the mouth.

A want of conformity in the dress of officers of the navy has often been perceived and complained of, notwithstanding the uniform has been prescribed by the board of navy regulations. It is to be put on in the same manner as it is now by the honorable Mr. Baileys; but we hope to see this regulation strictly enforced and to doubt not that the commandants of vessels of war, navy yards, &c. &c. will take care that all orders emanating from the navy department, be rigidly obeyed by those under their command.

List of midshipmen, in the order of rank assigned them by the board of examining, which convened at the naval asylum, at Philadelphia on the 14th inst.

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| 1. Joseph N. Barney. | 12. Joshua D. Todd. |
| 2. Alexander Murray. | 13. Wm. M. Caldwell. |
| 3. Louis McLane. | 14. Wilmer Shields. |
| 4. Edgar M. Donnell. | 15. Charles D. Manning. |
| 5. C. Chase Barry. | 16. Isaac S. K. You. |
| 6. R. F. B. Hunter. | 17. St. D. Lavalite. |
| 7. George H. Preble. | 18. James S. Rigley. |
| 8. Thomas B. Huger. | 19. John Kuitledge. |
| 9. Robert A. Rivell. | 20. John A. Adams. |
| 10. M. C. Perry. | 21. Charles Deas. |
| 11. C. S. McDonough. | 22. Robt. M. Bowland. |

[Nat. Intelligence.]
From the Pacific. The following interesting information regarding the capture of the United States in the Pacific is contained in a letter dated on board the United States frigate Constitution, at Talcahuana, in Chili, March 5th, 1841:

"The squadron is so limited that I have not a doubt the commodore finds it a very perplexing task to give that protection to our commerce in the vast ocean, and on the extensive coasts of Chili, Peru and Mexico, that it requires, and is entitled to.—It seems to me that, unless the squadron is increased to a frigate and three or four sloops, it will be quite impossible to detach a ship from the coast of Chili and Peru to visit the Islands, and the west coast of Mexico and the north west coast of America once in twelve months. The very small naval force we now have in the Pacific (two ships and one schooner) is by no means in proportion to our commerce, which, point of view, is far ahead of Old England or France! We have about 500 whale ships employed in this ocean, whose tonnage is probably over 150,000, employing 12,000 seamen. This income to our country is fit out of war, of domestic products, which, in all probability, cost over a million of dollars; and this is left with our people, and the fruits of the ocean, after great labor, are taken home to them also. In addition to the whale ships, there are about fifty vessels from various ports of the United States, trading to the Pacific, in other branches of commerce. This is but a bird's-eye view of our great and growing interests in the Pacific. Does it not seem to merit the watchful care of the government, and an increased naval force?

"This place is a great rendezvous for whale ships—twenty-three American whale ships have been seen here at one time! We have seen ten American flags flying here at one time! The bay is a beautiful one. The anchorage is good and is protected from the violence of the high and heavy trade winds, which blow on the coast of Chili in the winter months, by an island lying immediately at the

entrance, as the bay opens from the north, and the heavy gales are from the north. Nature seems to have placed this barrier to the sea. The climate is good—wood, water and provisions can be had here in great abundance. The people are kind and hospitable. Talcahuana is but a small town, being the seaport of the city of "Concepcion," which is distant eight miles inland. This ill-fated city was about half laid in ruins in 1835, by an earthquake. The population then was ten or twelve thousand; it is now said to be but five or six thousand. The terror of the earthquake of 1835 has not left the people yet, and many have removed from the city." The *Fleischer*, from Sumatra, touched at St. Helena 9th ult. and there learnt that the frigate *Constitution*, and one or two other United States men-of-war were at Table Bay, said to be waiting for new rigging. No date is mentioned.

The *Fleischer* reports that the Malays on the coast of Sumatra were quiet, owing probably in part to the presence of a French man-of-war.

U. S. sloop-of-war *Marion* was off the harbor of Pernambuco 21st ult. and was expected in every moment.

A letter from Oahu, dated March 11, states that the *Vincennes* was at Hawaii, and was expected daily to join the rest of the exploring expedition at Oahu.

U. S. sloop-of-war *Levant*, sailed from Havana 16th ult. on a cruise.

The United States surveying brig *Consort*, Lieut. commanding Powell, arrived here from St. Joseph on Tuesday last. The survey, that harbor and the depth of water heretofore reported, has been found. The *Consort* was to sail in a few days for Tampa Bay.

Pennacola Gazette, June 5.

The United States schooner *Grampus*, was at Cape Mount, Africa, 30th April.

The United States ship *Macedonian*, commander Wilkinson, was spoken 16th ult. lat. 27, lon. 85, on a cruise.

U. S. sloop of war *Levant*, all well, was spoken the 4th inst. lat. 21, long. 84, by the *Bourne*, at Boston, from Clerfuegos.

Lieut. commandant Thomas A. D. rning proceeds to the Pacific, in the ship *Lausanne*, to take command of the U. S. schooner *Shark*, vice *Bigelow*, promoted.

The United States ship *Brandywine*, was towed from her moorings in the North river, and went to sea, under easy sail, in the afternoon of the 30th ult. Her destination is supposed to be again to the Mediterranean.

She is now under the command of capt. GRIBBINS, capt. BOLTON who commanded her on her return home, having been relieved at his own request.

Captain Geiswiler is the sole surviving officer of the *Wasp*, having been then a midshipman sent to Savannah with a prize, after the capture of British sloops of war *Arion* and *Pelican*. Nothing was ever heard subsequently of the *Wasp*, and her fate is only conjectured by the circumstance that a heavy British sloop of war arrived in a shattered condition in one of the outposts, reporting that she had an engagement with a large American corvette and escaped.

The United States frigate *Constitution* was at Talcahuana, on the coast of Chili, on the 5th of March last, all well, and was expected to sail in a day or two for Valparaiso, Coquimbo, and Lima. The sloop of war *St. Louis* was on a cruise to "the islands" and western coast of Mexico. The schooner *Shark* was at Lima.

U. S. ship NORTH CAROLINA. We had the pleasure of a short visit to this ship yesterday. She is moored off the battery. Her appearance for next news and order is excellent.

The burthen of this ship is 3633 tons. Her extreme length on the water deck is 212 ft 8 1/2 feet; her breadth of beam is 54 feet, and her depth about 60 feet. She has four decks—the spar deck, the upper and lower gun decks, and the berth deck; and when in sailing trim, she draws 25 feet of water. From her keelson to the main stay-sail track, or the length of her main mast from the keel to the "tip-top," is about 271 feet. The length of her main yard is 107 feet. The quantity of canvas in her main topsail is 14600 yards, and the whole quantity on her when

she spreads her square sails and studding sails, is 18,000 yards; sufficient to cover an area of over four acres. Her main stay (rope) is 16 inches in diameter, and her fore and main rigging generally about 12 inches. Her bow anchor weighs about 8625 pounds, or nearly three tons, and her largest sheet anchor weighs 9175 pounds. Her hemp cables are 36 inches in diameter, and a link in her chain cables will weigh about 12 pounds. Their length is about 120 fathoms. The number of boats belonging to her is 11, the largest of which is pulled by 24 oars.

This ship is calculated to carry an armament of one hundred guns. At present she has on her spar deck 24 carronades, 42's, and 2 long 32's; on the upper gun deck she has 32 long 32's, and on her lower gun deck 32 42's. When her magazine is supplied, it contains about 6000 pounds of powder. Her artillery contains 300 muskets, 300 pistols, 300 canteens, 300 boarding axes, and 300 pikes.

Besides other stores she is calculated to carry sufficient water to furnish one thousand men, each with a gallon a day for six months, which is about 182,000 gallons.

Her complement of man is one thousand; at present she has, including apprentices, 362. The number of boys or apprentices now on board, is 116.—Every other day a part of them are required to attend school, where they are taught reading, writing, arithmetic, or navigation, according to the education they have previously received. On the larboard side of the lower gun-deck, abait the main mast, is an apartment constructed for their school room. On the alternate days the boys are employed on duty about the ship, and in learning seamanship. There is a library connected with the school, that contains about 200 volumes. School books are furnished to each of the scholars, and when they leave, a copy of each book which they may have studied is presented to them. There is also to be published in a few days, a work on seamanship, designed expressly for them, by one of the present officers of the ship, who is doubtless a perfect master of the subject.

[N. Y. Jour. Com.]

MESSAGE OF THE GOVERNOR OF NEW HAMPSHIRE.

Fellow citizens of the senate and house of representatives:

The revolution of another political year, under the wise direction of a beneficent Providence, brings us together in a legislative capacity, to execute the most important trusts that could be confided to us by our enlightened constituents. The duty and the trust thus imposed upon us, of making laws for the government of a people, such as compose the great body of the citizens of New Hampshire, involving all interest of property, and even life itself, amply such as to approach the performance of those duties with chastened feelings, with thoughts elevated and enlarged beyond the contracted circle of our own narrow selfish views and interests; to take good care that no partial or unjust legislation shall mar the symmetry of our well proportioned system of equal and just government, which we received from our forefathers and our forefathers' God; not to be uprooted or destroyed—but to be enjoyed and improved, preserved and transmitted, in like manner to those who shall come after us. If we in this generation, shall succeed in faithfully discharging these high and holy purposes, we need not fear, but we shall have well performed our highest duties as citizens of the republic, and have conferred the greatest and most valuable benefit on our posterity, to bestow upon the successors to our heritage, the legacy of freedom.

Death of the president of the United States. In the dealings of a just, though oftentimes inscrutable Providence, our country has been called to mourn the death of its venerable chief magistrate, and at a peculiar and important crisis. A new administration had just succeeded to power, and assumed the responsibilities of government; inexperienced measures had but just been devised, when death suddenly removed the individual selected by a majority of the nation to fill the highest station in that government. This unluckily event affords a startling illustration of the fact, that "in the midst of life we are in death," and that station and honors afford no shield against the sudden death, but would almost seem to present to the "lonely archer" only a more shin-

ing and conspicuous mark. Of the late president, widely different opinions prevailed, and we, fellow citizens, doubtless embraced those opinions as honestly and as adversely, as others; but let us remember only his virtues and "the good that he has done," and we permit his faults and follies to rest in silence; the trophies of death.

Extra session of congress. The present is a deeply interesting period in the affairs of our nation. The new administration has been seen to the extra session of congress, which is now being held. The necessity of this call, I am unable to perceive, and for the reasons thereto we are left mainly to conjecture. Let us hope, however, as every true lover of the honor and interest of this country will do, that those who have assumed the responsibility of the measure, will be able to give such good and sufficient reasons for the course taken, as will satisfy the candid of its propriety, and that such policy may be adopted and acted upon, by those who have the control of affairs, as will continue to sustain our best interests in honor, and maintain unimpaired that sacred charter of our liberties: the constitution of the United States.

Delegated powers. The national government is clothed with certain delegated powers, which, they assume, and which it is their duty to execute. Powers not delegated by the constitution nor prohibited by it to the states, are reserved to the states respectively or to the people." Both the national and state governments, possess powers which are separate and distinct; and the states, in exercising their delegated authority, should, that the two, when restricted within their own constitutional limits, afford to our citizens, greater and more equal security, than any other known form of government on the globe. Institutions that so well calculated to secure the happiness of all government should be cherished with every care, and maintained with all their efficacy and purity, by every sacrifice that patriotism warrants, and with all the vigilance, that the preservation of true freedom ought to excite. While, therefore, the states should watch with a vigilant eye, every encroachment on their reserved rights, they should as carefully avoid the exercise of any power, delegated to the national government.

Deposit and distribution. The congress of the United States are invested with full power "to lay and collect taxes, imposts and excises, to pay the debts, and provide for the common defense and general welfare of the United States;"—but with this authority, they possess no power to collect a revenue for distribution among the states. Unfortunate for the nation, in 1836 there had been accumulated in the treasury, an unexpected and large surplus revenue, beyond the then existing wants of the government, and by a law of congress called the "deposit act," that surplus was deposited with the several states for safe keeping. It was a deposit, and no more, and so viewed by the friends of the then administration who supported the measure; had it been a law to give or distribute that sum to the several states, I am of opinion it would have found few friends in either house of congress.

It is to be regretted that any of our sister states have been seduced to stray from the safe path of strict economy in their public expenditures. Justice to the present and future generations would seem to require of those who, as agents of the people control the affairs of the states at the present time, a return and adherence to the strictest principles of economy, to the performance of their several duties and trusts; inasmuch as by such course only, can we reasonably expect to escape the unfortunate embarrassments under which they now labor. The spirit and energies of the American people are still unconquered, and we may almost say unconquerable, when exerted in a just cause. Our people are men of justice, not only in their individual affairs, but in those of the state and nation. I feel the highest confidence in the ability and disposition of the indebted states, to meet all their just responsibilities; and that too, without resorting to the national government for aid. If a system of distributing the states were to be adopted (waiving the constitutionality of such a system) it would most clearly be exerting bad policy; exhausting to the national treasury, and corrupting to the states and the people.

Military. The general government is authorized "to provide for organizing, arming and disciplining the militia;"—and it is very desirable that a new organization should be made. It is believed that we have one and a half million of able-bodied men in the United States; and that the number of our number we have about thirty thousand in this country, who are called out three in each year for inspection, drill and review. This mode of training so numerous a body of soldiers, is attended with a very great aggregate expense, and of the time and money, not compensated in the estimation of very many of our

citizens, by an equivalent advantage. The right of the people to keep and bear arms," is a right dear to every freeman; arms should be in the hands of every citizen of the republic, who is able to wield them; and it is the duty of government to prescribe such rules of organization and discipline, as will give those arms the greatest possible efficiency.

The system of organization and discipline to be useful, must deserve and receive the approval of those for whom it is established; it must be free from the charge of favoritism and partiality on the one hand, and not impose too heavy a tax on the time and money of the citizen on the other. All our citizens should be required, and held strictly to sustain, their fair share of the burthens of the system.

It is believed that a division of our militia into junior and senior classes, the latter being excused from active duty, except in cases of invasion and insurrection, and thus abridging in effect the term of time in which duty is to be required, and granting to the former an increased compensation in proportion to the services required of them, withholding of course any compensation to the latter class, except when called into actual service, would not only be a great saving of expense on the whole, but would advance the discipline and efficiency of the former class, by enabling them to devote more time and attention to the school of the soldier, than under our present system would be deemed just and expedient to require.

The present is an time to relax in the encouragement and support of a well regulated militia.—How soon we may be called upon to defend the liberty and country inherited from our patriotic sires, we cannot know; but this we are assured, that while the nature of the arms is the same, the maintenance of a constant readiness and ability to defend ourselves, is the surest guarantee against aggression.

While speaking of the subject of our militia, permit me to call your attention to that of our fire-arms. Most of our regiments are now supplied with small brass field pieces; they answer well the purpose for which they were designed, that is, to accustom our soldiers to the exercise and use of this kind of ordnance. In the arms of our militia these light pieces have been exchanged by the state for those of a heavier class. Doubts have been expressed as to the adoption of this measure as a general rule; the smaller size are equally useful, and more convenient for all the purposes of exercise and drill, and a saving of much expense.

Banks. By reference to the charters of the banking institutions in this state, it will be seen that several are about to expire by limitation, and it consequently becomes a question of importance as to what ought to be our policy towards them. It is believed in this state, we have fallen into what is deemed a very common error in this country, that of establishing too many banks—more than the interest of the community requires. It is the only proper reason for the establishment of any. This error, if it should thus be considered, the legislature will soon have a very favorable opportunity to correct. It must be admitted, that recent developments in the management of certain banks in the nation, have tended to shake whatever of confidence a large portion of the community had in them.—Peculation and fraud of such aggravated character have been committed among those entrusted with the control of the institutions, as to become truly alarming. Some of these banks appear to have turned aside from their lawful sphere of operations, and instead of impartially lending their aid to the general business of the country, (as it was the object of their establishment,) have become pecuniarily benefited their means mainly to the aggrandizement of a few favorites. Banking institutions have become so numerous, and their notes so extensively assumed the place of money as a circulating medium, as apparently to render the business indispensable; that to effect any important change in the system, even with acknowledged public interest on the side of reform, it has become a task of no ordinary magnitude and difficulty, and would require the most mature deliberation.

It is, however, gratifying to believe that the banks in New Hampshire, with few exceptions, have fulfilled their appropriate duties to the community with a commendable degree of fidelity, and have shared largely in the public confidence; they should be held to a rigid and strict accountability on all their engagements, with no hopes of legislative favor on failure to redeem, on demand and in specie, all their promises. I would suggest the propriety of limiting, by law, the amount of stock to be owned by any individual or firm, and also by legal enactment, to prevent the control of any bank in this state passing into the hands of those who are not citizens of the state. It has long been de-

sired to limit the denomination of notes the banks may be allowed to issue; this, if judiciously commenced and persevered in, will, it is believed, be attended with favorable results, in restoring and continuing in circulation a great amount of specie.

The re-chartering of our present banks, as far as their mutual and concerted action will afford the legislature opportunity to carry this reform into effect.—These remarks and suggestions are made in no spirit of hostility to banks, as such; they are couched in a plain and sober basis on substantial capital and property conducted in a judicious and careful manner, and are intended to insure of all to correct abuses wherever they exist, and under safe and strong regulations and restrictions to improve our banking system, rather than to suppress and destroy it.

I have received reports from the bank commissioners in relation to a portion of our banks, and hope, early in the session, to be able to lay before the legislature their report on the condition of all the banks in the state.

Education. "Knowledge and learning generally diffused through a community being essential to the support of a free government," it is made the duty of the legislature, by the constitution, "to cherish institutions of literature and sciences." It is a source of congratulation, that our ancestors early adopted the system of free common schools as the best means of promoting the general diffusion of knowledge among all classes of citizens—the direct duty of which is to foster and strengthen the feeling of equity, in respect to political rights, and make that feeling fact which constitutes the main support, and affords the surest guaranty of the preservation of our republican institutions. It is a high honor and gratification, that our ancestors and the principles of the founders of this admirable republic have been, and still are, warmly cherished. Statistics recently furnished, show that our common schools and other institutions of learning in the state have not needed to languish for want of support, but that their benign influence has been early and generally, and that the benefits of education have been as widely diffused, and as highly appreciated and enjoyed, as in any state of the union.—Much has been done here, as well as elsewhere in the cause of education, but doubtless more remains to do. The standard of education in our common schools might well be raised, and improvements in the quality and method of imparting instruction, it is presumed, in many instances, might be adopted. It is an error to suppose, that the committee have attempted to keep our present position merely, will be retrograde; and we certainly ought to do neither in the matter of endeavoring to improve our moral or social condition. This subject is entitled to your earnest consideration, and in any measure you may propose, conducive to the end desired, I shall be most happy to co-operate.

Penitentiary, &c. The state prison has now been under the charge of the present warden for one year, and for the most part that time the management has been employed directly on behalf of the state. I believe that order and strict discipline have been perseveringly maintained, and that the police of the prison is inferior to that of no other prison in the country. The state has recently made a considerable outlay, to commence and carry on business in the prison on its own account; and I trust that, considering the general embarrassment of the times the result of the measure will be found, at least no less than an economy. I am confident that our state penitentiary will yet cease to be a burthen to the treasury, and still answer well the end of its establishment, as a place of strict and secure confinement to hard labor, of those whom the laws condemn to an unenviable fate. The convicting power, I apprehend, has been too often exercised, not only in this, but other states, towards criminals, condemned to ordinary punishment. A pardon has, in consequence, become a matter of hope and confidence, expected to secure the release of the prisoner. The influence of this state of feeling is undoubtedly had in its effects on most convicts. The remedy is easy, and I trust will be adopted. A report from the warden detailing more particularly the state and prospects of the institution, may be expected early in the session. The act of the legislature abolishing imprisonment for debt in this state was undoubtedly just in itself, and in accordance with the principles of humanity and the spirit of the age. I rejoice that our statutes are at last freed of the odious principle that visited upon the free consequences that should attach only to crime. I would there suggest the inquiry, whether some small portions of the uncollected debts of the state, or labor might not justly and consistently with the best good of the community, be exempted from the operation of the trustee process. The beneficial effect of such exemption would be felt by many of the unfortunate debtor class, in the

encouragement it would afford them, to persevere in their labors to support themselves, and perhaps families, whose entire dependence is upon the proceeds of their labor for subsistence. The inquiry I think is one worthy of your consideration, and cannot but hope it may meet a favorable response. But let not forget, in the mean time, that impartiality is an essential constituent in just legislation; that creditors, as well as debtors, have rights that are entitled to equal protection. Some additional enactments to protect the just rights of the former class, to secure the honest and industrious from becoming a prey to the idle and dishonest, will become necessary. The committee appointed to review the laws of the state, under instructions by the last legislature, to do, will probably report for your consideration a code of laws on this subject.

Judiciary. Since the last session of the legislature, the counties of Belknap and Carroll have been organized and gone into successful operation. At the next term of the court have three new judges, and may render a new organization of the other terms of the court necessary. I would also suggest to the legislature, whether, so far as any increase of expense and duties have been imposed upon the court, such allowance should not be made, that the compensation of the judges should continue at least equal to what it was when first established. The subject was under the consideration of the last legislature, but I believe no definite action was taken. We ought to have a rigid economy in the administration of all our state affairs—no sinecure offices should be allowed to exist, and no extravagant salaries should be given; but it does seem to me that the compensation to our judiciary is very low, and that we have a right to increase of business, we have imposed additional duties and expense upon them, should, in justice, be increased. I hope this subject will receive and engage the attention of the legislature, and that it will meet with that favor which I am confident, a full examination of its merits will show that it deserves.

Geological survey. By a recent communication from Dr. Jackson, our state geologist, I am informed he is busily employed in the preparation of his report, and that he hopes to have it ready before the close of the session. His report will embrace the general outlines of the survey, and some of the most important facts which bear upon the economical use of minerals; also a series of very delicate chemical analyses of the rocks and soils; that being desirous of presenting as many accurate analyses as possible, he continued his work in the laboratory to the latest moment, and which has consequently delayed an early publication of his report. I entertain a high opinion, that this survey will disclose great and valuable sources of mineral wealth in the state, besides imparting much useful information to the agricultural interest.

Education of the deaf and dumb. The appropriation for the education of the indigent deaf and dumb, has been applied to the object intended; as also in part the appropriation for education of the blind. Of the former class, the applicants are more numerous, and will require at least the full amount appropriated yearly for their benefit. On the other hand, the number of the blind is few in number, and require less at present than the amount of the yearly appropriation for this purpose.

In conclusion, gentlemen, be assured it will give me much satisfaction to unite with you in the adoption of such measures as will promote the welfare and prosperity of our fellow citizens.

JOHN PAGE.

State of New Hampshire.
Executive department, June, 1841.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

June 18. Mr. Williams presented the joint resolutions of the legislature of Maine, praying for an amendment to the constitution of the United States so as to restrict the president to one term. Similar joint resolutions were presented by Mr. Bates, from the legislature of Massachusetts. These resolutions were ordered to be printed.

Mr. Williams presented a joint resolution of the legislature of Maine on the subject of French apportionments: which were ordered to be printed.

The president pro tem. laid before the senate an act of the legislature of Maryland in relation to the completion of the Chesapeake and Ohio canal. Laid on the table.

Mr. Clay presented a memorial from citizens of St. Louis, praying that a national bank may be established.

Petitions were presented, by Messrs. *Evans, Tallmadge and Rivers*, for the passage of a bankrupt law.

Mr. *Walker* submitted the following:
Resolved, That the secretary of state be directed to communicate to the senate a statement of the aggregate of the population of the United States and territories, and in the District of Columbia, under the last census; distinguishing in three separate columns the number of whites, of free persons of color, and of all persons.

Mr. *Buchanan* moved that when the senate adjourn it adjourn to meet on Monday next. Which was adopted.

The senate resumed the consideration of the unfinished business, being the motion of Mr. *Clay* to print 1,500 extra copies of the report of the secretary of the treasury.

Mr. *Wright* then resumed the remarks which he had commenced yesterday.

He was followed by Mr. *Woodbury*, who made an explanation of his former speech.

Mr. *Evans* showed that Mr. *Woodbury's* explanation would not excuse the derelictions of the late administration.

A few words of explanation then followed by Mr. *Wright* and Mr. *Evans*, when, Mr. *Culbourn* desired to offer a few observations on the subject; but the hour was so late that he would move that the senate adjourn. Which motion was put and carried. And the senate adjourned to Monday.

June 21. The president pro tem. laid before the senate a communication from the president of the United States covering a report from the navy department, in compliance with a resolution of the sixth instant, calling for the correspondence in relation to the sailing of the Mediterranean squadron. The correspondence having been partially read, Mr. *Preston* moved that it be referred to the committee on naval affairs and be printed; which was agreed to.

The following memorials and petitions were presented and appropriately referred:

By Mr. *Tallmadge*, a petition from citizens of the city of New York for a general bankrupt law.

Also, from citizens of Buffalo, N. Y. for a general bankrupt law.

By Mr. *Wright*, three memorials from citizens of New York in favor of a bankrupt law; also one remonstrating against a bankrupt law, and another against the enactment of any bankrupt law which shall be retroactive in its character.

By Mr. *Merrick*, from the board of trade of Baltimore, asking for the establishment of a national bank.

By Mr. *Huntington*, a memorial for the passage of a bankrupt law.

By Mr. *Clay*, two memorials from citizens of New York, earnestly praying for the enactment of a general bankrupt law.

Mr. *Clay*, from the select committee to which was referred so much of the president's message as related to the currency, made a report, accompanied by a bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. *Clay* submitted a resolution to the effect that, from and after the 23d instant, the hour of meeting of the senate be 10 o'clock, instead of 12, as heretofore.

On motion of Mr. *Mangum*, Resolved, That the secretary of the navy furnish a statement of the number of old-fashioned pistols and muskets at present belonging to the naval service.

The senate then resumed the consideration of the motion to print 1,500 extra copies of the report of the secretary of the treasury.

Mr. *Culbourn* rose and delivered his views on the report.

Mr. *Clay* made a short rejoinder, and after some further remarks from Messrs. *Culbourn*, *Woodbury* and *Clay*, the motion to print was carried.

The senate then proceeded to the discussion of the bill to revive and extend the charters of certain banks in the District of Columbia.

Mr. *Merrick* explained the objects of the bill and moved certain amendments, which were adopted.

Mr. *Allen* moved to postpone the bill until the first Monday in December next, on which motion he demanded the yeas and nays.

The debate was continued until after 4 o'clock, when Messrs. *Allen*, *Madison*, *Merrick*, *Linn*, *Kim* and others, without the question having been taken.

The bill granting \$25,000 to the widow of the late general Harrison was read a second time, and referred to a select committee. The senate then adjourned.

June 22. The president pro tem. laid before the senate a message from the president of the United

States, communicating the correspondence in relation to the removal of the remains of Gen. Harrison to North Bend. Laid on the table and ordered to be printed.

Also, a communication from the secretary of the treasury, in compliance with the resolution of the 17th inst. asking for copies of the survey of the southern coast, from Appalachicola bay to the mouth of the Mississippi river.

Mr. *Huntington* presented the preamble and resolutions of the legislature of Connecticut in relation to the repeal of the sub-treasury and the establishment of a national bank.

Also, in relation to the protective tariff.

Also, in relation to the disposal of the public lands.

Also, in relation to such an amendment of the constitution as will restrict the eligibility of the president to a single term.

Mr. *H.* moved that the resolutions lie on the table and be printed, which motion was adopted.

Mr. *Allen* presented from citizens of Cincinnati the proceedings of a democratic meeting of the citizens of Ohio, remonstrating against the establishment of a national bank, as calculated to cripple legitimate commerce, and representing it as unconstitutional, unwise and inexpedient; calculated to plunder the people, and place them under the domination of a moneyed despotism.

Mr. *A.* moved to lay the paper on the table, and that it be printed.

Mr. *Clay*, of Kentucky, moved to lay the motion to print on the table, as well as the paper.

Mr. *Allen* demanded the yeas and nays; which were ordered.

And it was laid on the table by the following vote, yeas 24, nays 16.

The following memorials and petitions were presented and appropriately referred.

By Mr. *Tallmadge*, from citizens of the city of New York, for a general bankrupt law.

Also, from citizens of Plattsburg, for a general bankrupt law.

By Mr. *Porter*, from citizens of New York, in favor of a general bankrupt law.

By Mr. *Woodbridge*, from citizens of Michigan, in favor of the establishment of a national bank.

Mr. *Bayard*, from the select committee to whom it was referred, reported the bill from the house making an appropriation of twenty-five thousand dollars for the family of Gen. Harrison, with an amendment—which was, that any money that might have been received in payment of salary by the deceased be deducted.

Mr. *Clay*, from the committee on finance reported the house bill making the appropriations for the present session of congress, with two amendments; one of which was reducing the item of paying for the senate from \$26,000 to \$20,000; which Mr. *C.* said, carried out the spirit of retrenchment and reform, and he hoped it would receive the sanction of the senate. This amendment, with the other, was adopted, and the bill passed.

The resolution introduced by Mr. *Clay*, changing the hour of meeting from twelve to ten in the morning, was taken up, when a short debate ensued, in which Messrs. *Clay*, *Buchanan*, *Linn*, *Mangum* and others participated, and the resolution was adopted.

Mr. *Buchanan's* resolution calling upon the president for the names of all persons in the employment of the government who had been removed from office since the 4th of March last, was taken up; when

Mr. *Mangum* expressed a wish that the senator from Pennsylvania would let the motion lie on the table for the present at least. What had been done hardly made the preface to the book; when the work was completed, he would join with that senator in calling for the information. The department had been so occupied in business relating to the extra session, that it was next to impossible for them to have attended to other matters. Hereafter he would give his aid to the senator, not only in procuring a list of the removals made under the present administration, but also under the last, so that his gentleman might see the names in parallel columns it be so desired.

Mr. *Buchanan* said it was as he had expected. What had taken place was only a preface. But thought it as well to have the first volume now, and he could call for the second after the debate should have been completed. As, however, the hour had arrived for taking up the unfinished business of yesterday, Mr. *B.* would not debate the motion but should call up the resolution to-morrow.

The senate then proceeded to the discussion of the bill to revive and extend the charters of the District banks. The motion of Mr. *Allen*, of Ohio, to postpone the bill until the first Monday in December next pending.

On this motion an animated discussion ensued. Mr. *Allen* asked the yeas and nays, which, having been granted, were taken, and are as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Linn, Madison, McKim, Pierce, Smith, of Connecticut, Sturgeon, Tappan, Van Buren, Woodbury, Wright—14.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Calhoun, Clay, of Alabama, Clay, Kentucky, Clayton, Dixon, Evans, Folger, Graham, Henderson, Huntington, Kerr, King, McRoberts, Mangum, Merrick, Morehead, Phelps, Porter, Preston, Seay, Smith, of Ohio, Smith, of South Carolina, Tallmadge, White, Woodbridge, Young—22.

The bill was then amended in several particulars, a debate arising on all the various propositions, in which Messrs. *Merrick*, *Clay*, of Alabama, *Benton*, *Allen*, *Bayard*, *Linn*, *Mangum*, *Tappan* and others participated.

A motion to amend the bill so as to include the following provision was offered by Mr. *Benton*. "That no bank should pay out or lend out the notes of any suspended bank, or any paper currency whatsoever which is not equivalent to gold or silver." And on this he asked the yeas and nays; which, being granted, appeared as follows:

YEAS—Messrs. Allen, Archer, Bayard, Benton, Berrien, Buchanan, Calhoun, Clayton, Clay, of Alabama, Clay, of Kentucky, Clayton, Dixon, Evans, Folger, Graham, Henderson, Kerr, Linn, McRoberts, Mangum, Miller, Morehead, Phelps, Porter, Preston, Seay, Smith, of Ohio, Smith, of South Carolina, Southard, Tappan, White, Williams, Woodbridge, Wright, Young—36.

NAYS—Messrs. Barrow, Bates, Kerr, Merrick, Smith, of Indiana, Tallmadge—4.

The question having been taken on agreeing with the committee in the several amendments, it was carried.

The bill was then ordered to be engrossed for a third reading.

The senate then adjourned to meet at 10 o'clock A. M. to-morrow.

June 23. Petition in favor of a bankrupt law were presented by Messrs. *Tallmadge*, *Wright*, *Woodbridge* and *Benton*. Mr. *Wright* also presented remonstrances against the passage of the law.

Mr. *Buchanan's* resolution (calling on the president for a list of removals and appointments since the 4th of March) was taken up; but Mr. *Buchanan* said, if the occasion delayed, he had no disposition to press it.

Mr. *Mangum* thought it very important to discuss proscriptio in hot weather. He had no amendment prepared, but to-morrow, perhaps, he might so arrange as to have the debate. He had then removed since March, 1811, and 1829, in parallel columns. The resolution was laid over.

The bill to revive and extend the charters of the banks of the District of Columbia was put on its third reading, when

Mr. *Norwich* moved to recommit the bill, with instructions to strike out the amendment which had been adopted yesterday, preventing the banks of the District from paying out or lending out the notes of any suspended banks.

Mr. *Merrick* spoke in favor of the recommitment?

Mr. *Mangum* would not object to the recommitment of the bill, but would suggest to the senator whether it would not be better to so modify his motion as to recommit without instructions.

Messrs. *Young*, *Benton*, *Allen* and *Buchanan* severally spoke in favor of the principles contained in the amendment that had been adopted yesterday, as salutary and calculated to promote the interest of the people of the District.

Messrs. *Barrow* and *Norwich* sustained the motion to recommit, the latter, having adopted the suggestion of Mr. *Mangum*, simply to recommit the bill without instructions. The question was taken by yeas and nays, and decided as follows: yeas 25, nays 24.

So the motion prevailed and the bill was recommitted.

Mr. *Clay* then moved to proceed to the consideration of the special order, being the bill to incorporate the subscribers to the fiscal bank of the United States. Mr. *C.* could suggest nothing; it would not be better to dispense with the reading of the bill except by its title, and proceed to consider it section by section.

Mr. *Wright* thought, as the bill was long, and as it had only been placed on the tables that morning, and as he had had an opportunity of examining it with that care which no grave matter required, it better to postpone the consideration until to-morrow.

Mr. *Clay* acceded to the wishes of the senator from New York, but said that the bill had been before the committee of the House, and that the secretary had, which was substantially the same, with the exceptions pointed out in the report.

Mr. C. then moved to proceed to the consideration of executive business, which motion was carried; and, after some time spent in executive session, the senate adjourned.

June 24. The *president pro tem.* laid before the senate, in compliance with a resolution of the 17th inst., a communication from the state department exhibiting an abstract of the 6th census, showing the aggregate amount of population in all the states and territories. Ordered to lie on the table and be printed.

Also, a message, from the president of the United States, in compliance with a resolution, as to the delay of the repairs on the Potomac bridge.

Also, a communication from the treasury department, relating to the commerce and navigation of the country.

Mr. Huntington moved to print 2,000 extra copies of the report on the ground that it was one among the most important that emanates from the government. It was one, too, that did not find its way into the newspapers, like the general reports sent from the executive branch. The motion was carried.

Talbot, presented a memorial from citizens of the city of New York for a bankrupt law.

Also, from citizens of the town of Salina, New York, in favor of a general bankrupt law.

Also, from citizens of Cleveland, Ohio, for the enactment of a general bankrupt law.

Mr. Smith, of Ia., from the committee on the public lands, reported back to the senate the bill to distribute the proceeds of the sales of the public lands among the several states in just and equitable proportions, and to amend the act of March last, and several amendments, one of the principal of which is, the incorporation of a permanent prospective pre-emption system in favor of actual settlers. Mr. S. also submitted a special report with the bill, which succeeded, was ordered to be printed.

Mr. Buchanan's resolution calling for the names of those persons removed from office since the 4th of March last, was taken up. The resolution having been read—

Mr. Mangum moved to amend the same by inserting "and also the removals from the 4th of March, 1839, up to the 4th of March, 1841."

Mr. Buchanan said it was not his intention to have had one word on the subject, but he thought the resolution proper and correct in itself, and he was sorry to see gentlemen on the other side so sensitive as to the call, that they should see fit to remember it with an amendment which would defeat the object.

If gentlemen would not object to the amendment sought for by the amendment, why not introduce a distinct resolution, and then he would give it his support. How long would it be before they could get a proper answer, if they were to wait until all the removals made since the last two or three years were to be introduced to those made within two or three months? He asked for no reason for the removals, and the whole subject was so plain and simple that it could give but little trouble to the departments. The call was first suggested to his mind when leaving home. He found that removals were occurring every day from little post offices at cross-roads, and no one could tell from whence the order came, but still the postmasters felt like the leaves in autumn, and yet no paper authorized to publish the removals under the least mention of the facts. When removals took place during the prior administrations, they were made boldly, and were published in the government organ; but now the postmaster general printed 100 per week, and did not notice a removal of it. "How he sticks it!" And yet the senator from North Carolina says it is only the preface to the book—the 1st volume, forsooth—"Mr. Linn. "Dudeeloo!"—yes, dudeeloo! the quarters to follow by and by. He did not complain of these removals, but he would ask, where was the necessity for any concealment? Why seek to disguise them? Amos Kennell, bad as he was represented to be by the party now in power, published a regular register of all removals and appointments.

Mr. B. did not want to show the difference between this administration and the last in exercising the appointing power, but he did desire to show the difference between the professions and the practice of the great whig party. His side of the question never made any professions about prescription, though it had been charged with asserting the doctrine that "to the victors belong the spoils." Mr. B. further continued his remarks for some time.

Mr. McRoberts said he had the same objection to the amendment as the senator from Pennsylvania. If the amendment was adopted, they would not get the information this session. He was desirous to know what the present administration had been doing since it came into power. This great political party had been detaching prescription, and he

proposed to show to the senate some of the declarations of the leading whigs.

Mr. McL. continued his remarks until the hour for taking up the special order had arrived, when he rose.

The senate then proceeded to consider the bill to incorporate the subscribers to the fiscal agent.

Mr. Clay rose and explained the object and bearing of the bill—speaking until near 2 o'clock.

Mr. Calhoun desired that the further consideration be postponed until to-morrow—making a few observations in relation to the feeling of the south in regard to a national bank.

Mr. Mangum and Mr. Graham controverted the point as to North Carolina, who was concerned.

Mr. Calhoun reiterated the sentiment for North Carolina on the authority of a gentleman belonging to that state.

Mr. Graham rejoined.

Mr. Clay could not consent to the postponement.

Mr. Buchanan appealed to the senator to agree to the postponement.

Mr. Clay. Indeed, I will not.

Mr. Buchanan said if there were any object like that of excluding the bill, the article on Kentucky would be justified "in putting the screws," but there was no such object. The fact was, that the senator, in explaining the bill, had discussed some of the most important principles ever contended with by the banking system in the country, and he hoped, as the senator had taken his stand against the postponement, he would content himself with simply voting against it.

Mr. Clay. Mr. President, I call for the yeas and nays.

The yeas and nays were ordered and stood as follows:

YEAS—Messrs. Allen, Archer, Barrow, Bates, Bayard, Benton, Berrien, Calhoun, Clay, of Alabama, Clayton, Dixon, Follen, Henderson, Huntington, Kerr, King, Linn, McRoberts, Moulton, Nicholson, Phelps, Pierce, Porter, Prentiss, Preston, Sevier, Smith, of Kentucky, Surgeon, Tappan, Walker, White, Williams, Woodbury, Wright, Young—25.

NAYS—Messrs. Berrien, Choate, Clay, of Kentucky, Evans, Graham, Mangum, Miller, Morehead, Rivers, Simmons, Smith, of Indiana, Southard, Woodbridge—13.

On motion of Mr. Bayard the senate took up the bill granting a loan of \$25,000 to the family of the late Harrison.

Mr. Benton moved to recommit the bill to the select committee, with instructions to report the select grounds on which the allowance was made.

This motion was defeated, and the bill was read a third time "a clerk, in which Messrs. Benton, Bayard, Calhoun, Bates, Linn, Walker, Tallmadge, Young, White, Woodbury, Berrien, Archer, Clay, of Kentucky, and others participated.

Mr. Benton asked the yeas and nays on the proposition to recommit, which having been ordered, stood as follows:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Ala., Fulton, King, Linn, McRoberts, Pierce, Sevier, Smith, of Conn., Tappan, Williams, Woodbury, Wright, Young—16.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Buchanan, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merriek, Miller, Morehead, Nicholson, Phelps, Porter, Prentiss, Rivers, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, White, Woodbridge—30.

The bill was then ordered to be engrossed.

Mr. Clay moved that the bill have its third reading then.

Mr. Wright and Mr. Benton objected.

A motion was then made to adjourn (two prior motions to the same effect having failed) and carried, and the senate adjourned after having been in continuous session from ten in the morning till five in the evening.

June 25. Messrs. Tallmadge, Barrow, Wright, Clay, Archer and Berrien, presented petitions for the passage of a general bankrupt law. Mr. Barrow presented also a petition for a national bank.

Mr. Berrien reported from the committee on the judiciary the bill establishing a uniform system of bankruptcy, with an amendment.

Mr. Woodbury submitted the following resolutions:

Resolved, That the secretary of the treasury be requested to furnish the senate with a copy of any authority he may have received from the president of the U. S. which would authorize him to employ (two prior motions to the same effect having failed) and carried, and the senate adjourned after having been in continuous session from ten in the morning till five in the evening.

from 4th March, 1829, to 4th March, 1841, and continued during the morning hour.

The bill to appropriate the sum of \$25,000 to the family of the late president, was read a third time, and on the question, "Shall this bill pass?" a debate ensued, in which Messrs. Benton, Miller, Sevier, King, Pierce, Wright, and others, participated.

The yeas and nays having been ordered, the vote stood for the passage of the bill, yeas 23, nays 16, as follows:

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Buchanan, Choate, Clay, of Ky., Clayton, Dixon, Evans, Graham, Huntington, Mangum, Merriek, Miller, Morehead, Prentiss, Preston, Sevier, Smith, of Indiana, Southard, Tallmadge, Walker, White, Woodbridge—23.

NAYS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Fulton, King, Linn, McRoberts, Sevier, Smith, of Conn., Surgeon, Tappan, Williams, Woodbury, Wright, Young—16.

On motion of Mr. Mangum, the senate proceeded to the order of the day, being the bill to incorporate a fiscal bank of the United States.

Mr. Buchanan said it was his intention to have offered some remarks, but he believed it was understood by his friends on that side of the house that they would let the friends of the bill go on and make it what they wished, and after they had fixed it to suit themselves, he would then proceed to offer briefly his views.

Mr. Clay acquiesced in the suggestion, deeming it the best mode of proceeding.

The bill was then read by sections; and after having been amended in several minor particulars, such as changing the location of one of the offices where the books of the subscription are to be opened—limiting the number of shares to be subscribed for by any individual, company, or state, to two thousand five hundred—no proxy to give more than three hundred votes—no director to hold office for more than five years out of six—prohibiting any loan to be made on the pledge of any public debt—limiting the sum to be loaned to government or any state to one million of dollars, unless specially authorized by law—with some other verbal amendments—

Mr. Huntington moved to amend that part of the 15th section forbidding the issuing of any note of less denomination than ten dollars.

Mr. Clay was particularly anxious on the subject; ten dollars was the amount which the committee thought best; but if the other was supposed to better suit the public convenience, he would not object.

The question was taken on the adoption of this by yeas and nays, and lost, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Berrien, Bayard, Benton, Berrien, Calhoun, Clayton, Dixon, Evans, Huntington, Mangum, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Sevier, Smith, of Ind., Tallmadge, White, Woodbridge—21.

NAYS—Messrs. Allen, Bayard, Benton, Buchanan, Calhoun, Choate, Clay, of Ala., Clayton, Fulton, Graham, Henderson, King, Linn, McRoberts, Nicholson, Pierce, Rivers, Sevier, Smith, of Conn., Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—20.

The further discussion was then postponed.

The senate took up the joint resolution from the house of representatives, in relation to the solemnities to be observed in the removal of the remains of the late president of the United States.

On motion of Mr. Bayard, the senate concurred in the resolution, and a select committee of five was directed to be appointed by the chair on the part of the senate, to advise with the part of the house. And he adjourned till Monday.

June 23. At a quarter past ten, the senate was called to order, and immediately after the reading of the journal, a message was received from the house of representatives, communicating a joint resolution that both houses of congress do now adjourn as an expression of respect to the memory of the recently deceased major general Macomb, late commanding general of the army of the U. States, and that a joint committee be appointed to make arrangements for the attendance of both houses at the funeral this day.

Mr. Clay moved a concurrence. He observed that he did this because the chairman of the military committee, [col. Frazer] whose appropriate duty it would be to notice the event, was not in his seat. He was considering the great press of public business, he would hinder it prefer to have a recess until after the funeral; but if any senator preferred an adjournment he would not object.

Messrs. Morehead and Pierce were appointed the committee on the part of the senate.

On motion of Mr. Bates, the senate adjourned.

June 29. The chair presented a communication from the department of state, in relation to certain census returns not yet received.

The following memorials and petitions were presented and laid on the table:

By Mr. *Sturgeon*, from citizens of Philadelphia, asking the enactment of a bankrupt law.

By Mr. *Clay*, of Kentucky, from citizens of New York city, in favor of a bankrupt law containing the prospective principle, making it compulsory and voluntary; and that it be made applicable to corporations as well as individuals.

Also, from citizens of Oneida county, New York, against the passage of a bankrupt law.

The senate then resumed the consideration of the resolution submitted by Mr. *Buckanan*, calling for the names of the persons offered for office, when Mr. *McRobert's* rise and occupied the senate until the hour of taking up the special order.

On motion of Mr. *Clay*, the senate then proceeded to the consideration of the bill to incorporate the subscribers to the fiscal bank of the United States.

The bill was amended in several particulars, the most of which were warmly debated by Messrs. *Clay*, *Huntington*, *Buckanan*, *Wright*, *Woodbury*, *Walker*, *Bayard*, *Calhoun*, *Barnes*, *Simmons* and others.

At half past 3 o'clock its further consideration was postponed, and the senate went into executive session, and after remaining some time therein adjourned.

June 30. The chair laid before the senate a message from the president of the United States, covering reports from the secretary of state and of the treasury, made in compliance with a resolution of the 14th instal, calling for any correspondence in relation to the payment or assumption of state debts. Ordered to lie on the table and be printed.

Mr. *Tallmadge* said he was requested by a most respectable and intelligent committee of the board of trade of the city of New York to present a petition of from fifteen to twenty thousand citizens of that city, for the establishment of a national bank. This memorial was placed in a roll exhibiting the appearance of a small keg, and marked, city of New York, and measured somewhere about 250 feet in length.

The following memorials and petitions were presented and laid on the table:

By Mr. *Henderson*, from citizens of Mississippi, in favor of a general bankrupt law.

By Mr. *Buckanan*, from citizens of Philadelphia, (merchants and others), remonstrating against the passage of any bankrupt law.

By Mr. *Morehead*, from citizens of Kentucky, for the enactment of a general bankrupt law.

By Mr. *Wright*, from citizens of N. York, against the passage of a bankrupt law.

The senate then took up the resolution submitted by Mr. *Buckanan*, calling for the names of all persons removed since the 4th of March last, pending to which is the amendment of Mr. *Mangum*, calling, in addition to thereto, for all the removals from the 4th of March, 1829, to the 4th of March, 1831.

Mr. *Pierce* commenced his remarks, and spoke up to the time for taking up the special order, without having concluded.

The senate then proceeded to the discussion of the special order, being the bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. *Henderson* moved to amend the 10th section so as to exclude from the purchase of stock all persons other than citizens of the United States or aliens resident therein, and to oblige all corporations or companies to belong to the several states or territories.

The amendment was opposed by Mr. *Benton*, and supported by Messrs. *Henderson*, *Calhoun* and *Prescott*.

Mr. *Mangum* was in favor of the amendment with some slight modification, and moved to amend the amendment by striking out "alien residents," and so that he asked the year and says.

Mr. *Henderson* was understood to say that he fell bound to accept the amendment as a modification; and the call for the year and says was withdrawn.

Mr. *Walker* spoke with much warmth, and somewhat at large, on the principles of the bill in general, and insisted that such a bank would be attended with the worst possible result to the country.

Mr. *Smith*, of Indiana, spoke for some time in reply to various remarks that had fallen from senators on the other side.

Messrs. *Allen*, *Huntington* and *Woodbury* also spoke on the amendment.

Mr. *Morehead* then moved to reiterate the original amendment of Mr. *Henderson* to include "resident aliens" in the privilege, and on this he asked the year and says.

The question was taken, and resulted as follows: yeas 24, nays 25.

The question was then taken on the amendment of Mr. *Henderson*, and resulted as follows:

YEAS—Messrs. Allen, Archer, Bayard, Benton, Berrien, Buchanan, Calhoun, Clay, of Alabama, Clay, of Kentucky, Culbourn, Fulton, Graham, Henderson, Hendricks, Johnson, Jones, of New York, Livingston, Prentiss, Rives, Sevier, Simmons, Smith, of Georgia, Sprague, Tappan, Walker, Williams, Woodbury, Woodbury, Wright, Young—23.

NAYS—Messrs. Barrow, Bates, Beane, Claiborne, Dixon, Evans, Huntington, Kerr, Merrick, Miller, Phelps, Potter, Preston, Smith, of Indiana, Tallmadge, and others—24.

Mr. *Henderson* then moved further to amend the bill so as to give the privilege to one or more of the stockholders to examine and inspect all private and confidential accounts, dealings and accommodations, at any of the offices of discount and deposit.

On this motion a long and very animated debate arose, in which Messrs. *Henderson*, *Calhoun*, *Walker*, *Clay*, *Benton*, *Prentiss*, *Kerr* and *King* participated.

The question was taken on this amendment, and resulted as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbourn, Fulton, Henderson, Hendricks, Johnson, Jones, of New York, Livingston, Porter, Sevier, Smith, of Columbia, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Claiborne, Clay, of Kentucky, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Prentiss, Preston, Rives, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—23.

It was now late, and Mr. *Rives* having intimated his desire to offer some amendments to the bill, he moved that the senate adjourn; which motion prevailing, the senate then adjourned.

July 1. The president pro tempore laid before the senate a communication from the treasury department in relation to a clerical error inadvertently made in a former communication.

The following memorials and petitions were presented and laid on the table:

City of New York, from citizens of the city of New York, of Painted Post, New York, and of Southport, Wisconsin territory, for a general bankrupt law.

By Mr. *Walker*, from citizens of Camden, S. C. in favor of a general bankrupt law.

By Mr. *Kerr*, asking to withdraw the papers of Stockton & Stokes from the files of the senate.

Mr. *Preston* submitted the following resolution: Resolved, That the president of the United States be requested to cause to be communicated to the senate the progress and actual condition of the commission under the treaty with Mexico.

Mr. *Benton* submitted the following:

Resolved, That the president of the United States be requested to communicate to the senate the reasons for removing the following persons from office, and the information upon which the said reasons were founded, to wit: William Miller, surgeon general of Missouri and Illinois; Joshua Piche, superintendent of Indian affairs at St. Louis; James Kelle, marshal of Missouri; Robert L. Johnson, assistant Robert Lucas, governor of Iowa; George W. Jones, surveyor general of Wisconsin and Iowa.

The resolution at the request of Mr. B. was laid over until to-morrow.

The senate then proceeded to the discussion of the resolution of Mr. *Buckanan*, calling for information as to persons removed from office since the 4th of March, 1841, when Mr. *Pierce* rose and addressed the senate until the morning hour expired.

The senate then proceeded to the discussion of the bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. *Rives* rose and moved to strike out from the 16th fundamental rule of the bill to incorporate the subscribers to the fiscal bank of the United States the following words:

"And the said directors may also establish companies of discount and deposit in any state, territory or district of the United States, and shall have power to commit the management of the said companies, and the business thereof, respectively, to such persons, and under such regulations as they may deem proper, not being contrary to law or to this charter. Or, in lieu of establishing such offices, it shall be lawful for the directors of the said corporation from time to time to employ any agent or agents, or any other bank or banks, or to be deputed by the secretary of the treasury, at any place or places that the said directors may deem safe and proper, to manage and transact the business proposed as aforesaid, other than for the purposes of discount, and to perform the duties hereinafter required of the said corporation, to be managed and transacted by such officers, under such agreements and subject to such regulations as they may deem just and proper."

And to insert in lieu thereof the following words: "That the said corporation shall establish a competent office of discount and deposit in any state, by or under the authority of the legislature of such state, whenever the directors may think fit so to do; and when established, the office shall not be withdrawn without the assent of congress; and the said corporation shall have power to

commit the management of the said offices and the business thereof respectively, to such persons, and under such regulations, as they shall deem proper, not being contrary to law or constitution of the bank; or, instead of establishing the said offices, it shall be lawful for the directors of the said corporation from time to time to employ any individual, agent, or any other bank or banks, to be approved by the secretary of the treasury, at any place or places that they may deem safe and proper, to manage and transact the business proposed as aforesaid other than for the purposes of discount, and to perform the duties hereinafter required of the said corporation, to be managed and transacted by such officers under such agreements and subject to such regulations as they may deem just and proper."

Mr. *Rives* addressed the senate at length in advocacy of his amendment.

Mr. *Clay*, of Ky. replied in opposition.

Mr. *Preston* concurred in the amendment of the Virginia senator, and stated his views briefly.

On motion Mr. B. *Wright's* senate adjourned.

July 2. The president laid before the senate a message from the president of the United States containing correspondence between himself and Mrs. Harrison, (for which see house report of yesterday).

On motion of Mr. *Allen*, the message and correspondence was laid on the table, and ordered to be printed.

Mr. *Tallmadge* presented memorials from various citizens of New York, and also of Westchester county, and Salina, praying for the passage of a general bankrupt law; which were laid on the table.

Mr. *Allen* presented the memorial of citizens of Ohio, remonstrating against the distribution of the proceeds of the sale of the public lands, against a national bank, &c. &c. which was laid on the table.

The resolution submitted yesterday by Mr. *Preston*, calling for the progress and actual condition of the commission under the treaty with Mexico, was taken up and reported.

The senate then took up the resolution calling for the names of persons removed since the 4th of March last; when Mr. *Pierce* rose and occupied the morning hour, in support of the resolution.

Mr. *Lin* announced his intention to offer some remarks on the subject of adjournment.

The senate then proceeded to the discussion of the bill to incorporate the subscribers to the fiscal bank of the United States; the amendment of Mr. *Allen* was pending. Mr. *Choate* rose in support of the amendment.

Mr. *Simmons* followed in opposition to the amendment.

Mr. *Archer* addressed the senate against the amendment.

Mr. *Rives* replied at some length.

Mr. *Merrick* moved to go into the consideration of executive business; but, on motion of Mr. *Sevier* the senate adjourned.

July 3. The president laid before the senate, in compliance with a resolution of that body, a communication showing the state of negotiations with the German Customs Union, relating to the reduction of the duties on tobacco. Laid on this table, and ordered to be printed.

Mr. *Woodbury* presented resolutions of the legislature of the state of New Hampshire, against a national bank, against an increase of the tariff, and against the distribution of the proceeds of the public lands.

Mr. *Wright* presented the memorial of citizens of Otsego county, New York, earnestly praying the enactment of a general bankrupt law.

Mr. *Buckanan* presented a memorial from the Philadelphia chamber of commerce in relation to an appropriation for keeping up the light on the Delaware breakwater.

Mr. *Lin* presented a memorial from citizens of Missouri in relation to the trade of the west with the Mexican provinces.

Mr. *Lin* went into a full history of the advantages to be derived from this trade in a national point of view, in concluding us to exercise a controlling influence in the trade of the west. Mr. L. did not finish when the morning hour expired.

Mr. *Bayard* moved that a select committee of five be appointed to take into consideration the 47th rule of the senate, or so much thereof as related to reporters; which was agreed to.

The senate then proceeded to the discussion of the bill to incorporate the subscribers to the fiscal bank of the United States; the amendment of Mr. *Rives* was pending.

Mr. *Bayard* rose and addressed the senate at some length, generally in favor of the principles of the amendment of Mr. *Rives*, and concluded by offering as a substitute the following:

"Strike out all after the word 'corporation' and insert 'not less than three, nor more than five, or more persons, or to employ any bank or banks, at any places they may deem proper, to perform the duties hereinafter required of the said corpora-

to be the fiscal agent of the government, and to manage and transact the business of the said corporation other than the ordinary business of discounting the promissory notes. That is to say, the said corporation shall have the right at such agencies to receive deposits, to deal or trade in bills of exchange, gold or silver coin, or bullion, or goods or lands purchased on execution, or taken bona fide in payment of debts or goods which shall be the proceeds of its lands, and to circulate its notes. And, moreover, it shall be lawful for the said board of directors to convert such agencies into offices of discount and deposit, and to receive and register any particular state in which such agency shall be established shall at its next session, after such agency is established, express its dissent thereto."

Mr. Phelps spoke for some time in favor of the amendment of Mr. Rice—when Mr. Huntington, following with much zeal the bill as originally reported from the select committee.

Several senators here rose to address the senate; when Mr. Smith, of Ind., having obtained the floor, moved to go into executive session.

Mr. Clay seconded the motion, observing that the public business might suffer if the motion before us was not attended to.

The senate went into executive session, and, after some time spent therein, adjourned to Tuesday next.

July 6. Memorials and petitions were presented and laid on the table.

Mr. Mangum, from the committee on naval affairs, to which had been referred the correspondence in relation to the return of the United States squadron from the Mediterranean, asked to be discharged from the further consideration of the same.

After a few remarks from Messrs. Mangum, King and Preston, the report was adopted, and the committee discharged accordingly.

Mr. Linn moved to take up a resolution submitted by him on Saturday last in relation to a change of the hour of meeting of the senate, from 10 o'clock A. M.

The resolution was opposed by Messrs. Clay, Walker and King, and advocated by Messrs. Linn, Preston and Calhoun. The question on the resolution was then taken by yeas and nays, and decided as follows: yeas 13, nays 31.

The senate then proceeded to the consideration of the special order, being the bill to incorporate subscribers to the fiscal bank of the United States; the amendment of Mr. Bayard to the amendment of Mr. Rice pending.

Mr. Berrien rose and addressed the senate in very considerable length in favor of the bill as originally reported from the committee, and against the amendment of Mr. Rice.

Mr. Merrick followed, speaking for upwards of an hour in favor of the amendment, on the ground of expediency, but maintaining the constitutional power of congress.

Mr. Bates also went at large into the merits of the subject, maintaining the power of congress to be as fully established as that of creating light houses for the preservation of property, but that on the whole, as a matter of expediency, it was better to sustain the amendment of the senator of Virginia.

When Mr. Bates closed his remarks, the question was taken on the amendment offered by Mr. Bayard, and decided in the negative as follows:

YEAS—Messrs. Archer, Bayard, Evans, Graham, Henderson, Morehead, Prentiss, Southard, Whipple. NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, Kentuckey, Claiborne, Dixon, King, Linn, McKim, Merriam, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, Williams, Woodbridge, Wright, Young—36.

Mr. Prentiss spoke in favor of Mr. Rice's amendment.

Mr. Dixon made a few remarks against it.

Mr. White gave his reasons at some length for the vote he was about to give. He sustained with much zeal the original bill, as reported from the committee.

Mr. Walker, though opposed to all banks, sustained the amendment of Mr. Rice on the ground of state rights. He said, if that bill became the law of the land, we should have the war of nullification renewed before twelve months went over our heads; and asked if there was any thing so flattering in the recollection of that history that gentlemen would like to see it again revived.

After Mr. Walker concluded his remarks, the question was taken on the amendment of Mr. Rice, and decided in the negative, as follows:

YEAS—Messrs. Barrow, Bates, Choate, Merrick, Phelps, Prentiss, Preston, Rice, Walker, Williams—10.

NAYS—Messrs. Allen, Archer, Benton, Berrien, Buchanan, Calhoun, Clay, of Alabama, Clay, of Kentucky, Claiborne, Claiborne, Dixon, Evans, Graham, Henderson, Huntington, Kerr, King, Linn, McKim, Merriam, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, Williams, Woodbridge, Wright, Young—38.

Mr. Huntington then said there was a trivial amendment which he would like to offer to the 9th section, viz: to strike out the words "seven millions," and insert "six million five hundred thousand dollars." Mr. H. explained the object.

Mr. Clay said the amendment was perfectly proper, and would be passed.

The amendment was adopted, and the senate then adjourned.

July 7. The president laid before the senate a communication from the treasury department in relation to the standard of weights and measures, and announcing the completion of the ounce weight.

Also, from the navy department, in compliance with a resolution, showing the number of old-fashioned muskets and pistols on hand.

Memorials and petitions were presented and appropriately referred.

The resolution of Mr. Buchanan calling for the names of persons removed from office since the 4th of March last being taken up—Mr. Linn rose and occupied the morning hour in favor of the resolution, asserting that the present administration was one of the most proscriptive character.

The senate then proceeded to the discussion of the special order, being the bill to incorporate subscribers to the fiscal bank of the United States.

Mr. Buchanan rose and addressed the senate at great length against the government principles of the bill, and moved by moving to strike out the District of Columbia as the location.

Mr. Clay would inquire of the senator from Pennsylvania if he had any particular location in view? Mr. Buchanan said, if he succeeded in the motion to strike out, that of filling up would be for after consideration.

Mr. Benton expressed his intention in going for the motion to strike out. If the bank were located here, it would be managed by used-up politicians, and out of congress, as well as others.

Mr. Wright would move to strike out, to relieve the bill from all difficulties.

Mr. Wright thought the bank of the committee bad enough, but, bad as that was, the notion of the senate to locate it in Pennsylvania would be much worse, as then it would go to New York, where it would become the Bank of England in New York, managed by stock-brokers and jobbers; and, bad as politicians were, they were infinitely worse.

Mr. Woodbury said, if the bank were to be a mere fiscal machine, it should be located at the seat of government; but if it were to become a commercial agent, then it should be located in some commercial mart.

Mr. Calhoun thought the location in this District a mere sham. He would vote for the motion to strike out, and then he would endeavor to have fair play, by giving the south her share. He thought New Orleans would be the best location. He would like to have it as far off as possible from the influence of the national legislature.

Mr. Allen spoke for some time against the establishment of any bank, and said if that went into operation there never would be an independent majority on the floor.

Mr. Benton contended that New Orleans was the place, above all others, for the location. If there was to be a bank, it should be where the exports were greatest, and where the exchanges between the north and south would be better regulated.

Mr. Calhoun said if there was to be a bank, it should be south of Mason and Dixon's line. The exports from Alabama and Mississippi were equal to one-half of the products of the whole U. States.

The question was then taken on the motion to strike out, and decided in the negative, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, King, Linn, McKim, Merriam, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, Williams, Woodbridge—29.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Benton, Buchanan, Claiborne, Claiborne, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merriam, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, Williams, Woodbridge—38.

Mr. Calhoun then moved to strike out and insert New Orleans.

On this motion a debate ensued, of some length, in Messrs. Calhoun, Benton, Walker, Clay, of Ala.

The question having been taken, it was decided in the negative, as follows:

YEAS—Messrs. Benton, Buchanan, Calhoun, Clay, of Ala., Fulton, King, Linn, McKim, Merriam, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, Williams, Woodbridge—38.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Benton, Buchanan, Claiborne, Claiborne, Dixon, Evans, Graham, Henderson, Huntington, Kerr, McKim, Merriam, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, Williams, Woodbridge—29.

Mr. Wright then offered resolutions, amendments, which were laid on the table, and ordered to be printed.

Mr. Walker also offered amendments, which were likewise ordered to be printed.

And the senate adjourned.

HOUSE OF REPRESENTATIVES.

[The select committees appointed under the resolutions adopted Thursday 17th, consist of the following members:

Committee on patronage in the several departments of the public service at the seat of government, &c.—Messrs. Thomas W. Gilmer, J. F. Randolph, John Maynard, Wm. W. Irwin and R. D. Davis.

Committee on slavery, &c.—Messrs. Sumner, A. S. Foster, White, of Indiana, Briggs, and Johnson, of Tennessee.]

Friday, June 18. The journal of yesterday was read, (except so much thereof as included the preamble and resolutions of Mr. Waterson in relation to renouveau for the reading of which, on motion of Mr. J. C. Clark, was dispensed with.)

Mr. Morgan desired to inquire of the speaker whether it was in order to put on the journal the preamble and resolutions of the gentleman from Tennessee, (Mr. Waterson). The speaker said it was.

Mr. Morgan desired to know whether it was in order to move to strike out that portion, so that it should not appear on the journal. The speaker said it was not in order.

The journal was then approved.

Mr. Adams rose to know if there were any standing committees of this house. He did not consider himself as belonging to any committee since the reconsideration of the rule, and he would move that the speaker be now authorized to appoint the standing committees; and he would beg the speaker not to appoint him at the head of any committee. And if the house should decide that the committees are in existence, he would request that he be excused from service on the committee on Indian affairs.

And the house excused him.

The committee on the rules reported in part that an addition to the 12th rule be made, preventing any motion from being offered for the suspension of the rules, and that no resolution shall be offered out of the regular order.

Mr. Walker objected to this report of the committee, as they appeared to be a standing committee with a right to report whenever a role should be found necessary to control the minority. Mr. W. moved to lay the motion of the committee on the table. Lost.

Mr. Clifford inquired of the chairman when the committee would be able to report in full. He had always conceived that the rules were to be proposed, the minority are under an arbitrary control, that may be carried to any extent, even to forcing the previous question in committee of the whole.

Mr. Clifford said that it was the will of the majority who had come here, to do business, and it appeared that the minority had come here to prevent action, and to talk; he would therefore move the previous question.

After some remarks by Messrs. Turner, Underwood and Alderman, Mr. J. C. Floyd said if the speaker had decided that the resolution of the committee could be adopted this day without a majority of two-thirds. The speaker said he had.

Mr. J. C. Floyd then took an appeal from the decision of the chair, and asked for yeas and nays, which were ordered, and the chair was sustained 123 yeas, 70 nays.

The previous question was then put and carried in the affirmative.

The question then recurred on the main question, and the yeas and nays were demanded. And the report of the committee was adopted, yeas 124, nays 80.

In motion of Mr. Adams, the house went into committee of the whole. Mr. Tallmadge, in the chair, and took up the bill for the relief of Mr. Harrison, widow of the late president of the United States.

Mr. Adams explained that gen. Harrison had been drawn one cent of his salary as president, though it was usual to draw it monthly.

mission relative to the seizure of American vessels by British armed cruisers, &c. was taken up.

Mr. Adams moved the following amendment:—
“And also, copies of all correspondence between the government of the United States and of Great Britain since the 3d March, 1837, relating to the foreign slave trade, not communicated with the message of the president of the 3d of March last, and all other parts of despatches from Nicholas P. Trist, consul of the United States at the Havana, to the department of state, not contained in the said message of the 3d March last.”

After remarks by Messrs. Dawson, Adams and Gilmer, the amendment and the resolution were adopted.

The resolution of Mr. Wood calling for information relative to the American citizens, now prisoners of state at Van Diemen's Land, was adopted.

Mr. Randolph, of N. J., offered a resolution, that ten thousand extra copies of the report of the secretary of the treasury on the finances be printed. This, as giving rise to debate, lies over one day.

Mr. Wise moved to take up the resolution previously offered by him, requesting the secretary of the treasury to lay before the house the plan of the fiscal account recommended in his report of the 3d inst.:

This, after an interesting debate, by Messrs. Mar-

gan, Wise, S. Mason, G. Davis, Underwood, Adams, Wm. C. Johnson and Sergeant, was adopted.

On motion of Mr. Fillmore, the house now re-

solved itself into a committee of the whole on the

state of the union, (Mr. Tillamook in the chair),

and took up the bill making appropriations for the

present session of congress. Which, after a short

debate, was passed in committee. It was then

read a third time and passed in the house.

Its appropriations are as follows:

For the pay and salaries of the members

of the senate, \$63,241

For pay of the chaplain of the senate, 500

For printing, stationery and contingent

expenses of the senate, 26,189

For pay and mileage of members of the

house and chaplain 236,600

For printing, stationery and contingent

expenses of the house, 30,836

For supply of stationery of second ses-

sion of twenty-seventh congress, 15,000

Total amount, \$397,666

Providing that no part of the sums appropriated

for the contingent expenses of either house be ap-

plied to any other than the ordinary expenditures,

nor as extra allowance to any clerk, messenger or

attendant of either house.

The speaker laid before the house a communication

containing estimates for additional appropriations

for the department of war.

The following resolutions were offered, which,

under the rule, lie over one day.

By Mr. McKoy—a resolution directing “the se-

cretary of the treasury to report to this house a list

of the several appropriations which his states, in his

report of the 2d June, were expended and out-

standing on the 4th March, referring to the acts by

which they were passed, and designating those

which will be required for the service of the cur-

rent year; and also those required between the 1st

June and 31st August next.”

“Also, the amount of money drawn from the

treasury between the 4th March and 31st day of

the present year, both inclusive; the amount ac-

counted for by disbursing agents within this period,

so as to exhibit, as near as possible, the amount of ex-

peditures between the days above mentioned, and

showing the amount in the hands of disbursing

agents, and unaccounted for on the 1st June.”

By Mr. Campbell, of South Carolina, a resolution

directing the committee of ways and means to in-

quire into the expediency of an amendment to the

anti-treasury act, authorizing all debts accruing to

the United States, to be collected in the legal cur-

rency of the U. S. or in treasury notes, or current

bank notes of specie paying banks; and also repeal-

ing so much of the sub-treasury act as makes it ob-

ligatory, after a certain period, on the officers and

agents of the United States, or the general post of-

fice, to make all payments in gold or silver coin

only.

By Mr. King, of Georgia, a resolution that the

surveys of Doboy and Sarpelo inlets in Georgia,

with the report on the same, by Lieut. Gilpin, U. S.

navy, 1840, be published under the direction of the

navy department.

By Mr. Marisweather, of Georgia, a resolution call-

ing on the secretary of the treasury to report to

this house whether any bank or banks have been

used in the disbursement of the public money since

the passage of the sub-treasury act; and if so, what

banks have been employed on what terms, &c.

The house adjourned at 3 o'clock.

Tuesday, June 22. The Journal of yesterday was

read and approved.

Petitions and memorials were presented.

The report was offered yesterday by Mr. Randolph

for printing ten thousand copies of the report of the

secretary of the treasury on the finances, con-

ing up in order, Mr. R. moved the previous question on

its adoption, the demand was sustained, and the

question lay on the yeas and nays, and was decided in

the affirmative, yeas 100, ayes 79.

This resolution offered yesterday by Mr. McKoy,

was adopted.

The resolution offered yesterday by Mr. King,

respecting the surveys of Doboy and Sarpelo inlets in

Georgia, was taken up and after discussion was

referred to the committee on naval affairs.

Mr. W. C. Johnson, from the committee on the

public lands, by unanimous consent, reported a bill

to appropriate for a limited time, the proceeds of

the sale of the public lands of the United States, and

for granting land to certain states; which having

been read twice by its title, was referred to the

committee of the whole on the state of the union,

and ordered to be printed.

The following resolution, presented yesterday by

Mr. Russell, of S. C. came up in its order:

Resolved, That the committee of ways and means be

instructed to inquire into the expediency of so amend-

ing the act entitled “an act to provide for the collection

and disbursement of the public revenue,” approved July 4,

1840, as to authorize all duties, taxes, debts or sums of money, accruing and be-

coming payable to the United States, to be collected in

the legal currency of the United States, or in

treasury notes, or in current bank notes of specie

paying banks, payable and paid on demand in the

legal currency of the United States; and also of pro-

viding by law for settlements with the banks, respec-

tively, for such balances of their notes as may remain

on hand at the expiration of certain periods, and of

repealing so much of the said act entitled “an act to

provide for the collection, and keeping transfer and dis-

bursement of the public revenue,” as makes it obligat-

ory, after a certain period, upon officers or agents em-

ployed in making disbursements on account of the

United States, or of the general post office, to make all pay-

ments in gold and silver coin only.

Mr. Russell, of S. C. moved to amend the bill, by

inserting the words “and also” after the words “and

also” in the 1st section of the bill, and moved to lay

the resolution on the table which was agreed to.

Mr. Pope then moved to reconsider the act of the

house yesterday, by which it had referred the bill

for the repeal of the sub-treasury to the committee

of ways and means, with a view to having it referred

to the select committee on the currency.

This motion gave rise to a lengthy discussion,

which was brought to a close by Mr. Clark, of N.

Y. demanding the previous question, and was

called for on seconding the demand by the previous

question, and Messrs. Atherton and Broadman were

appointed, and the question being taken, there ap-

peared yeas 94, nays 86. So the motion was second.

Mr. Wood, of N. Y. asked the yeas and nays on

opening the main question, and being taken, were

yeas 114, nays 86. So the main question was or-

dered to be taken.

Mr. Atherton asked the yeas and nays on the

main question, (being, on the motion to reconsider),

and being taken, the yeas being taken, was as fol-

lows: yeas 118, nays 80.

And the question recurring on the reference of

the bill, Mr. Fillmore withdrew his motion to refer

to the committee of ways and means.

Mr. Russell moved to refer to the select committee

on the currency.

Mr. Pickens moved to refer to the committee of

the whole on the state of the union.

Some remarks were then made by Messrs. Pick-

ens, Adams and Cushing, when Mr. Mason, of Ohio,

moved the previous question.

Mr. Floyd, of N. Y. renewed his motion to refer

the bill to the committee of ways and means.

The question was then taken, first, on the motion

to refer the bill to the committee of ways and means

on the state of the union, and it was rejected.

And the question was taken, secondly, on the

motion to refer to the committee of ways and means,

and it was rejected. And the bill was referred to

the select committee on the currency.

A resolution offered yesterday by Mr. Meri-

weather, calling on the secretary of the treasury to

report to the house whether any bank or banks have

been used in the disbursement of the public money

since the passage of the sub-treasury act, was taken

yeas 100, nays 86, and after some desultory con-

versation, adopted.

The speaker laid before the house the following

message and correspondence from the president of

the United States, which was read, and, after some

conversation, was referred, on motion of Mr. Pen-

nington, to the select committee appointed on the 1st

instant, upon the subject of the death of William

Henry Harrison, late president of the U. States:

Washington, June 23, 1841.

To the senate and house of representatives of the

United States: I have the honor to submit the ac-

companying correspondence between myself and

the honorable J. Burnett, J. C. Wright, and others

who arrived some days ago in this city, as a com-

mittee on behalf of the people of Ohio, and for the

purpose, with the assent of the family, of removing

the remains of the late president of the U. States to

North Bend, for interment. I have thought it to be

my duty thus to apprise congress of the contemplated

proceedings. JOHN TYLER.

Washington, June 16, 1841.

To the president of the United States:

DEAR SIR: The undersigned were appointed by

the citizens and city council of Cincinnati, and by

many of the surviving soldiers of the late war, to

apply to the widow and family of our distinguished

citizen, the late president of the U. States, for

permission to remove his remains from the city of

Washington to the state of Ohio, for interment.

They have made the application, and have

received permission to perform that sacred trust.

They have now the honor of reporting to you their

arrival in this city, and of asking your approbation

of the measure contemplated, and your co-operation

in carrying it into effect.

We are fully aware of the high estimate you

placed on the talents and virtues of our lamented

friend and fellow citizen, the late chief magistrate of

our union, whose friendship and confidence we pos-

sessed many years. We see the tear fall from your

eye and mingle with the tears of the nation when

the inscrutable will of heaven removed him from us.

Knowing these things, we approach you with

confidence, and assure that we have a justly ap-

propriate motive for undertaking the mournful duty

we have been deputed to perform, and that the same

kind feeling which has marked your course through

life will prompt you on this occasion to afford us

your countenance, and, if necessary, your co-opera-

tion.

If I meet your approbation, the committee will

do themselves the honor of waiting upon you at the

president's house, at any hour you may please to

designate.

With high respect, we are, your friends and fel-

low citizen:

J. BURNET,

J. C. WRIGHT,

T. H. D. CARNELL,

EDWARD S. MASON,

REFUS WOODRUFF,

L. WHITEMAN,

A. DUDLEY,

D. A. HOWELL,

A. McALPIN,

JOHN REEVES,

Washington, June 17, 1841.

GENTLEMEN: Your letter of the 16th was duly

received, and I lose no time in responding to the

feelings and sentiments which you have expressed

for yourselves and those you represent, and which

you have correctly ascribed to me in regard to the

lamented death of the late president. As a citizen I

repeated him, as a patriot I honored him, as a friend

he was near and dear to me, and the wish of Cin-

cinatti should drive to keep watch over his remains

by embowing them near the city, is both natural

and becoming; that the entire west, where so many

evidences of his public usefulness are to be found,

should unite in the solemnity of such a duty, was

never expected; and that the surviving soldiers of his

many battles, led on by him to victory and to glory,

should strive to perform the last melancholy duties

people of Cincinnati, admits of no opposition on my part, neither in my individual nor official character.

I shall feel it to be my duty, however, to submit our correspondence to the two houses of congress now in session; but anticipating an effort from that quarter to thwart the wishes expressed by yourselves in consonance with those of the widow and nearest relatives of the late president, I readily promise you my co-operation towards enabling you to find the sacred trust which brought you to this city.

I tender to each of you, gentlemen, my cordial salutations.
JOHN TYLER.

To J. Burnett, J. C. Wright, and others of the committee.

And, the hour of three having arrived, the house adjourned.

Wednesday, June 23. The journal of yesterday was read and approved.

Mr. D. H. Lewis introduced his colleague, hon. Geo. S. Houston, representative elect from the state of Alabama, who was qualified and took his seat.

The speaker announced the following members in the select committee on the message of the president of the United States, transmitted yesterday, in relation to the removal of the mortal remains of the late president of the United States:

Messrs. J. Q. Adams, of Mass.; Fessenden, of Maine; Atherton, of N. Hampshire; Tillamush, of Me.; Williams, of Kansas; Everett, of Vermont; Greig, of New York; Ayer, of New Jersey; Sergeant, of Penn.; Rodney, of Delaware; W. C. Johnson, of Md.; Taliaferro, of Virginia; L. Williams, of N. C.; John Campbell, of S. C.; Dawson, of Georgia; Foy, of Kentucky; A. V. Brown, of Tennessee; S. Mason, of Ohio; E. D. White, of La. Wallace, of Indiana; Miller, of Missouri; Cross, of Arkansas; Howard, of Michigan; Lewis, of Ala.

Petitions and memorials were called for in the order of the states and territories, and presented.

Mr. Adams offered the following resolution, which was adopted:

Resolved, That so much of the message of the president of the United States of the 1st instant, as relates to the African slave trade, be referred to the committee on naval affairs, with instructions to report to the house such measures as the highest considerations of public honor as well as the strongest promptings of humanity require for the redemption of our trade.

Mr. Calhoun, of Massachusetts, offered the following resolution, which was adopted:

Resolved, That the secretary of war transmit to this house a copy of the report of the inspector of armaments, &c., referred to in the memorandum attached to the secretary's report accompanying the president's message.

Mr. Brewster offered the following resolution, which was adopted:

Resolved, That the committee on commerce be instructed to inquire into the expediency of so modifying the revenue laws as to allow drawback upon goods transferred abroad in the original boxes and packages to foreign countries.

On motion of Mr. Fillmore, the committee of ways and means were discharged from so much as the president's message as relates to the subject of new fortifications, and it was referred to the committee on military affairs.

On motion of Mr. W. C. Johnson, the committee of the whole on the state of the union was discharged from the consideration of the bill reported yesterday to appropriate for a limited time the proceeds of the sales of the public lands of the United States, and for granting lands to certain states, and the same was referred back again to the committee on public lands.

Mr. Goggin offered the following resolution, which was adopted:

Resolved, That the president of the United States be requested to communicate to this house, if not deemed incompatible with the public interest, any correspondence which may be taken place between the executive and our ministers or agents abroad and others relative to the tobacco trade between this and foreign countries since the last communications made to this house on that subject.

Mr. Trippitt offered the following resolutions (which are those offered at the last session of congress, but are not there recited):

Resolved, That the government in the stocks of the several states, the amount of funds held by the government of the United States in trust, to the amount of the sums so invested, and of the interest thereon, as a compensation by the United States of the debt of the said several states, in the event of their failure punctually to pay the same.

Resolved, That the purchase, by authority of any executive department of the government of the United States, of the bonds of any of the states of this union, at their nominal value, or with a premium thereon, and the subsequent sale of the same bonds at a discount, is an unnecessary and wasteful dissipation of the public funds.

Resolved, That it is the duty of the executive government of the United States to require of the govern-

ment of each and every state of this union in whose stocks investments of the public moneys held in trust by the government of the United States have been made, punctual payments in specie or its equivalent, of the interest stipulated in the said stocks, and repayment of the principal, as soon as possible, by the means of the coupons upon which such stocks have severally been issued.

Resolved, That the further investment of any public funds of the United States in stocks of the several states, and forthwith to be prohibited by law; and that the committee of ways and means be instructed to report a bill for that purpose.

Mr. E. D. White offered the following resolution, which was adopted:

Resolved, That the committee on commerce be directed to inquire into the expediency of reporting a bill to extend the limits of the port of New Orleans.

A number of resolutions were offered, which were laid over under the rule, and will appear in their progress.

Mr. Randall asked the house at this time to take up and consider a memorial presented by him yesterday in relation to the operation of the present tariff laws upon the iron manufactures of the country, (which petition, giving rise to debate, had been laid over yesterday on a motion to postpone).

And the house having consented to take up the memorial, an animated debate ensued, in which Messrs. Adams, Fessenden, Arnold, Arns, Abbott and others participated, (which for want of room we are compelled to omit), and was brought to a close by a motion of Mr. Briggs that the house adjourn, which was carried, and the house at 1 o'clock adjourned.

Thursday, June 24. The speaker announced the unfinished business to be the motion, heretofore submitted by Mr. Randall, to print the memorial presented by him in relation to the operation of the present tariff law on the iron manufactures of the United States.

And further debate arising, the memorial was laid to be printed.

Petitions and memorials were called for in the reverse order of the states and territories, and were presented.

The committees were then called in their order for the consideration of their business.

Mr. Fillmore, from the committee of ways and means, reported a bill authorizing a loan not exceeding the sum of twelve millions of dollars.

The bill having been read twice, was referred to the committee of the whole on the state of the union, and ordered to be printed.

Mr. W. C. Johnson from the committee on the public lands, reported a bill to appropriate the proceeds of the sales of the public lands, and to grant premium rights.

On motion of Mr. J. the bill, having been read twice, was referred to the committee of the whole on the state of the union, and ordered to be printed.

The next order of business was resolutions.

The following resolution, offered yesterday by Mr. Adams, was in its order:

Resolved, That the secretary of the treasury be directed to communicate to this house, at the commencement of the next session of congress, a statement of the progress which shall then have been made in the survey of the coast of the United States including the number, location and length of the several base lines measured for the triangulation, the stations occupied therefor, the observations made for, and the corrections applied to, the same; the astronomical observations made for the determination of latitude and longitude; the work done by each corps employed in the survey; and a descriptive list of the charts published, if any.

Also, the amount of money expended on the survey of the coast, from time to time, since its commencement, showing what sum has been appropriated for the purchase of instruments and books; the names of all persons employed upon the survey, distinguishing such as may have been of the army or navy, together with their salaries or other compensation; and by whom appointed to the service; exhibiting as well the direct appropriation for the survey of the coast as the indirect expenditures upon it by reason of the employment thereon of the public vessels and officers.

Also, the probable length of time and amount of money required to complete the survey of the coast in the shortest time, and the sum that would be required by any other mode of surveying the same which shall have for its object the acquisition of the greatest amount of useful information, in the shortest time and at the least expense.

This was debated by Messrs. Cushing, Holmes and Everett, in which the history of the survey, which has been executed under the direction of Mr. Everett, and the great importance of the same, (the length of time and amount of money already employed were detailed; the resolution was adopted.

The speaker laid before the house a communication from the treasury department, transmitting the plan of a fiscal agent.

On motion of Mr. Briggs, the communication was referred to a select committee on the currency, and was ordered to be printed.

Mr. Winthrop was understood to move that \$5,000 extra copies of the plan be printed; which motion, by the rule, lies over until the next day.

The following resolution, offered yesterday by Mr. Winthrop, coming up in its order:

Resolved, That the committee on the library be instructed to take measures for procuring annually for the library of congress two or more copies of all important reports or other documents on commercial, judicial or other subjects of interest to our country, which may be published by the parliament of Great Britain, or by the governments of other foreign nations.

Provided, That the same shall be paid for out of the standing appropriation for the library.

Mr. C. Johnson moved to amend the resolution by inserting after the words "instructed to," the words "inquire into the expediency of."

Mr. Winthrop accepted the amendment as a modification, and after a few remarks by Messrs. Winthrop and Tillamush the resolution was adopted.

The following resolution, offered yesterday by Mr. Roosevelt, came up in its order:

Resolved, That the committee on the judiciary be instructed to inquire into the constitutionality and expediency of the passage of a uniform bankrupt law applicable to moneyed corporations, and especially whether such law would or would not be the most efficient measure for restoring and regulating the currency, for preventing suspensions of specie payments, and keeping banks within reasonable limits.

Mr. C. Johnson moved to amend the resolution, advocating forcibly the passage of such a law.

Mr. Barnard was glad his colleague had introduced the resolution, as it had given him an opportunity of making a speech, which he (Mr. Barnard) considered important, and which, he thought, his desire was gratified, he hoped he would withdraw the resolution, as it was entirely unnecessary, the committee already having the subject before them. He concluded by moving to lay the resolution on the table. (Which he, however, subsequently withdrew).

Mr. Roosevelt replied, after which Mr. Barnard rejoined, the debate assuming a personal character.

After further discussion, by Mr. Davis, of N. Y. the resolution was adopted.

The resolution offered yesterday, by Mr. Floyd, relative to McLeod, was taken up and modifications being made, as proposed by Messrs. Ingersoll and Trippitt, is as follows:

Resolved, That the president of the United States be requested to inform this house, if not incompatible with the public interest, whether any officer of the army, or the attorney general of the United States, since the 4th March last, been directed to visit the state of New York, for any purpose connected with the imprisonment or trial of Alexander McLeod; and if so, to communicate to this house copies of instructions, reports, resolutions, and other papers, and whether, by any executive measures or correspondence, the British government has been given to understand that McLeod will be released or surrendered.

Mr. Floyd briefly advocated the resolution.

Mr. Ingersoll spoke at length advocating the resolution, and entering into a history of the case from the arrest of the Canadian patriots, the arrest of McLeod, and the circumstances in which the present administration found this case. He attacked and condemned in detail the letter of Mr. Webster to Mr. Fox on this subject, denying the grounds therein stated, and affirming that McLeod was persecuted in this case, and also in case of war, and that Mr. Webster's conduct in this to be a case of war, which was more than even the British minister claimed. Although not given to gloomy ideas, he could not but apprehend, as the consequence of the mistake of Mr. Webster, the plunging of the country into a bloody war, unless by speedy and prompt action on the part of the house it was corrected. He wished the resolution adopted, and that the house freely and candidly communicate with the executive, and act manfully on this subject, which was of paramount importance.

Mr. Cushing entered into an able and eloquent defence of the course of Mr. Webster, and without concluding gave way, and the house adjourned at 3 o'clock.

Friday, June 25. The journal of yesterday was read and approved.

Mr. Adams, by unanimous consent, from the select committee appointed on the subject of the removal of the remains of the late president of the United States, reported the following resolution:

Resolved, That on Saturday next the remains of William Henry Harrison, late president of the United States, be removed, under the superintendence

committee of both houses of congress from the congressional burial ground, and accompanied by such members and the delegation from Ohio to the line of the Department of Columbia.

Resolved, That when the two houses adjourn, they adjourn to Monday next.

The resolutions were unanimously adopted, and were sent to the senate for concurrence.

Mr. Briggs submitted to the chair that he supposed it would be understood that the committee already appointed would be the committee to attend the removal of the remains of the late president.

The speaker said he believed that such was the intention of the resolution.

Mr. Adams was understood to say such was the intention, but that it was a matter within the disposal of the house.

The speaker said that, by the leave of the house, the chair would consider that the committee heretofore appointed should be the committee on the part of the house to carry out the object of the resolution.

Petitions and memorials were called in the order of states and territories, and were presented.

The question pending, was on the resolution considered yesterday, calling for the president for the British relation to the McClellan case, on which Mr. Cushing was entitled to the floor.

Mr. Cushing resumed, from yesterday, his remarks on this subject, and entered into an answer of the charges made by Mr. Ingersoll, Secretary of State, and Mr. Webster from all those imputed blunders. The conclusion to which he had arrived, was the position in which he stated, that the United States, on the great question pending between them and Great Britain, and especially on the main and principal question connected with McClellan, were in the right, and if they should be involved in a war with Great Britain, they would be justifiable, in the face of nations, and of Heaven, to prosecute that war to all extremities. But if gentlemen of the opposition, by their legal ingenuity or by party spirit, conceded the true issue, and their country was involved in a war, on them would be the responsibility; and to them he appealed, that they should act up to the position, and as one man come up to the rescue of their country.

Mr. Wise objected to the resolution, because it was out of time to adopt the resolution now, which would expose to the nation the position of all nations who this government thought of itself about the controversy with Great Britain; and would interfere with our own negotiations; and with the action of our judicial tribunal, which was a separate branch of the government, and they should not directly or indirectly interrupt the operations of the executive.

Without action, the resolution was passed informally, and on motion of Mr. William Cost Johnson, the house resolved, itself into a committee of the whole, on the state of the union, Mr. Lawrence, of Pennsylvania, in the chair, and took up the bill "to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights."

The bill was read by the clerk.

Mr. Wm. Cost Johnson addressed the committee about an hour and a half in support of the bill, without concluding he gave way to a motion that the committee rise.

A message was received from the senate that the senate had passed a bill from the house for the resolution that any sum which may have been paid to any legal representative of William Henry Harrison should be deducted from the appropriation of 25,000 dollars.

On motion of Mr. Adams, the amendment was concurred in.

A message was also received that the senate had concurred in the joint resolution, of the house, for appointing a committee of the two houses to superintend the removal of the remains of William Henry Harrison.

The house then again resumed the consideration of the resolution of Mr. Floyd, of New York, in relation to the case of Alexander McClellan.

Mr. Tillinghast spoke briefly, turning his attention to the law of Vattel, where it was stated that "the nation that ratifies the act of a citizen makes that act a public affair." If it was so, it was not the act of the citizen himself, but the nation took it from the individual. He held that according to law, it was not consistent with the honor of this nation that they should omit to notice the nation ratifying the act of McClellan.

Mr. Holmes opposed the adoption of the resolution as interfering with the action of the department of our government entrusted with this matter.

Mr. Gordon advocated the resolution, that McClellan should be held personally responsible to the law of New York. He was as a representative from the state of New York "to enter his solemn protest" in the name of New York, for any interference on the part of the general government in this case.

Mr. Wise moved to lay the resolution on the table.

Mr. Hunt wished the gentleman from Virginia, (Mr. Wise), to withdraw his motion.

On the motion Mr. Clifford called the yeas and nays, which were ordered, and the motion to lay on the table was negatived—yeas 51, nays 105.

On motion of Mr. Adams, it was resolved that one additional member be added to the committee on enrolled bills.

On motion of Mr. Briggs, the resolution fixing 3 o'clock P. M. for the hour of adjournment, without the house previously adjourned, was revived for the ensuing week.

The house adjourned to Monday at ten o'clock.

Monday, June 28. Mr. Cooper, of Pennsylvania, introduced the bill, Harry Black, representative from that state, (vice hon. Charles Ogden, deceased), who was qualified and took his seat.

Mr. Dawson, of Geo. rose and said: Mr. Speaker: It having been announced in the public prints of this city by the secretary of war that major general Alexander Macomb has departed this life, I announce that fact as chairman of the military committee of this body, and I ask leave to present the following resolutions:

Resolved, That the house of representatives have learned with deep regret the death of major general Alexander Macomb, the late commanding general of the army, and the distinguished leader of the glorious battle of Fraunces in the late war.

Resolved, That the house of representatives will, if the senate concur herein, attend the funeral of major general Macomb this day at ten o'clock.

Resolved, That a committee of three members of this house be appointed on the part of the house to make arrangements with such committee as may be appointed on the part of the senate, for the attendance of the senate and house of representatives at the funeral of the late major general Macomb.

The resolutions having been read, were adopted unanimously, and were sent to the senate for concurrence.

Mr. Dawson, (having, he was understood to say, another office assigned him in the arrangements of the day), asked to be excused from service on the committee to be appointed, under the resolution on the table of this house.

And Mr. D. was accordingly excused.

The speaker then announced the following members as the committee on the part of this house.

Mr. John Miller, of Missouri.

Mr. William O. Butler, of Kentucky.

Mr. Aaron Ward, of New York.

Mr. Linn, of New York, moved a reconsideration of the vote by which the following resolution, offered by Mr. Briggs on Friday last, had been adopted:

Resolved, That so much of the resolution of the 17th instant, fixing the time for the daily meeting and adjournment of the house as expires to-morrow, be continued in force for one week from the time of its present limitation.

The motion lies over one day.

After the lapse of about fifteen minutes, a message was received from the senate, stating that that body had concurred in the resolutions of the house in relation to the funeral of major general Macomb.

And then, on motion of Mr. Briggs, the house adjourned.

Tuesday June 29. The journal of yesterday was read and approved.

Mr. Adams said he had been requested by Mr. Alexander Hamilton, of New York, to present to this house a draught of an act to organize and establish an exchequer of issue as the chief agent of the United States, together with some remarks of his own, explanatory of its provisions. It was an act prepared by that gentleman, which he wished to be considered, and which he had requested him, (Mr. A.) to move to be printed by the house, and that it be referred to the committee on the currency.

The printing was opposed by Messrs. Everett, Hunt and Brown, of Pa. and supported by Messrs. Adams and Barnard.

Mr. Sergeant moved to amend the motion to print by inserting therein the printing of the plan presented on a former day by the gentleman from New York, (Mr. Barnard).

And the question being taken on the motion to refer, the project was referred to the select committee on the table.

Mr. J. C. Clark moved to lay the motion to print on the table; which motion prevailed; yeas 119,

noes not counted. So the motion to print was laid on the table.

The house took up for consideration the motion, submitted yesterday by Mr. Linn, to reconsider the vote of Friday last by which the following resolution, offered on that day by Mr. Briggs, was adopted.

Resolved, That so much of the resolution of the 17th instant, fixing the time for the daily meeting and adjournment of the house as expires to-morrow, be continued in force for one week from the time of its present limitation.

Some conversation took place on the point of order, after which the question on the motion to reconsider was taken, and was decided in the negative; yeas 77, noes 83.

Petitions and memorials were called for in the reversed order of the states and territories, and were presented.

On motion of Mr. Cushing, it was

Resolved, That all petitions, resolutions of state legislatures, and other papers, on the subject of a bankrupt law, presented in the last congress, be taken from the files of the house and referred to the committee on the judiciary.

Mr. Calkins, from the committee on naval affairs, reported a bill to provide for the payment of navy pensions.

The bill was read twice by its title, and, on motion of Mr. C. was referred to the committee of the whole on the state of the union, and ordered to be printed.

Resolutions being the next order of business, and the unfinished business of the adjourned hour being the unfinished resolution heretofore offered by Mr. Floyd, calling for certain information in relation to the case of Alexander McClellan. The consideration of the resolution was by general consent passed over.

On motion of Mr. W. Cost Johnson, the house resolved itself into a committee of the whole on the state of the union, (Mr. Lawrence, of Penn. in the chair), on the bill to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights.

Mr. W. C. Johnson, who held the floor from Friday last, resumed and concluded his remarks in favor of the bill.

Mr. Clifford, of Maine, then took the floor and addressed the committee in opposition to the bill until the hour of three, when he gave way to Mr. Brown, of Penn. on whose motion the committee rose, reported progress, and obtained leave to sit again. And then the house adjourned.

Wednesday, June 30. The journal of yesterday was read and approved.

Mr. Briggs moved that the house resolve itself into committee of the whole on the state of the union.

Some conversation followed on a point of order; after which the motion of Mr. Briggs prevailed.

The house again resolved itself into committee of the whole on the state of the union, (Mr. Lawrence, of Pennsylvania, in the chair), on the bill to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights; the pending question being on the motion of Mr. Clifford to strike out the enacting clause of the bill.

Mr. Clifford resumed his remarks from yesterday. After he had concluded, Mr. Meriwether, of Georgia, obtained the floor, and addressed the committee, and was followed, successively, by Messrs. J. G. Floyd, Harrison, and Kennedy, of Indiana.

Mr. Payne, of Ohio, then took the clerk's table a series of sections, which he and he desired to offer as a substitute for the bill now before the committee.

The chairman said that the pending motion was that submitted yesterday by the gentleman from Maine, (Mr. Clifford), to strike out the enacting clause of the bill; and that, inasmuch as that motion involved the very existence of the bill itself, it was not in order to propose a substitute or an amendment until that motion had been finally disposed of.

After some conversation, the proposed substitute was read for information.

Mr. Payne said that it was not his intention to go into an argument on the subject, his object being merely to submit a proposition to the committee for their consideration. He did not intend to occupy the attention of the committee at this time; but, when a favorable opportunity should present itself, he might present his views in relation to the proposition then before the house.

Mr. Clifford then rose and addressed the committee at some length; and having concluded, and the hour of 3 having arrived, Mr. Brown moved that the committee rise; which motion having prevailed the committee rose, reported progress, and obtained leave to sit again. And the house adjourned.

Thursday, July 1. The speaker laid before the house certain evidence in the case of the contested

election from Virginia; which was referred to the committee on elections.

The speaker laid before the house a communication from the secretary of state in relation to the census; which, on motion of Mr. Mason, of Ohio, was referred to the committee on the judiciary, and ordered to be printed.

The speaker laid before the house a message from the president of the United States, enclosing a memorial from citizens of New York, praying the passage of a bankrupt law. The memorial was signed by 3,000 persons. The message was read and is in the following words:

To the house of representatives of the United States:

The accompanying memorial in favor of the passage of a bankrupt law, signed by nearly three thousand of the inhabitants of the city of New York, has been forwarded to me, attended by a request that I would submit it to the consideration of congress. I cannot waive a compliance with a request upon me by so large and respectable a number of my fellow citizens. That a bankrupt law, carefully guarded against fraudulent practices, and embracing, as far as practicable, all classes of society—the failure to do which has heretofore constituted a prominent objection to the measure would afford extensive relief, I do not doubt. The distress incident to the derangements of some years past has visited large numbers of our fellow citizens with hopeless insolvency, whose energies, both mental and physical, by reason of the load of debt pressing upon them, are lost to the country. Whether congress shall deem it proper to enter upon the consideration of this subject at the present extraordinary session, it will doubtless wisely determine. I have fulfilled my duty to the memorialists in submitting their petition to your consideration.

JOHN TYLER.

Washington, June 30, 1841.

The message and the memorial were referred to the committee on the judiciary, and the message was ordered to be printed.

On motion of Mr. Cushman the house resolved itself into a committee. Mr. Lawrence, of Pa. in the chair) and resumed the consideration of the bill to distribute the proceeds of the public lands, and grant pre-emption rights.

Mr. Brown, of Pa. at great length opposed the bill. Mr. Gilmer opposed the bill in the present financial condition of the country. He regarded the proceeds of the public lands as a legitimate source of revenue; and advocated the distribution of their surplus proceeds, whenever there was a surplus, but opposed it now, as the amount distributed would have to be raised in some other way; and he considered this bill as equivalent in its effects to a direct proposition to borrow this amount of money, or raise it by impost duties for the purpose of distribution.

Mr. Bidlack opposed the bill on the same grounds. The committee then rose.

In the course of the debate, the following message in writing was received from the president of the United States, through John Tyler, Jr. ex. his private secretary:

Washington, July 1, 1841.

To the house of representatives of the United States: I have the honor hereby to submit to the house of representatives the copy of a letter addressed by myself to Mrs. Harrison, in compliance with the resolutions of congress, and to reply thereto.

JOHN TYLER.

Washington city, June 18, 1841.

MY DEAR MADAM: The accompanying resolutions, drafted by the senate and house of representatives of the United States, will convey to you an expression of the deep sympathy felt by the representatives of the states, and of the people, in the sad bereavement which yourself and the country have sustained in the death of your illustrious husband. It may now be justly considered that the public archives constitute his enduring monument, on which are inscribed, in characters not to be effaced, the proud exultations of public gratitude for services rendered, and of respect for his death. A great and united people also their tears over the loss of a devoted patriot and distinguished public benefactor.

In conveying to you, my dear madam, the proposed respect for the two houses of congress for your person and character, and the confidence on the late affecting dispensation of Providence, permit me to mingle my feelings with yours, and to tender you my fervent wishes for your health, happiness and long life.

Mrs. Ann Harrison.

North Bend, June 24, 1841.

DEAR MRS. I have received with sentiments of deep emotion the resolution of the senate and house of representatives, which you have done me the

honor of forwarding, relative to the decease of my lamented husband.

I cannot sufficiently express the thanks I owe to the nation and its assembled representatives, for their condolence, so feelingly expressed, of my individual calamity, and the national bereavement; but, mingling my tears with the sighs of the many citizens of the land, pray to Heaven for the enduring happiness and prosperity of our beloved country.

ANNA HARRISON.

John Tyler, president of the United States.

On motion of Mr. Cuse Johnson, the message and accompanying papers were laid on the table and ordered to be printed.

On motion of Mr. Wm. Cost Johnson, the following resolution was adopted:

Resolved, That the committee on the public lands be instructed to inquire into the justice and expediency of resuming all land to provide an appropriation of land to satisfy the unassigned military land warrants which have been issued, or which may hereafter be issued, and the relief of certain officers and soldiers of the Virginia line and navy, and of the continental army during the revolutionary and last war, in addition to the bounty heretofore appropriated by sundry acts for that purpose.

The house adjourned at 3 o'clock.

Friday, July 2. The journal of yesterday was read and approved.

On motion of Mr. Briggs, the house resolved itself into committee of the whole on the state of the union, (Mr. Lawrence, of Penn. in the chair), on the bill to distribute the proceeds of the sales of the public lands and to grant pre-emption rights.

Mr. Pickens took the floor with a speech against the bill, replying more particularly to Mr. W. Cost Johnson.

Mr. Randolph followed.

Mr. Winkup spoke for three quarters of an hour in great ability, in favor of the bill.

Mr. Cooper, of Penn. replied with great force to the speech of Mr. C. Brown, of Penn. particularly those parts which attacked the character of the citizens of their state. He defended the recent appointments in Philadelphia from the assaults of Mr. B. and denied his statements as to the character of Mr. Bela Badger, and other private individuals who were attacked here, where they had no voice to defend themselves. He then went into the argument on the subject before the committee, and spoke for half an hour in favor of the distribution.

Mr. Dean, of Ohio, followed him in opposition to the bill.

Mr. Hershman then spoke against the distribution, for some time; but, without concluding, he gave way to a motion that the committee rise—when, the committee rose, reported progress, and obtained leave to sit again.

Mr. Underwood, (on leave) from the committee for the District of Columbia, reported a bill making laws provision for the maintenance of the Indians in the District of Columbia; which was read twice by its title, and on motion of Mr. U. was referred to the committee of the whole on the state of the union, and ordered to be printed.

Mr. U. asked the house now to go into committee on the bill, but, it being close upon 3 o'clock, waived the motion.

Mr. Sturdy gave notice that he would tomorrow make a motion to change the present rule of the house in that particular which fixes 3 o'clock as the hour of adjournment.

And then the house adjourned.

Saturday, July 3. The journal of yesterday was read and approved.

Some conversation took place between the speaker and Mr. Sturdy, in relation to a notice given by Mr. S. yesterday, of a motion which he intended to submit in relation to the hour of adjournment.

The speaker was understood to say that the regular hour of the meeting of the house, by its order, was 3 o'clock; but that the order which fixed three o'clock as the hour of adjournment had expired.

Mr. Sturdy was understood to say that, when being the case, and the hour of adjournment being all that he wished to reach, it would not be necessary for him to submit any motion.

Mr. Sumner, on leave, presented certain papers concerning the case of contested election from the state of Virginia; which were referred to the committee on elections, and ordered to be printed.

On motion of Mr. W. C. Johnson, the house again resolved itself into committee of the whole on the state of the union, (Mr. Lawrence, of Pennsylvania, in the chair), on the bill to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights.

The leading question being on the motion of Mr. Clifford to strike out the enacting clause—

Mr. Hershman, who held the floor from yesterday, resumed his remarks in opposition to the bill, and concluded.

Mr. Furmenet followed, also in opposition to the bill.

Mr. Kennedy, of Maryland, then rose and addressed the committee at length in favor of the measure; and was followed, in opposition, by Messrs. Davis, of N. York, and McKee, who was introduced by Mr. Underwood, in his favor. Mr. U. has concluded to sit again.

Mr. Wise obtained the floor, and it being with fifteen minutes of 3 o'clock, and there being a general cry that the committee rise, Mr. W. submitted a motion to that effect; which prevailing, the committee rose, reported progress, and obtained leave to sit again.

The following resolution, heretofore offered by Mr. Hopkins, and then laid over by the rule, was on motion of Mr. H. taken up, considered, and adopted:

Resolved, That the postmaster general be required to communicate to this house, in as condensed a shape as practicable, the following items of information, to-wit:

The estimates of the postmaster general for each year since the reorganization of the post office department in 1836, together with the actual revenue of each, showing the revenue for the year ending June 30, 1841.

The amounts shown by the reports of accounts postmasters, and of the depositaries receiving public revenue, to have been on hand on the last day of January, 1841, estimating the same, if it be impracticable, giving the date when it was received accurately.

The whole amount due to the department on the 1st of January, 1841, divided into good, doubtful and bad, estimating the same if it cannot be promptly ascertained with sufficient accuracy.

The amount received and reported separately during the quarter ending March 31, 1841, being receipts for that quarter's postage.

One copy of annual cost for mail transportation to be laid on the table.

The cost amount of retrenchment in the annual expenditures of that branch of the service made by the late act, approved April 4th of 1840.

The net amount of reduction in the annual cost of that branch of the service, proposed and proposed, lessened since the 1st of March last, either by amendment or savings in the small letters.

The unadjusted claims for mail transportation presented since the 1st of March last, other than regular quarterly claims, and the charges of the districts, and specific service charged, for the time it was made, and the amount charged in each case, with a list showing the aggregate amount.

Resolved, then, that when this house adjourns it adjourn to meet on Tuesday next at 3 o'clock.

Several objections were made, and the yeas and nays were asked and counted.

Mr. Sturdy said that, so far as he could learn, the house had not adjourned over the 4th of July in the last four years. This year the 4th of July happened on a Sunday, and gentlemen could not have a resolution of adjournment of the day after.

He moved to lay the motion of Mr. Winkup on the table.

Mr. Calhoun, to get rid of the difficulty, moved that the house do now adjourn; which motion being prevailed, the house adjourned until Monday morning at ten o'clock.

Monday, July 8. The journal of Saturday was read and approved.

The house resolved itself into committee of the whole on the state of the union, (Mr. Lawrence, of Pennsylvania, in the chair), on the bill to appropriate the proceeds of the sales of the public lands and to grant pre-emption rights.

The question being on the motion of Mr. Clifford to strike out the enacting clause of the bill—

Mr. Underwood, who was entitled to the floor, next addressed the committee for three hours and a quarter.

Mr. W. having concluded the chairman pro tempore of the floor, Mr. Rogers, of N. C. who moved that the committee rise, reported progress, and asked leave to sit again. And the house adjourned.

Tuesday, July 8. The journal of yesterday was read and approved.

Mr. Kell moved that the house now resolve itself into committee of the whole on the state of the union.

On which motion the yeas and nays were asked and counted.

Mr. Calhoun inquired of the speaker whether he had not a right to make a report?

The speaker replied that, as chairman of the select committee appointed on the rules, the gentleman from Massachusetts, (Mr. Calhoun) was authorized to report at any time.

Mr. Calhoun then made a short conversation, (though no appeal was taken); after which

The speaker said that on comparing the record under which the select committee was appointed with the rule in relation to a suspension of the rule to go into committee, the chair was of opinion that

CHRONICLE.

ANTHRAZOID DIAL. The United States Gazette states that 1,311 boats, averaging 61 tons each, have passed the Fairmount, which looks like the opening of the navigation to the first instant, of which number 1,322 destined for the Philadelphia and 208 for the New York market.

ATLANTIC STEAMERS.

Departure.	From England.	From N. York.
Great Western	July 14	August 7
Great Western	Sept. 1	Sept. 15
Columbia	From Boston.	From Boston.
Britannia	June 4	July 1
Scheldt	June 19	July 17
	August 1	August 1

BIOGRAPHY OF JAMES MONROE. Samuel Governeur, esq., is engaged in writing the biography of James Monroe, which will probably be one of the most interesting that has been published in this country. Mr. G. being the son-in-law of Mr. Monroe, could hardly bequeathed in him all the papers of that illustrious statesman, will be enabled to accomplish his undertaking with singular advantages.

CHINA. We are free to understand that the instructions given to Mr. Henry Pottinger on proceeding as commissioner to Canton to supercede Captain Elliot were weaker against the Chinese to an extreme degree than in London.

COTTON. The demand has improved, and a slight advance in price, at the last sales from England. At Charleston last week, 5,134 bales upland sold at 9 to 12 cents, 328 Sea Island at 24 to 40. The better quality in demand.

CALICO. The hottest south of us, has been gathered, and north of us is now being secured. It is presumed from the issue of the public papers which reach us that the product has been about an average in this section of the spring, the same good as us, rather over an average north of us. We have noticed but few complaints from any direction; and therefore from an abundance of the fruits of the earth to supply our wants for the season, and a considerable surplus to relieve the wants of others—if they will only allow us to offer it at market.

CATTLE. The market of N. Chicago, it is thought will reach between 4,000,000 and 5,000,000 bushels.

CATTLE. From Texas state, that their crops promise a most luxurious harvest.

DEATHS. During the last week, in the city of Baltimore 38; twenty of which were under two years of age, 9 free colored and 3 slaves.

ENGLAND. Nine soldiers, attached to an English regiment, stationed at the falls on the Canada side, descended and attempted to reach the opposite shore, swimming across the river, in which attempt only two were successful, the remaining seven having been drowned while in the water.

FIRES. It is related in a letter from Charleston that on the night of the 23d ult. the small town of Parsburg was entirely burnt down; 294 houses were consumed. An extensive congregation at the town of Crediton, Devonshire, had entirely destroyed no less than forty dwelling houses.

ASHLEY'S AMPHITHEATRE. was destroyed for the third time. It is in injury, with all its contents—including the magnificent variegated suite of seats. Mr. Dorey's loss is \$10,000, and no insurance. About 80 houses in the neighborhood were destroyed and one human lost her life.

ESCAPE. At Boston commands from \$5 75 to \$6 00; at N. York \$5 50; at Philadelphia \$5 50; at Baltimore \$5 50 to \$5 60; Alexandria \$5 50 state price, \$5 15 from Virginia. Suspicious at Alexandria for the quarter ending 30th June, 11,123 barrels 410 half barrels.

FOURTEEN ALIVE. The brig Woodcock, capt. Davis, says the Savannah Gazette, of the 19th inst. arrived at this port yesterday, from Boston, had on board a negro slave named Peter, the property of Jonathan Lucas, of Charleston, S. C. who was found secured to the British ship Wilson, from Charleston, bound to Liverpool, with two days out, fell in with the brig Revere, capt. Haverford, from Havana, bound to Boston, bound to Boston, and put the fugitive slave on board, with a request, that immediately on his arrival at that port, he would put him on board the first steamer leaving for New York, which he did, by delivering him to Captain Davis.

GALERA. A shipment of 250 micks of wheat has been made from Galera for below—the first ever exported from that part of the country.

HARVARD COLLEGE. The Boston Mail states that a great deal of excitement is prevailing among the students and students of Harvard college, at the discovery of an attempt to fire one of the buildings, near the library. A train of powder was laid, communicating with the library, and had it not been for the vigilance of a tutor and a professor, the valuable library, containing upwards of 150,000 volumes, extensive of duplicates, would have been utterly destroyed.

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HARVARD COLLEGE. The burning of a wooden building on the college ground, a few days ago, is supposed to be connected with these troubles. The affair grew out of an attempt to suppress a "Hasty Pudding club." After accounts state that harmony has been restored again.

HARVARD COLLEGE. The sixty-sixth anniversary of the settlement of Kentucky, was celebrated at Harrodsburg on the 16th and 17th inst. On the 16th between 1 and 10,000 persons, among them about 1,500 Indians, were present. On the 17th an oration was delivered by the Rev. Bro. Harbin. Eight or ten military companies, armed with infantry and cavalry, comprised about 400 men, united in the celebration. The venerable Mr. Harrod was present also in a well known carriage, in a large bed-sitting, yet her eye has the same eagle glance that it was when she was undimmed, at the deadly conflict between the Indians and the whites. Mrs. Thomas and Mrs. Wilson were also two of the ladies of those times of blood and danger. These venerable matrons are now all (with the exception of Mrs. French), who survive of the little company of females who first penetrated the forests of the dark and bloody ground. Of the old officers of that period, we saw but few, and none of them were known to us by name, except Mr. John Ward, of the Kentucky militia, who was the only survivor of the gallant band by whom McAfee's station was defended.

INTERMEDIATE IN GREAT BRITAIN. It is estimated that twenty millions of gallons of spirituous liquors, are annually consumed—bringing a revenue to government of duty and excise, of between seven and eight millions of pounds sterling. Rev. J. Ford, in his narrative on the temperance pledge, says that in the course of one year 18,000 offenders, through drunkenness, were committed to prison in Scotland and Wales. In the metropolitan suburbs, the year 1837 witnessed no fewer than 31,351 persons, many of them juvenile delinquents, taken into custody, the victims of intemperance alone. The same authority states that one-half of all madmen, three-fourths of all beggars, and four-fifths of all crime, are occasioned by drunkenness.

LOANS. The New York canal commissioners have advertised for a loan of \$130,000 for the enlargement of the Erie canal—\$47,500 for the construction of the Oneida river canal and \$22,500 for the construction of the Black river canal.

McLEOD CASE. The New York American says, that the decision of the supreme court of that state, now in session at Utica, in the case of McLeod will be given in favor of the British, and the members of the court have prepared written opinions.

MAIL ROBBERIES. Nine cases of mail robbery were tried in the late U. S. district court, held at Cambridge. The parties indicted were George Wright, stage driver, Levi Wiley, Louman, John D. Wright, clerk, and John D. Wright, clerk, and John D. Wright, clerk, assistant in the office at Gareat, Alfred D. Wright, John Harrington—Mills and Hutchinson. These in concert Wright confessed and was admitted to go in court of behalf of the United States. Mills gave bail and absconded, and Hutchinson was never arrested. The mail and contents, in these parties were extensive and long continued.

Charles Lancaster, late postmaster in Carrollton, in Illinois, was tried at the late term of the U. S. court in Springfield, on an indictment for purloining money from letters, and sent to the penitentiary for ten years. James McCabe, charged with having robbed the mail between Springfield and Shelbyville, pleaded guilty, and was sentenced to ten years imprisonment at hard labor in the penitentiary.

M. W. Andrews, of Paris, who was apprehended on suspicion of having robbed the mail, was released—no indictment having been found against him—the proofs not being sufficient to support the charge.

THE MILK SPOILERS. The Louisville Journal states that further experience in Indiana and Illinois has convinced the public that "milk sickness" may be cured by adding the cattle feed.

MORMONS. The ship Harbory arrived at Quebec from Bristol on the 26th ult. all the passengers by which vessel are Mormons, on their way to Illinois. They were accompanied by two of their priests, and are detected looking people.

NEW YORK CANALS. They were received for bids on the New York state canals during the last week in June, 1841.

Essex in favor of 1841,	\$16,700 35
They were received for tolls during the month of June, 1841,	\$254,377 09
Same period in 1840,	\$20,918 61
Increase in 1841,	\$16,358 43

PITTSBURGH TRADE WITH MEXICO. The Pittsburgh Courier states that the trade as commerce of this city with Santa Fe, Chihuahua, and the leading cities of Mexico, are gradually increasing. Six horse wagons are stationed in Pittsburgh, loaded with various goods from New York, and driven to the frontiers of independence in Mexico, and there driven across the country to Mexico, where they were sold and paid for in specie or the best funds.

PRESIDENTIAL. The Pennsylvania are taking the field early for the next canvass. The "Old Academy club" recently formed at Philadelphia are almost compromised for commodore Stewart. The Harrisburg Chronicle is in favor of General Leach, and is for instituting "Clippaway clubs" and trying "Old Chap" as a substitute for "Old Tip." The Harrisburg Telegraph takes the same direction.

PUBLIC LANDS. The public sales of the public lands, advertised for on the 15th inst. at 10 o'clock, in the state of Illinois, have been indefinitely postponed, in consequence of urgent representations from the settlers in that country against the sales being made at the present season.

RED RIVER RAFT. Colonel Lang, of the United States corps of engineers, has just completed a survey of the raft, and is led to believe that the \$750,000 appropriated by congress will suffice to clear out entirely, and keep the river clear in future.

SHORT SENATOR. The legislature of Rhode Island adjourned on Saturday, after a session of three days and a half. What a happy thing it would be if our national congress would make this legislature as a model.

STATE DEBTS. All the states have provided for the payment of the interest due on the 1st inst. on their several loans except Mississippi and Indiana. The former have failed to meet her obligation. Indiana on the contrary imposed a tax and appropriated funds, but placed a restriction upon the operations of her agents, which prevented their effecting a negotiation.

STEEL. Of an excellent quality, is now manufactured at Pittsburgh.

STEAMERS. The Acadia arrived at Halifax from Boston on the 13th, took in 32 additional passengers, and probably left the same evening for Liverpool.

STEAMBOATS. The Clarksville, capt. Irvin, of Nashville, struck a snag about twenty miles below Point Chicot, Mississippi, and sank in two minutes. Boat and cargo a total loss. Passengers and crew (except two negro deck hands, supposed to be drowned) were all saved on the upper canal, which parted from the hull as the boat was sinking. Most of the persons on board, floated on this wreck for the distance of eighteen miles. The ladies, three or four in number, were landed in a dock at the distance of eight or ten miles. The whole were relieved in about four hours by the steamer Eliza, of and for St. Louis.

STOCKS. U. S. bank of Pa. at New York 10th inst.

SUICIDES. During the year 1839 there were 2,747 suicides in France.

SLAYERS. From the 1st July, 1840, to the 3rd April, 1841, eleven slayers were captured by British crews on the coast of Africa, and carried into the harbor on board of which were found fourteen hundred and seventy-three slaves.

STEEL. The packet ship London left New York on the 1st inst. having 60,000 from one house on board.

STEWART. It is stated that Mr. Charles W. Dayton, who was indicted for the Great Western, is to bring back Samuel Stewart, who is reported to be residing in London in great penury.

A New York paper says that, among other things which have been discovered in the course of a custom house investigation, is the fact that Samuel Stewart's defection amounted to only about \$800,000, and that the remaining 600,000 were pocketed by his speculators, and very successfully put to discomfit.

A THIEF DETECTOR has been invented by a Mr. W. P. Barber, of Boston, which is a piece of machinery which will detect the thief and apprehend him. When the machinery is set in motion, it causes the wheels like that attached to the locomotive, which connect the wheels and sound an alarm when the machine is run down.

TIN. The tin ore lately discovered in Jackson Co., New Hampshire, by Dr. Jackson, the state geologist, is said to be very abundant. It is the only place in the world where tin ore has been found in any quantity. Indeed, there are but three or four tin mines in the wide world, where the metals is produced on an extensive scale.

TRUCKS. Maryland inferior and common are in demand at \$4 00 to \$5 00, and good \$5 00 to \$6 00, better qualities between in less demand, command \$6 00 to \$6 50 for good, and \$5 00 to \$6 15 for fair.

TRUCKS. Maryland inferior and common are in demand at \$4 00 to \$5 00, and good \$5 00 to \$6 00, better qualities between in less demand, command \$6 00 to \$6 50 for good, and \$5 00 to \$6 15 for fair. The inspectors of the week comprising 45 hds. Md. Maryland, 10 hds. Va. Virginia, 10 hds. Kentucky, 1 hds. Pennsylvania, and 14 hds. Virginia, total 553 hds.

UNIVERSITY OF VIRGINIA. Judge Henry St. George Tucker, president of the court of appeals, has been elected by the legislature to the chair of law in the university of Virginia. The advocates predict for the appearance general approbation.

The general court of Virginia has decided to admit to hold public office a candidate who is a citizen of the United States, and who is a member of the Virginia university. The bill passed is \$25,000.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 20.—VOL. X.]

BALTIMORE, JULY 17, 1841.

[VOL. LX.—WHOLE NO. 1,355.]

THE PAST—THE PRESENT—FOR THE FUTURE.

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NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.
Joseph Evie, charge d'affaires to Texas.
Isaac Raun Jackson, charge d'affaires to Denmark.

Walter Forward, first comptroller of the treasury of the U. S.

Elisha Whittelsey, auditor of the treasury for the post office department of the U. S.

Paul Rosengro, superintendent of the branch mint at Dahlsgrove, in the state of Georgia.

Captains Wm. M. Crane and David Conner, to be commissioners of the navy board.

Fitch W. Taylor, Thompson S. Harris and Chas. H. Alden, to be chaplains in the navy.

Navy agents.

Jackson Morton, for the port of Pensacola, Fla.
Timothy Upham, for the port of Portsmouth, N. Hampshire.

Attorney.

Charles Anthony, attorney of the United States for the district of Ohio.

Marshals.

Garvais Fontenot, for the western district of Louisiana.
Denos Adams, for the district of Ohio.

William B. Blackburn, for the district of Kentucky.

OFFICERS OF THE CUSTOMS—Collectors.

Jeremiah Brooks, at York, Maine, vice Josh. P. Junkins.

Joseph Thompson, at Fairfield, Conn. vice Samuel Simons.

John N. Sherburne, at Portsmouth, New Hampshire.

Henry Addison, at Georgetown, District of Columbia.

James G. Hampton, at Bridgeton, New Jersey.

Henry W. Kinsman, at Newburyport, Mass.

Chas. W. Keiso, at Presque Isle, Pa.

Chas. M. Smith, at Perth Amboy, N. J.

Moses Shaw, at Wiscasset, Me.

Naval officers.

John McClintock, at Portsmouth, N. Hampshire.

Thomas M. Clark, at Newburyport, Mass.

Surgeons.

George H. Cockrell, at Dundas, Virginia.

Robert Edmonds, at Carter's Creek, Virginia.

Henry French, at Bristol, Rhode Island.

Henry Cortis, at Madisonville, Louisiana.

Wm. J. Eden, at Llewellynburg, Maryland.

vice Aloysius, Thompson.

Giles K. Hallam, at Stonington, Conn. vice Benjamin Pomroy.

Martin Fearey, at Swansborough, N. C.

Stephen Daniel, at Salem, Mass.

Appraisers.

Robert M. Wellman, at New Orleans, La. vice Cyrus Bradley.

LAND OFFICERS—Surveyor general.

William Peluso, for Arkansas.

Registers.

William Polk, at Port Wayne, Indiana.

William T. Noel, at Crawfordsville, Indiana.

Receivers.

Samuel Lewis, at Port Wayne, Indiana.

G. W. Armstrong, at Jeffersonville, Indiana.

Jeremiah Grover, at Winamac, Indiana.

Deputy postmasters: William Jones, at Washington, D. C.; William Debye, at New Orleans; Platt B. Fairchild, at Ogdensburg, N. Y.; William Stue-

art, at Chicago, Ill.; Charles L. Porter, at Hartford, Conn.

RESIGNATION. On Saturday last, the hon. John Davis, district judge of the United States for the district of Massachusetts, resigned that office, the duties of which he had worthily discharged during a period of forty years.

TARIFF OF DUTIES OF VENEZUELA. Department of state July 12, 1841. Information has been officially received from the government of Venezuela of the following changes in the tariff of duties on exports and imports of that republic, which changes are to take effect from and after the first day of July:

1. All duties on exports from the ports of the republic cease.

2. The following articles will hereafter be admitted into those ports free from import duty: Bricks, bran, moulds for sugar mills, living animals of all kinds, ploughs, peas, rice, oats, scarfs for the use of churches, drills, casks and barrels, pumps of wood or iron for irrigation, coal, carts or wagons, wheelbarrows, surplices and other garments for priests, collections of books of music or drawings and paper prepared for music or iron cooking stoves, jackels, staves, juniper berries, baggage of passengers, statues of all sorts, copper or iron sugar or still boilers, Dutch ovens, beans, engraving, mathematical or other scientific instruments, boxes of iron or wood, set up or in pieces, lentils, parts of sugar mills, printed books and maps, Indian corn, apples, cotton gins, machines for dredging, mining, spinning, weaving, shellies corn, steam engines, gold and silver, pans of copper, brass, or zinc, potatoes, printing paper, carriage and cart wheels, seeds, brushes.

3. The duties on the following articles have been diminished, and will in future be thus:

Boots for men, the pair,	\$1 00
Do, for boys, do,	75
Fitch, the quintal,	1 00
Beer in bottles, the dozen,	80
Do, in other vessels, arroba,	50
Brooms of all sorts, the dozen,	50
Pepper, the quintal,	3 00
Staves, each,	6
Tallow in lump, the quintal,	2 00
Do, manufactured, do,	40
Cider in bottles, the dozen,	40
Do, in other vessels, arroba,	50
White pine boards, the 1,000 feet,	4 00
Fitch pine boards, do,	6 00
Stone for men, the pair,	30
Do, for women, do,	20
Do, for children, do,	6

THE MEDITERRANEAN SQUADRON. Correspondence in relation to the return of the Mediterranean squadron to the United States.

Very department, June 16, 1841.

The secretary of the navy, to whom has been referred the resolution of the senate of the 12th inst. requiring the president of the United States to cause to be communicated to that body, "if not incompatible with the public interest, the correspondence of the minister of the United States in the Mediterranean squadron, in consequence of which the squadron left that station, and the despatches of captain Bolton to the secretary of the navy connected with that movement," has the honor to report to the president the accompanying papers embracing the correspondence and despatches called for. Respectfully submitted,

GEO. E. BADGER.
To the president of the United States.

U. S. frigate *Bronxine*,
Off Long Island, May 9, 1841.

Sir: I have concluded to the rev. Mr. Stewart the delivery of my despatches, to the department, which will inform it of the circumstances that induced me to quit the Mediterranean to return to the United States.

The ship has arrived in condition for any purpose the government may designate, and I shall

feel most happy to meet its wishes. The officers and crew are of first rate character; have acted in great union; their discipline and practice perfect, and I therefore trust that no necessity may exist of separating one from the other.

On any point on which you may need information further than what the accompanying documents afford, I refer you to Mr. Stewart, who has been in close association with me since I left home; and, ignorant of any present circumstances which may at once determine the department in the future employment of this ship, I would venture without delay to express, through him, my own views and wishes in the case.

I have instructed this gentleman to await the pleasure of the department; as soon as that is understood, he is to return to me. If your duties admit of it, I would be gratified to receive a visit from you.

My intention is to keep every body by the ship until I hear from you.

In coming home, I forgo the attractions of the Mediterranean, and place at your disposal an effective ship, so far as she can be rendered such by my aid, which you will, I trust, be very anxious to honor to be, sir, very respectfully, your obedient servant,

W. C. BOLTON, captain.
To the hon. secretary of the navy, Washington.

Minutes of proceedings of a council composed of the commanders of vessels of the Mediterranean squadron, under the command of Com. Isaac Hull.

On the 24th day of March, A. D. 1841, Commodore Hull issued his orders, calling a meeting on board the United States ship Ohio, in the harbor of Mahon, island of Minorca, at 11 o'clock, A. M. of the same day, of the following officers, viz: captain Willard Compton Bolton, commanding the U. S. frigate *Bronxine*, captain Elis A. T. Lavallette, commanding the U. S. ship Ohio, and commander Ralph Voorhes, commanding the U. S. sloop-of-war *Preble*.

The officers named assembled in the poop-deck cabin of the United States ship Ohio, in the presence of Com. Isaac Hull, on the day and at the time required.

Com. Hull briefly stated the objects of the meeting; and to more fully elucidate it, directed his secretary to read the following, viz:

GENTLEMEN: Com. Hull desires to say, he has called you together for the purpose of placing before you a letter he has received from the minister of the United States at the court of Great Britain, enclosing publications taken from the newspapers in relation to the existing difficulties which exist between the United States and Great Britain; that he is without instructions from the government in relation to those difficulties; and, under the circumstances of the case, he deems it necessary that some preparatory movement should take place in the squadron under his command.

Commodore Hull, therefore, desires to hear your views in relation to that measure, or to state as his own the following, viz: There are three positions which the squadron can select from; 1st, to proceed to Toulon, where the earliest information could be received, and where perhaps instructions from the government of the U. S. States would probably reach him earlier than at any other point; 2d, to proceed out of the Mediterranean to some point where he could have the result of the existing difficulties; and 3d, to put the squadron in motion to return to the U. S. States. The last, however, without more definite information or instruction from the naval department, Com. Hull is not much in favor of. Com. Hull desires to hear your sentiments on those propositions, and will also be glad to hear any others that may strike you as better adapted to the present doubtful and uncertain position in which he is left.

After this, the said secretary to commodore Hull was directed to read the letter aforesaid appended from his excellency A. Stevenson, United States envoy, dated "London, March 8th, 1841," and from John Hare Powell, esq. dated London, "March 11th, 1841," when the following views and sentiments were expressed by captain Wm. Compton Bolton. That he had reflected upon this subject, and was at first impressed with the belief that the squadron should at once proceed to Toulon, but that, on fur-

ther consideration, he was convinced that the proper and only available course to pursue was to leave the Mediterranean, and to proceed outside, where information of events, and the actual state of affairs could be learned, by or from vessels traversing between the U. States and Great Britain; and if hostilities were to be resumed, the squadron would then be so situated as to be enabled to render efficient aid at sea, or might proceed to the U. States where its services would be available on the coast. In our harbors, the ships might be converted into moving harbor batteries, to be manned by militia or soldiers, and our seamen disposed of on the lakes, or to advantage otherwise. Another very great consideration is, that by taking this course, the policy or plan of our government in confronting the threatening war, and of which we are now entirely ignorant, would be ascertained. And in case of a favorable termination of the existing difficulties the squadron could return to the Mediterranean, and resume its station there.

The views of apt. Bolton were fully assented to by Capt. Ella A. T. Lavallette, and by com. Ralph Voorhees.

And to which com. Hull replied, I am prepared to pursue that course.

It was then suggested by captain Wm. Compton Bolton, that definite action on the movements of the squadron, had better be suspended until it should be ascertained if a French steamer from Toulon, then about entering the port of Mahon, brought latest news than was already at hand, which suggestion was adopted, and the council broke up.

It having been ascertained that the French steamer brought no information to change the views already formed, expressed and assented to by the officers of our fleet named, again met on the same day in Mahon, at half past one o'clock, P. M. when a verbal order was given by com. Isaac Hull, to the following effect, viz: that every preparation should be made to proceed to sea to-morrow, the 25th day of March, A. D. 1841.

The foregoing minutes contain the views expressed, in assemblage of which, we herewith affix our names.

Done in Mahon, island of Minorca, the 24th day of March, 1841.

W. C. BOLTON, captain.
E. A. T. LAVALLETTE,
RALPH VOORHEES, com'r.
ISAAC HULL, commander-in-
chief of the U. S. naval force in the Mediterranean.
Attest: JOHN ETHERIDGE, com. sec'y.

The foregoing is a true copy.
JOHN ETHERIDGE, com. sec.

—
London, March 8, 1841.
DEAR SIR: Although I am ignorant of your plans, and take it for granted you bear regular correspondence with our government, I yet deem it proper to write and apprise you of the excitement which prevails here and the fears which many entertain that we may be forced into war with Great Britain. Although, in my opinion, such will not be the immediate result, to say the least means improbable that this may be the case. The affair of the *Caroline* steamer, destroyed at Schlosser in 1837, and the imprisonment of McLeod, together with the boundary question, are the immediate causes of the excitement which now prevails in both countries. The arrival of the "United States" packet a few days ago, and the West Chester last night, bring accounts of the 16th of February. I send you the Times of this morning, containing the report of the committee on foreign relations, in the house of representatives, with a short summary of the proceedings on communication or papers from Washington. I hasten to apprise you of the present state of things, to enable you to decide what steps it may be proper to take with our squadron in the Mediterranean.—Would it not be the most judicious course to get nearer home, and within reach of orders from the department? Unless you have strong reasons for remaining, and of which I know nothing, I should think it the safest and most prudent course to return. I beg, however, that you will judge for yourself, for really it is a matter of which I know very little. I shall be glad to hear from you, as soon as you have decided what you mean to do. In haste, believe me, dear sir, your obedient servant,
A. A. STENSON.

Com. Isaac Hull, care of Frick, Brothers & Co. Marseille.

[CONFIDENTIAL.]

London, March 11, 1841.
When war is threatened, the hero of the constitution is present to the mind of every American. I refer you, my dear sir, to the authors from the ministerial and opposition journals, the *Chronicle* and *Times*. My opportunities certainly are not small, as I am in daily converse with members

of both houses of parliament, and I regret to find that in private as well as in debate, the most decided tone of hostility prevails through all parties. The *Times* have declared in the speeches of Lord Stanley and Sir Robert Peel, of Sir Henry Harding, of Mr. Smith O'Brien, their fixed determination to defend the position taken by the cabinet in relation to the demand in regard to McLeod. Lord Palmerston stated, in the house of commons, on the 8th February, that the *Titipatum* had been sent that night to Mr. Fox. Lord Melbourne stated in the house of lords on the same evening that measures had been taken to uphold the honor and dignity of the nation, and to "reconcile" McLeod. These remarks produced in both houses and from all sides loud and continued cheering.

Mr. S. and all men agreed as to the meaning of the term "sacrifice," when applied to a man in prison and in a foreign country. Notice the preparations for defence, the violent and warlike tone of the committee of foreign relations, the reports and resolutions in the legislature of Maine, the paragraphs of the ministerial journal, the *Chronicle*, stating that warships are employed by night and by day to force into readiness the steam frigates for the American coast. Read the report that ten sail of the line are ordered to assemble at Gibraltar in consequence of the trial of McLeod.

I am aware that an American minister wrote to you two days since; but in his absence from London for the day, I venture, with the approval of Mr. Rush the secretary of legation, to communicate the news just arrived. Mr. Rush's brother, of which I saw many of the facts in this important question.

You will pardon an American whose intrusion proceeds from a desire that Hull shall be prepared for his enemy, to add lustre to his name and glory to his country. I am, my dear sir, most truly yours,

JOHN HARE POWELL.
I open my letter to say Mr. Rush has heard this letter, and entirely approves it.

—
Orders of March 25, 1841.

U. S. ship *Ohio*, port Mahon, March 25, 1841.
The communications render necessary 25, 1841, rather a hasty movement in the squadron under my command.

I have, therefore, to direct that you proceed to sea, and make the best of your way out of the Mediterranean. You will understand, either by speaking or by touching at some port, to ascertain the state of affairs between the United States and Great Britain. In case of war you will use every exertion to protect yourself and command, and to annoy the enemy, cruising as long as your provisions are well restored, you will return to the Mediterranean, touching at Mahon, where you will probably hear from me. Very respectfully, I am, sir, your obedient servant.

ISAAC HULL, commander-in-
chief of the U. S. naval force in the Mediterranean.
Captain Wm. C. Bolton, commanding U. S. frigate *Brandywine*, port Mahon.

—
Memorandum.

U. S. frigate *Brandywine*, at sea, April 10, 1841.
The squadron sailed from Mahon on the 25th of March. It was favored by a strong wind, and we were at sea for nine days, contending for the greater part of the time, with adverse winds, or delayed by calms, from getting out of the Mediterranean, which was a great object, I determined to make the best of my way and shift for myself, although the commander implied a wish, verbally, that I would accompany him past the rock of Gibraltar.

At the time of our departure, it was believed that the ships would prove quick sailers—that we should be favored by winds—have a good run, and so easily therefore, accommodate each other. The reverse turned out the case; our ship surpassed the *Ohio* in an astonishing manner; and I am confident a loss of at least sixty miles ensued to us from this inequality of sailing, and my manner of sailing to keep me him; which loss might have placed me, equally with himself, in the power of the heavy force reported as being on its way to capture or blockade us. Such support as I could give the *Ohio* would avail, comparatively, but I was determined to keep me, and sure way to avoid annoyance to either, and to give chance for distinction, security or escape to both, was to separate. If war exists with such a power as Great Britain, it cannot

be the policy of our government to cruise in squadron on the ocean.

The views exchanged between commodore Hull and his captain, at Mahon, could not have undergone any material change, else he would have communicated it by signal, or by a boat, which on one occasion I sent to him at sea. It was apparent to me, that he could proceed to the Mediterranean, from the vessels present in the Mediterranean, to be relied on, because it could only be derived through interested channels—such as British steamers, or sources of doubtful authority—or of a date so recent as that which came to our knowledge from the coast of Spain, and which was interesting, and by my proceeding I could more readily meet it, and, possibly, convey intelligence of it to the commodore.

The "Pebble" separated from us both, under what circumstances I know not. My separation from the ship was first caused by bad weather at night. Whether the "Ohio" or the "Graciosa" was in fault, I cannot say.

I met a detention of three days from strong head winds, in sight of the rock of Gibraltar, which afforded time for the commodore to have reached that point. He not doing so, I availed myself of a fine opportunity of passing through; and, persuaded that there was no American interest behind me to protect, I, on mature deliberation, determined, under my orders, to lay my course direct to the only point at which any satisfactory and conclusive intelligence—such as could be depended on—could be speedily gained; knowing that it was within my ability to make the passage to the United States and back again, I determined to do so. I was, by me, also, being informed of the true state of the existing relations between the two countries. Respectfully submitted, W. C. BOLTON, capt.

To the hon. secretary of the navy, Washington.

Commodore of the U. S. Gibraltar, April 7, 1841.

MY DEAR SIR: Understanding the cause that induced you to come this way from Port Mahon, the quarantine department permitting me to communicate with you, I not only send by the bearer of this mail for your squadron, but with pleasure inform you that the steam packet this morning from England brings intelligence of the pacific dispositions of the two governments. President Harrison was formally installed on the 4th ult. his speech bearing eminently on foreign relations. On the 5th ult. Mr. Buchanan, the committee on foreign relations was discharged from considering the resolution requesting the president to communicate the correspondence with Great Britain on the northeastern boundary. That the peace treaty in its progress may every day be hastening to a consummation, I am very anxious to hear. Mr. Forsyth that Great Britain had a sincere desire to bring things to a termination; and Mr. Clay said himself that he had not been appointed to a special [mission] to England; he thought the relations of the two countries would be settled by necessary mutual difficulty, and without delay.

McLeod was in prison at Lockport, would be removed to Albany for trial; to facilitate his delivery, the British government had justified the burning of the *Caroline*; hence he would be great up to the owners of the steamer would continue their proceedings to recover the value of the steamer. All this was received in England by New York packet ship "Patrick Henry," dated the 8th ult.

On the 7th ult. I received from the legation of the United States, London, a despatch for your good self, to be forwarded at the earliest moment, by such mode of conveyance as would answer the certainty of its reaching you. A steamer starting the same day for Barcelona, I was enabled to use the conveyance for that port, with directions for want of opportunity to send it to Port Mahon, to send it forward to Marseilles, in the care of the naval contractors. At the same time addressed a letter to those agents directing them, in case of their receiving this letter, and of your leaving the Mediterranean, to return it to me.

Allow me to add, and express the hope that the pacific news from England will remove any objection you might feel to visit this port, being now so immediately in the neighborhood. I am, my dear sir, your friend and humble serv't.

HORATIO SPRAGUE, consul.
Com. Isaac Hull, commanding U. S. squadron in the Mediterranean.

On the 25th ult. endorsed by captain Bolton: "Received at sea, near Gibraltar, on the afternoon of the 8th of April; opened by me in presence of lieut. Mercer and chaplain Stewart, in consequence of the superscription of the envelope, thus: 'United States to the Commodore of the Gibraltar Squadron.'"

"To commodore Isaac Hull, or to any of the commanders of the United States ships of war in the Mediterranean."
W. C. BOLTON.
Witness: Samuel Mercer, Charles S. Stewart.

Reply to the foregoing.

U. S. ship *Brandywine*, off Gibraltar, April 8, 1841.

MY DEAR SIR: I have received your communication of yesterday's date, addressed to "com. Hall or the commanders of any of the U. S. ships of war in the Mediterranean." I am in possession of the principal intelligence communicated, but I am not thus obliged for the attention of transmitting it. What I have received from you will not influence my movements. I am on a cruise, and shall not visit Gibraltar. Very sincerely, your friend,

W. C. BOLTON.

To H. Sprague, esq. &c. &c.

UNITED STATES EXPENDITURES.

To the editors of the *National Register*:

Perhaps it would be pleasing to the American people to place before them, through your columns, a comparative view of the expenditures of the different presidents, with the average amount yearly expended. Also, a recapitulation, showing how much each president expended above the other, from 1791 to 1841, fifty years.

NAME.	Term.	Whole amount expended by each president.	Average amt expended per year.
Washington,	6	\$51,993,656	\$8,665,943
Adams,	4	40,306,814	10,076,703
Jefferson,	8	16,257,899	2,032,237
Madison,	8	228,113,893	28,514,236
Monroe,	8	203,729,603	25,467,450
Adams,	4	93,905,467	23,476,367
Jackson,	8	229,126,184	28,640,773
Van Buren,	4	135,229,440	33,807,360

Years 60 1,092,581,764

Recapitulation.

Adams	\$1,412,643 more than Washington.
Jefferson	3,210,213 more than Adams.
Madison	15,227,337 more than Jefferson.
Monroe	2,798,033 less than Madison.
Adams	1,764,536 less than Monroe.
Jackson	4,689,406 more than Adams.
Van Buren	5,244,857 more than Jackson.

All which is respectfully submitted.

W. McKNIGHT, PENNSYLVANIA.

DECISION OF THE McLEOD CASE, BY THE SUPREME COURT OF NEW YORK. On the 12th instant the supreme court, at Utica, decided against McLeod's application to be discharged from custody, and remanded him to prison for trial in the ordinary forms of law. The judges were unanimous in the opinion against his discharge. The opinion, which occupies several columns, reaches us too late for insertion in this number. We will give it a place in our next. Meantime, it will be gratifying to public curiosity to sum up in a few words, the grounds taken by the court. They decide:

That the points raised by the prisoner, first, that he did not participate to the alleged offence, and second, that, if present, he was acting in defence of his country from a treasonable insurrection, cannot be made available in a habeas corpus, even for letting him to bail, much less for ordering his unqualified discharge.

That on habeas corpus, the examination as to guilt or innocence cannot, in any case, be extended beyond the depositions or proof by which the prisoner is committed.

These the court consider sufficient answers to the application—nevertheless as the counsel have raised the question of jurisdiction, the court considers it, and decide:

That the plea that this is a national question, to be settled by the diplomatic powers of the United States and England, does not divest the court of jurisdiction, because to warrant the destruction of property or the taking of life, on the ground of public war, there must be what is called lawful war, by the law of nations, which can never exist without a concurrence of the war-making power.

That if the affair in question can be tortured into war between this nation and England, the United States might take possession of McLeod as a prisoner of war.

That the order, under which McLeod and his associates acted was not a lawful act of majesty, as contended for by Mr. Fox, since the transaction was then lawful *factum* and required no royal recognition, which is not pretended to be placed on it.

That the fitting out of the expedition under captain Drew, was an unwarrantable usurpation of authority on the part of the provincial authorities.

"This brings us to the great question in the case. We have seen that a capital offence was committed within their territory in time of peace, and the remaining inquiry is whether England can place the offenders above the law and beyond our jurisdiction,

by ratifying and approving such a crime. It is due to her, in the first place, to deny that it has been so ratified and approved. She has approved a public act of legitimate defence only. She cannot change the nature of things. She cannot turn that into a lawful war which was murder in time of peace.—She may, in that way, justify the offender as between him and his own government. She cannot bind foreign courts of justice by insisting that what is the case in this whole world was a just crime and prepared attack, must be protected by the law of self defence.

"To the second place, I deny that she can, in time of peace, send her men into our territory, and render them impious to our laws by embodying them and putting arms in their hands. She may declare war if she claim the benefit of peace, as both nations have done in this instance, the moment any of her citizens enter our territory, they are as completely obnoxious to punishment by our law, as if they had been born and always resided in this country."

The concluding paragraphs are as follows:

"When a grand jury have charged that a man has committed murder in this state, I can imagine no case whether the charge relate to the time of open public war or peace, in which he can claim exemption from trial. If he show that he was in truth acting as a soldier in time of public war, the jury will acquit him. The judge will direct them to obey the law of nations, which is undoubtedly a part of the common law. So if the accused were acting in defence against an individual invader of his country. But above all things it is important in the latter case for the jury to inquire whether his allegation of defence be not false or colorable.

They cannot allow as an act of defence, the wilful pursuing even such an enemy, though dictated by sovereign authority, into a country at peace with the sovereign of the accused, seeking out that enemy and taking his life. Such indeed can be nothing but an act of vengeance. It can be nothing but a violation of territory, a violation of the municipal law, the faith of treaties, and the law of nations.

The government of the accused may approve, diplomacy may glaze, but a jury can only inquire whether he was a party to the deed, or to any act of illegal violence which he knew would probably ensue. If ratified by the law, it is no defence. If he sincerely hope they may be, upon the evidence in the case before us, they will then have the pleasant duty to perform of pronouncing him not guilty. But whatever may be their conclusion, we feel the utmost confidence, that the prisoner, though a foreigner, will have no just cause to complain that he has suffered wrong at the hands of an American jury.

At our hands the prisoner had a right to require an answer upon the facts presented in his papers, whether in law he can properly be held to a trial. We have had no declaration but to examine and pronounce upon the legal character of those facts in order to satisfy ourselves of the bearing they might have on the novel and important question submitted. That examination has led to the conclusion that we have no power to discharge the prisoner.

He must, therefore, be remanded, to take his trial in the ordinary forms of law."

Accounts from Utica further state, that it is probable McLeod's counsel will sue out a writ of error, and have the case carried to the court for the next session of errors, which meets next month, and if the decision of the supreme court is there affirmed, an appeal will be taken to the supreme court of the U. States.

THE NAVY.

Naval department, July 9, 1841. The board of naval surgeons recently convened in the city of Philadelphia have closed their proceedings, and reported the result to the department.

Of the assistant surgeons examined, the following have been found qualified for promotion, viz: Charles A. Hassler, of the date of 1834.

David Harlan, of the date of 1835.

Robert H. Godon, do. do.

Robert Woodworth, do. do.

J. Dickinson Miller, of the date of 1836.

Of those examined for admission into the navy as assistant surgeons, the following have been found qualified, viz:

J. Andrew H. Handerson.

E. H. Huggins.

John Hastings.

Charles H. Broughton.

R. T. Maxwell.

Robert McKimley.

T. Alexander T. P. Garnett.

FREE TRADE—CORN LAWS—TARIFF.

As preliminary to the consideration of the tariff question, the house of representatives have appointed a committee to take evidence in the principal ports of entry in the United States, as to the operation of the existing rates of duties on imports, upon the commercial, agricultural and manufacturing interest of the country.

We have never yet been seriously alarmed by the apprehension of a war being provoked between two countries whose people have so many interests in maintaining peace with each other, so much to lose by contention with each other, and whose respective governments are so decidedly under the influence of a wholesome public opinion as the governments of both England and America now are. Public opinion, which now in the real sovereign power in both countries would never consent that a war should be provoked by a paltry dispute respecting the prosecution of an individual like McLeod, or by an abstract question relative to the laws of nations as applicable to a frontier broil or originally unauthorized aggression of a marauding party, such as burning the Caroline, nor yet by the far more serious dispute relative to an undefined boundary line over an unsettled territory. We say that although we have never yet seriously apprehended a war as likely to grow out of any or all of those causes, in this era of higher christian feelings, yet that a conflict of another character between Great Britain and America, is to be apprehended, or averted, we do verily believe, and for that reason it is time that the people of this country were preparing their armor, for they have to meet in the field to which we allude the most powerful and wary adversary that ever attempted to monopolize the world. We allude to a contest for trade and commerce.

The British statement it appears here have been awake to the approach of the period when the task of revising our *Tariff* would be, by the termination of our "compromise" enactments, imposed upon the American congress—and they have either *arfully* or *thoughtfully*—as the case may prove, attempted to anticipate our true national policy under the existing regulations, by making either a *road* or a *joint* movement towards a more equitable arrangement of trade. It becomes us to be fully prepared for either contingency.

If the movement proposed by the party now in power in England, and who have certainly staked their hopes of retaining that power upon the issue of a change in the policy of the country in relation to the admission of broad stuffs—timber &c., free of the exactions now imposed under our *coro* laws, if that party shall be sustained at the approaching elections for parliament, which is itself a doubtful prospect, having as they have the whole landed interest of the nation, added to the Tory influence to oppose them, if they succeed over both, and then in good faith will set themselves about re-modeling their tariff according to their recent professions in favor of "free trade," we are for meeting them more than half way, and joining hand in hand, in the enlightened career towards ameliorating the condition of both hemispheres, a result that we have full faith would follow a liberal policy. We are advocates of *free trade* with all the world, and with every country, that will afford us fair and equitable reciprocity. But if other countries will restrict our trade with them, and subject us to onerous regulations or exactions for the benefit of their communities, we have no idea of submitting to all the disadvantages to which such regulations subject us, without attempting some countervailing measures. The real cause of four fifths of the difficulties under which the agriculturists and manufacturers of this country have had to labor for the last twelve years, have been owing to a want of due regard to maintaining an equipoise between *importations* and *exportations*, allowing ourselves to have from ten to twenty millions annually drained from us either in specie or in

obligations of indebtedness in one form or other upon which we are compelled to pay interest, to make up the difference that has invariably been against us. The predicament of him who spends more than he makes, is inevitable as long as this policy is admitted, and all attempts at remedying the evil by fiscal contrivances, short of eradicating the root of the evil, will be unavailing.

Upon the subject to which we refer, we have received the report of the select committee of *THE AMERICAN INSTITUTE OF THE CITY OF NEW YORK*, which contains suggestions that ought to be examined by the people of this country. After referring to the examinations which have been officially made in relation to the import duties, by the British government the committee say:—

"The truth of the abstract proposition of free trade,—its advantages in promoting the interests of mankind, irrespective of circumstances resulting from the evils which attach to humanity—such as war, and the prevalence of the selfish principles which actuate nations as well as individuals—was long since demonstrated by that profound philosopher, Dr Franklin. "Suppose," says he, "a country, X., with three manufactures, as cloth, silk and iron, supplying three other countries, A., B., C., but is desirous of increasing the vent and raising the price of cloth in favour of its own clothiers.—In order to do this she forbids the importation of foreign cloths from A., in return, forbids silk from X.; then the silk workers complain of a decay of trade, and X. to content them, forbids silk from B. In return forbids iron-ware from X.; then the iron workers complain of decay, and X. forbids the importation of iron from C., and C., in return, forbids cloth from X. What is got by three prohibitions. Answer—all four find their common stock of the conveniences and enjoyments of life diminished."

"This is a plain exemplification of the case, without regard to the circumstances of war, &c. referred to above; and if the world would adopt the system of free trade, and constantly act upon it, the result might be universally beneficial. Unfortunately, hitherto mankind have been subjected to the misfortune of war, and it is not assumed by the advocates of the free system, that war is not a contingency for which it is prudent and wise to prepare.

"In such an event an agricultural people, depending upon other nations for their cloth, iron, &c., might find themselves in a deplorable predicament. Was one country in possession of advantages which its rival could never obtain whilst free trade was permitted, as skill or capital, or should any one of the community of nations refuse to be governed by the rules of free trade, it would obviously be for the interest of the others, by countervailing action, to prevent, as far as practicable, the evils which might result to them from their position. While England and France, the leading commercial nations of Europe, continue as they now do, to act upon the restrictive principle, no argument drawn from the abstract proposition, merely, can be of the least force in determining the course of other nations.

"The great business of society is the production of those commodities which minister to the wants and pleasures of man. To this end the energies of the millions are applied in different climates to the various soils, and the multiplied products of the soil, by other millions, are, with the aid of invention, art and science, fabricated and fashioned to answer the necessities and luxuries of society. The supply of food, clothing and habitations, suited to the diversified tastes, fashions, habits and wants that prevail among mankind, are leading objects with us all.—No one country possesses all these supplies. One country, viz. A., produces a surplus of one kind of articles, while her soil and her habits forbid her from producing others. Another country, B., produces more of the articles in which A. is deficient than her wants require, but is herself deficient in the ar-

ticles of which A. has a surplus. The exchange of these surpluses, for the mutual accommodation of each, is what is called commerce. If one refuses to exchange with the other, it is clear that commerce, as respects those countries, must cease. It is also obvious that these exchanges must be reciprocal; the one party must be willing to receive such commodities as the other can part with, in order to induce an exchange. While the exchanges are confined to their elements, or rather, such will necessarily be the result, and none but a reciprocal commerce can exist. The exchanges of the world continued to be in a great degree of this character during the simpler ages, and whilst the only money in use was the precious metals; these being the products of an industry, which could only be gradually increased, their value, measured by the other products of industry, could also be increased or diminished by a very gradual process only, and then demand and supply would remain steady and uniform, except so far as their value might be influenced through fear or other circumstances, inducing a disposition to hoard; a passion coeval with man, and operating with greater force to an ignorant age. The modern invention of a currency of credit, based on the precious metals now in use, to a greater or less extent, over the whole commercial world, though of immense benefit, has yet this disadvantage, that it has heretofore been subject to sudden fluctuations. The commercial exchanges of the world not being arranged on the principles of reciprocity, the people using the larger proportion of credit are exposed to the destruction of their currency and the consequent derangement of all their affairs, unless by carefully guarding the home market, it is protected from the aggression of others, who, by abstracting metal in credit, by removing its basis whenever advantage or misfortune renders metal an object of desire.—The question of protection is therefore not only one of national defence, but emphatically a question of finance and currency, and should be so considered, if we would properly understand it and appreciate its importance.

"This view of the subject has led to the opinion so strenuously advocated by many distinguished men, that our true policy is abandonment of our currency of credit, and a return to that of metal.—Suppose it is admitted that ultimately, the contemplated result would follow the adoption of their plan; the wide spread ruin that would ensue from this attempt, can hardly be conceived. Nothing less than the entire prostration of the active portion of the present generation to a condition of hopeless bankruptcy, and a transfer of all their accumulations to the coffers of the capitalist, and a suspension of industry, involving a loss greater than the entire amount of the currency, both metallic and paper—and all this to gain what simply a reciprocal commerce, which may be more perfectly obtained by exchange for commodities, overthrows the currency duties on imports, which shall secure to our own industry such advantages in the home market, as will protect our currency from the destructive influence of foreign exchange.

"A system of countervailing duties is therefore our only hope, whilst European policy continues as it is at present. Let this be distinctly understood, not for the protection of the manufacturers, but for the protection of the currency of the nation; and necessary for each section, north, south, east and west, precisely in the proportion in which their various currencies are more or less constituted of credit."

POLITICS OF THE DAY.

The two following articles have been in type waiting for room in the Register, for nearly a month, postponed by matter of more immediate interest.

MOVEMENTS IN SOUTH CAROLINA.—We find in the Charleston Courier a detailed account of the proceedings of the great meeting of the friends of the national administration, which was lately held in that city. The hon. Thomas Lowndes was called to preside. A committee of thirty-two persons was appointed, of which James L.

Petigru, esq. was chairman, to draft resolutions expressive of the opinions of the meeting, on the great subject which had brought them together.

The resolutions reported by the committee were as follows:

1. *Therefore, resolved*, That a revenue tariff is a mode of providing for the national defence, not only consistent with the uniform practice of the country, but entitled to a decided preference over any other scheme of taxation, inasmuch as it regards the compromise of 1823 as the bond of peace and surest pledge of equal justice to the various and conflicting interests of our extended federal republic.

2. That the question of the constitutionality of a U. S. bank has been settled by reason of authority, and by experience of its indispensable utility.

3. That no other remedy has been found for the multiplied and increasing difficulties of a heterogeneous currency, and that the time and place for the establishment of such a bank, are subjects which call for the mature and deliberate consideration of congress.

4. That the hon. William C. Preston has well and faithfully served the state as a member of the senate of the United States, and by his uniform error of his course, has proved himself superior to the blandishments of power and the terror of proscription. That while we admire his eloquence, we still more highly appreciate his firmness and consistency as a statesman, and heartily unite in exalting him to the confidence of his country.

5. *Resolved*, That the right of instruction and the requisition to obey or resign; never assumed by the state of South Carolina, cannot surely belong to neighborhood associations or district meetings; that we trust in the firmness and sound judgment of our extensive senate, steadily to resist and repudiate any such usurpation of authority. And that we heartily approve of the course he has pursued in regard to this matter, and the expression of sentiment conveyed in his reply to the demands made upon him by a sectional, congressional caucus, of his political opponents. That the political independence of the representative is not only a privilege, but a sacred duty, an element of our institutions absolutely essential to the well being of a republican constitution, and that Colonel Preston is entitled to our cordial sympathy, and our prompt and unflinching support in the manly stand he has taken in its defence.

6. *Resolved*, That the public lands, ceded to the confederacy by Virginia, North Carolina, Georgia, South Carolina and Connecticut, were ceded, in the words of the Virginia deeds of cession, on the condition that they "shall be considered a common fund for the use and benefit of such of the United States as have become or shall become members of the confederation, or federal alliance of the said state of Virginia included, according to their respective proportions in the general charge and expenditure, and shall be faithfully and bona fide disposed of for that purpose, and for no other use or purpose whatever."

7. *Resolved*, That the scheme of surrendering these lands, thus made the common property of all the states of the union, to the few states in which they lie, is wild, visionary and wasteful, and in direct violation of the contract by which they were generously entrusted to the confederacy. That this scheme bringing a mass of neighboring contiguous states, under a common indebtedness to the general government, holds out such an enormous bribe of ambition and avarice, as could not fail to breed corruption and violence, and arouse the passions in distrust and hostility to the authority of the union, terminating in a conflict which would have one certain result—the total loss to the country of its splendid national domain.

Mr. Petigru then addressed the meeting in reference to the principles set forth in the resolutions, and at the close of his remarks they were unanimously adopted. The Courier has the following sketch of the remarks of Mr. Senator Preston and the gentlemen who followed him.

Senator Preston then called for, and received by the meeting with an applause and enthusiasm that sprang from the hearts of the audience. It is impossible to give more than a barren sketch of his speech, rich and glowing as it was in imagery, and fervid at times in indignant eloquence. He stated and his heart-felt thanks for the notice he had received to the resolutions, and the manner in which they had been received by the meeting. Peculiarly touching and near to his heart was this notice, this reception in Charleston; for he could not forget the very different expressions of opinion had found utterance. To these he had opposed patient endurance; he bowed to the rod, and appealed to future more calm considerations. Now, his heart was full of a proud joy, when he looked upon the scene. He had never believed the time would come when just credit would be given the

shows for their performance of their perilous duty. That time had come. The battle had been fought, bravely, earnestly, desperately fought—the victory had been achieved. Never in the history of man had there been so sublime a spectacle as when the people rose to their might and majesty against the late administration. The whole country was erected into one vast tribunal, and the so-called democracy arrayed before it. The people of these United States impelled themselves as a jury—counsel were heard—ay, paid counsel on one side, and volunteer counsel on the other. The cause of the administration was tried, fairly tried—the verdict was rendered, and the guilty men were placed before. They are dead—fallen—crumbled in the dust.

Colonel Preston then proceeded to show how silently, calmly and beautifully amid all this tremendous change—the downfall of an organized and warring party—this passing out of old rulers and in-coming of new—continued the stately march of our glorious institutions, and how great a proof was this of their power and their purity. To strengthen this view, he adverted to the death of Harrison—stricken in the moment almost of his triumph—from the loftiest pinnacle of earthly greatness—the head of a nation removed from his great post—and yet, no jar, no stop, no delay to the progress and working of government. The president died, and his successor under the constitution takes his place, so all so quickly and easily; how powerful and well balanced must be that frame of government, which such events cannot cause for an instant to waver!

And to southern men, what a solace under this loss of the first choice of the people, John Tyler, of Virginia, fills the vacant place. He is dear to the south in every view. Entirely southern—yet not sectional, a state rights man, yet general Callicott, American in all points. And God forbid that sectional feelings should ever profane the presidential chair! For myself, exclaimed the orator, I would as soon have a "southern man with southern principles," as a southern man with exclusive southern spirit. First—my devotion is due to this state—then to the union. An American, as a senator of this Union, all that is American is mine.

But this succession of John Tyler to the presidency, continued Mr. Preston, will forever quell, abash and silence that cry of fraud and folly, which for so many months of the past year has been raised against Harrison and his supporters. Where is the man so bold in falsehood, so dare call John Tyler abolitionist! Since, then, no objection can be made to the present becalm of the administration, let us give him a fair trial, and who objects to Harrison may rally around Tyler. For though he will carry out the same principles that guided his predecessor, yet he comes, in as it were, a regency—he is not so imbedded in the glowing bias of the people as his predecessor, and will therefore demand the more earnest support from those who approve him. This will be an administration more southern in its tendencies. Both would steer by the same polar star, but with Tyler there might be some variation southward in the instrument.

The "great democratic party has vanished"—tis with the snow of the last year upon the mountains—melting away, day by day, each little rill winding down the side of the mountain, and emptying into the rushing stream of the whig party." It had no leaders, and no rank and file, not even a skeleton army. Yet in this very greatness of our party is danger; so much as to be done, so much expected, that the people have no time to spare, and the selfishness which have been left upon the ship of state.

Mr. Preston then took up in detail the propositions in the resolutions, and said that the subject of the public lands was one demanding the most earnest and thoughtful consideration. The idea of cession of the public domain to a portion of the states, was, as it had been expressed by some of its supporters, but a purchase of those states by wholesale. What would be the result of the various proposals on foot, we imported, we were to make, that no sacrifice of just rights should be made with his consent. He alluded to the attempt in the great tariff agitation, to crush Mr. Clay under the weight of this important question, to bury him under the public domain, but how true it proved to be, as he struggled through the weighty load and made of it a battery and fortification whence he has stormed the heart of the country.

The orator then presented, with withering ridicule, the spectacle of the states, each with its individual and federal credit toasting to and fro in billows of danger and dismay—and the little Magician waving his sub-treasury wand over the boisterous waters, that heeded not the charm, till the people impatient of the quackery hurried him from the seat.

On the subject of the national bank, Mr. Preston said that he had never been adverse to the bank, although he had not needed the admirable indications of Calhoun and McDuffie to show him that as a financial medium it worked beautifully. Yet he decried it as an engine which might work great mischief. But he relied on that clause of the constitution, that residuary bequest, of all powers necessary to carry into effect the functions and duties expressly assigned. If then, he found that the state of the country now struggling in agony and calling for aid, required a bank, however reluctantly, he should do, as Washington, Jefferson, Madison, Monroe, &c. had done—the whole republican party of the day, and vote for the measure because necessary. He was no believer in the doctrines that government could use any other currency, but that which was in use by the people. If the people use paper, the government must. Were we to exchange our situation and our prospects, dark as they seemed, for that beau ideal of hard money, that paradise of gold and silver, the island of Cuba, with negroes foot to one, and bloodhounds in equal proportion! Contrast this hard money colony, of 300 years growth, with Mississippi and Alabama, with all the evils of their currency, and choose.

Mr. Preston then disposed of the tariff question, by saying that he and his party would rigidly adhere to the compromise, and if any discrimination was made against our exports, or on luxuries, he would say wit and humor to the proposed tax on French silks and wines, which had excited the righteous indignation and apprehension of the good people of St. John's, Colleton, and closed with an eloquent and forcible appeal to all good citizens to lay aside all minor considerations, and unite earnestly in aiding to re-establish the true interests of the country.

Mr. Preston having concluded, the hon. H. S. Legare was called for, and, on coming forward, he received with an enthusiasm and spirit which showed how justly proud Charleston is of her eloquent and gifted son.

His address was of a nature so rich and so varied, so startling in its sudden changes, from a persuasive conversation and bold clear statement, to the loftiest flights of true eloquence, that his audience were completely taken by surprise, now chained in a rapt attention—now startled by a burst of indignant sarcasm, and then again by a flash of wit and humor. In position, but as he went on the orator forgot the man, and the wealth of his mind was never more suddenly drawn upon nor more triumphantly displayed. He spoke of the strange and sudden changes which have taken place in our history, and the character—and of the character which political opposition had assumed. Once, said he, in South Carolina, political rivalry was the noble contest of gentlemen and cavaliers—a hostility that hindered not an opponent from admitting and doing honor to the character of a rival. But now to judge from specimens lately displayed, these controversies are to be carried on in the spirit of savages and the language of fishermen.

To this spirit, let it be said, upon the death of its object, be its rebuke. While living general Harrison was the object of their most unenvied obloquy. How great a change was wrought by his death. Those who most vilified him living, do him honor in his new made grave. The shafts which were hurled at him while in life, fall harmless and spent from his shield.

Mr. Legare in his speech, introducing a resolution in favor of increasing our naval defenses, which he advocated with great force and energy, setting forth the importance of having at any time ready a fleet, and criticizing with the most acute severity the report of the committee on foreign relations, relative to the affair of the *Carolina*. He then in a burst of eloquence, demanded of the people of this state if now they were prepared to cut their throats, and whether they could strike of the hand that had but now so gallantly for them, because he had chosen to exercise his own judgment, and not submit to tyrannical party domination. His crime, said the orator, was his eminence, his usefulness, his honorable and wide spread fame.

Mr. Legare then closed his speech, and the resolution was put and carried.

The honorable R. H. Wilde, of Georgia, was called for, and in a brief but spirited address expressed the views of the honor done him by the meeting, almost strangers to him, and set forth his own views, in hearty concurrence with the resolutions offered.

PROCEEDINGS OF THE DEMOCRATIC STATES' RIGHTS PARTY.

The democratic states' rights party held a meeting in Charleston on the 27th ult. which the Mercury says was one of the largest and most brilliant popular assemblages ever held in that city.

The venerable H. Deas was called to the chair, and the hon. J. F. Mintzing, John Kerr Boyce, Nathaniel Heyward, esq. Dr. J. M. Campbell, col. J. S. Ashe, John Magnaghi, esq. Wm. Aiken, esq. and H. W. Conner, esq. were named as vice presidents; Wm. D. Porter, R. W. Gordon and J. H. Dukes, esq. were appointed secretaries.

A committee of three gentlemen, A. G. Magrath, M. I. Keith and H. Bailey, esq. waited upon the honorable John C. Calhoun, and requested his attendance at the meeting. He having accepted the invitation, and attended, his arrival was greeted with the greatest enthusiasm. When the applause had somewhat subsided, col. Elmore, from a committee of forty-two, appointed for the purpose, reported the following address and resolutions, which were unanimously adopted:

The call of an extra session of congress by those whose hands the affairs of the republic have fallen, and the measures which it is well understood are to be proposed for the adoption of that body, have caused us to assemble, that the opinions and wishes of the people shall be made known. These measures are such as must exercise a most important influence on the constitution of our Union, for good or for evil; and we should be wanting in our duty to our state, to ourselves and to our posterity, if we failed to proclaim, in the most solemn manner, our opinions upon them. We do so now since the formation of this meeting have so many and so grave subjects of public policy before us, and the session of the government. Hereafter they have come upon the country singly, or few at a time. They are now crowded into one session; and the deepest anxiety is felt by the people of this state for the result. Some of these questions have been, since the session of the government, so important, so important to agitate and shake the confederacy to its very foundations; and we now go into the arrangement of them collectively with fearful odds against us. Some of these questions have been in more fearful peril; that party, from its adoption, under one name or another, but ever the same in its principles, the advocates of a strong government and the enemy of popular rights and democratic principles, the old federal party of Alexander Hamilton, has again obtained a temporary triumph and seized upon the reins of power. How that power is to be wielded we are left but little room to doubt. Unless their leaders be arrested in their career of mischief, if by them our President is, we hope, for some kind purpose, but still he will be placed in a position to be dominated upon the country a series of measures disastrous to constitutional freedom and fatal to southern prosperity. These measures are: 1st. The distribution of the proceeds of the sales of the public lands among the states. 2nd. The establishment of a protective tariff. 3d. The creation of a public debt. 4th. The repeal of the act establishing an independent treasury; and 5th the incorporation of a national bank.

Against all of these measures we declare an uncompromising opposition, because we believe they will exercise a fatal influence on the independence of the states, the principles of constitutional liberty and the constitution itself, while they will undermine and finally overthrow the industry, and perhaps the very institutions of the south.

We believe that congress possess no power but such as are expressly granted in the constitution, or are absolutely necessary to carry on those expressly granted; we believe the constitution to be a fundamental and unchanging rule of conduct to all others; and not altered, changed or controlled by circumstances what ever; we believe especially that in this strict construction consist the safety of southern institutions. As we are the weaker portion of the confederacy and becoming relatively more and more so every day, our property will be at the mercy of hostile majorities, which may as fairly construe a power out of the constitution to create a protective tariff, or to abolish slavery, as to establish a bank. We believe that property should be secured with no taxes, whether direct, or in the shape of duties on imports, but what are absolutely necessary for conducting the government with efficiency and economy and that no right exists in congress to make discrimination in laying taxes in order to encourage and protect one pursuit or branch of industry at the expense of others; we believe a national debt to be a national misfortune; and if created without necessity, as a fraudulent pretext for raising the taxes, or a means to provide a capital for a bank, we regard it as a national calamity which should be met by a strict and exacting application on all who support it.

At the head of the measures which it is understood will be pressed upon congress, is the distribution of the proceeds of the sales of the public lands among the states. The amount of these sales amounts to about \$8,000,000 annually. At the very time this proposition is made to take out of the public treasury

of the constitution, it is needless to say how joyfully South Carolina will stand side by side with him in every battle field, giving him her support, and sharing every danger with him. But should he, unhappily for his own fate, sanction the doctrines of federalism, and give his support to the principles and measures his life has been spent in combating, then he too will meet from us the same uncompromising opposition which we extend to all the enemies of our principles.

But, fellow citizens, our truest hope is in the justice of our cause and that intompatible spirit of freedom which has always enabled South Carolina, come whomever it may to resist and repel, and stand upon her rights. Let us, then, with the memory before us of the glorious examples of the past, raise every energy for this struggle, remembering that victory now will secure freedom FOREVER. Be it therefore

Resolved, That the distribution among the states of revenue arising from the sales of the public lands, is an impolitic, unauthorized and unconstitutional waste of the public money, degrading our sovereign state to dependent pensioners of the federal government, and stimulating thus to an extravagant subversion of all those maxims of economy which are the best securities of a republic; depriving the government of one of its legitimate sources of revenue, to furnish a fraudulent pretext for an increase of tariff, and at the same time, the intention of the states in their cessation of the public lands to the general government.

2. Resolved, That we regard the creation of a national debt as a great misfortune, which can only be averted by the utmost necessity to meet engagements honestly incurred to support the government, or in defence of the country.

3. Resolved, That congress has no power to lay protective duties, to encourage and aid one branch of industry or pursue it at the expense of others; that discrimination in duties with such a view is but another name for protection, and is unjust and unconstitutional; that in true intent and meaning the compromise repudiates protection, and requires that duties shall be levied for revenue only, and that no more shall be collected than is absolutely required for the economical administration of the government that all duties to be fairly laid, should be upon the equal and ad valorem principle, and if discrimination is made, it should be to take duties of the necessities of life, which will be a great benefit to the laboring classes, and lay them on all luxuries equally which will relieve none.

4. Resolved, That the law establishing a treasury independent of all banks, is in accordance with the constitution, a safe, sound and wise policy, and should not be repealed.

5. Resolved, That the power to incorporate a bank is not only not in the constitution, but was expressly refused to congress; that its establishment will be a wound in the constitution, and inflict a fatal blow upon the best interests of S. Carolina.

6. Resolved, That congress having no authority under the constitution to incorporate a national bank, if such an institution be incorporated, we hold that the charter may at any time be repealed and the bank abolished.

7. Resolved, That we deprecate severally the measures above named, as the mutually dependent of one another, which, if carried into effect, would of the constitution, and must result in heavy calamities to the country; that a national bank especially would be most injurious to the interests of South Carolina; and that no representative of hers can promote its passage, or its establishment, without such bank without the direct sacrifices of her principles, the disregard of her wishes, and in violation of his trust, the imposing upon her the heaviest of misfortunes.

Resolved, That the hon. John C. Calhoun, by his fidelity to South Carolina, his vindication of the constitution and the unwearied zeal and ability with which he has supported the rights and interests of the whole south has preserved unshaken our confidence in the principles and intentions of the people, and won for himself our admiration and gratitude; and that we gladly avail ourselves of this occasion to say to him, well done for the past, and God speed for the future.

DEBATE ON THE LOAN BILL.

From the National Intelligencer.

IN THE HOUSE OF REPRESENTATIVES, JULY 8.
The house having resolved itself into committee of the whole on the state of the Union, (Mr. Bayard of Massachusetts, in the chair), on the bill authorizing a loan not exceeding twenty millions of dollars.

Mr. PICKENS rose and addressed the committee during the hour, in urgent opposition to the bill. He did not think, he said, that it was the intention of the committee. He knew how great the

disposition was to hurry business through, and he knew that there was a great indignation on the part of the house and the committee to consider such bills as these. During the whole period of his service here, he had been struck with the remarkable fact that on all money questions, upon all bills involving appropriations of the public money, there was much dissension and the committee was raising the ways and means to meet the exigencies and expenses of the government.

We had been taught to believe that nothing was more important in the affairs of government than the taxing power. This might be a prejudice, but, if it was, it had inherited it from our ancestors and from the proud associations of our own time. It had always been considered the test of liberty here and in Great Britain. The bill before the committee, although essentially a bill to borrow money, was in fact, a bill to lay a tax upon the community for the purpose of paying this loan. The great question now was, whether this loan was necessary under existing circumstances; and, if so, the great question for future consideration was, how were we to pay it?

How were we to lay a tax, to raise the means to pay off this loan? Every people had a peculiar criterion by which to judge of liberty; and the English people had always judged of the powers of government by all measures contrary to the maxims of the government. The line which separated the power of government from private property was the line which defined English liberty. And the true real mode by which to judge of the privileges and liberties of a people was to judge of the power they had to restrain taxation by government. It was this consideration which made this bill and others connected with it of the deepest importance to every portion of the tax paying community. He hoped and trusted that gentlemen who were countenanced by these measures would not be considered as acting from any factious desire to thwart the just purposes of government. His own opposition went to all these measures—to the system as a whole. And let not gentlemen get up upon technical or abstract notions. A gentleman from Kentucky, (Mr. UNDERWOOD), the other day had spoken of the ridiculous idea of state authority or state rights. (He, Mr. P.) had known that a proper sense of justice and common sense had denounced as humbuggery that which they had not themselves the faculty to comprehend.

Mr. P. then proceeded to argue that we had a peculiar government, differing from any other of this very point of taxation. That there were no countries which even approached to it in its fiscal operation, except France and Russia; that, owing to our local interests, our extent of territory, and variety of climate, Great Britain could raise two hundred millions by tax, and disburse it over her small territory without producing any material effect on the resources or the national wealth of that country, where we could not raise fifty millions. And it was not to be wondered at, therefore, that to the fiscal necessities of the government, the tendency of which was to make one portion of our territory contribute to the revenue and another to receive it. This was the great difference between the government of Great Britain and the government of Great Britain, and the cause of the power and immense fiscal resources of the latter nation. And here was the fatal error into which gentlemen who sustained this system of measures had fallen; they had taken their example from the government of Great Britain, and English principles and customs, and they attempted to apply it to us—a people totally different in every respect. This argument Mr. P. carried out at some length.

What he said was that gentlemen should pause and consider what they were about. Let them not revive a system which Alexander Hamilton and his associates very patriotically at that time eugured upon our government in its first stages, when they believed the federal government to be the best. But those who now opposed this system of measures did so because they firmly believed that the tendency of them was to injure the country—to produce a full-telling and sectional jealousy, which would ruin the country. By no one had this critical state of our affairs been more loudly or extensively proclaimed to the world than by the gentleman from South Carolina, (Mr. PICKENS). He had made it known, not only to the people of this country, but he had led the people of England to believe that war with the U. States was inevitable; and so far had this impression been produced, that even our Mediterranean

he would resist, but the tendency of these things was to produce the result he had spoken of.

Mr. P. then referred to the attempt to arraign parties, which, he said, had been made yesterday by the chairman of the committee of ways and means, (Mr. FILLMORE). Mr. P. deprecated any effort of the kind, and would say, he said, would the example which had been set in that respect.

The house was now presented in a remarkable attitude before the country. Only two days since, a bill had been passed which took three millions of dollars from the regular revenue, and then immediately afterwards, came the naked proposition to borrow twelve millions of dollars. Did gentlemen suppose that the tax paying portion of the people would not inquire into the matter—that they would not ask why it was that we distributed the revenues of the country with one hand, and with the other laid an additional tax upon the people? Such a proposition never had been presented to a deliberative assembly.

Mr. P. then laid down the proposition that there was not the slightest necessity for a loan at all, and, to sustain this position, examined with great minuteness the report and estimates of the secretary of the treasury made at the present session, comparing them with estimates made by himself, and with a view of ascertaining the reasons for the prospective wants of the treasury were. His calculations had brought him to a result the correctness of which he believed to be demonstrable that no loan was needed.

But Mr. P. contended that, even if the views he had taken of the wants of the government and the means of supplying those wants was not correct, the whig party, it was to be remembered, had come in upon principles of reform, and had not the gentleman from Maryland, (Mr. SOLLERS), who had said that reform was one of the virtues of the people; and that the representatives of the people were called upon to enter upon their judgment. He (Mr. P.) called upon this house to enter upon its judgment of economy and reform, instead of going further and deeper in public expenditures than any other administration which had preceded this, as it was now proposed to do.

Mr. PICKENS proceeded, in the next place, to point out the expenditure which might, without the least injury to the interest of the government or to the public service, suffer retrenchment. He quoted the report of the secretary of the treasury of December 9, 1840; from it he culled several items of retrenchment. The result, in his opinion, each might be reduced. The result of the first branch of this reduction of particular was a sum to be retrenched amounting to \$862,000.

He next went into the items of the Florida war, and the expenditures of congress on these, with a few minor ones in addition, he estimated that there might, without injury, be a saving of four millions.

Mr. P. had gotten thus far in his subject, and was just about to enter into a comparison of the relative advantages of a loan and of treasury notes, when the hour allotted under the new rule to the speech of each member having expired, he was cut short by the chair. He remonstrated loudly and loudly, pronouncing the rule the most abominable regulation that ever was invented by tyranny, and it was not till repeatedly admonished by the chair that he was out of order that he finally took his seat, giving notice that he would, as soon as it should be in order, make a further statement, and introduce a substitute, giving ample means to the treasury, but avoiding the evils of which he complained in the bill now under consideration.

Mr. SPOFFORD next addressed the committee; and said that the reporter could regret that the extreme difficulty of hearing that gentleman; he fears that owing to this circumstance he will be able to present but an imperfect sketch of his argument.

Mr. S. remarked that the late administration had had possession of the treasury since the 1st of January of the 3d of March last, and had gone out of power leaving the government minus to the amount of twelve millions of dollars. This, of course, has been through a mistake—it must have been—for it could not have been the intention of those recently in power that the government should not be carried on; but, as they left it no means to do so, it must of course stop, or go limping and halting miserably along, during the rest of the year—and that during a very critical period in the history of the country. By no one had this critical state of our affairs been more loudly or extensively proclaimed to the world than by the gentleman from South Carolina, (Mr. PICKENS). He had made it known, not only to the people of this country, but he had led the people of England to believe that war with the U. States was inevitable; and so far had this impression been produced, that even our Mediterranean

aquadrant had been notified that, looking to the state of high excitement which prevailed in England as well as on this side of the water, and especially at the high tone of feeling existing in this house, as manifested by the gentleman's report, the idea of avoiding a war was entirely out of the question; and in consequence, they had hastened to get out of the straits of Gibraltar in order to prevent any one from having stopped till the had actually come all the way home. [A laugh.] The country, then, had been, it seemed, on the brink of a war when this mistake had been committed; and it took as the providing no means to meet it, for, by some stop-rock or safety-valve, all this high-pressure excitement had been quickly drawn off, and the unlucky vessel, after running across the entire width of the ocean, had returned quietly back to her station. Mr. S. insisted that this course, on the part of the late administration, could have been nothing but a mistake, for, if the honorable chairman of the committee on foreign relations, (Mr. Pickens) was right, and the country was right in what he had concluded from his report, (and the impression then produced had never been out of sight in England till the disturbance of her own elections at Athens had put it out of her thought), and war had actually been so near at hand, the administration nevertheless had dreamed of the country without an arm of defence, or a dollar to meet the emergency. But what had happened in the meanwhile? A change of administration. And who made it? The people of the United States. How was it made? Under the provisions of the constitution, and what for? Because they chose it; that was a sufficient reason, nor was the sovereign power bound to give any other. The people choose to change the administration, and they did change it; but the country was not changed, or the principles of the country, or the relations between the government and the people. Not at all. These remain just as they had been—the duty on the one hand to provide the ways and means, and the duty on the other to take care of the union. The union was not broken, and the country had had any other; nor would he ever acknowledge any other; and he never would submit to have his country taken from him. And this, he believed, was the sober determination of the people of the nation.

It ever there was a time when all who loved the country were called to hold fast the truth that *the union is our country*, it was immediately after the utterance to the world of such a report as that of the gentleman, when its language threatened us with war in which every citizen would find the source we possessed must be taxed to the utmost. And what had been the cause of such a mistake as had been committed by the gentleman and his friends in power? He believed, he trusted that it had been for purpose of the country. S. turned to the history of the past. For what had been the history of the past? The ordinary revenue had all been spent, and from six to eight millions a year besides, amounting in all to thirty-one millions.—Where did the money come from? How was this state of things hidden from the people? In the first place, whatever had come into their hands had been used for the purposes of the government, and then came a called session in September, 1837, which ended in giving the power to issue treasury notes. To be sure, there had been one happy result from the exercise of this power; it had been that it had brought the government more in sympathy with the country than any other measure of that administration, for the whole country had been deluged with promissory notes of every possible description; and the government was not only in sympathy with the country, they issued this government paper without delay; and what for! Only to live upon for a few days; that they would have plenty of money to-morrow, and then they would all be paid off. How did it usually fare with the administration of the country? The same plan in his private affairs? He got his note discounted and thought no more of it for the sixty days; in the mean time the money was all spent; and then, when the sixty days were out, he gave a new note and paid the discount. So with the government. At every new batch of treasury notes the same song was sung in the ears of congress: "We only want it for a short time; funds will come in, and all will be right." And thus matters proceeded until the government was issued to the tune of the song of the day. S. then said: Of this amount it had paid, if payment it might be called, twenty two millions, and nine millions remained still outstanding, though five millions had been all that was asked for at first, and that only

to meet the irregularity of the yearly income, which was deficient in one part and redundant in the other. What had been the inter-redundant history of the treasury? These issues of treasury notes had been renewed four times—until it was now growing into a habit of the government, and that at a high rate; it should be charged. We had not outlasted at one time, in 1838, no less than ten millions in this treasury paper, and there remained nine millions out still. Was this no public debt? Oh, no. There was no public debt. None at all. It was this new administration which was going to plunge the country into debt. It had been said yesterday about "juggling"; and many a man had juggled himself in this very way. But were the people to be juggled into the belief that they were not in debt when these notes were out for nine millions, but not paid? Was the debt so light because it had but 30 days to run, rather than ten years? No; but the difference between them might be, that in one case the debt hid itself from view.—Under the system of treasury notes to take up treasury notes, the cost of one, of fact, another, it was unknown to the country how much it was in debt at any one time. The debt was kept out of sight, and the people were boldly told that there was no national debt. And then, when a new administration came into power, and, looking into the actual state of the treasury, they found it was in a state of admitting its whole extent, and seeking means whereby to meet and to discharge it, then it was at once said "Oh, this is the new administration that is going into debt; under the good old times we were not in debt." The answer to this is, that the power that their first act is to plunge the nation into debt! Now so far, the treasury note power still survived; a loan only went to change the form of the debt, and, as Mr. S. thought, to change it for the body of the people. That was the danger. And if you do not do as we did." Well, what did you do!—pay the debt? No, you did not. If you had, we should not now have to provide for paying it.—You went in debt, and left your debt to us with no way to pay it. That was the danger. And if the country is in debt under this new administration, whose fault is it? The fault of those stewards who were entrusted with the revenue heretofore. They spent all the revenue, and six or eight millions a year besides.

There is a charge against us comes to this, that finding a debt on hand, we have not chosen to issue our notes for it, but prefer to give a bond. What course can be more open, upright, honest—if the creditor is willing! But in the present case there is no creditor, and we are not to issue a bond to the United States. We are for doing what is right and just, and doing it in such a way as all the people can understand. Here is no log; no mystification; we speak plain English that all can understand, and we have no more to add, judge, at the end of the period for which the bond is run, to whom course is the most manly and the wisest.

Mr. S. said he had had it in view when he rose to notice one or two of the remarks of the gentleman from South Carolina (Mr. Pickens) which, on account of the principle they contained, were of much more consequence than the fate of the bill. That gentleman was in the habit, on all occasions, of going back to first principles, as he understood them; principles which, traced to their consequences, struck the root of the union, and at the perpetuity of the constitution. The gentleman's doctrine went to the principles on which alone this government could be administered. If the gentleman was correct, the constitution ought never to have been administered, and he would be entitled to a permanent bill to be adopted in the government of this country; and the union itself is founded in injustice, and ought to be dissolved. What was the gentleman's doctrine, succinctly stated? As Mr. S. understood it, it amounted to this: That all taxes ought to be expended where they were raised. Mr. Pickens here interposed. Oh, no, I did not say that. I said that in a country possessing such an extensive territory, and embracing such diversified resources, the raising of taxes and their expenditure was a vital question. Not that we objected to the raising of taxes, but that the fact of their being raised by a general demand and expended in a particular direction makes us look with great solicitude at the manner in which the revenue is managed. I said that owing to the different views of the British government, that government could more easily raise and expend two hundred millions than we could fifty.

Mr. SEAGRAM resumed. There was a limitation in the power of the constitution. Mr. S. knew of no other. If what Mr. P. now stated, was that the taxes were raised in one place and expended in another, was a valid objection to the raising of taxes, then the constitution ought to be altered.

Mr. PICKENS again explained. He had not urged that as a remedy, but that it should be raised, and why the power to raise them should be watched with zealous care.

Mr. SEAGRAM said it came to the same thing at last: either the gentleman's argument was an argument for a tax or against a tax, or he was not an argument at all. Mr. S. knew that it was not an argument for a tax, therefore it must be against laying taxes, and so an argument out of the constitution and against the constitution. If the fact that taxes being raised in one place and spent in another was an argument against a tax, then it came to this—that all taxes ought to be expended where they were raised. The passage quoted by the gentleman had contained this very objection: "that people out of Virginia had power to tax the people in Virginia."

Mr. PICKENS said he had quoted those words, but not with approbation.

Mr. SEAGRAM reminded the committee that the gentleman had said that this (viz: that taxes raised in one part of the country should be expended in another) was the ground of our controversy with England, and its resistance ended in our independence. Now, Mr. S. would ask any gentleman if he had ever heard or read that this was the ground of our quarrel with England? No; the ground of that quarrel had been that the taxes we were taxed were not represented at all.

Mr. PICKENS. Exactly; that is just what I said. [A laugh.]

Mr. S. said they would soon come to the end of the argument. If this notion was to be preserved, the representative body must be collected from different parts of the union, unless, indeed, one state, from her greater power, or wealth, or patriotism, or bravery, claimed to be herself the representative body. [A laugh.] Then what was next proposed? A large country of this extent could not be a pure democracy, where all the people assemble to consult and to make the laws; they must select through representatives. If free, it must be a representative republic. The representatives must come from different portions of the community, else it would not be a popular government, and they must be in proportion to the number of the people, else it could not be a popular representation. If gentlemen could show that this government ought to represent property, and so to be an aristocracy, or to represent a privileged class and so to be an oligarchy, let them come out boldly and say so, and then their reasons should be examined. But in the mean time, Mr. S. said that the gentleman's argument was an argument against a representative republic; and if it was against a representative republic; and if there could be a greater political heresy imagined, he knew not what it was. Mr. S. was aware that the gentleman did not mean to carry out the consequences of his own principle, but these consequences would not be less clearly, if he intended about to direct his representative body every question involving taxation was assumed to be a ground of reproach and of complaint, not as against its authority or advocate, but as against the constitution itself. (Here a part of what Mr. S. said was lost, as he turned about to direct the remarks to Mr. PICKENS, who sat on the other side.)

Mr. S. said he would quote for the gentleman's benefit a book written in the British Isles, and printed in Scotland; it contained an article which went to show what interpretation was put abroad upon the arguments and sentiments advanced here by southern gentlemen. Mr. S. confessed that in reading it he had been, as much as any man ought to be, excited by witnessing the intemperance with which it spoke. He would not, however, look into a mirror, and there see what consequences were attributed abroad to arguments such as he had now employed. The article was from the last number of the Edinburgh Review, on the republic of Texas, and the gentleman's name was given as the author. It was written by Mr. Kennedy, formerly connected with the British colonial government in Canada, who last subsequently visited the United States, and had then gone to Texas.

Gentlemen all knew that England had recently acknowledged the government of Texas, and that the anti-slavery people in England had been dreadfully shocked at the idea, because they affected to believe that the whole of the late Texian revolution had been based chiefly, if not solely, upon the maintenance of slavery; and that by recognizing such a government England gave countenance to a government founded on slavery. This was an entire mistake; for in the first place the Texian revolution had started out on this principle; and in the second place the republicantine sentiment had never admitted of slavery. It was not going to be a slave country, but was to rely altogether upon free labor. Then there were vast commercial advantages to England to

sometimes took place in that house for government appropriations, and the angry feelings which they sometimes produced, was it not to be expected that, if they wished our ruin, their eyes would beam with eager hope to see it accomplished? Doubtless they would. But they were doomed to disappointment; the day had not arrived that was to witness the dissolution of the union of these states. Mr. R. had seen a very learned pamphlet, the aim of which was to demonstrate from geographical considerations, and the directness of climate, that the union could not long continue. Mr. R. was no believer in this sort of geographical logic. How often were those whose geographical relation was precisely the same found at dagger's points with each other, and yet never at war? He spoke in the deep sympathy which bound together the Anglo-Saxon race—in the associations of the past and the common anticipations of the future. These would hold our people firmly together, and he defied the malice or the wit of man to separate them from each other. Notwithstanding all this, however, he did believe that the constitution operated unequally; but if it worked still more unequally, he was not going to give it up. The constitution was precious to him in its permanent principles though it might be unequal in its temporary operation. He made it but what it was intended to be; keep it above all suspicion by the purity of legislative action; let the general government be what it was intended to be, an shield against foreign nations. Do this and union and liberty would long be preserved for our prosperity.

As to what had been said about rivalry between Alabama and South Carolina, Mr. R. did not believe that their interests were in the least degree antagonistic. Let each be content to separate them from each other, and they might long live in harmony and peace. The same was true of the south and the north. Their interests harmonized—the north furnished to the south that best of all markets in the world—a domestic market—nor was there a man at the south who would not infinitely prefer to wear a suit of American manufacture to being dependent for his clothing on any nation on earth. This was their feeling—it pervaded the whole south, but they could not give up their rights—their pride, their interest, their duty alike forbade it. Give us, said Mr. R. the constitution; that is all we ask; but we cannot give up our rights under it, and we will not.

Mr. FESSENDEN expressed his satisfaction at listening to the utterance of such sentiments in such a quiet room. His mind had been greatly relieved by it, but he regretted to find, when the gentleman came to explain that all his attachment to the constitution and the union hung upon this condition, that every body else must adopt his peculiar views of the constitution, and abstain from the exercise of any power concerning which he entertained a doubt. When closely looked at, this was but nullification in another form. However, as the time he had to speak was so very limited, he should not pursue that subject further.

Mr. F. then went into a statistical examination of the grounds on which the bill rested, and spoke in its defence with much earnestness and force of argument. He called for proof in support of the feasibility of the long list of retrenchments which had been presented by Mr. PICKENS. He had all proper respect for that gentleman, but could not accept of his naked opinion as sufficient evidence on a question of this kind. Mr. F. had no patience for that sort of economy which would save money by refusing appropriations of obvious and pressing necessity, which would suffer our fortifications to go to decay, our harbors to remain defenceless, and our navy, to fall into dilapidation, rather than appropriate the money necessary to meet the expense of these great and important public works. Should a war arise, the people would pronounce it a poor and niggardly spirit, which for fear of asking for money necessary to be expended, had left them defenceless to their enemies.

Mr. F. inveighed with warmth against the course of the last administration in suffering a public debt to accumulate, and then denouncing their successors because they brought that debt to view and took measures to pay it. He strongly argued the necessity of a loan showing that there was no reasonable prospect of a speedy increase of revenue—in proof of which he went into an examination of the statistics of government receipts, which would not exceed thirteen and a half millions, while sixteen millions would be wanted to meet the ordinary expenses of government. He went into a comparison of the advantages of a loan and of treasury notes, warmly advocating the former as avoiding all mystification and presenting to the people a true view of their affairs. He scouted the affected horror of gentlemen on the other side at the idea of in-

curring a national debt while they themselves had created it, hidden it from the eye of the people under perplexed and unintelligible reports from the treasury, and then turned it over as a legacy to the present administration. As to state rights, they were not in the least danger, the representatives of the people would naturally love the rights of their states. He had much greater apprehensions for the rights of congress under the constitution, and had indeed been waiting to hear some strait-laced states rights gentlemen rise up and deny the right of congress to borrow money. The greater danger was from a want of attachment to the general government.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

July 8. Mr. Kerr presented a report of a committee of the general assembly of Maryland on the subject of the public lands, accompanied by a resolution, in effect, that the lands were never conveyed for public revenue, but in trust, for the purposes therein mentioned; and that a grant of the public lands to the states in which they lie would be a usurpation of power which was never conferred on congress. Laid on the table and ordered to be printed.

Also, a memorial from citizens of New York, expressing their opposition to any bill establishing a bankrupt law.

Mr. Tallmadge presented a memorial from citizens of Cherry Valley, New York, in favor of a bankrupt law.

Mr. Wright presented a memorial from citizens of Dunkirk, New York, in favor of a bankrupt law. Mr. Smith, of Indiana, chairman of the committee on public lands, moved to take up the house bill to distribute the proceeds of the public lands, and to grant pre-emption, for the purpose of reference.

The bill was read twice, and referred to the committee on the public lands.

The senate then proceeded to the consideration of the resolution submitted by Mr. Buchanan calling for the names of persons removed from office since the 4th of March last.

Mr. Linn rose and occupied the morning hour in the discussion of this subject. Mr. L. gave way at the close of the hour, to renew his remarks to-morrow.

The senate then proceeded to the consideration of the special order, being the bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. Walker moved to amend the bill, by adding to the end of the 17th fundamental rule of the bill a proviso, to the effect "that the cashier of every office of discount or deposits shall, on the first Monday of January of every year, transmit to the president of each house of congress a list of all notes discounted, and of all bills of exchange bought and sold by those offices, together with the names of all drawers and endorsers of said notes, and of all bills of exchange, with the drawers, endorser and acceptors."

Mr. Walker said this amendment was the same in principle as that submitted on another occasion by his colleague, though somewhat different in form.

Mr. King said he entirely agreed with the amendments expressed by the senator from Mississippi, as to the necessity of publicity as a feature of safety, but suggested the propriety of publishing a weekly statement in some paper where the bank is located.

Mr. King was sorry to see congress so divided, and opposed the amendment, and gave his reasons therefor.

The amendment was further advocated by Messrs. Benton, Clay, of Ala. Calhoun, Allen, Culbert and Woodbury.

The question was then taken on Mr. Walker's amendment, and decided as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, Henderson, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young, 23.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Ky. Clayton, Dixon, Evans, Graham, Huntington, Mangum, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge 22.

Mr. Walker then offered an amendment, to the effect that any ten or more stockholders should have the right to examine into the accounts, &c. of private individuals.

Mr. Buchanan expressed the hope that this amendment, at least, would be assented to.

The question was then taken, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, Mc-

Roberts, Mouton, Nicholson, Pierce, Porter, Prentiss, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—24.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Mangum, Merrick, Miller, Morehead, Phelps, Preston, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—23.

Mr. Benton then moved an amendment to the following effect, to come in at the end of the seventeenth fundamental rule:

"That the board of directors and exchange committee, the keeper of the public books, in which are to be entered all notes and bills offered to be discounted, together with the bills of exchange offered to be sold or purchased, the names of drawers and endorsers, the amount of time to run, and whether the same was discounted or purchased, or refused, or the same to be open daily during hours of business, and subject the inspection of the public."

And on this amendment Mr. B. demanded the yeas and nays, which were as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young, 23.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Mangum, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—22.

Mr. Walker then moved an amendment to come in at the end of the 17th fundamental rule—the yeas and nays to be taken on the discounts at the bank, and to be entered upon the books, subject to the same inspection.

Mr. Clay thought it wholly unnecessary. The books were open, and the amendment would only have the effect of embarras. In a city like New York, where there might be 400 or 500 notes of a day, what chance would there be for such an operation?

On this amendment a debate ensued, in which Messrs. Sumner, Allen, Walker, Berrien, Bates, Woodbury and others participated, and it was finally so modified, at the suggestion of Mr. Bayard, as to admit of the yeas and nays being taken where any member of the board dissented, and in that shape was adopted.

Mr. Benton alluded to the shameful outrage which, he said, had been perpetrated by the other bank in excluding the government directors. Not only had that been known, but the party sustaining the bank had sustained it afterwards with a full knowledge of all the facts. He would, therefore, move to amend the bill by inserting:

"That no part of the proceedings of the bank, nor any loans, discounts or payments made by it, nor any order given, shall be made or kept secret from the government directors, nor shall said directors be excluded from the free and full participation in all the transactions and business of the institution."

Mr. Berrien would only observe that that was provided for in the bill in the most full and ample manner.

Mr. Benton referred to the experience of the past to show that an infamous outrage had been perpetrated by the other bank, and intimated the ease of the directors known to have been insolently excluded.

Mr. Bayard. Suppose government directors did not attend, were they to be informed of all the proceedings by notes or otherwise? Goodness was to be made by members, and after all the goods thrown around this bill, he did not think any thing was to be apprehended.

Mr. Benton insisted that it was done in the case of the old bank.

Mr. Bayard. Then all I have to say is, that it was a gross abuse and a violation of the spirit of the charter.

Mr. Sevier was clear for making every violation of the charter felony, as they would make the embezzlement of the funds felony.

The question was taken on the amendment, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Archer, Barrow, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Porter, Prentiss, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young, 23.

NAYS—Messrs. Bates, Bayard, Berrien, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Southard, Tallmadge, White, Woodbridge—22.

Mr. Benton then moved to strike out the word "bullion" from the bill. As it stood, it was prohibited from paying out other than gold, silver, bullion or its own notes.

Mr. Huntington said there was nothing in the bill to compel persons to accept bullion. It was at the option of the individual, as it was with regard to the notes.

The question was taken on this amendment, after some further debate, and decided in the affirmative, as follows: yeas 26, nays 21.

Mr. Clay, of Alabama, said the bill provided that there should be no extension of time given by the bank, on any loan, beyond 180 days, but he had seen enough to know that there was no guard, unless some penalty was attached; and he would therefore move to insert that any contract for renewal or extension of any such loan should be null and void. And that he asked the yeas and nays.

Mr. Berrien said the senator could not effect his object in that way. By the phraseology, the contract for renewal only would be void.

Mr. Clay, of Ala. said he would be glad if the senator would make any modification.

Mr. Berrien, smiling—not 1.

The question was taken on the amendment, and decided in the negative as follows:

YEAS—Messrs. Allen, Berrien, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McKelven, Mouton, Nicholson, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Woodbury, Wright, Young—19.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Mangum, Merrett, Miller, Morehead, Phelps, Porter, Prentiss, Preston, of Ind. Southard, Tallmadge, White, Woodbridge—24.

Mr. Sevier moved an adjournment, but the motion was lost.

After some time went into executive session, and, after some time spent therein, adjourned.

July 9. Mr. Porter presented a petition of citizens of Saginaw county, Michigan, praying that the land office may be removed from Flint to Saginaw city.

Also, a remonstrance of citizens of Genesee and other contiguous counties against such removal.

Mr. Tallmadge presented a petition of citizens of New York in favor of a bankrupt law.

Mr. Barrow submitted a resolution calling on the secretary of war for the report of the survey in relation to the removal of the raft in Red river; which was adopted.

Mr. King called up his motion made some days since to reconsider the vote given by yeas and nays, and to the commerce and navigation of the United States to be printed.

A short debate ensued, in which Messrs. King, Huntington, Phelps and Woodbury participated. The motion to reconsider was adopted.

The senate then proceeded to the discussion of the special order, being the bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. Allen moved to amend the bill so as to provide—

“That the board of directors of the mother bank shall publish in some paper at the seat of government each order which may be issued by any office or branch directing it to expand or contract its loans or discounts, or any other order, immediately after its issue, and shall report to the secretary of the treasury all such orders, to be reported to congress at the commencement of each session.”

The amendment was advocated by Messrs. Allen, Wright, Walker, Linn, Calhoun, Nicholson and Benton. Yeas 26, nays 25, yeas 23, nays 26.

Mr. Walker then moved to amend the bill by extending the directors or officers of the bank or branches, or members of congress, from obtaining any loans or discounts.

This amendment was debated for some time, Messrs. Bayard, Walker, Woodbury, Clay, of Ky. Berrien, Simmons, Clay, of Ala. King, Henderson and Allen participating.

The amendment was so modified as to limit directors to a sum not exceeding \$10,000, and the question divided. On the first proposition in relation to officers of the bank with the limit named, the vote stood as follows:

YEAS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Henderson, McKelven, Merrett, Mouton, Nicholson, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—25.

NAYS—Messrs. Barrow, Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Huntington, Kerr, Mangum, Miller, Morehead, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—26.

For the second part, viz: to exclude members entirely, the vote stood as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, Henderson, King, Linn, McKelven, Mouton, Nicholson, Pierce,

Prentiss, Sevier, Smith, of Conn. Sturgeon, Walker, Williams, Woodbury, Wright, Young—23.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Miller, Morehead, Porter, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—22.

And then the senate adjourned.

July 10. The president laid before the senate a message from the president of the United States, in compliance with a resolution of approving the progress under the commission for the settlement of our affairs with Mexico.

After some remarks from Mr. Linn and Mr. Preston, it was referred to the committee on foreign relations.

Mr. Clay presented a petition from a number of citizens of Barbour county, Alabama, stating the grievances they, in common with other citizens, labor under in consequence of the suspension by the banks; that their business was greatly embarrassed by the derangement of the exchanges, which ranged from fifteen to twenty per cent. between there and Augusta and Savannah, in Georgia. Mr. C. said he presented the petition with pleasure, in hope that the senate would be moved to see to it.

It was moved that it be laid on the table and printed: which was agreed to.

Mr. Preston presented a memorial from citizens of Brooklyn, New York, praying the establishment of a bankrupt law.

Mr. Woodbridge presented two memorials from citizens of New York, in favor of a bankrupt law.

Mr. Woodbridge presented a memorial in favor of a national bank.

The senate then proceeded to the discussion of the resolution submitted by Mr. Buchanan calling for the names of persons removed from office since the 4th of March last.

Mr. Linn being entitled to the floor, occupied it during the coming hour without concluding.

The senate then proceeded to the discussion of the special order, being the bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. Woodbury moved to amend the bill by inserting a provision, prohibiting directors or stockholders from making any donations.

Mr. Clay moved so to amend it as to prohibit donations being made to officers of the bank.

Mr. Woodbury avowed his object to be that directors should not apply for the funds of government for any purpose, nor that donations should be made by the stockholders to officers of the bank.

There might be cases to call for the exercise of this power, but every such case should be laid before the stockholders, and he would not allow the directors to do so.

Mr. Clay said it was impossible to conceive of all the cases in human life where there might be calls for the exercise of this power. An officer in the institution, for instance, might be killed in his very endeavors to save the building from fire, and yet, according to the provision of the senator from New Hampshire, enough to save his family from starvation could not be granted until the annual meeting of the stockholders.

There were many other cases which might be cited to show the necessity of leaving the power where it was, only prohibiting donations to officers of the institution.

Mr. Woodbury would ask if the end of the tree, which might fall down and kill every man, would the officers have a right to put their hands into the treasury to relieve the families of persons so killed? It was very well to be charitable with our own money, but not with that belonging to the people, and he was unwilling to have public treasury put under the surveillance of the directors or stockholders.

Mr. Henderson would vote for the amendment to the amendment, but then he should vote against the whole. He held that the stockholders had no right under any circumstances to give away the funds of the institution.

Mr. Linn desired to reach the evil effectually. It was well known that donations had been made for internal improvements, and for many other things, by the late bank. There might be cases where directors and stockholders would be justified; but, if you gave them at all, it was certain to run into abuse, particularly where a bank was concerned.

The question was then taken on Mr. Clay's amendment to the amendment, and resulted as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—26.

NAYS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McKelven, Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

Mr. Clay then moved to amend the amendment to the effect that no donation made by the bank or its branches should be charged to the funds of the government.

On this motion a short debate ensued, and on the question being taken, the vote stood as follows:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McKelven, Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

Mr. Allen then moved to amend the amendment to the effect that no donation made by the bank or its branches should be charged to the funds of the government.

On this motion a short debate ensued, and on the question being taken, the vote stood as follows:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McKelven, Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

Mr. Clay then moved to strike out the stockholders from the amendment, thus leaving them the power to act.

After some remarks from Messrs. Calhoun, Benton, Woodbury, Clay, of Ky. Allen, Henderson, Clay, of Ala. and others, the question was taken on strike-out, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrett, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—24.

NAYS—Messrs. Allen, Benton, Calhoun, Clay, of Ala. Cuthbert, Fulton, King, Linn, McKelven, Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

Mr. Allen then moved to amend the amendment to the effect that no donation made by the bank or its branches should be charged to the funds of the government.

On this motion a short debate ensued, and on the question being taken, the vote stood as follows:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McKelven, Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—24.

The question was then taken on the amendment to Mr. Woodbury, as amended, and it was adopted.

[It provides, substantially, that no donations shall be made to the officers of the bank by the directors.]

Mr. Woodbury then moved to strike out from the 4th line of the bill, to the last section, the words “thirty millions.” On this motion, Mr. W. addressed the senate at very considerable length.

Mr. Clay replied. He had always been led to believe that the senator from New Hampshire was a matter-of-fact man; but now it appeared he had some parts in him, for he was for creating a bank without any capital at all.

Mr. Woodbury replied that the sub-treasury had no capital, and that the senator from Kentucky had always maintained that the sub-treasury was a government bank.

Mr. Archer would give his vote against the amendment, by which he did not mean to be understood as excluding him from voting for any other change of amount at another time.

The question was taken on the motion and decided in the negative.

Mr. Wright then moved to strike out that part of the bill which admits of the addition of 20 millions of capital.

Mr. W. sustained his motion chiefly on the ground that the capital ought to be stated and fixed; that if the stock rose some 5 or 10 per cent. above par, a rush would be made to increase the capital; and, on the other hand, if stock fell, the managers of the bank would be anxious to increase the capital by a new alliance.

Mr. Clay replied at some length, insisting that if the stock fell, it could be an evidence of the prosperity of the establishment and the expediency of increasing the capital.

The question was taken on the adoption of this amendment, and decided in the negative:

YEAS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, Mouton, Nicholson, Pierce, Rives, Sevier, Smith, of Connecticut, Sturgeon, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—26.

Mr. Clay asked if the senators on the other side had any further amendments to offer?

Mr. Wright said he had one or two more, and he presumed there were others of his friends that had some to offer.

The senate then proceeded to the consideration of executive business, and after sometime spent therein, adjourned.

July 12. Mr. Tallmadge presented a petition of citizens of New York, for a bankrupt law.

He asked the indulgence of the senate, in a few remarks on the subject; and in a concise and powerful manner gave his views in favor of creating such a law, as required by the urgent and pressing wants of the country.

Mr. Walker had intended offering a resolution to proceed to the consideration of a bankrupt bill, immediately after definite action had been had on the bank bill; and he was pleased to see that there was a strong probability of aid from the other side of the senate. This was a measure infinitely more important to his constituents than any measure now pending before either house. There was nothing on which the public mind was so decided as on including banks. He believed the time was near when there would be a vast majority in both houses of congress and throughout the country in favor of a bankrupt law applicable to banks. He should vote for the bill, whether it was applicable to banks or not, and he believed it was demanded by the popular voice, and at the present session.

Mr. Linn regretted very much that he could not have had this morning to address the senate on another subject, but he might as well speak on this as on any. He had a petition on this subject which he should present. Every man whose heart was in the right place would see that it was right to liberate the debtor, upon giving up his property. But it was different to make a law which should accomplish this and not do so infinitely more harm to the mass of the community than benefit. He sympathized with those who were in distress; but called on to exercise an important duty here, he was compelled to look not only to the interests of his constituents, but also to the benefit of the whole country, and whether the operation of the law would not be of more injury to the great mass than of benefit to individuals. He would vote for a prospective bankrupt law, but not for one that did not embrace corporations.

Mr. Morehead said, although the people of his state had no peculiar interest in this subject, they held it as a great national measure which would exert a healing influence on the distress of the country, and as more especially a component part of the great system of reform with which the whole party was pledged to the union. The course of his colleague, (Mr. Clay), and of his predecessor, (Mr. Crittenden), who had at last session reported and ably defended a bill for this purpose, he genuinely concurred in, and should support a bill of this character, when brought before him.

The petition was then laid on the table; as also petitions of the same character, presented by Messrs. White, Linn, Pierce, Southard and Walker.

Mr. Smith, of Indiana, from the committee on the public lands, reported the pre-emption land distribution bill, from the house, with two amendments; which were ordered to be printed.

Mr. Tappan presented a memorial of citizens of Ohio, containing a remonstrance against the charter of a national bank, the distribution of the proceeds of the public lands, a protective tariff and the assumption of state debts. Which was laid on the table and ordered to be printed.

The special order, the bill to incorporate the subscribers to the fiscal bank of the United States, was then taken up.

Mr. Wright offered an amendment to strike out that portion of the bill authorizing the subscription of one-third of the stock by government, and requiring it all to be taken by individuals and corporations.

A very interesting debate followed, in which Messrs. Wright, Calhoun, Linn, Walker, Allen and other participated.

The question was taken on the amendment, and decided in the negative as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Calhoun, Fulkner, King, Linn, McRoberts, Mottion, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—32.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Ford, Prentiss, Preston, Rivers, Summons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

Mr. Wright then moved to strike out from the 6th section of the bill that part which provides if the amount of stock to be taken by individuals or corporations, is not subscribed before the 26th December next, the secretary of the treasury shall subscribe for the residue, and be empowered to sell it afterwards at not less than cost.

This amendment also created a debate, in which Messrs. Wright, Clay and Buchanan participated.

The question was taken on this amendment; it was negatived, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Calhoun, Fulkner, King, Linn, McRoberts, Mottion, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Ford, Prentiss, Preston, Rivers, Summons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

Mr. Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Summons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

Mr. Wright then moved to strike out that part of the bill which allows the bank to go into operation after six millions shall have been subscribed, and to insert, "until the whole capital stock of the said bank shall have been paid in, as required by the provisions of the act."

The question being taken on this amendment, the vote stood:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Calhoun, Fulkner, King, Linn, McRoberts, Mottion, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Summons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

Mr. Clay, of Alabama, then moved to add to the 6th section the following: "but until the sale of the stock so subscribed by the secretaries shall be made by him, the president shall appoint the additional number of directors to which the said stock would be entitled if held by individual directors." This amendment was opposed by Messrs. Clay, of Ky.

On the question being taken, there stood for it:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Calhoun, King, Linn, Mottion, Nicholson, Pierce, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Ky., Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Summons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

Mr. Clay, of Kentucky, offered a slight amendment, making it obligatory on the secretary of the treasury, to dispose of the stock which he may have subscribed for under the contingency in the bill, as soon as he can obtain not less than its par value; which was adopted without debate.

Mr. Wright submitted another amendment, to the effect that the directors should make no dividends except from the net profits; nor pay to the stockholders any part of the stock, nor reduce the capital without the consent of congress; which was adopted by a large majority.

July 13. The president laid before the senate a communication from the war department in relation to the removal of the raft on Red river.

On motion of Mr. Sevier, 60 additional copies were ordered to be printed.

Mr. Walker presented a petition from citizens of Mississippi, in favor of a bankrupt law.

Mr. Kerr submitted a resolution in relation to changing the hour of meeting from 10 to 11 o'clock.

The senate then proceeded to the consideration of the bill submitted by the committee on the Mississippi, on the president for a list of all the persons removed from office since the 4th of March, 1841.

Mr. Linn occupied the morning hour without concluding his remarks.

The senate then proceeded to the consideration of the special order, being the bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. Wright offered the following amendments:

"And if at any time such suspension of specie payments shall become general as to the liabilities of the bank above the amount of any class or portion of either of them, either at the said principal bank or at any one of the branches, offices or agencies thereof, it shall be the duty of the attorney general of the United States forthwith to make application to the circuit court of the United States, s. c. by bill or petition, in the nature of a proceeding in chancery, for an injunction to restrain the said principal bank and all the said branches, offices and agencies, wherever located, from making any further issue of bills, notes, drafts or other securities for the payment of, and collected and intended to circulate as money, and from all transfers of property, sales, purchases, or of any other transactions of business, which may endanger or impair the security of the creditors of the said bank, of its class or description; and for the appointment by the said court, or the said chief justice, as the case may be, of a trustee, or trustees to take possession, the supervision, care, and charge of the property, effects, and rights, books, papers, and all other things belonging to the said bank and the branches, offices and agencies thereof, and all money, goods and securities deposited therein, to whomsoever the same may of right belong. And the said court shall, upon the filing of such bill or petition, have the same equity jurisdiction of the whole matter; and, in case the said corporation or any one of the trustee or trustees so appointed by the said

court, or the said chief justice, as the case may be, fail to resume specie payments in full at the said principal bank, and all the branches, offices and agencies thereof, within the space of — days from the day of such suspension, and to continue such specie payments without further interruption or suspension, then the said court shall proceed to order the transfer, both of possession and property, of all the property and effects of the said corporation, of the said bank, and of character whatever, to the trustee or trustees aforesaid, to be perfected, and to have all the business of the said corporation finally closed under its order and direction, and the charter forfeited and annulled. And before any dividend shall be made from the said property, as the aforesaid thereof, to the creditors, of the said corporation, all the expenses incurred under the direction of the said court in pursuance of the provisions of this section of this act, as allowed and taxed by the said court, or the said chief justice thereof, shall be first paid; and when the dividends are made, the creditors of the said corporation shall be preferred in the following order, viz:

"The holders of the bills, notes and other paper of the said corporation, issued and intended to circulate as money, and actually so circulated, and used, shall be first fully paid according to the provisions of this section.

"The public deposits of the United States shall next be fully paid according to the same rule.

"The private depositors of the said bank shall be next fully paid according to the same rule.

"All the other creditors of the said corporation, the stockholders, excepted, shall next be fully paid according to the tenor and effect of their respective contracts, bills, and obligations against the said corporation.

"All the stockholders of the said corporation, the United States included, shall be next paid the nominal value of the stock held by them respectively, in case the fund remaining in charge of the said court, over and above expenses, shall be equal to such payment.

"And lastly, any balance of the said fund which may remain after the payment of all expenses, as taxed and allowed by the said court, and making all the payments herein before directed, shall be paid into the treasury of the United States for the use of the said states."

On this question a debate of interest ensued, in which Messrs. Wright, Berrien, Buchanan, Benton, Clay, of Ala., and others participated.

The question being then taken on the adoption of the amendment, the vote stood as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Calhoun, Fulkner, King, Linn, McRoberts, Mottion, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—32.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Ky., Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Summons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

The senate then adjourned.

July 14. Mr. Clay presented a memorial from many citizens of New York, in favor of a bankrupt law.

The resolution submitted by Mr. Kerr, in relation to changing the hour of meeting from 10 to 11 o'clock, was then taken up.

After some few remarks from Messrs. Clay, Benton, Huntington, Kerr and Sevier, the resolution was laid on the table.

Mr. Merrick, from the committee for the District of Columbia, reported, with amendments, a bill to revive and extend the charters of the banks of the District of Columbia.

Mr. Clay, from the committee on finance, reported the bill from the house of representatives, authorizing a loan of twelve millions of dollars, without amendment.

The bill from the house of representatives making appropriation for the payment of navy pensions, was then read and referred to the committee on naval affairs.

The bill from the house of representatives making an appropriation for the purchase of naval ordnance and ordinance stores, was twice read and referred to the committee on naval affairs.

The bill from the house of representatives making further provision for the insane paupers of the District of Columbia, was twice read and referred to the committee for the District of Columbia.

The senate then proceeded to the consideration of the petition offered by Mr. Buchanan, calling on the president for a list of removals.

Mr. Linn occupied the remainder of the morning hour, without finishing his remarks.

The senate then proceeded to the discussion of the special order, being the bill to incorporate the subscribers to the fiscal bank of the United States.

Mr. Clay, of Alabama, moved to amend the bill by adding to the fourteenth section the following: "Provided, however, That if the said bank or any of its branches shall at any time suspend specie payments, or neglect or refuse to discharge on demand any and all of its liabilities to specie, then its bills or notes shall no longer be received in payment of any debt or demand due the United States."

Mr. Clay, of Kentucky, thought that provided for in the bill, but moved to amend the amendment to the effect that no notes should be so received during the time of suspension.

On this amendment to the amendment a debate ensued, in which Messrs. Clay, of Ala. Calhoun and Allen severally opposed it.

The question was then taken, and decided in the affirmative, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Porter, Preston, Freneau, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—25.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala., Coulbert, Fulton, King, Linn, McKim, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Woodbury, Wright, Young—31.

Mr. Clay, of Alabama, then desired to withdraw his amendment, considering that its object was defeated by the amendment made.

On this a debate arose in which Messrs. Allen, Benton, Calhoun, Sevier and others participated.

The yeas and nays having been ordered, the amendment could not be withdrawn.

Mr. Clay, of Ala. then moved to amend his own amendment, so as to insert:

"And such suspension of specie payments shall be held and adjudged ipso facto a forfeiture of the charter hereby granted."

This was opposed on the ground that it was too summary a proceeding, declaring it to be ipso facto a forfeiture. And after some debate, Mr. Benton suggested a modification to the effect that such suspension should be considered cause of forfeiture.

Mr. Clay, of Alabama, then accepted the modification, and the yeas and nays having been called, were as follows:

YEAS—Messrs. Allen, Archer, Barrow, Bates, Bayard, Benton, Berrien, Buchanan, Choate, Clay, of Alabama, Clay, of Kentucky, Clayton, Dixon, Fulton, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Porter, Preston, Freneau, Simmons, Smith, of Indiana, Southard, Tallmadge, Tappan, Walker, White, Williams, Woodbridge, Woodbury, Young—43.

NAYS—None.

The question was taken on the amendment as amended, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Archer, Barrow, Bates, Bayard, Benton, Berrien, Buchanan, Choate, Clay, of Alabama, Clay, of Kentucky, Clayton, Dixon, Fulton, Henderson, Kerr, King, Linn, Mangum, Merrick, Miller, Morehead, Nicholson, Phelps, Pierce, Porter, Freneau, Preston, Sevier, Simmons, Smith, of Conn., Smith, of Indiana, Sturgeon, Tallmadge, Tappan, Walker, White, Williams, Woodbridge, Woodbury, Young—41.

NAYS—None.

Mr. Clay, of Alabama, then moved to amend the 16th section of the bill by adding a provision to the effect that if the bank or any of its branches shall suspend specie payments, then the secretary of the treasury is to remove the deposits from said bank or branches and place them in some safe special depository state bank.

The amendment occasioned a debate in which Messrs. Clay, Linn, Sevier and other participated.

At the suggestion of Mr. Clay the amendment was so modified as to read that if any suspension shall take place during the recess of congress, then the secretary of the treasury was to have power to make such temporary disposition of the funds as in his discretion might be deemed expedient.

The modification was accepted and the amendment adopted.

Mr. Clay, of Ala. then moved so to amend the bill as to strike out 12 per cent. which the bank was held responsible for during a state of suspension, and insert 25 per cent.

This amendment was warmly opposed by Mr. Huntington, and as warmly advocated by Mr. Sevier.

The question being taken on its adoption, it was decided in the negative as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Clay, of Alabama, Fulton, King, Linn, McKim, Mouton, Nicholson, Porter, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—19.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Freneau, Preston, Simmons, Smith, of Ind., Tallmadge, White, Woodbridge—25.

Mr. Benton then moved to strike out from the bill that part which provides that no other bank shall be established during the continuance of the present bank.

This amendment was decided in the negative as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, King, Linn, McKim, Mouton, Nicholson, Pierce, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbridge, Wright, Young—19.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Freneau, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—25.

Mr. Benton then moved an amendment to the effect that, if any committee of congress should be refused means of inspecting the books and proceedings of the said corporation, it should be considered cause of forfeiture of the charter.

In this amendment the vote stood as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, King, Linn, McKim, Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbridge—25.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Freneau, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—25.

Mr. Benton then moved an amendment which would strike out the 6 per cent. allowed the bank on its loans and discounts, and insert 5.

This amendment was opposed by Messrs. Huntington and Mangum.

And, the question being taken, there appeared as follows:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Fulton, Linn, McKim, Mouton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Tappan, Walker, Williams, Woodbridge, Wright, Young—37.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Freneau, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—26.

Mr. Clay inquired if senators had offered all their amendments; if so, he was about to suggest that the bill be printed, as amended, and in the mean time to take up the loan bill.

Mr. Calhoun was understood to say that he had one or two to offer.

Mr. Walker also observed that he had one of some importance to offer.

Mr. Calhoun expressed the hope that they might get through the amendments by Saturday.

On motion, the senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, July 9. The journal of yesterday was read and approved.

Mr. Fillmore moved that the house resolve itself into committee of the whole on the state of the union.

Mr. White, of Louisiana, requested the gentleman from New York, (Mr. Fillmore), to suspend the motion for a moment, to enable him to make a report.

Mr. Fillmore having assented, Mr. White, from the committee on commerce, reported a bill "to extend the limits of the port of New Orleans."

Mr. W. said that, in obedience to the expressed sense of the committee, he would ask of the house an order for the immediate engrossment of the bill. The question was taken, and the bill was read a third time and passed.

In leave given, memorials were presented by Messrs. Faneuil and Neward, and appropriately referred.

This house then resumed the consideration of the resolution heretofore offered by Mr. J. G. Floyd, and which is in the following words:

Resolved, That the president of the United States be requested to inform this house, if not incompatible with the public service, whether any officer of the army or the attorney general of the United States has, since the 4th March last, been directed to visit the state of New York for any purpose connected with the imprisonment or trial of Alexander McLeod; and whether, by any executive measures or correspondence, the British government has been given to understand that Mr. McLeod will be released or surrendered; and, if so, to communicate to this house copies of the instructions so to report of such officer.

Mr. Hunt proceeded to address the house. He entered into a history of the affair of the Caroline, with a view of defending the route of the present administration. He endeavored to show the question stood when, with all its attendant and accumulated difficulties, it was handed over to them. Mr. H. had not concluded when the morning hour expired.

On motion of Mr. King, of Georgia, it was resolved that the diagram accompanying the report made by him yesterday, in relation to a home squadron, be printed.

On motion of Mr. Fillmore, the house again resolved itself into committee of the whole on the state of the union (Mr. Bragg moved the question stood when, with all its attendant and accumulated difficulties, it was handed over to them. Mr. H. had not concluded when the morning hour expired.

The pending question being on the motion to strike out the enacting clause of the bill.

Mr. Pickens then addressed the committee during the hour in urgent opposition to the bill.

Mr. Sergeant next addressed the committee in favor of the bill. Mr. Rhet, replied.

Mr. Freuden followed in defence of the bill. [For this debate see page 311.]

Mr. Freuden having concluded, the chairman gave the floor to Mr. Sallottail who was proceeding to address the committee, but yielded the floor (by request) to Mr. Dawson, who, remarking that it was now 12 o'clock, moved that the committee rise. Which motion prevailed. The committee rose, reported progress, and obtained leave to sit again.

And the house adjourned.

Friday, July 9. The resolution calling for information as to the case of McLeod, was taken up as the unfinished business of the morning hour.

Mr. Hunt resumed his remarks and finished them.

Mr. Brown, of Tennessee, began a speech against the course of the secretary of state, and continued until interrupted by the expiration of the morning hour.

Mr. Fillmore moved a resolution to take the loan bill out of committee on Monday next. The resolution was passed—yeas 97, nays 79.

On motion of Mr. Fillmore, the house then resolved itself into committee of the whole on the state of the union, on the bill authorizing a loan of \$12,000,000.—Mr. Briggs having the chair, and Mr. Sallottail having the floor.

On motion of Mr. Fillmore, the committee rose till half past twelve, on the late and present administration of the finances of the country,—the embarrassments of the treasury, and the expediency and necessity of the loan.

Mr. Wise followed, briefly, against the bill. He said he rose to speak emphatically "no Duncan." He promised to attack the funding system in detail, but closed after only eight minutes of emphatic discourse.

Mr. Waterson addressed the committee against the bill; he repeatedly called to order by the chairman, but claimed the right to occupy his hour as he pleased "with random cuts," &c.

Mr. Fernando Wood made some objections to the third section, on the ground that it would lead to the employment of Wall street brokers as agents.

Mr. Cushing spoke in favor of the bill, replying in detail to various attacks on the bill and the report of the secretary of the treasury.

Mr. Eastman followed against the loan, and in defence of the present money system.

Mr. McKoon then spoke for an hour against the distribution bill.

Mr. Barnard addressed the committee for something short of an hour, in favor of the measure, entering into a review of the financial condition of the country. In order to demonstrate the necessity of making this loan. The debt which existed was said, a government debt, whoever might have created it, and it was the intention of the party now in power to pay it.

Mr. McKoon, of North Carolina, having obtained the floor, the committee, on motion of his colleague, (Mr. Slane), rose, reported progress, and obtained leave to sit again.

On motion of Mr. Fillmore, the house ordered the printing of 1,000 extra copies of certain documents before referred to. And the house adjourned.

Saturday, July 10. The journal of yesterday was read and approved.

The house then resumed the consideration of the resolution heretofore offered by Mr. J. G. Floyd, calling for information as to the case of McLeod.

Mr. Brown, of Tenn. resumed his remarks from yesterday in favor of the resolution.

Mr. Linn, of N. Y. briefly addressed the house on the subject of the resolution, deprecating the attempt to make political capital out of it to grave a question, and any interference with the negotiations, in its present condition, as unnecessary and dangerous.

tion to the additional estimates of appropriations required by that department.

Mr. Fillmore supposing, he said, that the communication relating to the fortification bill, moved it be referred to the committee of the whole on the state of the union, and be printed. Which motion was agreed to.

The speaker also laid before the house a communication for the information of the house, in the form of a report from Mr. Hasler, on the subject of the standing weights and measures.

On motion of Mr. Morgan, the communication was laid on the table and ordered to be printed.

The house, on motion of Mr. Wise, resolved itself into committee of the whole on the state of the union, (Mr. Adams, of Massachusetts, in the chair), and took up the bill to provide for the payment of navy pensions.

Mr. McKay offered an amendment limiting, to a certain extent, the operation of the pension law, and providing for the repeal of the act of 1837 after the first day of January next.

This amendment was debated at some length, by Messrs. Wise, McKay, C. Johnson, Tillaghost and others.

Mr. Mallory moved to amend the amendment offered by Mr. McKay, by striking out all of it save that clause which want to repeal the act of 1837.

After some remarks by Messrs. Wise, Clifford, Tillaghost and Ward, the question on the amendment offered by Mr. Mallory, viz: to strike out all the amendment moved by Mr. McKay, save the repeal of the law of 1837.

Mr. Mallory explained at some length the reasons for his amendment.

Mr. McKay thereupon consented to accept it as a modification of his amendment.

And the question now being on the amendment, as modified—Mr. Mallory went into some further statements as to the effects of the law of 1837. A man who had entered on board a man of war, twenty years ago, and served but one month, died to-day, and his widow and children were instantly entitled to demand his pension for twenty years back, and it could not be refused. Should a law like this remain on the statute book?

The question being now put, the amendment was agreed to, yeas 70, nays not counted. So the law of 1837 was repealed.

Mr. Cure Johnson now offered an amendment, providing in substance, that no officer should receive, including his pension, a sum to exceed the full pay of his grade in the navy.

Mr. McKay wished to substitute an amendment, declaring that, while he received his pay from government, a man could draw no pension.

Messrs. Wise and Burnell opposed the amendment, Mr. C. Johnson spoke in support of it; when the question being taken on the amendment, it was agreed to, yeas 61, nays 62.

The bill was then laid aside to be reported to the house.

On motion of Mr. Wise, the committee then took up the bill making an appropriation for the purchase of naval ordnance and ordinance stores, and for other purposes.

Mr. McKay moved to reduce the appropriation to three hundred thousand dollars.

A debate ensued on this proposition in which Messrs. Davis, Tilden, and Messrs. Wise, McKay and McKay participated, after which Mr. McKay withdrew his amendment, reserving to himself the right to offer it again in the house.

Mr. Williams, of Connecticut, moved to amend that bill so as to take the existing pension to widows and children of officers and seamen should be continued for five years, as though the law of 1837 had not been repealed.

Mr. McKay asked the yeas and nays, which were ordered.

Mr. Williams, of Md. moved to postpone the further consideration of the subject until this day week.

The motion to postpone was sustained by Messrs. Adams and Tillaghost, and opposed by Mr. Wise, who moved the previous question.

Mr. Williams, of Md. then moved to lay the bill and amendments on the table.

Mr. Cure Johnson moved that the house do now adjourn; which motion, by yeas 62, nays 89, was rejected. So the house refused to adjourn.

And the question recurring on the motion of Mr. Williams, to lay the bill and amendments on the table, it was taken and decided in the negative. So the bill was not laid on the table.

And the question recurring on the demand for the previous question, there was a second.

And the main question was ordered to be taken, (being, first, on concurring in the amendment of the amendment, as proposed by Mr. Williams, of Connecticut).

Mr. Snyder, of Pennsylvania, asked the yeas and nays; which were refused.

A motion was made that the house do now adjourn; which was rejected.

And the question recurring and was taken on the amendment to the amendment, and was decided in the affirmative, yeas 64, nays 63.

And the question recurring on concurring in the amendment, as amended, Mr. Dawson asked the yeas and nays which were ordered.

And the question on concurring in the amendment as amended, was then taken and decided in the negative, yeas 54, nays 96. So the amendment, as amended, was not concurred in.

And the bill was then ordered to a third reading at this time; and having been read a third time, and the question being on the final passage thereof.

Mr. McKay moved to recommit the bill, with instructions to report a section repealing the act of 1837.

Mr. Wise moved the previous question; which was seconded.

And the main question, (being on the passage of the bill, the previous question cutting off the bill), was ordered to be taken, and, being taken, was decided in the affirmative, without a division. So the bill was passed.

The house adjourned. On leave given, petitions and memorials were presented by Messrs. Greig, Boone, Hunt, Young, King and Moore, which were referred to the appropriate committees.

The house then resumed the consideration of the resolution heretofore offered by Mr. J. C. Floyd, relating for information as to the case of McLeod.

Mr. Young, of New York, who was entitled to the floor, addressed the house generally on the subject of the resolution. And Mr. Y. having concluded, Mr. Morgan obtained the floor, but the request of Mr. Fillmore, waived his right to the floor for this day.

Mr. Fillmore, (by unanimous consent), from the committee of ways and means, reported a bill in relation to duties on drabbecks; which, having been read twice by its title, was referred, on motion of Mr. F. to the committee of the whole on the state of the union and ordered to be printed.

On motion of Mr. Wise, the bill making appropriations for the purchase of ordnance and ordinance stores, (yesterday reported up by the committee of the whole), was then taken up, and passed without debate and without a division.

The house then went into committee of the whole on the state of the union, Mr. Gilmer in the chair, and took up the bill appropriating \$789,210 for the support of a home squadron.

Messrs. King and Wise stated the objects of the bill.

Mr. King moved that the committee rise, as the printed documents relative to the subject had not yet been received from the printer.

The question was taken on the motion that the committee rise, and decided in the affirmative, yeas 87, nays 80.

The following message was received from the president of the United States, through John Tyler, jr. esq. his private secretary, which, by general consent, the speaker laid before the house:

To the speaker and members of the house of representatives.

In compliance with the resolution of the house of representatives of the 21st ultimo, I have the honor to submit the accompanying communication from the secretary of state.

Washington, July 14, 1841.

Department of state, Washington, July 12, 1841.

To the president of the United States:

The secretary of state, to whom has been referred the resolution of the house of representatives of the 21st ultimo, requesting the president "to communicate to that house (if in his opinion the same can be done consistently with the public interests) such authentic information as may be in his possession in relation to the seizure of American vessels by British armed cruisers, under the pretence that such vessels were engaged or intended to engage in the slave trade; together with any steps which may have been taken by our government or its ministers upon that subject; and, also, copies of all correspondence between the governments of the U. States and of Great Britain, since the 3d of March, 1837, relating to the African slave trade, not communicated with the message of the president of the U. States of the 3d of March last, and of all those parts of the despatches from Nicholas P. T. Trist, consul of the United States of the Havana, to the department of state, not contained in the said message of the 3d of March last," has the honor to report to the president the accompanying papers in answer to that resolution. Respectfully submitted,

DANIEL WEBSTER.

The following is a list of the papers transmitted with the preceding report:

Correspondence with the U. S. legation at London.

Mr. Forsyth to Mr. Stevenson, 2d March, 1841.

Mr. Stevenson to the secretary of state, (with enclosures), 3d March, 1841. (Extract.)

Same to Mr. Webster, 7th April, 1841. (Extract.)

Mr. Webster to Mr. Stevenson, 12th April, 1841. Do.

Mr. Stevenson to Mr. Webster, (with enclosure), 19th April, 1841. Do.

Same to same, 14th May, 1841. Do.

Mr. Webster to Mr. Stevenson, 8th June, 1841. Do.

Mr. Stevenson to Mr. Webster, 18th June, 1841. (Extract.)

Despatches from the Havana consulate.

Mr. Trist to Mr. Forsyth, 12th February, 1836. (Extracts.)

Same to same, 29th November, 1836. Do.

Same to same, 23d May, 1838. Do.

Same to same, 18th December, 1838. Do.

Same to same, 12th January, 1839. (Extract.)

Same to same, (with enclosure), 20th January, 1839. (Extracts.)

Same to same, 23d January, 1839. (Extract.)

Same to same, 30th January, 1839. (Extracts.)

Same to same, (with enclosure), 4th May, 1839. (Extract.)

Same to same, 7th September, 1839. (Extracts.)

Extract from enclosure No. 1, to Mr. Trist's letter to Mr. Forsyth, of 17th December, 1839.

Mr. Trist to Mr. Forsyth, 10th March 1840. (Extract.)

Same to same, (with enclosure), 10th March, 1840. Do.

Extract from enclosure No. 6, to Mr. Trist's letter of 21st August, 1840. Do.

Mr. Trist to Mr. Forsyth, (with enclosure), 28th Sept. 1840. (Extracts.)

On motion of Mr. Stanly, the message and accompanying documents were laid on the table, and ordered to be printed.

On motion of Mr. Fillmore, the house then went again into committee of the whole on the state of the union, Mr. Winthrop in the chair.

Mr. Wise moved to take up the bill making appropriations for the support of a home squadron.

Mr. Fillmore objected. He had made the motion with a view to take up the "bill making appropriations for the purchase of ordnance, and for suppressing Indian hostilities."

Mr. Wise insisted on his motion; and it was negatived by the committee, yeas 55, nays 70.

The committee then took up the fortification appropriation bill, which was read.

Mr. Clifford inquired whether the committee intended to move any amendment to appropriate for fortifications in the state of Maine.

Mr. Fillmore said they did not. The estimates for new fortifications in the state of Maine had been referred to the committee on military affairs for examination.

The bill was then read, section by section, for amendments.

Mr. Toland moved to amend the section appropriating \$30,000 for Fort Delaware, by striking out the condition which required the title to the land on which the fort was to be erected. He urged it as an unconstitutional appropriation, at some length. He gave a history of the legislation and litigation on the contested title, in the different states of Pennsylvania, Delaware and N. Jersey, all of which claimed the original right to the island in question.

A prolonged debate ensued on the subject. Mr. Fillmore opposed the amendment. Mr. J. W. Jones said it was out of order by the rules. The chairman decided it was out of order. An appeal was taken, but withdrawn. The original question was then resumed. Messrs. Sergeant, Rodney, Randolph, C. Brown, Holmes, Wise, Ingraham, McKay, J. W. Jones, Fillmore, Halstead and Gamble, debated the question at length.

Mr. Halstead moved to amend by ordering the appropriation on condition that the U. States should acquire the title in some way. Rejected.

Mr. Gamble moved to amend by striking out the whole appropriation. Passed.

Mr. Clifford moved an amendment appropriating \$6,600 for fortifications at Fort Preble, on Portland harbor, in the state of Maine. He supported his amendment briefly.

Messrs. Fillmore and McKay opposed the amendment.

After some conversation between Messrs. Briggs, McKay, Clifford and Fillmore, the committee rose on motion of Mr. Clifford, and the house adjourned at ten minutes before three o'clock.

CHRONICLE.

BUTTER AND CHEESE to the value of \$10,497,033 were made in the state of New York during the last year.

COAL TRADE. Two thousand and sixty-four coal boats, laden with anthracite coal, averaging 54 tons each, have passed the Fairmount weight locks since opening of the navigation, to the 31st inst. Two hundred and 42 of these were for New York.

The shipments from the Schuylkill region, during the week ending on Thursday, amounted to \$1,692 tons. This is without precedent in quantity in a single week, in the history of the Schuylkill coal trade.

COAL LAW RETRICTIONS. A statement published in the London papers, showing the number of petitions for and against the repeal of the coal laws, sent in to parliament previous to the 4th June, as follows:

For repeal of the coal laws	2,910	860,494
Against	1,327	80,336
For proposed measure on coal laws	75	33,235
Against	1	134

COTTON CARS. The Red River Whig says: We were informed by some gentlemen from Bayou Boe that the week that the *Bull-snow* had made its appearance in their cotton fields, had already done considerable damage. Indeed, they said that they dreaded it more than the caterpillar.

COTTON is in livelier demand, though no material variation has taken place in prices, since our last quotation.

DEATHS during the last week in the city of New York 117, of whom 14 were of consumption and 6 of small pox; 74 were carried, 26 from Ireland and 19 other foreigners.

The Belvidere (Warren, county, N. J.) Apollon of Tuesday, mentions the death of John Linn, in the 105th year of his age. He was a native of Maryland, and emigrated to N. Jersey about 60 years ago.

FIERY FLYING SERPENT. Mr. N. M. Ward, a gentleman connected with the mission at Fedong, on the coast of Sumatra, has published a well illustrated account of flying serpents, seen by the narrator. He saw the animal fly from a tree at the height of fifty or sixty feet to another tree some forty fathoms distant. It supports itself in the air by drawing in its belly, widening its wings, and forming an arch as far as the eye can extend, and forces itself ahead with the rapidity of a bird, by sinuous motions, like a serpent swimming. There is nothing in the report which bears any resemblance to a flying serpent, as it is described by the narrator. Its length is about four feet, and but a dangerous. Another description of flying or darting serpents, is described by the natives, whose tale is instant danger. It leaps into the air, and is as swift as the wind, and makes none of the sinuous, waving motion in the air. This discovery, of the truth of which there can be no doubt, shows that the portion of Scripture which reads "And the serpent shall devour man," is a literal fact for the basis of its figurative language, though the species is now extinct in the region spoken of in the Bible. What a terrible scourge must be such animals! Give us the morality of the fowler, rather than the ferocity of the torrid zones, with such drawbacks. Polar bears are more agreeable than flying serpents. (New York Teller.)

FLOOD is dull at our last quotation or may be said to have declined a shade, say from 6 to 12 cents in each of the principal cities.

FLORIDA. Our readers will learn with great pleasure that intelligence has been received at the department of war, showing at once the activity and zeal of the troops engaged in the Florida war, and the enterprise of the intelligent and efficient officer, col. Worth, who now commands them.

On the 21st ultimo five columns, fully equipped to operate by land and water, were dispatched to the mouth of the river. The first, (under Capt. Clarke), moving from Fort Brooke towards Fort Cooper, on the Withlacoochee, around the coast of that tract, and on to the mouth of the river, where they found six large, several extensive planting grounds, all of which were destroyed and some canes, cattle, hogs, &c. were secured. Several Indians were also captured. The second column, (under lieutenant col. Riley), with canoes, penetrated the *Charly* a *pukka*, found the enemy's islands and planting grounds, and destroyed the latter, which were quite extensive. A third column, (under lieutenant col. Leonard), moved from Fort Cooper, a fourth, (under captain Kerr), is operating on the Oklawaha river, which had been ascertained as far as Fort Fowling as a fifth, (under captain Kerr), is on the *Housatonic* and in vicinity of the mouth.

By these combined and simultaneous movements it is not doubted that the enemy's strongholds and planting grounds, not already destroyed, will be visited, and the whole extensive district of country between the Gulf and the St. John's, south of Micanopy, and north of Tampa Bay, will be traversed with effect by the troops, and to the great advantage of the United States.

Courteous and his band, who, our readers may recollect, were captured some time since, and sent to N. Orleans, have been accordingly sent to the hands of col. Worth, to Florida, where it is contemplated to use him in the future conduct of the war.

We wish the gallant commander, and the army under him, the success which their joint zeal and efforts deserve. Not. 1st.

HAIL STORMS. The fourth of July had as deluged and bafled a temperature as our climate is never bleomed not during the day and night. The storm was accompanied by a heavy clared with electricity and vapors. Splendid preparations were made for exhibiting fire works that day, but the storm was so violent that the preparations for the occasion were dispersed like a routed army by the torrent of rain that descended, leaving none to witness the mimic pagant, so disannulled by contrast with the sublime fire works of an Almighty God.

The cloud seems to have concentrated its materials over a part of the state of Pennsylvania, which descended in tornado over a part of York county since the middle of the day. The storm was preceded by Dublin gap passing south of Carlisle. In a tract of from one and a half to five miles in width, hail descended in extraordinary size, and in some places to the depth of two feet. The destruction was terrific—the crops trodden, fences destroyed, barns unroofed and the country utterly desolated on many of the farms. At Baltimore the distant cloud wore a splendid appearance, but did not visit us.

ICE. A simple and effectual mode of keeping ice is mentioned in the Kentucky Farmer. The author says:

Take, at sun rise, from the ice house, as much ice as will probably be wanted through the day and cover it up in some saw-dust placed in a barrel which sits in the dairy house. At night, the size of any given and new source perceptibly diminished. If any quantity, away with your half ton of lumber, charcoal and zinc, with which you are bungled under the name of "refrigerator."

The Frankfort Commonwealth adds that he has tried the method here recommended, and that it answers perfectly.

INDIAN WARRIORS. The Little Rock papers notice the death of Tobe Mingo, a celebrated warrior, who died on the 10th inst. of cholera. He was a Choctaw chief. He has fought in nine battles for the United States, has served his country faithfully, and has been for many years a pensioner of the nation.

IRON ARROWS. There is a British vessel in the port of London whose standing rigging is made of iron wire.

PRESIDENT KIRKLAND. We learn from the Lexington, (Ky.) Intelligencer that six hundred dollars have been raised among the students of Harrison college, for the purpose of erecting a monument over the grave of President Kirkland.

MCCLEOD CASE. In supreme court, July 10, 1841. The people ex. Alexander M. McCleod. The prisoner, Alexander McCleod, having at the last May term been brought into court by the sheriff of the county of Niagara, for the purpose of being committed to the custody of the sheriff of the county of New York, pending the consideration of the motion for the prisoner's discharge; and the court being now ready to render the judgment in the premises, it is thereupon ordered that the sheriff of the county of New York have the body of the said Alexander McCleod in this court, at the academy in Utica, without unnecessary delay.

(A copy.) H. DEMO, clerk. NEW HAMPSHIRE LEGISLATURE. The legislature of New Hampshire adjourned at six o'clock on the morning of Saturday 31 July, after a session of thirty-two days. They passed in that time sixty-four acts and thirty-one resolves.

PAIXHAM GUNS, says the Charleston Courier, are to be mounted at the forts in that harbor. They will project shells of 40 to 50 lbs. weight, and solid shot of double that weight.

ANOTHER REVOLUTIONARY SOLDIER GOES. The Philadelphia press mentions the death of Mr. Joseph Stremlach, of that city. He was a soldier of the revolution, and participated in several of the struggles in the "times that tried men's souls." In later years he was a member of the legislature of the state, and sheriff of the city and county of Philadelphia, the duties of which he discharged with honor to himself and benefit to his constituents.

RAIL ROAD. The original capital of the Syracuse and Utica rail road company was \$800,000; the cars were put on the track, since which time it has from earnings increased to \$1,000,000—some \$200,000 in dividends of 4 per cent, and will pay another dividend of 43 per cent, on the 1st of August proximo—making in all 37 per cent, net earnings in 25 months.

MR. D. WHITE, of Mount Pleasant, Jefferson county, Ohio, has returned to his native place, after his return from Nashville, Tennessee, where he has established a silk factory with two looms, now in constant and successful operation. There has been a large amount of commerce raised in Tennessee, and although this factory purchases all its raw materials of manufacturing them permit, there are still 2,000 bolls ready for the manufacturer, which sell generally at 10 cents per pound.

Dr. W. has made some important improvements in his machinery for preparing silk; and proposes to locate his factory in the city of Nashville, where the business here, should be more with any advantage. We are glad to see, as the legitimate silk business has enriched every

community that has taken hold of it. Dr. W. by the way, was clad in a complete suit of silk, frock coat, vest and pantaloons, which, six weeks ago, was in the millinery line of the city. (Cincinnati Republican.)

TRADE OF SALEM. The Salem Register says many of the merchants of that city, trade to places visited by few, and in many cases, no other vessels under the sun. An incident which occurred to one of our national vessels, and accordingly the first question by the officers of the natives was, "are you from Salem?" And in all subsequent intercourse, when any other place was spoken of, the inquiry invariably was, "How near Salem is it?"

STEAMBOATS. The St. Louis Republican says that as the steamboat Monsoon was descending the river on the 23rd ult. she took fire over the boilers, and, for a short time certain and sudden destruction appeared to be her doom. Her boiler burst, and she was hurled with the steam up and engine in motion, she ran upon a bar, when the passengers landed. By the untimely aid of the pilot, the vessel was saved, and the fire was extinguished, however, with no material damage, and in a short time she was extricated, her boiler repaired, and she proceeded on her voyage.

Steamboats are not the only means of a regular transaction, says the Buffalo Penny Press, in regard to the abduction of the splendid steamer Milwaukee. It seems there are several owners, some of which reside in Milwaukee and some in this city. Those in the former place have been to great expense without receiving any dividend. Some difficulty, in regard to insurances, occurring, the latter prevailed from running. The owners here bore her to Mr. Sears of this place who placed her in the combination and she was laid up. This proceeding displeased the owners up the river, who procured the vessel, and the company got on a scow-load of wood, passed her boilers full, and during Saturday night got up steam, cast off lines and by day break were nearly out of sight, leaving the ship here as a wreck.

STAMMERING. Interesting surgical operation. We witnessed one of the most gratifying and successful surgical acts, yesterday, in the almost immediate cure of two most inveterate stammerers. The operation was performed by Dr. Leitch, of Green street, in the presence of several medical gentlemen. The first patient was 26 years old, and stammered badly. He sat in a chair, with his head down, and the operator severed, with a pair of scissors, the membrane which the tongue, attached to the lower jaw, immediately lay off the front teeth. The speech of the patient was immediately improved, notwithstanding a habit of thirty years standing. The other patient was 25 years old, and was so badly afflicted as scarcely to be understood in speaking; the effort to do so was accompanied by a convulsive movement of the whole face. This operation occupied about one minute—the patient having a large spool of blood only, and showing no symptoms of pain. The effect was almost magical. Notwithstanding long habit, the speech of the patient flowed freely and naturally, and the spasms of the face nearly ceased. It is gratifying to witness the progress of science in alleviating the afflictions of mankind.

(N. Y. Herald.) SPOOLS. No variations worthy of insertion since our last report.

SCOTCH. In the amount of 10,093,991 lbs. was made of the maple last year in the state of New York.

Tobacco crop. The Nashville Whig noticing the complaints in regard to the tobacco crop of the states, says: We are pleased to have it in our power to say that no such complaints are introduced in Tennessee. The process of transplanting, though somewhat backward, has been so far accomplished as to ensure a much larger crop, throughout the state, than was ever before obtained. The season is so far advanced in the cultivation of tobacco, the present year, both in Middle Tennessee and the western district, we are inclined to estimate at double the quantity of any previous season.

UPPER WINDS. The New Orleans Advertiser of the 10th inst. says that the city suffering under the blasts of the upper winds, the foremen of the epidemic disease, unless they are driven back by the south winds. They blow from the northeast, and during the time the city is under the influence of the upper winds, the sun shines with a burning fire, which sooner shows their effect upon the human system.

UNIVERSITY OF VIRGINIA. The Richmond Whig states that Mr. Syrester, of London, has been elected professor of mathematics in the university of Virginia.

WHAT is usual, advanced in price just before harvest. It begins now to recede in the price of the new crop being soon brought to market.

YELLOW FEVER AT HAVANA. Mr. Fisher, of Rhode Island, second engineer of the steam ship Lion, and Joseph Hutchinson, of Lowell, Mass. belonging to the same vessel, were on board the ship. The engineers of the steamship Egle were down with it.

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FOREIGN ARTICLES.

The *Gunard steamer Calcedonia*, capt. McClellan, arrived at Boston on Saturday the 19th inst. at one o'clock P. M. having left Liverpool on the 4th inst. and made the passage in 13 days, bringing files of London papers to the 4th inst. and Liverpool to the 3d; the 4th day on which she sailed being Sunday.

The English papers speak of the crops as being generally very promising both in Great Britain and on the continent. The distress from want of work in the manufacturing districts of England was not so great as at the last previous articles.

The Scotch papers say—"The weather continues delightful, and our luxurious fields are careering on. In all quarters Providence is showering goodness on the land."

The news by the overland mail from India was received in London, July 1, by express from Madras. As we anticipated, it embraces nothing of a late date from China. The latest date is to March 30. Some few additional particulars relative to the state of trade are given, which will be found among our extracts. The news from India is even more important. The British government brig *Larne* was at Bombay, awaiting the arrival of the admiral from the Cape of Good Hope, who had not yet made his appearance. Preparations were making to send *Laraca* to Canton, and additional troops from Madras.

The news from Turkey and Egypt is of more interest. The most important particulars will be found in the ensuing extracts.

The *Calcedonia* brought 74 passengers; among whom was Samuel Jaudon, esq. His family did not return with him.

The *Acadia* arrived home on the morning of the 29th June, to ten and a half days from Halifax.

The *Great Western* had not arrived at Bristol—16 days out.

The President. Every vestige of hope for the safety of the President had flown.

Trade in the manufacturing districts of England was better. Cotton had improved in demand, and had, in price for American descriptions. Very little change in corn.

Money in London was taken 6 per cent. per annum, and many heavy failures had placed place.

Losses in France. Losses rendered from £18,000,000 to 9,000,000 in consequence of the extent of the Austrian loan.

The stock of bullion in the bank had increased £7,000.

The President's message was received on the 23d, but did not seem to excite much interest.

GREAT BRITAIN.

Prorogation and dissolution of parliament. The session of parliament was prorogued by the queen in person by a speech from the throne.

In the house of lords, Tuesday June 22d, the political circumstances connected with the prorogation had their effect in bringing together an immense assemblage. From the moment the royal carriage passed through the gates of Buckingham palace, until its arrival at the house of lords, the enthusiasm of the immense multitude that crowded every spot from which a glimpse of the procession could be had, was unabated. Within the house of lords the assemblage of peers and strangers was even greater than upon the occasion of the opening of the first parliament under the present reign. The body of the house, the galleries, the staircases, the very doorways, were crowded. There were a considerable number of peers present. The duke of Sussex entered the house about a quarter before two, and looked in excellent health and spirits.

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He was followed, some minutes afterwards, by the duke of Cambridge and prince George, and, until the guns announced her majesty's arrival, both of the royal dukes were engaged in animated conversation with the peers around them. Lords Melbourne and Normanby were early in their attendance, as was the venerable lord Rolle. The curiosity of strangers was mortified by the absence of the duke of Wellington, lord Brougham, lord Lyndhurst and Melbourne. At a few minutes after two the quick succession of guns prepared the brilliant assemblage within the house for her majesty's approach. The procession, in its usual order, passed through the royal gallery, which was lined with the household troops, and thence, with the least fortune, though scarcely less imposing array of rank and fashion, that was unable to obtain admission to the interior, presenting a scene of great splendor. Within the house the effect upon her majesty's entrance and the whole assembly, in their various gorgeous attires, rose, was exceedingly striking. Her majesty, who was preceded by the heralds and pursuivants, the lord chancellor, the earl of Exeter, the earl of Shaftesbury with the cap of maintenance, viscount Melbourne with the sword of state, the earl marshal, and the other great officers of state, was led to the throne by his royal highness prince Albert, who then took his seat on her left hand side.

Her majesty wore a magnificent robe of white satin richly embroidered with gold, and trimmed with gold lace, over which she wore the mantle of state. A dazzling tiara, stomacher, necklace and ear-rings of brilliants completed the royal toilet. Prince Albert wore a field marshal's uniform, with the ribbon and decorations of the garter. Both her majesty and his royal highness appeared in excellent health. The speaker and the members of the house of commons having been summoned to the bar by the usher of the black rod, the royal honorable gentleman shortly afterwards appeared, attended by a considerable number of members.

The speaker then addressed her majesty as follows: Most gracious sovereign, we, your majesty's faithful commons, approach your majesty with sentiments of united devotion and loyalty. It has been our most anxious desire, in granting the supplies for the present year, to place at the disposal of your majesty the means by which the naval and military establishments of the country might be placed in a state of complete efficiency, and we entertain a strong conviction that, by thus enabling your majesty to maintain the honor of the crown and protect the just rights and interests of the people, we have adopted a course, which upon the favor of Divine Providence, will ensure both to this country and the rest of Europe a continuance of the blessings of peace. We now tender to your majesty an act to apply certain sums of money for the service of the year 1841, and to appropriate the supplies of this session of parliament, to which, in all humanity, we pray your majesty's gracious assent.

The lord chancellor then presented the speech to her majesty, who concisely and graciously estimated that the bill was in fact given to some bills. His lordship seemed amused at this correction in the form of proceeding.

The royal assent having been given, in the usual form, to the bills, the lord chancellor presented the speech, which her majesty read with her usual clear and distinct enunciation.

The Queen's speech.

"My lords and gentlemen: I have a full consideration of the present state of public affairs, I have come to the determination of proroguing parliament, with a view to its immediate dissolution."

"The paramount importance of the trade and industry of the country, and my anxiety that the exigencies of the public service should be provided for in the manner least burdensome to the community, have induced me to resort to the means which the constitution has entrusted to me, of ascertaining the sense of my people upon matters which so deeply concern their welfare."

"I entertain the hope that the progress of public business may be facilitated, and that divisions injurious to the course of steady policy, and useful legislation may be removed by the authority of a free parliament, which I shall direct to be summoned without delay."

"Gentlemen of the house of commons,

"I thank you for the readiness with which you have voted the sums necessary for the civil and military establishments."

"My lords and gentlemen,

"In the exercise of my prerogative, I can have no other object than that of securing the rights and promoting the interests of my subjects; and I rely on the co-operation of my parliament, and the loyal zeal of my people, for support in the adoption of such measures as are necessary to maintain that high station among the nations of the world, which it has pleased Divine Providence to assign to this country."

As soon as her majesty had concluded,

The lord chancellor said: It is her majesty's royal will and pleasure that this parliament be prorogued to Tuesday, the 29th of June inst. to be then here broken, and this parliament is accordingly prorogued till Tuesday, the 29th of June.

On the 25th June the royal proclamation was published, ordering writs for the election of a new parliament.

The *Queen and her ladies*. The cheers with which her majesty was hailed on her return from the house of lords on Tuesday were greatly increased as she reached Whitehall, but as her majesty's carriage turned into the horse guards, loud cries were raised of "Remember the coin laws!" "Repeal the coin laws!" These cries evidently reached the royal ear, as her majesty seemed to bow assent to the demand of her loyal subjects, which drew forth renewed acclamations.

The elections for the members of the new parliament took place in several of the districts as the last of June. Both parties claim the victory, and although the parties are nearly balanced, it appears that the Tories have rather obtained the ascendancy. The Londoners claim the victory, but admit that another dissolution of parliament will, in all probability, follow at no distant period, owing to the nearly balanced state of parties in the new parliament.

The Globe writes that every individual connected with her majesty's government, whose election has come on, has, so far as they are aware, been returned, and many of them by the largest and most important constituencies. Among them are lord John Russell, for London; lord Palmerston, for Liverpool; sir John Cam Hobhouse, for Nottingham; the chancellor of the exchequer for Portsmouth; Mr. Macaulay, for Edinburgh; Mr. Labouchere, for Taunton; sir George Grey, for Devonport; Mr. Clay, for Tower Hamlets; Mr. Parker, for Shaftesbury; Mr. Vernon Smith, for Northampton; the attorney general for Worcester; the lord advocate, for Leith; captain Dean Duedas, for Greenwich; lord Listowel, for St. Albans.

It appears that lord Palmerston lost his election in Liverpool, and was run for in Tiverton. The Liverpool Mail of July 1st, gives the following as the result of their election.

The mayor has just made the following official declaration of the state of the poll at the close, which will be found to be most satisfactory, both as to the return which we had furnished. The announcement was received with enthusiastic cheering—Sutton, 5,878; Creswell, 5,792; Palmerston, 4,431; Walmsley 4,647.

Dreadful riots occurred in many places, on the evening of the election, particularly in Liverpool, where four men and one woman was shot, and serious injury was done to property.

"In addition, also, it is said, 'the hospitals are filled with the wounded, and one policeman has died of his wounds.'"

The Liverpool Mail of the 1st instant, states that the conservative members already returned are 110; the liberal members 77. The conservative gain is 20, the radical 15—leaving a majority in favor of conservatism of 14, or 23 votes on a division, in the house of commons.

Defeat of Mr. Hume. Joseph Hume has been defeated at Leeds. His will, probably, not sit in the next parliament.

The London Morning Chronicle, (liberal) of June 3d, has the following article respecting the result of the late election.

"At twelve o'clock last night the return received (reckoning the double vote for Bedford on both sides), were 160 radicals and 156 Tories. The

tories have lost twenty-two seats, and gained thirty-seven; so that the reformers have hitherto maintained in all the four seats. From twenty-two boroughs, returning thirty-one members, we have received no return. What proportion of these seats may be filled by liberals, we cannot say with certainty. But with respect to thirteen of these seats, no doubt is entertained, and they may now be set down as belonging to the liberals."

Official declaration of the poll in the city of London. In consequence of the dispute respecting the correctness of the returns published by the conservative and whig committees (the utmost excitement and interest have prevailed in the city, during the whole of the morning, to learn the actual state of the facts, as they were to be developed by the official declaration of the final result of the poll, which sheriff Gibbs yesterday intimated would be made this day at two o'clock.

From an early hour the Guildhall presented an animated appearance, and the crowd kept continually increasing, manifesting the greatest impatience for the exhibition of the members. Exactly at the appointed hour, the sheriffs, with a numerous retinue, appeared upon the hustings, and immediately declared the number polled to be as follows:

For Masterman, 6,339; Wood, 6,318; Lyall, 6,200; Russell, 6,211; Althow, 6,212; Patison, 6,200; Crawford, 6,080; &c.

The sheriffs then declared the choice of the citizens of London to have fallen upon Mr. Masterman, Sir R. Wood, Mr. Lyall and Lord J. Russell, as their representatives in the commons house in the ensuing parliament.

The new members having returned thanks, the meeting was dissolved.

Thus Lord John Russell has escaped defeat by a majority of nine. How this majority may be dealt with by a committee of the house of commons remains to be seen.

The Morning Post of the 30th June has the following remarks:

Looking to what has taken place in the city of London—looking to the towns which have already chosen conservative members instead of their late ministerial representatives—looking to the probability of additional gains in the towns, and the certainty that about a dozen county seats which have been abandoned by the ministerials will be filled in the ensuing parliament by conservatives, we may fairly regard it as impossible that the present ministry should continue. It is already a moral certainty that there will be a decided majority of conservatives in the next house of commons. And the political certainty consequent upon that is, that Sir Robert Peel will be the chief minister.

Conservative loss and gain. The returns to the new parliament, (including one from Scotland—Leith), up to Friday evening, July 3d, received in London, are—

Liberals,	169
Tories,	145

Majority for the liberals.

The total amount of the university, city and borough constituency of England, is 541, of which, as above seen, 317 have been elected. It is stated that in comparative ease and gain the two parties that the Tories have a majority in this respect, against the liberals of 9 or 15 votes on a division.

Ministerial changes. Sir George Grey is to have the duchy of Lancaster, with a seat in the cabinet; succeeded as judge of the Exchequer, by Mr. Shiel, late vice-president of the board of trade.

Mr. More O'Ferrall, secretary of the admiralty, has the post of financial secretary of the treasury, vice Gordon O'Ferrall is succeeded at the admiralty by Mr. Parker, Mr. P. for Sheffield.

The hon. E. J. Stanley, joint secretary of the treasury, has been appointed postmaster general of the forces in the place of Sir Henry Parnell, who retires from parliament.

The honorable Fox Maule has been transferred to the vice presidency of the board of trade. He was succeeded by Lord Seymour, from the secretaryship of the board of control, in which post he is succeeded by Mr. C. Buller.

Lord Plunket has, at length, resigned the lord chancellorship of Ireland. Sir John Campbell, the attorney general, is to be his lordship's successor who will be elevated to the peerage.

The vacant post of governor of Bombay is not yet filled up.

The new queen's counsel. Mr. Whately and Mr. Godson, M. P. of the Oxford circle; Mr. Knowles, Mr. Baines, and the honorable Stuart Wortley, of the northern circuit; Mr. Sutton Sharpe; and Mr. Austin.

The king and queen of the Belgians and suite arrived at Buckingham palace, London, on the 23d ultimo.

Marriage of prince Albert's brother. It is stated that the present visit of the king of the Belgians to London has reference to the contemplated marriage of the brother of prince Albert with the princess Clementine, the only unmarried daughter of Louis Philippe.

Whitmore, Wells & Whitmore, bankers, of London, have failed.

Steamer lost. The Pollak steamer has been lost off the island of Elba. Only one person drowned.

The President steamer. A letter dated June 12, has been received at Paris, which says: "Captain Hammond, of the British brig Venus, which arrived here on the 7th inst., reports that he had, on his voyage from Cadiz to Newfoundland, in the middle of April last, passed a large steamer drifting on the ice, in which his most shortly after have been blocked up. The captain of the brig hoisted his number, and the steamer in answer the British flag. The brig not having been reported by the steamer, which was endeavoring to proceed homewards, capt. Hammond supposes it must have been the President. He was obliged to make a circuit of more than 100 miles, to avoid running in the ice predicament."

The markets. Matters in the English money market seem to be in more active state than we had reason to hope for by our last advices. Although a monetary shock has been given to American credit by the state of Indiana, not remitting the funds required in part, the advance upon its stock, and the 1st inst. is, however, believed on the departure of our advices, that the amount was in transitu per the Great Western. All transactions in American state stock or bank stocks, seem to be in abeyance.

Liverpool cotton market, Friday, July 3. The demand for cotton throughout the week has been pretty brisk, and not less than 29,230 bags have been sold, of which speculators have taken 3,000, and exporters 300 American. The market is not very abundantly supplied, and an advance of 3d. per lb. has been obtained for American descriptions on last week's prices. Brazil, Egyptian, East India, &c. are without any material alteration in prices. The trade have bought freely, there having been a still further improvement in the demand for yarns and goods last Tuesday at Manchester. There were forwarded into the country last month unsold 5,600 American, 150 Brazil, and 20 Surat. The import of the week amounts to 20,439 bags. To-day's demand was for 10,000 bags, and the stock was fully 5,000 bags, for which full prices have been obtained.

Sales from the 26th June to the 2d inst. inclusive: 30 Sea Island 1447½; 10 Stained do. 7, 8,000 Upat 51½; 7, 14,600 Orleans 42½; 4,760 Alabama and 24.

July 3. The sales of cotton for the week ended 25th ult. amounted to 28,780 bales, and for that ended yesterday they were 30,430 bales, of which 8,000 were Upat at 51½; 12,600 Orleans at 51½; 4,760 Alabama and 24; and 30 Sea Island at 1447½ per lb. About 3,000 bales have been taken during the week on speculation. The business to-day is estimated at fully 5,000 bales, of which 1,000 is on speculation. The receipts into this port since the 1st January, of all kinds are about 740,000; of which 610,000 are American, against 910,000 bales of this time last year of all sorts, of which 810,000 were American, and the stock at present here is estimated at 690,000 bales, against 480,000 bales on the 3d July last; the stock of American cotton is now 475,000 bales, or about 90,000 bales more than it then was, and considering the state of our manufacturing districts, and so much cotton to be sold, it holds out very little encouragement for any advance.

Liverpool corn market, July 2. Owing to the bustle occasioned by the election, business in all free articles of the corn trade appeared to be nearly suspended between Tuesday last and to-day, the prices of each remaining nominally unvaried. In the course of the week, however, we have received several valuable inquiries for wheat in bond, and several cargoes of foreign have been sold for arrival within the range of our last quotations; these, with 1,000 bbls. of Philadelphia flour, now under lock, at 28s. per bbl. comprise the extraordinary transactions now naming within the last two days.

London corn exchange, July 4. The weather is very damp and close, and there appears to be danger of too much rain.

The accounts from the country are unfavorable, as regards the wheat crop, and from near Ipswich one party writes that he never recollected the wheat plant following out worse.

From Birkshire there is an unfavorable account, and from Surrey also.

From Ireland and Scotland the reports are good.

From Denzong the accounts came of an late date as last Sunday. The weather had then turned fine and bright, after two or three week's rain which had done good. The winter sown wheat and rye looked thin, but the crop on the whole presenting a promising appearance, and potatoes were rather looking down. Here to-day we have hardly any fresh wheat at market, and what there is has sold at 1s. advance. In bonded there are some transactions at full prices.

FRANCE.

The party adverse to the peace of Europe is again beginning to be active. The war mania is again rising; and it is by no means satisfactory to know that some of Louis Philippe's ministers show a disposition to encourage it. The French marine minister, M. Guizot, Vessels are being regularly despatched to the Mediterranean. The Turkish empire is distracted. Eastern affairs unsettled; and this, coupled with the state of feeling in Paris, all dictate the utmost vigilance, and in variance with the policy of M. Guizot.

The duke de Nemours returned to Paris from Africa on Monday evening 28th ult.

The Minister promulgates the law authorizing the establishment of a new line of steam packets in the Mediterranean.

The Carlist French journals speak of changes in the French ministry as probable.

Admiral Lacaze takes the command of the Mediterranean fleet.

A number of peers approved, on Wednesday, of the treaty of commerce lately concluded between France and Holland.

M. Lefebvre de Bacoart, the charge d'affaires of France at Buenos Ayres, has written to the ministry to demand his immediate recall, new difficulties having arisen in La Plata, which could only be settled by an appeal to arms.

FRANCE.

A letter from Toulon of the 18th, has the following contents:

The Ephraïm steamer has arrived from Algiers. It brings the following intelligence, dated Algiers, June 14th: The army has again taken the field. The expedition (about 10,000 strong, including the 10th battalion of sharpshooters) left Bidah on the 10th, escorting an immense convoy destined to revictual the garrison of Medeah and Mitnah. On the 11th the troops passed the Cot de Monzie without obstacle, and on the 12th left 150,000 rations at Medeah. On the 13th the army commenced its march to Mitnah. All these particulars have been transmitted to us by the telegraph. The weather is cool and favorable to the expedition.

The Toulons of the 22d contains intelligence from Algiers of the 18th inst. the environs of which painfully demonstrate the nature of the tenure by which the French hold the country. "The environs of Algiers continued to be infested by the Arabs, and not a day passed over without a robbery or a murder being committed close to the walls of the city."

SPAIN.

Madrid letters of the 24th of June, announce that the cortes have declared vacant the office of guardian of her majesty queen Isabella II.

The young queen of Spain is reported to be in a very bad state of health. The household of the regent is entirely military.

The Courier de Bordeaux publishes the speech delivered by Espartero when elected regent of Spain, which was a very word for word with that pronounced by Napoleon in the presence of the senates, after his appointment as consul for life.

PORTUGAL.

The ministerial crisis here has been brought to a close, and a new cabinet formed. The financial affairs of Portugal are still in a very deplorable condition, though it is expected that the forthcoming foreign dividend will be paid.

RUSSIA.

The island of Candia is still in arms. France indicates some intention of counteracting this movement, and King Otto has already done so. The latest news from Bulgaria and Macedonia was of an unfavorable character. Private letters from Meia state that Mehmet Ali would not accede to the clause in the heli schrist fixing the amount of tribute at 40,000,000 piasters. He declares he will not pay more than 6,000,000.

RUSSIA.

The emperor has returned to the Hague, with his second son, the grand duke of Constantinople, who serves as a midshipman on board the Aurora frigate.

DENMARK.

The government had concluded a treaty, with Great Britain and Sweden relative to the passage of

the sound. In virtue of this treaty, the duration of which is limited to ten years from the 13th June, and may be prolonged for ten years more, if agreeable to the contracting parties, the court of Copenhagen has established a new tariff of duties to be paid by merchant vessels navigating under English colors. According to this tariff, the duties on coffee and cocoa are reduced from 24 shillings (48 shillings are equal to a raw dollar, &c. 41d.) to 3 shillings per quintal on sugar, from 3 shillings to 6d.; the duties on rice continue fixed at 6 shillings per four quintals, and that on cotton goods at 1 per cent. ad valorem.

THE EAST.

According to the latest accounts from the East, the war continued to rage in Candia, and was generally favorable, though not decisively so, to the Christian insurgents.

The Augsburg Gazette of the 20th states, under date Constantinople the 24, that the pasha of Bagdad, Bosnia and others, had revolted, and intended to declare themselves independent of the central government. It was said that the pasha of Bagdad, not having succeeded in his undertaking, had sought refuge in Persia. According to accounts from Vienna of the 15th, prince Metternich would not leave that capital before the 15th of July.

CHINA, INDIA.

By the usual monthly advice from Mercellies have been received advices from China, and the principal ports of the Levant. The dates are from Bombay, May 15, from Malta, June 1.

Sir Gordon Brierley was at Calcutta, organizing reinforcements for the army in China. The reinforcements consist of 2,500 Europeans, and a small number of native troops. At Bombay similar preparations are in progress for sending troops to China, where the most unfavorable aspect prevails. The cholera was raging at Bombay, but the mortality does not appear to have been very alarming, and was confined to the natives.

The armament against China, which was to leave on the arrival of Mr W. Parker, consisted of two large frigates, and two iron steamers constructed expressly for the navigation.

The news received by this mail is not of a remarkable kind. The eyes of all are turned towards China, but nothing has been received from thence of a date more recent than that brought by the last steamer. Her majesty's brig Larne is in the harbor of Bombay, awaiting the arrival of the new admiral. At Calcutta preparations are going forward to send a reinforcement to the expeditionary force, and to send soldiers, and at Madras similar preparations are made for sending additional soldiers and miners.

The season is now very much advanced, and it is ascertained that nothing satisfactory will be done before the storms set in the Chinese seas.

The accumulation of goods outside Canton is immense, and will now, without doubt, be thrown on the market. Prices will rule very low. Patna opium is quoted at 400 to 410 Spanish dollars. Benares at 400, and Mulwah at 410.

The following is the proclamation issued by the joint imperial commissioner concerning the opening of the trade. It must be received with much qualification, for captain Elliot's demands were not as stated. There was no intimation of removing the ships of war from Canton.

"Proclamation from the joint commissioners Yang and the acting governor E. calling on the people to resume commercial intercourse. March 30.
"Yang, joint imperial commissioner, noble of the second order, &c. and E. acting governor of the two Kang, &c. hereby issue proclamation to carry on commercial intercourse as usual, and peacefully to pursue ordinary occupations.

"Whereas, upon the 15th of the present month, the English plenipotentiary officially represented that it was his desire to maintain peace, and he demanded nothing else, but only immunities permission for the trade to be carried on as usual.

"And whereas the commercial intercourse enjoyed by various countries to owing to the good pleasure of the celestial court that all should cherish tenderly men from afar.

"Therefore, the English plenipotentiary having so represented that he demands nothing else but trade only, and the merchant ships of America having, in consequence of the war, suffered detention, so that their cargoes remain unsold, and there is no prospect of returning home, and a climate cannot be made commensurable to these circumstances permitting them risks to trade, and thus displaying a compassionate regard.

"While the facts will be duly represented to the throne, it is ever best to tolerate these, which commands for the information of all. For this, then, it is proclaimed to all the tradesfolk, soldiery and people in general, for their full information, that henceforward the merchants of all nations are alike per-

mitted to repair to Whampoa and trade, and you will hold intercourse with them, and pass to and fro, as usual; and there shall be no hindrance or obstruction made, nor any trouble created. After the English vessels of war shall be withdrawn, it will yet be more right and becoming to protect, and carefully to look to and well treat, the merchant vessels at Whampoa, and the merchants dwelling at Canton. Let every one tremblingly obey. Oppose not this special proclamation.

"Tsoukwan, Tsi Zsar, 24 month, 23rd day, 20th March, 1841. (True translation.)

"J. ROBERT MORRISON, Chinese secretary and interpreter."
"EDWARD ELMSLIE, Secretary and translator."

The Canton Register of March 20th, gives the following information:—"The more reports are that the English ships of war have removed below the city of Canton about one mile and a half; that the British flag was hoisted down in Canton on the evening of the 16th instant, the guard removed, and the flag has never since been hoisted. The further demands of the local government now are, that all the English ships of war are to leave the river, the fort and island of North Wangtung to be evacuated and surrendered to the Chinese, before any trade as usual can be recommenced. If these demands are complied with, the next that will be pressed upon her majesty's plenipotentiary will probably be, to rebuild the Bogue forts at English cost, and on the latest and most improved military principles of defence and offence. Will not his excellency's magnanimity grant such reasonable and modest demands? More troops are daily arriving in Canton, but we know nothing of Yinson's movements or intentions, if he is indeed in Canton. It was rumored on Saturday that he had annulled Yang's proclamation for renewing the trade with the English. About fifteen ships are now supposed to be at Whampoa; the treatment experienced by the English and United States vessels, under the renewed usual trade will furnish matter for remark next week or before."

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.

Samuel S. May, judge of the United States for the district of Massachusetts.

Abner Nash Ogden, judge of the United States for the district of Louisiana.

John Chambers, governor of the territory of Iowa.

Ohio H. W. Stull, secretary of the territory of Iowa.

George C. Bates, attorney of the United States for Michigan.

Courland Cuthing, attorney of the U. States for Indiana.

Robert Hanna, marshal of the United States for Indiana.

Collectors of the customs.

Parker Sheldon, Bath, Maine.

Joseph Leches, Alexandria, District of Columbia.

Postmasters.

Robert M. Riddle, at Pittsburg, Pennsylvania.

John C. Montgomery, at Philadelphia.

MISSION TO ENGLAND. The National Intelligencer of 18th inst. says—"We are authorized to say that the president, some time ago, tendered the important trust of the mission to England to the hon. John Sergeant, the distinguished member of congress from the city of Philadelphia.

Having held the offer under consideration, Mr. Sergeant, we regret to learn, with just acknowledgment of the honor of the proposed high public employment, and his grateful respect for such a mark of confidence, felt himself obliged to decline the appointment. So far as we may gather from rumor, the reasons for this were of a private nature, such as might properly influence the head of a large family, and one who, it is probable, has participated in that diminution of income, from vested property, which the convulsions of recent times have rendered so general. Mr. Sergeant is well known to the whole country. His service in congress has already been unusually long, most useful to the country, and, as we believe, in the highest degree acceptable to his constituents. There are many eminent citizens from among whom, without doubt, a highly fit selection may be made for minister to London, but it will be no good fortune if the executive choice

should fall on any one in whose integrity, ability, prudence, and American feeling, the American people would have more confidence than in those of John Sergeant of Pennsylvania."

The Cincinnati Chronicle of the 8th, evening, has the following notice of the final ceremonies connected with the interment of the remains of president HARRISON, and of the spot where they are deposited:

"THE TOMB. The steambot Raritan, which conveyed the hearse and committee yesterday, arrived at North Bend, about 3 P. M. It was intended to have the services at the grave strictly private. The zeal and excitement of the public could not, however, be repressed. Three other steamboats left the wharf at the same time, and on the ground thousands of people from the neighboring country had collected. All were anxious to see the spot where the body of their late chief was to be laid.

The spot was most peculiarly well selected. It is a sort of mound, separated from the hill by ravines, about a hundred yards back from the river, and elevated about an inch fifty or sixty feet. The river here makes a curve, and from a great distance above and below, the stranger who shall pass on the stream of the Ohio, may view in the distance the TOMB OF HARRISON.

The services at the grave were performed jointly by the Rev. Dr. WILSON and the Rev. Mr. BRADDOCK. The body was deposited in a vault, there to await the last trumpet call.

By Ohio's descending wave,
His country's vows shall bless the grave.

—And there
Imperial Honor's awful hand,
Shall point his lonely bed!

REVOLUTIONARY REMINISCENCES. The nomination of general Washington to be commander-in-chief of the American army. The Troy Whig says that there is a very prevalent error existing in this country as to the individual member of the continental congress who nominated George Washington to be commander-in-chief of the American army—the honor of that nomination having been almost universally ascribed to John Adams of Massachusetts; while it is really believed to Thomas Johnson of Maryland, who soon after signaled his patriotism by hastening from civil life with a body of Maryland troops, to join the army during its retreat through New Jersey, and who, as a just tribute to his virtues and talents, was elected the first governor of his native state.

The evidence on which this statement rests is found in the following extract from a letter written by John Adams himself to colonel Pickering, dated August 6th, 1822. After giving an account of his going to Philadelphia, in 1775, in company with Cushing, Francis Adams and Paine, "four poor pilgrims," Mr. Adams says:

"They were met at Frankfort by Dr. Rush, Mr. Milfin, Mr. Bayard and others, who desired a conference, and particularly cautioned not to flip the word 'independence.' They asked, you must not count forward with any bold measure; you must not pretend to take the lead; you know Virginia is the most populous state in the union; they are very proud of their ancient dominion, as they call it; they think they have a right to take the lead, and the southern states and middle states are too much disposed to yield it to them.

"This was plain-dealing, Mr. Pickering; and I must confess, that there appeared so much wisdom and good sense in it, that it made a deep impression on my mind, and it had an equal effect on all my colleagues. This conversation, and the principles, facts and motives suggested in it, have given a color, complexion, and character to the whole policy of the United States from that day to this. Without it, Mr. Washington would never have commanded our armies, nor Mr. Jefferson have been the author of the Declaration of Independence, nor Mr. Richard Henry Lee the mover of it, nor Mr. Chase the mover of dissolving foreign connections.

"It has had cause to repent of any part of this policy, that repentance ever has been, and ever will be, unavailing. I have forgot to say, nor had Mr. Johnson ever have been the nominator of Washington for general."

judgment whether the facts amount to a felony or not, but merely whether enough is shown to justify the detainer of the prisoner, and put him upon his trial."

"—The cases I have noticed were, in several respects, stronger for the prisoner than the case before us.—They were mostly founded on charges of a character not much less serious than murder. They were all before indictment found; some of them presented a state of things on which it was plainly impossible to convict; and last, though not least, they were mere applications for bail; a thing which, I need not say, I must ask for. He demands an absolute discharge, on grounds upon which, according to the laws of England, he would not even be entitled to bail. The law of England formed in this respect the law of New York, until our new habeas corpus act took effect."

"It becomes necessary next to inquire whether the new statute has worked any enlargement of our powers beyond what we have seen they were up to the time when it passed. The R. S. 469, 3d ed. § 40, 41, requires us to examine the facts contained in the return, and into the cause of the confinement of the prisoner; and if no legal cause be shown for it, or for its continuance, we are to discharge him.—That here is legal cause, viz: an indictment for murder, and an order of commitment, we have seen is not denied. By the 45th section, p. 478, if it appear that the party has been legally committed for any criminal offence, we are required to let him to bail, if that be the bailable. But as there have no doubt been a great number of cases where a habeas corpus has been granted, we are left under the restraint which I have noticed as existing before the statute. Not one of them is removed by it."

"Then comes section 50, p. 471, which is relied on by the prisoner's counsel. I briefly noticed this in proposing the question to be considered. But the prisoner is entitled to the benefit of it entire. The words are, that "the party brought before such court of officer, on the return of any writ of habeas corpus, may deny any of the material facts set forth in the return, or allege any fact to show either that his imprisonment or detention is unlawful, or that he is entitled to his discharge, which allegations or denials shall be on oath, and the court may inquire of either side as they shall think proper in summary way to hear such allegations and proofs as may be produced in support of such imprisonment or detention, or against the same, and to dispose of such party as the justice of the law may require." Under this section the prisoner's counsel claim the right of going behind the indictment, and proving that he is not guilty by affidavit, as he may by oral testimony before the jury. We have already shown the absurdity of such a proposition in practice, and its consequent repudiation by the English criminal courts. And we were not disposed to admit its adoption by our legislators without clear words or necessary construction."

"We think its object entirely vain without a resort to the rules of construction. Its words are satisfied by being limited to the lawfulness of the authority under which the prisoner is detained, without being extended to the force of the evidence upon which the authority was exercised, or which may be in the prisoner's power to adduce at the trial. This is necessary, is rendered still more plain by considering the evil which the statute was intended to remedy. At common law, it was doubtful whether the prisoner could question the truth of the return, or overrule it by showing extrinsic facts. The power of the authority to imprison. The statute was passed to obviate the oppression which might sometimes arise from the necessity of holding a return to be true and correct, which it was in fact, or it true, depending for its validity on the act of a magistrate or court which can be shown by proofs attainable to have been detestable of jurisdiction. Watson's case, 9 Adolph. and Ellis, 731, 3 R. 8. 794, 5, 2d ed. App. over."

"An innocent man may be, and sometimes is unnecessarily imprisoned. Yet his imprisonment is no less lawful than if he were guilty. He must await his trial before a jury. There are various cases in which the enactment, allowing proof extrinsic to the return, may have effect without supplanting its application here. It must, I apprehend, for the most part, apply to the cases where the original commitment was lawful; but in consequence of the happening of some subsequent event, the party has become entitled to his discharge, as if he had been committed till he paid a fine, which he has paid accordingly, and the return states the commitment only; so after conviction he may allege a pardon, or that the judgment under which he was imprisoned has been reversed. Now it is necessary to inquire how far we might be entitled to go, where the prisoner is in custody, on the *ex parte* examination and warrant of a committing magistrate."

"But it is said we have power to direct the entry of a nolle prosequi, and it is a duty to look into the merits of the case with a view to decide whether it be a proper one for the exercise of that power. This proposition is also put upon a new section of the revised statutes, which, I must clearly give notice of, viz: section 478, 3d ed. The power of the attorney general alone possessed this power, and might under such precautions as he felt it his duty to adopt, discontinue a criminal prosecution in that form at any time before verdict. The power of the attorney general to institute a *nolle prosequi*, Chit. Cr. law, 478, ed. before cited. It probably exists unimpaired in the attorney general to this day; and it has been by several statutes delegated to district attorneys, who now represent the attorney general in nearly every thing pertaining to indictments and other criminal proceedings local to their respective counties."

"The legislators finding the power in so many hands, and fearing its abuse, by the 3 R. S. 469, 3d ed. § 40, provided that it should not thereafter be lawful for any district attorney to enter a nolle prosequi upon any indictment, or in any other way discontinue or abandon the same without leave of the court having jurisdiction to try the offence charged. This was a wise and prudent measure, and enlarged our powers that we might arbitrarily interfere on the prisoner's affidavit and other proofs varying his innocence, or even on grounds of national policy, as where the prosecution would be likely to excite party feeling, or to excite the passions, and too in displace of the attorney general and district attorney. Conceding as it was, that before the revised statutes we had no power to give such direction, the argument seeks to draw from the statute giving *ex parte* review a monstrous local and absolute power to compel its entry. Even if we had such power the argument would be quite extraordinary. It demands that we should finally dispose of an indictment for murder, on the sort of evidence by which we are guided upon a motion for an additur, as default or change a venue. In any view, this question belongs primarily to the executive department of the government."

"I shall have occasion to inquire hereafter whether the 45th section should be regarded as final, or subject to this application. That will depend on the question whether facts stated on the part of the prisoner, supposing them to be admissible at all, are proper for the consideration of the jury only; or whether, by this means, the prisoner is enabled to get rid of such as to divest our criminal courts of all jurisdiction either over the subject matter or person of the prisoner. We should, as we thought at the close of the argument, have felt ourselves entirely satisfied to dispose of the case on the first question, without looking any further into the nature of the transaction out of which this indictment has arisen. But, as counsel made the question of jurisdiction their main topic, we preferred to reserve the case, and to look into it as far as possible during a very short vacation, consistently with other pressing judicial avocations."

"Want of jurisdiction has not been put on the ground that McLeod was a foreigner. An alien, in whatever manner he may have entered our territory, if he be committed a crime while here, amenable to our criminal law. Lord Mansfield, in *Caubell v. Hall* Cowp. 208. Vattel, B. 2, chap. 9, § 101—2. Story's Conf. L. 818, 3d ed. Nay, says Locke, though he were an Indian, and never heard of our laws, he is liable to B. 2, § 101—2."

"But it is said his case belongs exclusively in the forum of nations, by which counsel mean the diplomatic power of the United States and England, and in the event of their disagreement, the battle field, if they agreed admitted that counsel may, under the 50th section of the habeas corpus act, allege and prove a want of jurisdiction. To show this the affidavit of McLeod is produced, from which the inference is sought to be raised that the Niagara frontier was the scene of the crime, and the notorious province of Upper Canada; that the homicide was committed by McLeod, if at all, as one of a military invading expedition, set on foot by the Canadian authorities to destroy the fort Caroline; that he was a British subject; that the expedition crossed our boundary, sought the Caroline at her moorings in Schomster, and there set fire to her and burned her, and killed Durfee, one of our citizens, as it was lawful to do in time of war."

"We need not stay to examine the conclusion, viz: a want of jurisdiction, if the premises be untrue. To warrant the destruction of property or the taking of life on the ground of public war, it must be what is called *lawful war*, by the law of nations, a thing which we cannot deny. We cannot deny the competence of the war making power. This, on the part of the United States, is congress; on the part of England, the queen. A state of peace and the con-

tinuance of treaties must be presumed by all courts of justice till the contrary be shown; and this is a *presumptio juris et de jure*, until the national power of the country in which such courts sit, officially declares the contrary."

"A learned and able writer on the law of nations makes this remark, (1 Ward's Law of Nations, 194): "Although I am aware that there is a great authority for the contrary opinion yet it is upon the whole settled that no private hostilities, however great, or however just, will constitute what is called a legitimate and public state of war. So far indeed has my lord Cook carried this point, that he holds, if all the subjects of a king of England were to make war on another country in league with it but without the assent of the king, there would still be no breach of the league between the two countries." 1 Bl. Com. 207, 8. P. Again, in *Blackburn v. Thompson* 15 East. 81, 90, lord Ellenborough, c. j. delivering the opinion of the court of king's bench, said, "I agree with the master of the rolls in the case of the *Pelican*, (1 Edw. Adm. Rep. Append. D) that it belongs to the government of the country to determine in what relation of peace or war any other country stands towards it; and that it would be unsafe for courts of justice to take upon them to give that authority, to decide upon those relations. But when the crown has decided upon the relation of peace or war in which another country stands to this, there is an end of the question." 3 Camp. 66, 7, 8. C. C. 101."

"So far were the two governments of England and the United States from being in a state of war when the Caroline was destroyed, that both were struggling to avoid such a turn of the excitement thus prevailing on the subject, as they might have occasioned war. Both had long maintained the relations of national amity; and have done so ever since under an actual treaty. So far from England fitting out a war like expedition against the United States, or any public body, she utterly disavows any such object; while on our side we have inflicted legal punishment on the leaders of the expedition of which Durfee made a part, on the ground that England was then at peace with us. Whatever hostile acts she did were aimed exclusively at private individuals, and there was a war between the two parties were England on one side and her rebel subjects aided by certain citizens of our own, acting in their private capacities and contrary to the wishes of this government, on the other."

"The next question we mean to include all national wars, whether general or partial, whether publicly declared or carried on by commissions, such as letters of marque, military orders or any other authority emanating from the executive power of one country and directed against the power of another; whether the direct object relate to reprisals, the sieges of towns, the capture or destruction of private or public ships, or the persons or property of private men belonging to the adverse nation. I mean to exclude all hostility of any kind not having for its avowed object the exercise of some influence or control over the adverse nation as such. I deny that public war in this sense can be made out by an affidavit or by any other medium of proof than the declaration of war by one or both of the two nations who are parties to it."

"There are three sorts of war—public, private and mixed. Grot. B. 1, c. 2, sec. 1. Private war is unknown in civil society, except where it is lawfully exercised by way of defence between private persons. The rights of nations, in their corporate capacities are essential parties, in their corporate capacities. Mixed war can be carried on only between a nation on one side and private individuals on the other. There is no fourth kind. Grot. ut. supra. "The rights of nations, in their corporate capacities, are essential parties, in their corporate capacities. Mixed war can be carried on only between a nation on one side and private individuals on the other. There is no fourth kind. Grot. ut. supra. "The rights of nations, in their corporate capacities, are essential parties, in their corporate capacities. Mixed war can be carried on only between a nation on one side and private individuals on the other. There is no fourth kind. Grot. ut. supra. 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commission of reprisal, limiting the action of the nation plaintiff, to particular objects and purposes against the nation defendant. It supposes a partial grievance, which can be redressed by a corresponding remedy or action, and does not authorize hostility beyond the scope of the special authority conferred. Such are several of the instances I have just now mentioned. But they are no less instances of public war. The attack on Copenhagen was mentioned on the argument of individuals, not of a nation. So indeed it was. The British admiral had a deputation from the war-making power of England to act against the war-making power of Denmark; to demand the surrender of the Danish fleet, and, on refusal, to destroy ports of private property, or take life, not as a punishment of private offenders, but to coerce the nation. Why was the attack made? Because Denmark would not surrender her navy voluntarily; and there was danger that France would take it either as a force or under collusion on the side of Denmark. Those who were in error on the side of Denmark acted not in their own right, but as agents of the nation to which they were subject.

Before the remotest analogy can be seen in this to the case at the bar, the U. States must be brought in and made defendants in their corporate capacity. It will be seen, I trust, by this time, that the instance derogates not in the least from the distinction that runs through all the writers on the international law, viz. that whether the complaint or the wrong be a public war, the authority to act must emanate from the war-making power on one side, and be intended to influence that power on the other. Action under such a power is necessarily a collision between two nations; and must be brought in, as a party, viz. "That in a public war which is made on each side by the authority of the civil power." B. 1, ch. 3, §1. At §4, he divides this sort of war into solemn and unsolomon, of which latter he gives an instance in B. 3, ch. 2, §2. N. 3, Vid. also 2 Auth. p. 507 and 548.

The distinction has been followed to this day, though the legal character of *unsolomon* war has since been changed. "Both," says Kutherforth, *have now lawful*. The only real effect of a declaration of war is, that it makes war a legitimate action, while the imperfect sorts of war, such as *reprisals* or acts of hostility, are partial, or are confined to particular persons, or things or places. In *solomon* wars all the members of one nation act against the other under a general commission, and the members of one nation are not solomon, those members of one nation who act against the other, act under particular commissions." Roth, B. 2, ch. 9, §18. Vattel, B. 3, ch. 15. Both sorts of war are lawful, because carried on under the authority of a power acting by the law of nations a right to institute them. "If any other war no belligerent rights can be acquired. All captures, all destruction of property must be illegal, and the taking of life a crime. Short of this war cannot be carried into an enemy's country, for the simple reason that there is no war to carry there, and no enemy against whom it can be exerted. The nation denouncing war must be explicit. "This makes it," says Vattel, *formal, and no lawful*. But nothing of this kind," says he, "is the case in an informal, illegitimate war, which is more properly called depredation. A nation attacked by enemies, without the sanction of a public war, is not under any obligation to observe towards them the rules of formal warfare. She may treat them as robbers." Vattel, B. 3, ch. 4, §98. "The law of nations," says Blackstone, "are not ranked among open enemies; but are treated like pirates and robbers."

It was accordingly conceded, in argument, that the Canadian private authorities had no inherent power to institute a public war. Vide 2 Ruth. 496-7-8. We were, however, referred to Buth. 4, ch. 3, sec. 18-19, to show that those authorities might do so on the presumption that their sovereign would approve the step; and that an approval would reflect back and render the war lawful from the beginning. On the assumption that this indirect mode of instituting war had actually been resorted to, counsel again bring themselves back to the fundamental error which led to this application. No one would deny that if the affair in question can be tortured into law between this nation and England, the United States might take possession of McLeod as a prisoner of war. In such case, there would have been no need of this motion. But admitting the rules of Butham as a guide, and that counsel might, by the aid of England, get up an *ex post facto* war for the benefit of McLeod, this cannot be done by an *equivoque*; and especially not in contradiction to the language of England herself.

Neither the private authorities nor the sovereign power of either country have, to this day, characterized the transaction as a public war, *actual* or

constructive. They never thought of its being one or the other. Both have spoken of it as a *transaction public on one side*, to be sure, but both claimed to hold fast the relations of peace. Counsel seem to have taken it for granted that a nation can do no public forcible wrong without its being at war, even though it deny all action as a belligerent. At this rate every illegal order to search a ship, or to enter on disputed territory, for the recapture of national property, or the seizure of an individual, would be an *eterna* and work wrong to another nation or any of its subjects, would be public war, necessarily so, though the actor should deny all purpose of war.—Were such a rule once admitted, England and the United States can scarcely be supposed to have been at peace since the revolution which made them two nations. My endeavor has been to show that on the question of war or peace there is a *quo animo* of nations, by which we are bound.

To prevent all misunderstanding in the progress of the argument, it is proper to observe farther, that on act of jurisdiction exerted by inferior magistrates civil or military, for the arrest or punishment of individuals, is not public war of either kind. So long as the act is kept within legal compass, though its exercise be violent, where the instance is given, to suppress a riot, quell an insurrection, or repel the hostile incursions of individuals, it is, though sanctioned by a soldier in arms, only one mode of enforcing the criminal law. It is like calling out the militia as a posse comitatus, or to be more properly expressed in the execution of process. Force becomes lawful where the law is set at defiance. We see this in the frequent resort to soldiers of the regular army by the English, in cases of dangerous riots. Vid. Kutherforth, B. 2, ch. 9, sec. 9. "The magistrate has the right to use force, and to execute process," says Kutherforth, B. 2, ch. 9, sec. 9. "The magistrate in any instance, use even the force with which he is entrusted in any other manner, or for any other purpose than is warranted in his appointment, this, as it is *de facto* and not the act of the public, cannot be called public war."

Scarcely that all pretence of belligerent right was wanting. It is therefore, in the first view, a lawful act of magistry that the case was sought to be put by the British into the hands of the law. "Mr. Webster," I take the words of his last letter, written after the question had been deliberately considered by his government—"The grounds upon which the British government makes this demand" (on Alexander McLeod) "are the same as those upon which the transaction on account of which McLeod has been arrested, and is to be put upon his trial, was a transaction of a public character, planned and executed by persons duly empowered by her majesty's colonial authority to take any steps and do any acts which might be necessary for the defence of her majesty's territories and for the protection of her majesty's subjects; and that consequently, those subjects of her majesty who engaged in that transaction were performing an act of public duty, for which they cannot be made personally and individually answerable to the laws and tribunals of any foreign country." In the same letter he restates the opinion of his government that "it was a justifiable employment of force for the purpose of defending the British possessions in Canada against the invasion of a band of British rebels and American pirates."

It is this view of the transaction can be sustained, it was lawful *ad idcirco*. It required no royal recognition to render it national. It came within the scope of the law, and excluded jurisdiction to which it is entitled with all other offenses. Whether they had power, without pretence of being engaged in a war with the United States, or could derive power from England, to fit out an expedition, cross the line, seize or destroy the property of any persons or any cities in this country, and whether any one acting under such an assumption of power can be protected, is quite a different question.

On decisive text would be furnished by admitting the Duke had committed a crime against England, for which he was liable to arrest and trial in Canada. None would pretend that any warrant from the English nation could be used to protect one of her officers from an action of false imprisonment, or to prevent the arrest of a man on the other side the line. No one would pretend that a military order and the addition of the queen's soldiers and

sailors would, in such case, strengthen a plea of justification; nor would the subsequent approval of the nation. This would have no greater effect than the original authority; accordingly it was not pretended on the argument that England had any right whatever to send and arrest Duffie as a fugitive from justice. The pretence that she had any such right would have been too absurd to bear the name of argument. Nor is it pretended that her magistrates, civil or military, had any power within the territory to seize and bind him over to keep the peace toward England or her subjects. "We cannot," says Vattel, B. 2, ch. 7, §93, "enter the territory of a nation in pursuit of a criminal, and take him from thence. This is what is called a *hostis* without right; and there is nothing so generally acknowledged as an injury that ought to be repelled by every state that would not suffer itself to be oppressed." The rule is too familiar, even as between the states of this confederacy, to require that it should be insisted on at large.

But the civil war which England was prosecuting against various individuals, was insisted on as a ground of protection; but I am free to admit that the strongest possible color for the extraordinary right claimed, is to be derived from making the States to stand in the attitude of a neutral nation with respect to two parties engaged in actual war; England on one side, and Van Rensselaer, Duffie and their associated assassins on the other. This is what is called a *hostis* without right. "That which is made on one side by public authority, and on the other by mere private persons." B. 1, ch. 3, §1. Kutherforth retains the same distinction under the same name, in characterizing a contest between a sovereign state and its external enemies coming in the form of pirates or robbers; assassins, he says, can act together occasionally; and are not united into civil society. Roth, B. 2, ch. 9, §9.

The several instances of England's meddling with the American people, and her conduct toward Wake and Lord Herrie, mentioned in 1 Hal. P. C. 164, the former of which is also noticed in Calvin's case, 7 Co. Rep. 11-12, are instances of such a war, the books say that in England, such offenders must be tried by martial law, or a court which is still heretofore considered. Let Duffie, then, be regarded as England's enemy, who has, with Wells the boat owner, and his boat, taken shelter in the neutral territory of the United States. Had England any right to follow him there? None; any such attempt would be a violation of the law of nations. He was an enemy pursued and flying for shelter across the line. 1 Kent's Com. 119-20. Independently of fresh pursuit, no writer on the laws of nations ever ventured the assertion that one of two belligerents can lawfully do any hostile act against another upon neutral ground.

If it be not a plain deduction from common sense, yet, on principles in which publicists agree, all rightful power to harm the person or property of any one dropped from the hands of McLeod and his associates the moment they entered a country with which their sovereign was at peace. No exception can be made consistently with national safety.—Make it in favor of the subordinate civil authorities of a neighboring state, and your territory is open to its constables, in favor of their military, and you let in soldiers, in favor of its sovereign, and you are a slave. Allow him to talk of the acts and machinations of our citizens and send over his soldiers on the principle of protection, to take the property of our citizens, and to send over his troops, and you give up to the midnight assault of exasperated strangers the dwelling and life of every inhabitant on the frontier when they may suspect of a disposition to aid their enemies. Are we assailed by the treaty of 1783, had England, in time of peace, and with more right to attack an enemy at Schlosser, than would the French have at London in time of peace with England.

"The full domain," says Vattel, "is necessarily a preclusive and exclusive right. The sovereignty of a nation is full and absolute; since there exists no authority upon earth by which it can be limited; it therefore excludes all right on the part of foreigners." B. 2, ch. 7, § 79. The same writer defines the full domain as "the right that dominates." "The sovereignty united to the domain, establishes the jurisdiction of the nation in her territories. It is her province to exercise justice in all the places under her jurisdiction; to take cognizance of the crimes committed, and to direct the trial and arrest in the domain." B. 2, ch. 7, § 84. "It is unlawful," says the same writer, "to attack an army in a neutral country, or to commit in it any other act of hostility." "A mere claim of territory," says de Wm. Scott, a British judge of admiralty, "is universally acknowledged to be a claim of sovereignty, and every other consideration." In the *Vrow, Anna Catharina*, 5 Rob. Adm. Rep. 20-1. And he re-

till they should cross the line of that country where parliament have jurisdiction. Beyond I need not say it must be considered as waste paper. Even a subsequent statute ratifying and approving the original authority could add nothing to the protection proffered by the first. It would be but the junction of two nullities. So says Mr. Locke [on Gov. B. 2, ch. 19, sect. 228] of a king even in his own dominions: "In whatsoever he has no authority, there he is no king, and may be resisted; for whenever the authority ceases, the king ceases; and the law, which is the other part of the authority, I shall not cite books to show that the queen of England has no authority in this state in time of peace."

I will suppose a stronger case; that England being at war with France, should, by statute or by order of the queen, authorize her soldiers to enter our territory and make war upon such French residents as might be plotting any mischief against her. Could one of her soldiers indicted for murder of a French citizen plead such a statute or order in excuse, he could not so successfully answer and answer in our land, I need not inquire whether or not some measure of protection be due to Dufferin our fellow citizen.

"The laws of no nation," says Mr. Justice Story, "can justly extend beyond its own territory except so far as regards its own citizens. They can have no force to control the sovereignty or rights of any other nation within its own jurisdiction. It would be monstrous to suppose that our revenue officers are authorized to enter into foreign lands and territories for the purpose of seizing vessels which had defended against our laws." The *Apollon*, 9 Wheat. Rep. 362, 371. He has examined the question at large in his book on the conflict of laws, ch. 3, § 17 to 22, p. 19 of 2d ed. The result is that no nation has authority to respect the laws or executive acts of any foreign government intended to control or protect its citizens while in foreign or permanently out of its own country, until it first declare war. Its citizens are then subject to the laws of war. Till that comes they are absolutely bound by the laws of peace.

While this prevails, a foreign executive declaration saying—"My subject has offended against your criminal laws. I avenge his act. Punish me but impute nothing to him," is not binding, well as that a nation and a company of soldiers to control debts here, and forbid them to be sued, saying, "the debt was on my account, discharge my men, and charge it over against me." Indeed it was urged on the argument that the letter of Mr. Fox had taken away the remedy of Wells the boat owner, by an action of trespass against McLeod for burning the boat. This action having, it seems, been settled, counsel resorted to it as an illustrative case. Another action brought against him for shooting a horse on the same occasion, it was said, is also defeated by the same principle.

Counsel spoke as if Schiesser had undergone a sack, and its booty had become matter of belligerent right in the soldiery. Surely, the imaginations of counsel must have been heated. It seems necessary to remind them again and again, even in affirmance of their own admission, that we are willing to administer the laws of a country which was at peace with England when she sent in her soldiery. If they mean that the approval and aid from Mr. Fox's letter should, under the law of peace, have the sweeping effect which is claimed for it, they are bound to show that the royal mandate implies, by importation. The queen has no power at home to take away or suspend, for a moment, the rights of any of her own citizens. She could not command to discharge any man without trial who should be suspected of having murdered her meaneul subject, be deemed a venial error.

It is justly a source of the Briton's pride that the law by which his life and property are protected cannot be suspended even by his own monarch; that the sword of justice is helden by her own independent ministers, as a defence for those who do well; but constantly threatening, and ready to descend upon the violator of the law, as a scourge, as the instrument of a municipal law which knows not of any distinction between the throne and the cottage; a law constantly struggling, in theory at least, to attain a perfection that shall bring all on earth to do justice; the greatest blessing of the people, and the least as not unworthy of its care. That case is our own.

Much was said on the argument about the extreme hardship of treating soldiers as criminals, who, it was insisted, are to be judged by the laws of war. The law is the same in respect to the soldier as it is with regard to any other agent who is bound to obey the process or command of his superior. A sheriff is obliged to execute a man who is regularly sentenced to capital execution in this state. But should he execute a man in Canada un-

der such sentence, he would be a murderer. A soldier in time of war between us and England might be compelled, by an order from our government, to enter Canada and fight against and kill her soldiers.

But should congress pass a statute compelling him to do so on any imaginable exigency, or under any penalty, in time of peace, if he should obey and kill a man, he would be guilty of murder. The mistake is in supposing that a sovereign can compel a man to go into a neighboring country, or either in peace or war, to do a deed of infamy. This is exemplified in the case of spies. A sovereign may solicit and bribe, but he cannot command. A thousand commands would not save the neck of a spy should he be caught in the camp of the enemy. *Vattel*, B. 7, ch. 10, § 118. It is a mistake to suppose that a soldier is bound to do any act contrary to the law of nature, at the bidding of his prince.—*Vattel*, B. 1, ch. 4, § 53-54, id. B. 3, ch. 2, § 16.—*Grot.* B. 2, ch. 26, § 3, n. 2 and 3. *Puff.* B. 8, ch. 1, § 6 and 7.

But if there were, he must endure the evil of living under a sovereign, who will issue such commands. It does not follow that neighboring countries must submit to be infested with incendiaries and assassins. Nations are not obliged to receive into their own country, for being desirous to go through life with bloodless hands and a quiet conscience.—The Parisians thought themselves bound to obey Charles IX, when he ordered them to massacre the Huguenots. Suppose they had obeyed, it would be similar order to massacre the Huguenots in England. Such an order had been deemed a valid plea on one of them being arraigned in the queen's bench! It might have been pleaded to an accusation of murder in France—it would have been good against the criminal and his own sovereign; but hardly, I suspect, have been deemed so by Queen Elizabeth's judges. The simple reason would have been that Charles IX, had no jurisdiction in England.

It might have threatened the government and declared war, if such a meritorious servant, a defender of the church should not be liberated by the judges. But there is no legal principle on which the decrees of foreign courts or the legislation of foreign parliaments could be obeyed by judges of jurisdiction. Charles might have ordered his minister to call the massacre a public act, planned and executed by himself, his having authority to defend and protect his established church, and demanded reparation from him. All this might be added in reply to the plea. Neither Elizabeth herself, nor any of the Tudors, arbitrary as the government of England was, would have had power directly to take away the jurisdiction of the judges. Coke, who is reputed in his book to have baffled the sceptre within its own territorial jurisdiction, says:—

It should, in justice, be remarked, that one, the governor of Bayonne, and many of his companions in arms, refused to co-operate in the massacre at home, and never were punished for disobedience. He replied to the king, that he had punished his garrison and found many brave soldiers among them, but not a single executioner. Suppose a prince should command a soldier to commit adultery, incest, or perjury; the prince goes beyond his constitutional power, and has no more right to exact obedience than a corporal who should summarily issue his warrant for the execution of a soldier. *Vid. Buri.* L. of nature, vol. 1, pt. 2, ch. 11, § 5.

Every political and civil power has its legal limits. Every prince may indeed take the life of his own subjects, for disobeying the most arbitrary commands; but even his benefits cannot impart protection to the merciless slave as against a foreign government. Public war itself has its jurisdictional limits. It is, in the pursuit after it, fighting enemies who have not yet entered the line of our peace. Beside the limit which territory thus imposes, there are also, even in general war, other jurisdictional restraints at these are in courts of justice.

An order emanating from one of the hostile sovereigns will not justify to the other, any kind of perfidy. The case of spies has been already mentioned. An emissary sent into a camp with orders to corrupt the adverse general, or bribe the soldiery, would stand justified to his immediate sovereign. *Vattel*, B. 3, ch. 10, § 180; though even he could not legally punish a refusal. In respect to the enemy, orders would be an obvious excess of jurisdiction.

The emissaries sent by Sir Henry Clinton, in 1781, to corrupt the soldiery of the Pennsylvania line, falling into the hands of the Americans, were condemned and foundly executed. 4 Marsh. Life of Wash. 366, 1st ed. Entering the adverse camp to receive the treacherous proposition of the general is an offence much more venial than is even called a crime in every sense as between the sove-

reign and employed. *Vattel*, B. 3, ch. 10, § 181.—Yet in the case of major André, an order to do so was, as between the two hostile countries, held to be an excess of jurisdiction.

These cases are much stronger than any which can be supposed between nations at peace. In time of war such perfidy is expected. In time of peace, every citizen, while within his own territory, has a double right to suppose himself secure; the legal inviolability of that territory, and the solemn pledge of the foreign sovereignty.

The distinction that is set valid as to one may be void as to another is entirely fallacious. A man who orders another to commit a trespass, or approves of a trespass already committed for his benefit, may be bound to protect his servant, while it would take nothing from the validity of the servant to the party injured. As to him, it could scarcely have the effect of adding another defendant, who might be made jointly or severally liable with the actual wrong doer. A case in point is mentioned by *Vattel*, B. 3, ch. 5, § 118. It is a case in which his recruiting officer had made enlistments in the dominion of another in time of peace between them, the officer shall be hanged, notwithstanding the order, and war may also be declared against the officer of the sovereign. *Vid.* a like instance *id.* B. 1, ch. 6, § 75.

What if the almost legal effect of a foreign sovereign, approving of the crime his subject committed in a neighboring territory? The approval from a neighboring territory in part seen, it takes nothing from the criminality of the principal offender. The moral obligation his nation may be under to save him harmless, this can be absolutely done only on the condition that he conform himself within his territory. *Vattel*, B. 3, ch. 6, § 74. Then, by relating to such satisfaction in his foreign or to deliver him up, on demand from the injured country, or by approving the offence, the nation, says *Vattel*, becomes an accomplice.—*Id.* § 75.

Blackstone says, an accomplice or abettor [4 *Comm.*]—and we may add, will more nearly in the language of the English law, an accessory after the fact—B. 2, ch. 2, § 12. No book appears that such an act merges the original offence, or renders it imputable to the nation alone. The only exception live in the case of a crime committed by an accessory, rather than because he is guiltless, but by reason of the necessity that he should be privileged, and the extra territorial character which the law of nations has, therefore, attached to his person.

Hence, say the books, he cannot sue against his nation, nor can his nation sue him, because he, which will make itself a party in his crime, if it refuse either to punish him by its authority or deliver him up to be punished by its offended nation. *Ruth.* B. 2, ch. 9, § 20. Independently of this exception, however, Rutherford insists, with entire accuracy, that as far as we concur in what another man does, so far the act is our own; and the effects of it are chargeable upon us as well as upon him." *Ruth.* B. 1, ch. 17, § 6.

A nation is but a moral entity; and in the nature of things can no more wipe out the offence of another by adopting it, than could a natural person. And the learned writer just cited accordingly treats both cases as standing on the same principle. B. 2, ch. 9, § 13. "Nothing is more usual," says Puffendorf, "than that every particular accomplice in a crime be made to suffer all that the law inflicts." B. 3, ch. 1, § 5. *Vattel* says of such a case, B. 2, ch. 6, § 76:—If the offended state has the offender in her power she may without scruple punish him.

Again, if he have escaped and returned to his own country, she may apply for justice to his sovereignty, who ought, under some circumstances, to deliver him up.—*Id.* § 76. Again, he says "we may take satisfaction for the offence here, when it meets with the delinquent in her own territories." B. 4, ch. 4, § 32. I before cited two instances in which positive orders by his sovereign to commit a crime are distinctly held to render both the nation and the individual accomplices. *Vattel*, B. 3, ch. 2, § 15, *id.* B. 4, ch. 6, § 73, *vid.* also 1 *Buri.* pt. 2, ch. 11, § 10.

Was it ever suggested by any one before the case of McLeod arose, that the approval by a monarch should confer jurisdiction on the foreigner, or as mitigate the criminal offence?—say, that the coalition of great power with great crime does not render it more dangerous, and therefore more worthy of punishment under every law by which the perpetrator can be reached?

Could approbation and avowal have saved the unhappy Mary Queen of Scots, where would have been the civil jurisdiction of Elizabeth's commissioners? The very charge of an attempt by Mary to dethrone and assassinate the British queen implied the approbation and active concurrence of one

crowned head at least. Could the criminal have been saved by any such consideration, the enterprise might truly have been avowed as one which had been planned by the leading government of Catholic Europe.

The pope, then, having at least some pretensions to jurisdiction even in England, had openly approved it under his seal. The Spanish ambassador at Paris was a party relied upon to follow up the execution of the sentence. Was it, then, the son of the accused, have hesitated to join in the avowal could he have thus been instrumental in saving the life of his mother? Yet the principle was not thought of in the whole course of that extraordinary trial.

Mary openly avowed her general treason as a measure of defence and protection to herself, though she denied all participation in the plot to assassinate Elizabeth. Yet the only ground taken was, the technical one (not the legal, because technical) that the accused was personally privileged as a monarch, and could not be tried under the English law, which required a jury composed of her peers. It was added that she came into the kingdom under the laws of nations, and had enjoyed protection from the English law, having been continually kept as a prisoner. *Vid.* the case stated and examined in the right of international law, 2 Ward's L. of nations, 264.

No one pretends that her approbation, or that of a thousand monarchs could have reflected any degree of exemption from judicial cognizance, under the alien servants in her employment. Such a principle would have filled England with an army, in place of peace, during the reign of the dignity of monarchs who at that day, have led them to avow any system of pernicious espionage which could have served the purposes of the pope by executing his bull of excommunication against Elizabeth.

Canada again being disturbed, and our citizens aiding the revolt by hosts, provisions or money, the purposes of England would certainly require such conduct to be put down at all events. Adopt the principle that she may by avowal, protect her soldiers who aid upon our citizens at England, from all punishment at the common law; and before you get even a reconnaissance from Washington, your whole frontier might be made a *tabula rasa*. No—England can lawfully send a single soldier for hostile purposes, she must assume the responsibility of public war.

Her own interests demanding the application of the rule, she perfectly understands its force. What regard have her courts ever paid to the voice of public authority on this side the line, when it sought to cover even territory to which the United States denies her title? The mere act of taking a census in the disputed territory under the authority of Maine, was severely punished by the English auxiliary magistrates. Had a post of soldiers or a company of military bearing muskets been sent into the censor, in what book or in what usage could she have found that this would divert her courts of jurisdiction, and put the cabinet of St. James to a remedy by remonstrance or war? Had the posse been arrested by her sheriff, and in mere defence had killed him, and this nation had, after some two or three years avowed the case, would she have thought of proceeding that in the meantime, all power of her courts over the homicides had been suspended, or finally withdrawn?

But it is said of the case at bar, here is more than a mere approval by the adverse government; that an explanation has been demanded by the secretary of state, and the British ambassador has assisted on McLeod's release, and counsel claim for the joint diplomacy of the United States and England some such effect upon the power of this court as a *senior* from as would have upon the county court of general sessions. It was spoken of as incompatible with a judicial proceeding against McLeod in this state; as a suit actually pending between the two nations, where in the action of the general government comes in collision with and supersedes our own.

To such an objection the answer is quite obvious. Diplomacy is not a judicial, but executive function, and the objection would come with the same force whether it were urged against proceeding in a court of this state or the United States. Whether an actual execution of the treaty making power, by the president and senate, or any power delegated to congress by the federal constitution, could work the consequences contended for, we are not called upon to inquire; whether the case is one of a nation—supposing the case to belong to the national court—or the executive of this state, might not punish the prisoner, or direct a *nolle prosequi* to be entered, are considerations with which we have nothing to do.

The executive power is a constitutional department in this, as in every well organized government, entirely distinct from the judicial. And that would be so, were the national government bled out, and the state of New York left to take its place as an independent nation.

Not only are our constitutions entirely explicit in leaving the trial of crimes exclusively in the hands of the judiciary; but neither in the case of things, nor in some policy, is it confided to the executive power. That can never act upon the individual offender; but only by requisition on the foreign government; and in the instance before us, it has no power even to inquire whether it is the state of New York, or the federal government, that has the right to try the criminal laws of this state. It has charge of the question in its national aspect only. It must rely on accidental information, and soay place the whole question on diplomatic considerations. These may be thought entirely outside of the fact or the law, as it stands between this state and the accused. The whole may turn on questions of national honor, national strength, the comparative value of national intercourse, or even a point of etiquette.

It is not, however, in the case of every accusation which has been drawn in question by the executive power of two nations, can be adjusted by negotiation or war only. The individual secured must go free, no matter to what extent his case is prejudicial to the confidence of the nation. No matter how criminal he may have been, if his country, though acting on false representations of the case, may have been led to approve of the transaction and negotiate concerning it, the demands of national justice are at once satisfied.

Under circumstances the executive power might, in the exercise of its discretion, be bound to disregard a venial offence as no breach of treaty, which the judiciary would be obliged to punish as a breach of treaty principle. Suppose some of our citizens to attack the British power in Canada, and the queen's soldiers to follow the heat of repelling them by crossing the line and arresting the offenders, doing no damage to any one not actually engaged in the crime, and the queen's soldiers to be injured in law for hostile purposes, the arrest on this side would be a technical false imprisonment, for which we should be bound to convict the soldiers, if arrested here; while the executive power might overlook the technical error, and acquit on the ground of violation of national territory. *Vattel*, B. 4, ch. 4, § 13.

Further now to notice particularly some of the legal passages and cases which were referred to by the prisoner's counsel in support of an innocent plea, not for the reason that I have omitted to examine them, but because I consider them inapplicable under the views I have felt it my duty to take of the prisoner's case. They were principally of three classes: First, passages from books on the law of nations as to what is public war and the protection due to soldiers while engaged in the prosecution of such a war by their sovereign against a public enemy; secondly, the general obligations of obedience as between him and his sovereign, whether in peace or war; and thirdly, cases from our own books relative to the conflicting powers of the general and state governments. The case of *Elphinstone v. Bederechund*, 1 Knapp's rep. 816, related to the first class, and was a case in which the crown, during an acknowledged public war between England and one of the petty sovereignties of India.

In considering the question of jurisdiction, I have also forgotten to notice that branch of the affidavit which is up an affidavit. McLeod's counsel properly omitted to insist on it as all it attempted the claim of privilege. Indeed, he said the clause was put in merely by way of protestation. If it was inserted with the intention of having it taken into consideration, it was a mere protestation, and all pretence for any objection to our jurisdiction. His surrender was demanded upon the hypothesis that he was acting under public authority. If, in truth, he was not, or was not acting at all, he enjoyed, according to his own concession, no greater privilege than any other man, and his essential circumstance relied on as going to the question of jurisdiction, turns out to be fictitious; and the argument must be that we have no power to try the question of alibi. On that and every other lawful ground of defence he will be heard by counsel on his trial.

It is proper to add, that if the matters urged in argument could have any legal effect in favor of the prisoner, I should feel entirely clear that they would be a matter available before the jury only, and that according to the settled rules of proceeding on *habeas corpus*, we should have no power even to consider them as a ground for discharging the prisoner. I took occasion to show in the outset that in no view can the evidence in the prosecution of the

defence be here examined independently of the question of jurisdiction, and I entertain no doubt that whenever an indictment for murder conspired within our territory is found, and the accused arrested, these circumstances give complete jurisdiction.

I know it is said by the English books, that even in a case of mixed war, viz: a hostile invasion of England by private persons, the common law courts have not jurisdiction. It was held in *Perkin Warbeck's case*. He was punished with death by sentence of the countess and marshal, who it is said in *Calvin's case*, 7 Co. Rep. 11-12 had exclusive jurisdiction. *Vattel*, B. 1, § 13. But that rests on a distribution of judicial power entirely unknown to this state or this nation. The court of the countess and the marshal seems to have had an ancient right not very well defined by the common law, of trying all military offences, as appears by the Stat. R. 2, ch. 2, (v. 2) Pick. St. at Large, p. 310, which was passed to settle conflicting claims between that and the ordinary courts, vid. also 3 Inst. 48. The whole is obviously inapplicable to this country, and is pretty much forgotten in England. It never can have been held in England or any other country, that where a common law court is proceeding on indictment for a common law offence against one arrested and brought before it, it is bound to suspend its action, that the officer impaired persons should be arrested in a public or mixed war, shall have power to try, whether the prisoner be guilty or not of the charge contained in the indictment.

All homicide, whether malicious, and, therefore, murder under the contrary appears upon evidence. "The matter of fact," says Foster, "viz: whether the facts alleged, by way of justification, excuse or alleviation, are true, is the proper and only province of the jury." *Lawful homicide*, by authority of fact, (will recognize it, seems by the law of nature under the name of private war, *Grat.* B. 1, ch. 3, § 2, is one passage. Foster 273. That he acted in right of a nation, or under public authority, is no more than matter of justification, it is like the case mentioned in Foster 268; the public execution of malefactors; and the jury must judge whether the authority may not have been exceeded. But more, when either public or mixed war is alleged in mitigation, either allegation may be fictitious; and it shall be for the jury to decide, whether it is true, whether it existed or not. The reason is plain, says Lord Hale; for the war may be begun by the foreign prince only, where it is public; and he supposes it still plainer where the war is between the king and an invading alien, as in the case of the king and the king is at peace. 1 Hal. p. 6, 163. The same writer puts the case of plunder or robbery by an enemy, *trampis belli*, which would not in general be burglary. Yet he admits it might be otherwise if the act were not done in the regular prosecution of the war, id. 565.

Suppose a prisoner of war to creep and that on his way home, and before he crosses the line, he should set fire to a farm house in the night and kill the inmates—there is a doubt that he might properly be convicted either of arson or murder. When a grand jury have charged that a man has committed murder in this state, I can imagine no case, whether the charge relate to the time of open public war or peace, in which he can be acquitted upon his trial. If he were now that he was a truth and a soldier in time of public war, the jury would acquit him. The judge will direct them to obey the law of nations, which is undoubtedly a part of the common law. So if the charge were acting in defence against an individual invader of his country. But above all things it is important in the latter case for the jury to inquire whether his allegation of defence be not false or colorable.

They cannot assume as an act of defence the wilful pursuit of a criminal, much less that dictated by sovereign authority, into a country at peace with the sovereign of the accused, seeking out that enemy and taking his life. Such a deed can be nothing but an act of vengeance. It can be nothing but a violation of territorial rights, and a violation of the sacred faith of treaties and the law of nations. The government of the accused may approve, diplomacy may glory, but a jury can only inquire whether he was a party to the deed, or to any act of illegal violence against the person or property of his country. If he is, if satisfied that he was not, as sincerely here they may be, upon the evidence in the case before us, they will then have the pleasant duty to perform of pronouncing him not guilty. But whatever may be the result, it is the duty of the jury to decide that the prisoner, though a foreigner, will have no just cause to complain that he has suffered wrong at the hands of an American jury.

As our hands the prisoner had a right to require an answer upon the facts presented by his papers,

whether in law be can properly be held to a trial. We have had no choice but to examine and pronounce upon the legal character of those facts, in order to satisfy ourselves of the bearing they might have on the novel and important questions submitted. That examination has led to the conclusion that we have no power to discharge the prisoner.

He must, therefore, be remanded, to take his trial in the ordinary forms of law.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

July 15. Mr. Wright presented the proceedings of a meeting of the citizens of New York, held in the Park, containing certain resolutions passed in relation to American citizens held in captivity in Van Dieman's Land. The interference of government is solicited in their behalf. Mr. W. moved that the document be laid on the table and printed; which was agreed to.

Mr. Tulandage presented a memorial of citizens of New York city, and one of citizens of Richland, Oswego county, New York, for a bankruptcy law; which were laid on the table.

The resolution of Mr. Buchanan was taken up, calling on the president for a list of removals of public officers since 4th March, 1841, with the amendment offered by Mr. Mangum, calling, also, for a list of removals and appointments from 4th March, 1829, to 4th March, 1841.

The amendment was adopted; and Mr. Benton intimating a desire to speak on the subject, at his request the resolution was laid over.

Mr. Clay, of Kentucky, said he would be very glad of senators would consent generally and unanimously to take up the subject from the house, at the necessity of the treasury were such as to require speedy action on this subject.

Mr. Calhoun hoped that the senator from Kentucky would not press this. They had been engaged for some time on another subject, and he hoped to dispose of it before they were taken up.

After some further remarks from Messrs. Clay, Calhoun, King, Benton and Linn, a motion was made to go into executive business. On this a debate arose as to a point of order under the new rule, which occupied some ten or fifteen minutes, Messrs. Calhoun, Clay, King and Allen participating.

The chair decided the motion to go into executive business to be in order.

Mr. Calhoun took an appeal from the decision, but withdrew it at the suggestion of friends behind him.

Mr. Calhoun asked where was the necessity of going into executive business then? Could they not go on with the business before the senate for some two or three hours, and not go into executive session at the close of the day?

Mr. Berrien did not think it a proper subject to discuss. He did not feel himself at liberty to state reasons.

Mr. Calhoun would ask if the reasons were very urgent?

Mr. Berrien could only say such was his impression.

The senate then went into executive session; and, after remaining therein for a considerable time, adjourned.

July 16. Memorials from citizens of New York and the state of Maine were presented in favor of a bankruptcy law.

Also, resolutions remonstrating against the extension of the port of New Orleans.

The resolution relative to removals from office was laid over, at the request of Mr. Benton, till tomorrow.

The resolution submitted by Mr. Woodbury some time since, calling on the treasury department for information in relation to advances made to disbursing officers, &c. since 3d of March last, was taken up, and after being so amended by Mr. Evans as to require it to be stated on what authority they were made, the resolution was adopted.

The resolution submitted by Mr. Benton some days since, calling on the treasury department for the removal of certain officers, and specifying those officers by name, was taken up.

Mr. Benton said the resolution had been submitted in consequence of a remark made by the senator from North Carolina, (Mr. Mangum), that if the information was asked for, it would be given. He (Mr. B.) did not hold that the president was bound to answer it. It was submitted solely on the ground of what had fallen from the senator from North Carolina.

Mr. Mangum was glad of an opportunity of correcting an error into which the senator from Michigan had no doubt unintentionally fallen. What he (Mr. M.) did say, on another occasion, when

the resolution of the senator from Pennsylvania (Mr. Buchanan) was first introduced, was that the information, when given, he had no doubt would be such as would enable the administration to stand justified before the country.

Mr. Benton said the answer was conclusive; he should not press the resolution.

Mr. Clay asked the indulgence of the senate to take up the loan bill. He felt persuaded that gentlemen on the other side had no disposition to throw impediments or embarrassments in the way of the treasury; and, after what he had stated yesterday in relation to its condition, he felt convinced they would see the necessity of some prompt action on it.

The necessity of immediate action on the bill was further urged by Messrs. Clay and Huntington, and opposed by Messrs. Calhoun, Allen and Wright; when Mr. Clay said he must call the yeas and nays.

The debate was continued by Messrs. King, Clay, Calhoun, Benton, Walker, Allen, Bates, Woodbury and others. The bill was taken up, the demand for the yeas and nays being waived.

Mr. Wright then moved to amend the bill by inserting the following proviso:

"That nothing in this act contained shall be construed to authorize any further or greater amount of loans than shall appear to the president of the United States to be necessary to defray the current expenses of the government, and to redeem, as they shall be required, the treasury notes which have been issued, and are to be issued, under the authority of existing laws, after the application of the money in the treasury, and all the accruing revenue from lands, and all other sources, to this object; and that shall any portion of such money or revenue, or any of said loans be made under the authority granted in this act, be applied to the redemption of treasury notes outstanding, and not due and payable according to the terms of such notes; nor any portion of accruing revenue, from whatever source, or any of said loans be made under the authority granted in this act, be applied to the redemption of treasury notes due and payable, when the consequences of other appropriations might be an increase of public debt to be contracted under this act."

Mr. Clay then moved to amend the amendment by striking out the following clause:

"Nor shall any portion of such money or revenue, or any of said loans be made under the authority granted in this act, be applied to the redemption of treasury notes outstanding and not due and payable according to the terms of such notes."

On this motion a long and animated debate arose, in which Messrs. Clay, Calhoun, Wright, Benton, Buchanan and others participated.

The question was taken on the adoption of the amendment, and carried, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Morehead, Phelps, Forster, Fremont, Preston, Simmons, Smith, of Indiana, Southard, Tulandage, White, Woodbridge—27.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Folsom, King, Linn, McRoberts, Moore, Nicholson, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Wood—21.

On the question of the adoption of the amendment, as modified, a very spirited debate again arose, in which Messrs. Smith, of Indiana, Clay, Sevier, Preston, King, Linn, Allen and others participated.

The question was then taken by yeas and nays, and decided in the negative, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Folsom, Henderson, King, Linn, McRoberts, Moore, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—23.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Ky., Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Morehead, Phelps, Forster, Fremont, Preston, Simmons, Smith, of Ind., Southard, Tulandage, White, Woodbridge—26.

So the amendment was lost.

On motion of Mr. Preston, the senate then adjourned.

July 17. Mr. Calhoun presented certain resolutions passed at a public meeting in Buckingham county, Virginia, which were read, and after some remarks from Messrs. Calhoun and Clay, of Ky., the bill was laid on the table.

The loan bill came up as the unfinished business of yesterday.

Mr. Allen moved to amend the first section of the bill to the effect that after having paid the public expenses the money obtained by the loan should be used for the defenses of the country and for no other purpose. On this amendment Mr. Allen spoke

at some length, contending that the object of the loan was to enable the administration to dispense with the revenue arising from the land to aid British bankers and stock jobbers.

Mr. Calhoun went on to go as far as any man in the system of naval defense, but then the expenditure must be properly administered, and under wise and appropriate heads. The system of warfare had changed, and it would require that it should keep pace with the improvements.

Mr. Wall said if the amendment prevailed he should regard it as a pledge that the money would be so applied, and then he would vote for the whole bill.

The amendment was further debated by Messrs. Calhoun, Huntington and others.

The question was then taken on the adoption of the amendment and decided in the negative, as follows: yeas 19, nays 24.

Mr. Woodbury then moved to amend the bill by striking out the words "twelve millions," and inserting "six millions," so that the government should not be empowered to borrow on its credit a sum exceeding that amount.

Mr. W. sustained this amendment on the ground that no more money was actually wanted for the uses of the treasury; that even the six millions would allow of a large surplus for contingencies.

Mr. Evans replied at length, maintaining that in the present state of the treasury, the revenue declining almost daily, every dollar of that money would be needed.

The debate was further kept up by Messrs. Calhoun, Woodbury, Evans and Young.

When the question on the adoption of the amendment was taken and decided in the negative, as follows: yeas 16, nays 26.

Mr. King then moved to strike out "twelve millions" and insert "nine" contending that the money was not wanted, and, therefore, should not be borrowed for the mere purpose of borrowing. On the question he asked the yeas and nays, and the question being taken it was decided in the negative, as follows: yeas 22, nays 26.

Mr. Benton then moved to amend the bill by adding to the last section:

"And that the sum of two millions of dollars, and part of the amount of the loan, be intended for a reserve fund to remain in the treasury to meet contingencies, and shall not be borrowed except during the recess of congress it shall become necessary to borrow the same or some part thereof to meet the appropriation made by congress, and for which money on hand and accruing may be deemed insufficient."

Mr. B. gave his reasons for offering the amendment.

Mr. Clay replied with earnestness, contending that it had been shown, demonstrably shown, that not only would every dollar he wanted, but that more might be required.

The question on the adoption of the amendment was then taken and decided in the negative, as follows: yeas 20, nays 27.

Mr. Benton then moved to amend the bill so as to divest the secretary of the power over the distribution of the money, and place it in congress. An amendment, he said, which ought to find favor on the other side.

On the adoption of this amendment the vote stood, yeas 21, nays 27.

Mr. Sevier then moved to amend the bill by inserting the following:

"And be it further enacted, That it shall not be lawful for the secretary of the treasury to reissue any treasury notes that may hereafter be redeemed."

This amendment was opposed by Mr. Huntington and advocated by Messrs. Sevier and Allen.

The question being taken on this amendment, the vote stood: yeas 21, nays 27.

Mr. Calhoun wanted to offer another amendment to strike out all after the enacting clause, so as to allow of the issue of treasury notes, and to offer his view. Owing to the lateness of the hour and the long and exhausting session they had already passed through, he would move to adjourn.

Mr. Clay spoke of the necessity of prompt action on the loan bill, and that an adjournment would not adjourn. The bill had been already discussed at great length, but if the senator from South Carolina had anything further to offer, he (Mr. C.) would listen to him with great pleasure.

Mr. Calhoun would like to defer it until Monday, with the understanding that the question should be taken immediately after his remarks; but he would make no motion.

Mr. Allen moved an adjournment.

Mr. Clay called for the yeas and nays.

The question on adjournment stood: yeas 25, nays 25.

three and a half per cent. congress shall, out of the previous surplus, appropriate a sum sufficient for the deficit.

The question on this proposition being taken was decided in the negative as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Ky. Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrih, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Sumners, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—26.

Mr. Buchanan offered an amendment to the 18th fundamental rule, providing that the bank should not discount, &c. when the notes in circulation and the private deposits, exceeded three times the amount of specie in its vaults.

The amendment was rejected as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Ky. Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrih, Miller, Morehead, Porter, Prentiss, Preston, Sumners, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—26.

Mr. Clay, of Alabama, offered an amendment providing that the capital of said bank shall be distributed among the branches in proportion to the domestic exports of the states in which they are situated, and that this proportion be adjusted every five years.

It was advocated by Messrs. Clay, of Ala. Walker and Benton; and after which retired, as follows:

YEAS—Messrs. Buchanan, Calhoun, Clay, of Ala. Linn, McRoberts, Mouton, Pierce, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—14.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Ky. Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrih, Miller, Morehead, Porter, Prentiss, Preston, Sumners, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

Mr. Nicholson offered an amendment providing that if any board of directors of any of the offices of discount and deposit convert any of the notes of any value whatever, or loan with without interest any portion of the public money deposited therein for sale keeping, every such act shall be adjudged a violation of the charter. It was rejected, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—19.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Ky. Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrih, Miller, Morehead, Porter, Prentiss, Preston, Sumners, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—27.

Mr. Williams offered several slight verbal amendments, which were agreed to.

Also, an amendment to the 22d fundamental article, providing that the notes of the bank shall be redeemable at the branches where paid out. This being briefly advocated by Mr. Williams and opposed by Mr. Clay, of Ky. was rejected without a division.

Mr. Benton offered an amendment striking out the clause fixing the value of gold coins to be received by the bank.

He objected to fixing the price of coins in a bank bill at all.

Mr. Clay briefly opposed it. The amendment was then rejected—yeas 22, nays 25.

Mr. Benton offered an amendment striking out the clause authorizing the ceiling in iron. This being discussed by Messrs. Benton and Henderson, it was rejected, by the same vote as that on the amendment by Mr. Buchanan, above.

Mr. Berrien offered the following amendment:

18th page, 9th sec. 2d line, strike out the words "six millions five hundred thousand dollars," and insert the words, "ten dollars on each share."

14th page, 9th sec. 28th line, strike out from the word "and," inclusive, to the end of the section, and insert the words "provided that it shall and may be lawful for the president of the United States, as soon as ten dollars on each share are paid, in manner herein provided, to appoint three directors, who shall serve until they are superseded by appointments made by the president of the United States, by and with the advice and consent of the senate, as herein before provided; and provided, that as soon as the sum of \$50,000, or in full, gold or silver coin, or in treasury notes, shall have been actually received on account of the subscriptions to the capital of the said bank, (exclusively of the

subscription of ten millions aforesaid), on the part of the United States), the operations of the same shall thereupon commence and continue at the city of Washington."

Mr. Clay said the whole effect of the amendment was to bring forward the time of the bank's commencing operations one month.

After a brief discussion by Messrs. Wright and Berrien, it was adopted, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrih, Miller, Morehead, Porter, Prentiss, Preston, Sumners, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—27.

Mr. Adams, of Ohio, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Sturgeon, Tappan, Walker, Williams, Woodbury, Young—22.

The amendments now having been completed, the bill was reported to the senate.

Mr. Clay moved to lay the bill on the table, and that it be ordered to be printed.

Mr. Calhoun suggested to the senator to move the printing alone, and leave the bill as the unfinished business for to-morrow morning.

Mr. Clay not assenting, the motion was carried.

The bill from the house, making provision for a house squadron, was twice read, and referred to the committee on naval affairs.

Mr. Berrien gave notice of his intention to move to-morrow to take up the bankrupt bill.

The senate then adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, July 15. The journal of Wednesday was read and approved.

The unfinished business of the morning hour was the resolution heretofore offered by Mr. J. G. Floyd, calling for certain information in relation to the case of Alexander McLeod. Mr. Morgan was anointed in the floor.

Mr. Fillmore requested his colleagues to give way to enable the house to go into committee to resume the consideration of the fortification bill. Mr. Morgan was willing he said to do so.

Mr. Fillmore moved that the house resolve itself into committee of the whole on the state of the union, on which motion the vote stood: yeas 46,

noes 14; a quorum voted.

Mr. Tappan moved a call of the house—

which was ordered.

And the roll having been called, 109 members answered to their names—no quorum present.

Mr. Adams then the absentees were then called, when 149 members appeared to be present.

And a quorum being now present—an motion of Mr. Lewis Williams, all further proceedings on the call were dispensed with.

And the question recurring on the motion that the house resolve itself into committee of the whole on the state of the union, the vote stood: yeas 68, noes 51; a quorum precisely. So the motion prevailed.

The house again resolved itself into committee of the whole on the state of the union (Mr. Winthrop, of Massachusetts, in the chair) and resumed the consideration of house bill No. 9, being a bill making appropriations for various fortifications, for ordnance, and for preventing and suppressing Indian depredations.

The question being on the amendment of Mr. Clifford, appropriating \$6,000 for the repairs of forts Peble and Scamuel, in Portland harbor, Maine.

After a few remarks from Messrs. Fillmore, Clifford, Prentiss, Henderson and Dawson, the question was put, and the amendment rejected.

Mr. Snyder offered an amendment appropriating \$50,000 for the repairs of the fort on the Pes Patch island, in Delaware river.

The chairman declared the amendment to be out of order.

Mr. Aldrich moved an amendment appropriating \$4,000 for works in the harbor of Portsmouth, N. H.—which, after a few remarks from Messrs. Aldrich, Fillmore, and Merrihew, was rejected.

Mr. Williams of Md. moved to amend the bill after the 43d line, by appropriating a sum (if necessary) for a fort at Havre de Grace, not exceeding \$25,000.

Mr. Fillmore raised the point that this amendment was out of order.

The chairman decided that, under the 76th rule the amendment was not in order.

Mr. Williams appealed from the decision of the chair; and, after a few remarks from him, the question was taken—and the committee affirmed the decision of the chair.

Mr. Fillmore, for the purpose, he said, of reserving the question, as he was apprehensive that there was some mistake about the matter, would move to

reduce the appropriation for Fort Washington from \$35,000 to \$30,000.

Mr. F. said he had addressed a letter to the secretary of war, for the purpose of ascertaining how the facts stood.

The amendment was agreed to.

Mr. Snyder inquired of the chair whether, if he reduced the amount from \$35,000 to \$30,000, it was the proposition that had been rejected yesterday to \$20,000 for repairs of the fort on Pes Patch island, the amendment would then be in order?

The chairman said it would.

Mr. S. then offered an amendment, which repeated the discussion of yesterday, in relation to the title to this island, and in which Messrs. Fillmore, Snyder, Toland, C. Brown, of Pa. Ferris, Gamble, Bidlake and Gordon, took part; when Mr. Snyder, at the request of his colleague (Mr. Bidlake) withdrew his amendment, announcing his intention to offer it in the house, where the sense of the house could be tested upon it.

And the bill having been gone through with—

Mr. Shapard, of North Carolina, rose, with the intention of making some general remarks on the bill, but yielded to Mr. Barnard, who expressed his desire to offer an amendment.

Mr. Barnard desired, he said to address an inquiry to the chairman of the committee of ways and means, (Mr. Fillmore). Among the recommendations from the war department for appropriations to be made, there was a sum of forty thousand dollars (Mr. B. was understood to say) proposed to be appropriated for arrearages of money already due, and

for a year's salary for the purpose of preserving the public works upon various harbors and rivers.

He desired to know whether it was proposed to introduce a bill at the present session appropriating money for these purposes?

Mr. Fillmore said that the subject had been under the consideration of the committee of ways and means, and that the committee had come to the conclusion not to report in favor of the object alluded to.

Mr. Barnard said that he would propose an amendment covering the appropriations to which he had referred.

And, after some explanatory remarks, Mr. B. moved an amendment containing a number of items of appropriations for amounts due for arrearages and required for the preservation of the public property.

Mr. Fillmore said he was not less anxious than his colleague that appropriations for these objects should be made, but he (Mr. F.) felt bound to raise the point of order, in relation to the order.

If it was admitted, it opened the door to all others.

He would suggest to his colleague the propriety of disembarassing the bill, by withdrawing the amendment, and introducing a resolution in the house instructing the committee of ways and means to report on the subject.

He (Mr. F.) for one, would give such a resolution his support, because he deemed it just and right.

And if the chairman of the committee thought that this was a legitimate and proper amendment here, he (Mr. F.) would vote for it.

The chairman, remarking that it was usual to make appropriations for harbors and fortifications in different bills, ruled the amendment to be out of order.

Mr. Barnard took an appeal from the decision of the chair, which was argued for some time by Messrs. Hunt, Babcock, W. W. Lavin, Fillmore, and Barnard, when the question being put, the decision of the chair was sustained.

A lengthy discussion of the merits of the bill and the system of fortifications in general, in which Messrs. Underwood, Shepperd, Forrester, Fillmore, Rencher, Mallory, Dawson, Salmonstall, McKoy, Mason, Alford, Riall and others, participated.

Errett rose and said he desired to occupy the attention of the committee only for a few minutes.

But, in obedience to a very general call that the committee rise, Mr. E. yielded the floor for that motion, and retired.

The committee rose, and the committee reported progress, and obtained leave to sit again.

And the house adjourned.

Friday, July 16. The journal of yesterday was read and approved.

Mr. Sedgwick, by unanimous consent, presented a memorial, asking for a repeal of the act of 1832, which admits rail road free of duty. Referred to the committee of ways and means.

By unanimous consent, petitions were presented by the following gentlemen, and were referred to the appropriate committee:—Messrs. McKim, of N. Y. Winthrop, of Mass. and Goode, of Ohio.

Mr. Garrett Davis offered the following resolutions; which were read for information:

Resolved, That the secretary of war, the secretary of the treasury, the secretary of the navy, the secretary of the postmaster general do severally report to this house, at the next session of congress, the names of persons employed in the public service, in any manner, in their respective departments, or in any business directly or indirectly connected with such departments, either in or out of Washington city; and that they also report the duties required by law and performed by all such persons; what portion of their time is required in the performance of such duties; what is their compensation severally; and the amount of emolument which may be reasonable and practicable in diminishing the number of persons so employed in the public service—excepting all soldiers, marines, and sailors, and those persons in the service of the U. States from the operation hereof.

Resolved, That the secretary of the treasury do report to the house of representatives at the next session, in what medium or currency the several persons employed since March, 1829, have paid the several persons within their agencies.

Resolved, That the secretary of the treasury do, at the next session, report to this house what sum shall have been paid into the treasury in virtue of all laws limiting the pay or other emoluments of any officer or other person in the employment of the government of the United States.

Mr. Cave Johnson offered the following amendment to the resolutions:

Resolved, That the president of the United States be requested to lay before the house a list of all the officers of the government who he has directed to remove, and the names of the persons so removed from office or the employment of the government (other than those appointed by the president and senate) and the names of those appointed or employed in their places since the 4th of March last.

And he further resolved, That the secretary of state, the secretary of the treasury, the secretary of the navy, the secretary of war, and the postmaster general, be directed to report to this house the names of all persons removed from office or the employment of the government (other than those appointed by the president and senate) and the names of those appointed or employed in their places since the 4th of March last.

Mr. G. Davis moved the previous question.

Mr. McKay inquired of the chair whether it was in order to offer as an amendment to the resolution of the gentleman from Kentucky.

Mr. Stanly inquired of the speaker whether the resolution had been received.

Some conversation took place on this point.

Mr. Davis suggested that the gentleman from Kentucky [Mr. Davis] to withdraw the demand for the previous question to enable him to move an amendment.

Mr. Cave Johnson insisted that he was entitled to the floor on his amendment.

The speaker decided that the gentleman from Tennessee [Mr. Johnson] was not entitled to the floor, but that the gentleman from Kentucky, who moved the previous question, was entitled thereto.

Mr. Stanly insisted that the resolution had not been received, and that no sooner had the resolution and the amendment been read, than he objected.

The question being on seconding the demand for the previous question—Mr. Botts again asked Mr. G. Davis to withdraw the demand for the previous question, to enable him to offer the following as an amendment to the resolution of the gentleman from Tennessee. [Mr. Johnson].

"That they also report the names of all officers removed under similar circumstances, since the 4th of March, 1829, to the fourth of March, 1841, and to inform this house why they have not removed faithful and incompetent officers with greater dispatch than they have done."

Mr. G. Davis accepted this amendment as a modification of his own resolution.

Mr. Brown, of Pennsylvania, suggested to Mr. Botts to modify his amendment as to inquire, "and why they had removed competent and faithful officers."

Mr. Botts declined; and was understood to remark that he did so for the reason that competent and faithful officers had not been removed.

The speaker said this conversation was not in order.

Mr. Clifford desired, he said, that a division should be had on the resolution proposed by the gentleman from Kentucky. [Mr. Davis], as modified, so as to have the question taken first on the resolution as originally moved by the gentleman from Kentucky, and then on the modification as proposed by the gentleman from Virginia.

Mr. Stanly moved to lay the whole subject on the table.

Mr. Walker asked the yeas and nays on that motion. Yeas were ordered.

Some conversation followed on a question of order.

Mr. Adams, not having been in his seat, he said, when the resolution was offered, called for the reading of the resolution and amendments.

Mr. Turley objected on the ground that the resolution had been read more than once already.

The speaker said a member had a right to have read a proposition on which he had to vote.

From this decision Mr. Turley appealed.

And the question on the appeal being taken, the house affirmed the decision of the chair.

The resolution and amendments were then again read.

Mr. Botts then explained that it was to the amendment of the gentleman from Tennessee [Mr. Johnson] that he had desired to offer his amendment, and not to the proposition of the gentleman from Kentucky [Mr. Davis]. He would be glad if the gentleman from Kentucky would withdraw the call for the previous question, so as to enable him to put his proposition in the right place.

The speaker said the question first pending was on the motion of the gentleman from North Carolina. [Mr. Stanly], to lay the whole subject on the table.

And the question on that motion was then taken, and decided in the negative: yeas 123, nays 114.

Mr. G. Davis said that, to enable the gentleman from Virginia [Mr. Botts] to place his amendment where it properly belonged, he [Mr. D.] would withdraw the demand for the previous question.

Mr. Botts then offered his amendment as an amendment to the proposition of the gentleman from Tennessee. [Mr. Johnson] and renewed the demand for the previous question.

Mr. Stearns submitted to the chair that the previous question had been ordered by the house, and therefore he was not to order the gentleman from Virginia [Mr. Botts] to change the position of his amendment.

The speaker said, in that event, it could only be done by general consent.

Mr. G. Davis called for the reading of the resolution and amendments; which were read.

Mr. Alford rose to a point of order. He submitted to the chair that any legislation of such a description as was involved in this resolution was excluded by the rule which had been adopted for the regulation of the business at the present extra session.

The speaker said that the resolution had been received by unanimous consent, and that it was in order for the house, by unanimous consent to act on it, and that the gentleman from Georgia [Mr. Alford] adverted.

Mr. Alford submitted to the chair that the rule was positive and imperative in its requisitions. The object of this proceeding was intended for more political capital, and he would say that very poor capital it was. He did not believe that gentlemen on either side would make any bread-crumbs out of it.

The speaker said that, as the resolution had been received by unanimous consent, it could not now, in the opinion of the chair, be ruled out of order.

Mr. Alford wished, he said, to state his point of order expressly. It was this: the house had adopted a rule in relation to the legislation of this session, which positively precluded this description of legislation; and that this resolution, although not objected to, as well as the amendment, could not be received in view of that rule, but was a direct omission to enforce that rule. For this reason he submitted that the whole subject was out of order.

The speaker decided that the subject was in order.

Mr. Alford appealed from the decision.

Mr. Lewis Williams called for the reading of the rule referred to by the gentleman from Georgia, [Mr. Alford]; which was read.

Mr. Brown, of Penn., submitted that the resolution was in order, because (he was understood to say) the president had called particular attention to this subject-matter.

Mr. Alford said that it was only with a view to save the precious time of the house that he had interposed this point of order. He would, if any objection was made, withdraw his appeal.

So the appeal was withdrawn.

Mr. Botts (referring to the objection raised by the gentleman from Virginia [Mr. Stearns]) submitted to the speaker that the chair was mistaken in supposing that the previous question had been ordered, and that, therefore, it was not in order for him [Mr. B.] to change the position of the amendment he had offered.

The speaker said that, on a moment's reflection, he was satisfied that the previous question had not been ordered, and that, therefore, the motion of the gentleman from Virginia [Mr. Botts] was in order. Mr. Botts then argued and was understood to offer an amendment to the proposition of Mr. Cave Johnson, and moved the previous question.

And there was a second. And the main question was ordered to be taken.

And the main question being first on the amendment, as proposed by Mr. Botts—Mr. H. Hopkins asked the yeas and nays; which were ordered.

Mr. McKay asked division of the amendment of the gentleman from Virginia. [Mr. Botts]; which was ordered, in the manner hereafter mentioned.

And the question was then taken on the first branch of Mr. Botts' amendment, to wit: "That they also report the names of all officers removed under similar circumstances, since the 4th of March, 1829, to the 4th of March, 1841."

And it was decided in the affirmative: yeas 188, nays 4.

So the first branch of the proposition was adopted.

And the question was then taken on the second branch of the proposition, to wit:

"And also to inform this house why they have not removed faithful and incompetent officers with greater dispatch than they have done."

And it was decided in the negative: yeas 34, nays 148.

So the second branch of the proposition was rejected.

And the question then recurring on the amendment of Mr. Cave Johnson, as amended—Mr. Johnson asked the yeas and nays; which were ordered.

Mr. Gilmer called for the reading of the proposition, which was read.

And the question was then taken, and decided in the affirmative: yeas 120, nays 78.

So the amendment of Mr. Cave Johnson, as amended, was agreed to.

And the question recurring on the resolution of Mr. G. Davis, as thus amended—Mr. Andrews, of Ky. called for the yeas and nays, which were ordered, and being taken, were: yeas 128, nays 71.

So the resolution as amended, was adopted.

The speaker laid before the house a report from the secretary of the treasury in relation to the manner in which the act of the 14th of July, 1840, commonly called the sub-treasury law, had been carried into effect.

On motion of Mr. Proffit, the report was laid on the table, and ordered to be printed.

A message, in writing, was received from the president of the United States, through John Tyler, jr., exq. his private secretary.

On motion of Mr. Fillmore, the house resolved itself into committees of the whole on the state of the union, [Mr. Washburn, of Mass. in the chair], and to consider the bill making appropriations for the fortifications, for ordnance, and for preventing and suppressing Indian hostilities.

The question being on the motion that the committee rise and report the bill and amendments to the house—Mr. C. Brown moved to amend the bill by inserting an item of \$20,000 for the repair of Fort Mifflin, in the Delaware river.

Mr. Fillmore doubted if the amendment was in order, as this must be, in fact, a new work.

Mr. Brown said it was not; an appropriation had been made for it, and some of the money had been expended.

Mr. B. then proceeded to argue the necessity of the appropriation, and dwelt with much earnestness on the unprotected condition of Philadelphia.

Mr. Waterson having obtained the floor, was about to reply to the speech of Mr. Mason, made yesterday, when the chair pronounced him out of order.

Mr. Waterson, to obtain a wider range of remark, moved to amend the bill by striking out the enacting clause: a motion which, according to the rules of the house, throws open every subject connected with the bill to free debate.

Mr. W. having spoken for an hour, was followed by Messrs. Brown, Fillmore, and Chase. When, after a few remarks (one Mr. Adams) had been made, gentlemen yielded to a motion that the committee rise; which motion prevailing, the committee rose, reported progress and obtained leave to sit again.

Mr. W. offered the following resolution, which (the house) was adopted.

Resolved, That the secretary of war be requested to furnish a statement showing the amount of unexpended appropriations for fortifications for the year 1841, and the items in which such unexpended business may be expended.

Mr. Proffit offered the following resolution:

Resolved, That, from and after one o'clock P. M. tomorrow, all debate in committee of the whole on the bill No. 8 shall cease, and the committee shall proceed to vote on the amendments then pending, or that may be offered to said bill, and the same shall then be reported to the house, with such amendments as they have been agreed to by the committee. Provided, That,

nothing in this resolution shall prevent the committee from reporting the bill to the house at an earlier hour if it shall think proper.

Mr. P. moved the previous question.
Mr. Gilmer moved to lay this resolution on the table; which motion, by yeas 66, yeas 76, was rejected.

A motion was made that the house adjourn, which was rejected.

And the question recurring on the demand for the previous question, there was a second.
The yeas and nays were asked and ordered on taking the main question, and being taken, were: yeas 77, nays 71.

So the main question was ordered to be taken.
Mr. Medill asked the yeas and nays on the main question, and they were ordered.

Mr. Clifford moved that the house adjourn; which motion, by yeas 74, nays 77, was rejected.

And the question then recurring was taken on the main question, being on the affirmative, and was decided in the affirmative, yeas 77, nays 76.

So the resolution was adopted, and the house adjourned.

Saturday, July 17. The journal of yesterday was read and approved.

Mr. Arnold rose and moved a reconsideration of the vote by which the following resolution offered yesterday by Mr. Proffit had been adopted:

Resolved, That, from and after two o'clock P. M. tomorrow, all debate in committee of the whole on house bill No. 8 shall cease, and the committee shall proceed to vote on the amendments then pending, or that may be offered to said bill; and the same shall not be referred to the house with such amendments as may have been agreed to by the committee: *Provided*, That nothing in this resolution shall prevent the committee from reporting the bill to the house at an earlier hour if it shall think proper.

And the question being on the motion to reconsider, Mr. A. addressed the house at considerable length, after he had concluded Mr. Triplet called the previous question.

And the question being taken, the vote stood—yeas 83, nays 33, a tie.

And the casting vote falling on the speaker, the gentleman voted in the affirmative.

And the vote thus stood—yeas 84, nays 83.
So the demand for the previous question was rejected.

And the main question was ordered to be taken.
Mr. Croswell inquired of the speaker if it would be in order to move a call of the house?

The speaker replied that at this time the motion came too late, the main question having been ordered.

And the question "shall the vote on the resolution be reconsidered?" was then taken, and decided in the affirmative, yeas 102, nays 84.

Mr. Proffit then withdrew the resolution.
Mr. Russell, from the committee on the judiciary, to whom had been referred the bill from the senate entitled "an act to amend the act to provide for taking the sixth census, or enumeration of the inhabitants of the United States," approved March 2, 1839, and the act amending the same.

The bill having been read twice by its title, Mr. Russell moved that it be ordered to be engrossed for a third reading.

And the bill having been read at large, Mr. Floyd raised the question of order that the bill did not come within the rule of the house prescribing and limiting the subject-matters to be acted on at the present session of congress.

The speaker overruled the objection.
Mr. Adams and Mr. Randall, of Maryland, having risen simultaneously, the speaker gave the floor to Mr. Adams, who said he and the gentleman from Maryland [Mr. Randall] had risen probably for the same purpose.

He [Mr. A.] understood there was some question in relation to the return from a portion of the state of Maryland.

It is such was the fact, it seemed to be proper that the bill should be made to embrace that subject now. He would, however, yield the floor to the gentleman from Maryland, to enable him to submit such a motion as the nature of the case might require.

Mr. Randall, of Maryland, thanked the gentleman from Massachusetts [Mr. Adams] for the floor. He [Mr. R.] would have preferred that that gentleman should have made the motion, as he had put that gentleman in possession of the facts.

Mr. R. proceeded to state that he desired to introduce an amendment in the act just reported, in order to make provision for retaking the census of Montgomery county, Maryland, which had been so defectively taken as to represent the number of the population of that county about 5,000 souls less than the number in the census of 1830. Mr. R. had in

his possession proofs of these defects and omissions, and, among others, certificates from the clerk of the United States court in the district of Maryland showing that indictments had been found against some of his deputies of the marshal in that county for their malfeasance or non-feasance in office by reason of these very defects and omissions.

This amendment could not delay the completion of the census, as Montgomery county adjoins the District of Columbia, and the retaking of the census as contemplated by him could be completed and returned before the expiration of the time now allowed by the bill for the accomplishment of its objects. But this matter might be left, if thought advisable, to the discretion of the secretary of state, under whose supervision the whole subject was placed.

On motion of Mr. R. the further consideration of the bill was postponed until Tuesday next.

On motion of Mr. Dawson, the committee on military affairs was discharged from the consideration of the memorial of Samuel Raub, in relation to a matching colored harbor and coastal waters, for scaling all the enemies of the United States in less than two years.

Mr. Sergeant, from the select committee on the currency, reported the following resolution:

Resolved, That the select committee on the currency have, after this day, to sit during the session of the house.

After some explanations between Messrs. Ruffin and Sergeant in relation to the necessity for the adoption of the resolution, it was adopted.

On motion of Mr. Fillmore, the house again resolved itself into committee of the whole on the state of the union, (Mr. Winthrop, of Massachusetts, in the chair), on the bill making appropriations for fortifications, for procuring and suppressing Indian hostilities.

The question being on the motion of Mr. Waterson to strike out the enacting clause of the bill—

Mr. Underwood addressed the committee generally in relation to the bill.

The speaker resumed the chair temporarily for the purpose of receiving and laying before the house a communication from the secretary of war in answer to a call for information, made under a resolution offered by Mr. Wise yesterday on the subject of the fortification bill.

The communication, having been read, was referred, on motion of Mr. Fillmore, to the committee of the whole on the state of the union having charge of the said bill, and ordered to be printed.

The chairman resumed his seat.
Mr. Ferris, of New York, spoke in defence of the bill, and more particularly in reply to the objection of Mr. Underwood.

Mr. Starnes spoke in opposition to the bill. Messrs. Burdett and Cushing supported the bill at considerable length and with much ability.

The chairman gave the floor to Mr. McKey, who yielded to a motion by Mr. Case Johnson that the committee rise.

Which motion prevailing, the committee rose, reported progress and obtained leave to sit again.

Mr. Bates offered the following resolution; which was read:

Resolved, That at 12 o'clock on Tuesday next all debate in committee of the whole on house bill No. 8 shall cease, and the committee shall then proceed to vote on the amendments then pending to said bill, and the same shall then be reported to the house, with such amendments as may have been agreed to by the committee: *Provided*, That nothing in this resolution shall prevent the committee from reporting the bill to the house at an earlier hour if it shall think fit.

Tellers having been called for, Messrs. Boardman, of Connecticut, and McKee, of New York, were appointed. And the question on seconding the motion for the previous question was then taken, and decided in the affirmative, yeas 87, nays 73.

So there was a second.
And the main question was ordered to be now taken.

Mr. Clifford asked the yeas and nays on the adoption of the resolution; which were ordered.

Mr. Snyder, of Pennsylvania, moved that the house do now adjourn; which motion, by yeas 83, nays 90, was rejected.

And the question then recurring was taken on the main question, (being on the adoption of the resolution), and was decided in the affirmative, yeas 99, nays 84. So the resolution was adopted.

And then, on motion of Mr. Fillmore, the house adjourned until Monday, at 10 o'clock.

Monday, July 19. Mr. Hind, of Iowa, presented the memorial of James Smith and 107 others, citizens of the city of New London, praying the passage of a bankrupt law; which on motion of Mr. H. was referred to the committee on the judiciary.

Mr. Adams expressed the hope that the states would be called for petitions.

Mr. Case Johnson (referring to the resolution which had been adopted to take the fortification bill out of committee to-morrow at 12 o'clock) moved that the house resolve itself into committee of the whole on the state of the union for the purpose of resuming the consideration of that bill.

Mr. Adams hoped not, as this was probably the last day of the present session on which petitions would be received.

And the question was then taken on the motion of Mr. Case Johnson; and, by yeas 120, nays not counted, was agreed to.

So the house again resolved itself into committee of the whole on the state of the union (Mr. Winthrop, of Massachusetts, in the chair) on the bill making appropriations for various fortifications, for procuring and for preventing and suppressing Indian hostilities.

The pending question being on the motion of Mr. Waterson to strike out the enacting clause of the bill—

Mr. McKey (who was entitled to the floor) opposed the passage of the bill at considerable length. [A message in writing was received from the president of the United States, through John Tyler, jr. his private secretary.]

Mr. Littlefield, of Maine, read a speech, in which, after objecting to the putting into the bill the appropriations for fortifications and those to pay the Georgia and Florida volunteers, he expressed his approbation of the payment of those claims, and his purpose, on the whole, to vote for the bill, though he was not so warmly convinced that it contained nothing for his own state.

Mr. Fearnden spoke in reply, and said he should not have addressed the committee had it not been for a speech of such extemporaneous eloquence as that of his colleague, and what he understood as a direct attack upon himself.

Mr. Proffit addressed the committee. He said he should vote for the appropriations; that he believed they were necessary to place the country in a proper state of defence. He reviewed sundry remarks made by various gentlemen in opposition to the bill, and he would then move to strike out the enacting clause of the bill, and he would then move to strike out the first section.

Mr. Waterson complied.
Mr. C. Brown also having withdrawn his amendment for the purpose of preparing for war, and not, as Mr. Wise moved to amend the bill by striking out the first section.

Mr. W. then went into a speech in support of his motion.

[A message was received from the senate through A. Dickens, esq. secretary thereof, informing this house that that body had passed the bill authorizing the raising of a loan not exceeding twelve millions of dollars.]

Mr. Fillmore replied to Mr. Wise, expressing his strong surprise that opposition to this bill should come from that gentleman.

Mr. Randall, of Maryland, made a brief speech in correction of some of the errors into which Mr. McKey, had fallen, especially in relation to the forts at Annapolis.

Mr. Dawson addressed the committee at length in support of the bill, and in reply to several gentlemen, and concluded by earnestly invoking the patriotism of gentlemen on all sides of the house in time of war to prepare for war, and not, while protecting the north, to leave the whole south defenceless.

Mr. D. having concluded, the chairman gave the floor to Mr. Jones, of Maryland, who said that he desired to make some remarks, but that, as the hour was getting late, he would more that the committee rise.

Which motion prevailing, the committee rose, reported progress, and obtained leave to sit again.

Mr. Jones, of Pennsylvania, presented the memorial of numerous citizens of Pittsburg, in that state, praying the establishment of a national bank; which, on motion of Mr. F. was referred to the select committee having charge of the subject.

In pursuance of notice heretofore given—Mr. Hind asked leave to introduce a resolution, to continue in force for two years the act approved March 10, 1838, entitled "an act supplementary to an act entitled 'an act in addition to the act for the punishment of certain crimes against the United States, and for the relief of the soldiers therein mentioned,' approved, 20th April, 1818.

Mr. H. explained that he had adopted this course instead of introducing a resolution, which he supposed he would not, under the rules, be able to get in. He considered the matter to be one of great in-

portance, and his object was to have the bill referred to the committee on the judiciary.

The bill having been read once by its title—*Mr. Brewster* rose and objected to its introduction.

On motion of *Mr. Briggs*, the house adjourned. Tuesday, July 20. The journal of yesterday was read and approved.

The speaker presented a communication from the president, in relation to the law of the 10th March, 1838, which provides for the punishment of certain crimes against the United States, in getting up military expeditions against foreign nations.

Also, one in relation to our citizens held in imprisonment in Van Diemen's Land, by the British government.

On motion of *Mr. Cushing*, the message and accompanying documents were referred to the committee on foreign affairs, and were ordered to be printed.

On motion of *Mr. Mallory*, the house again resolved itself into committee of the whole on the state of the union, (*Mr. Winslow*, *Mr. Adams*, *Mr. Bates*, in the chair), on the bill making appropriations for various fortifications, for armaments, and for preventing and suppressing Indian hostilities.

The question being on the motion of *Mr. Wise* to strike out the first section of the bill, *Mr. Jones*, of Maryland, who was entitled to the floor from yesterday, then addressed the committee during his allotted hour.

Mr. Mallory made an able speech in favor of the continuation and completion of our present system of defence adopted on the report and plan of *General Bernard*. He discussed the whole subject critically, showing the superiority of land fortifications over floating batteries.

Mr. Boardman said he should vote for the bill, even if it appropriated double the amount proposed. It was thought by some that a war with England was inevitable; and it was asserted that, if such should be the case, we would be whipped the first year. Why, said he, make such a degrading admission? It was not necessary that we should be whipped at any time, if we would only prepare for war when we ought to do it. He said the people would sustain them in making these appropriations. They found fault with the last administration, because it used the people's money for the purpose of corruption, and neglected these fortifications, and left them in the dilapidated state they now are.

Mr. J. H. Mason said that although he should vote for this bill, he would not do it for the purpose of giving opportunity to the late administration. He believed that the position of our foreign relations made these appropriations necessary, and in accordance with this opinion, he proposed an amendment, by inserting a provision that the first two sections thereof (i. e., those which relate to fortifications and armaments) should have no effect in the event of our difficulties with Great Britain being brought to an amicable termination, of which fact the president should judge, &c. The amendment was rejected.

Mr. Walz opposed the bill on the ground that it was unnecessary—there being sufficient unexpended appropriations on hand.

Twelve o'clock having arrived, the debate ceased, and the house proceeded to act on the amendments, pending and offered in silence.

After they had been passed upon. The committee rose and reported the bill to the house with amendments.

Mr. Bates moved the previous question on the different sections of the bill and the amendments, which was acceded to, and the house proceeded to act on the amendment reported from the committee.

The bill was then ordered to be engrossed for a third reading, after which *Mr. L. W. Adams* moved that that the third reading of the bill be postponed to Monday week.

The house refused to postpone, yeas 88, nays 124. *Mr. G. Durin* said there was last year a deficit in the revenue of \$7,000,000, and there would be a deficiency this year of \$8,000,000, from what was exhibited on this floor, it was quite problematical whether the revenue bill could pass. He thought that this bill should come in the rear of that one, and not appropriate millions, when there was nothing to pay it with.

Mr. Green moved to lay the bill on the table.—This motion was decided by yeas and nays in the negative, as follows—yeas 80, nays 124.

Mr. Winthrop moved the previous question, which was seconded.

Mr. McKim asked the yeas and nays on the main question; which ordered, and, being taken, were as follows:

YEAS—Messrs. Adams, Allen, S. J. Andrews, Arnold, Averett, Backus, Baker, Barnard, Barnes, Bidwell, Bridges, Briggs, Boardman, Bowne, Bowne, Bowne, Briggs, Brockway, Milton Brown,

Charles Brown, Burnett, Wm. Butler, William O. Butler, Cabot, Canby, William B. Campbell, T. J. Campbell, Carothers, Childs, Chittenden, John C. Clark, Staley N. Clarke, Clifford, Clinton, Cowen, Cranston, Craven, Cushing, Barrett, C. Davis, William C. Davis, Don John Edwards, Robert, Everett, Ferris, Fensenden, Filmore, Fornace, A. L. Foster, Gamble, Gales, Genry, Giddings, Gilmer, Goggins, F. G. Goode, Gordon, Johnson, Josiah W. Kirtland, Hall, Halsey, William Hastings, Hays, Henry Holmes, Housh, Howard, Hudson, Ingraham, James Irvin, William W. Irwin, Jack, James, Isaac O. Jones, John F. Kennedy, King, Lane, Lawrence, Linn, Linsley, Lewis, Robert McCall, Don McKim, Mallory, Thomas F. Marshall, Samuel Mason, Mathews, Mattocks, Maxwell, Maynard, Mercey, Moore, Morgan, Morris, Morse, Nowell, Oakes, Oswald, W. Parmelee, Pearce, Pondston, Pow, Powell, Profit, Ramsey, Benjamin Randall, Alexander Randall, Randolph, Ridgway, Rodney, Roosevelt, Russell, Salomon, Sanford, Sargent, Sargent, Shields, Simonson, Slade, Smith, Snyder, Stanley, Stokely, Stronach, Stuart, Taliaferro, Richard W. Thompson, Tillinghast, Toland, Tomlinson, Trumbull, Underwood, Wm. B. Ware, An Kennebec, Wallace, Ward, Warren, Wadsworth, Edward D. White, Thomas W. Williams, Chris. H. Williams, Winthrop, York, Augustus Young, John Young.

NAYS—Messrs. L. W. Andrews, Arrington, Atherton, Beeson, Boyd, Branson, A. V. Brown, Burke, S. B. Butler, G. W. Caldwell, P. C. Caldwell, J. Campbell, Cary, Chapman, J. W. Davis, Ward, W. Davis, Don John Edwards, J. C. Edwards, John G. Floyd, Garry, W. O. Goode, Graham, Green, Harris, John Hastings, Hopkins, Houston, Hubbard, Hunter, Cave Johnson, W. W. Jones, A. K. Keith, A. C. McCall, McKay, Merckland, J. T. Mason, Mathews, Miller, Oliver, Partridge, Payne, Pickens, Pinney, Redding, Rencher, Rhett, Riggs, Saunders, Shaw, Shepley, Seward, Simpson, Sargent, Turner, Watson, Wheeler, J. L. White, J. W. Williams, Lewis Williams, J. L. Williams, Wise—66.

The bill was passed as it was reported from the committee of ways and means, without amendment.

Mr. Wise gave notice that he should move that the house go into committee of the whole on the ordinance bill to morrow. And the house adjourned.

Wednesday, July 21. The journal of yesterday was read and approved.

Petitions were presented by Messrs. Chapman, of Alabama, and Burke, of New Hampshire, and appropriately referred.

Mr. Filmore, from the committee of ways and means, reported the following resolution, which was adopted.

Resolved, That the president of the United States be requested, if not incompatible with the public interest, to lay before the house any communication from the French minister in the security of the navy, relating to our commerce and navigation with France under existing treaties.

Mr. Filmore, from the same committee, moved to be discharged from the further consideration of so much of the message of the president of the United States and accompanying documents as relates to the Potomac bridge, and that the same be referred to the committee for the District of Columbia, which motion was agreed to.

Mr. Filmore, from the same committee, moved to be discharged from so much of the message and accompanying documents of the president of the United States as relates to the post office department; and that the same, together with a communication from the secretary of the treasury, enclosing a statement from the auditor of the post office department in relation to temporary clerks, be referred to the committee on the post office and post roads, and to the committee on commerce, &c. be printed. The motion was agreed to.

Mr. Winthrop, from the committee on commerce, made a report in favor of a revision of the tariff, accompanied by a resolution to appoint a committee to sit in the recess and collect information, with a view to report a proper system of duties at the next session.

A debate arose upon the resolution.

Mr. Winthrop explained the report, and the objection.

Mr. Wise moved to lay it on the table. He inveighed against any interference with the compromise act. The resolution was the initiatory step to a protective tariff. He doubted the power of the house to constitute a committee to sit during the recess.

Mr. Ingersoll supported the resolution, and maintained the power to create such a committee.

Mr. Adams violently opposed it as a scheme to introduce a protective tariff.

Mr. Niles advocated the resolution. He was an anti-tariff man, but he wanted information. He did not consider this as necessarily involving a design to revive a protective tariff. He thought that the people of the south, and the gentlemen of South Carolina and himself among them, would have to abandon some of their former positions, though still resolute against a protective system.

A largely increased revenue was necessary, and must be raised by impost.

Mr. Wise presented his objections to the creation of the committee, as a point of order, under the parliamentary law. The chair decided against *Mr. Wise*. Messrs. *Briggs* and *Williams* stated cases in support of the chair. *Mr. Gilmer* then spoke on the subject of the resolution. He was very desirous of collecting information, practical facts, on the subject of a tariff, but feared that the committee would be made too exclusive in its character, and that the bill would be *ex parte*. But it might present information from all sections and classes, from the planters of the south and the graziers of the west, as well as the manufacturers of the north.

Mr. Briggs occupied the floor; but the morning hour having elapsed, *Mr. B.* gave way to a motion by *Mr. Wise*, that the house resolve itself into committee of the whole on the state of the union.

Mr. Underwood and *Mr. Sargent* requested *Mr. Wise* to withdraw his motion momentarily to enable them to make reports.

Mr. W. assented thereto.

Mr. Sargent, from the select committee on the currency, reported a bill to incorporate the sobriety of the committee, the bill from the senate, to repeal the act commonly called the anti-bureaucratic law; which said bill was read twice by its title.

On motion of *Mr. Williams*, of Md. the amendments were read. And on motion of *Mr. Sargent*, the bill and amendments were referred to the committee of the whole on the state of the union, and were ordered to be printed.

Mr. Underwood, from the committee for the District of Columbia, reported a bill, accompanied by a report, to continue the corporate existence of the banks of the District of Columbia on certain conditions.

On motion of *Mr. D.* the bill and report were referred to the committee of the whole on the state of the union, and were ordered to be printed.

Mr. Barnard, from the committee on the judiciary, made a report, accompanied by a bill to establish a uniform system of bankruptcy throughout the United States.

The bill was read twice by its title, and, on motion of *Mr. B.* the bill and report were ordered to be printed.

Mr. Briggs was understood to move that 2,000 extra copies of the report be printed.

Mr. Barnard from the committee on the judiciary, offered the following resolution:

Resolved, That it is inexpedient for the house to take up the bankruptcy bill reported from the committee on the judiciary for consideration at the present session of congress.

Mr. B. stated that he presented the resolution in obedience to the instructions of the committee, though he was himself opposed to it. He desired the action of congress on the bankruptcy law this session.

Mr. Milton Brown, as one of the committee, also expressed his dissent from the resolution, and moved to lay it on the table.

The house voted to lay it on the table—yeas 118, nays 81.

On the motion of *Mr. Wise*, then resolved itself into committee of the whole, (*Mr. Gilmer* in the chair), on the bill to provide for the support of a home squadron.

Mr. Wise explained the objects of the bill, and moved an amendment to make it optional with the secretary to use two steamers or employ any other equally efficient force.

Mr. J. Q. Adams opposed the amendment with great earnestness. He insisted that it was as the most important and useful portion of the proposed naval force. (*Mr. Wise* withdrew the amendment.) *Mr. Adams* briefly advocated the bill. He pointed to the urgent importance of such a measure in view of the grasping and pygmy spirit of the British government, which was now sending its men-of-war to survey, explore and sound all the shores and waters of the western hemisphere.

Mr. McKay objected to the form of the bill, as not sufficiently specific as to the details of the appropriations.

Mr. King advocated the bill, and went into the whole subject, as a member of the naval committee.

After a debate, in which Messrs. Gordon, Barnes, Folsom, McKim, Rogers, and others took part, the committee rose and reported the bill.

The bill was then passed—yeas 184, nays 8. The house adjourned at two o'clock.

CONGRESSIONAL ABSTRACT. Business is now progressing in congress. The appropriation for the HOME SQUADRON, passed the house of representatives by a vote of 184 to 8. The sum appropriated is \$739,240, for the construction and outfit of two frigates, two sloops, two armed steamers and some small vessels. The able report made upon the subject by Mr. KING, of Georgia, from the committee on naval affairs, we have in type, and shall be inserted in our columns, with a prefatory note of two millions, with a view of dispensing with the treasury note system, has passed both houses and been signed by the president—as has also the bill for the relief of the widow of WILLIAM H. HANNAH. Mr. CHASE's bill for establishing yet under discussion in the senate having gone through with the amendments proposed, the bill has been reprinted and ordered to be printed; meanwhile a bill similar in its provisions, has been reported and is now before the house of representatives. The bill for the distribution of the proceeds of the public lands, having passed the house, now awaits the action of the senate, and the bill repealing the sub-treasury law, having passed the senate now awaits the action of the house. Mr. SARGENT has introduced a bill to whom it was referred, reported it with some amendments on Wednesday last. Bills making appropriations for progressing with fortifications—for the relief of the lunatics of the District of Columbia, and the navy pension bill, have several times passed the house. A bankrupt bill, similar in its provisions to the one that passed the senate last session, was reported in the house on Wednesday, and also a bill to extend the charters of the banks in the District of Columbia.

CHRONICLE.

ABSTRACTION. The art appears to have been reduced to a science, and not infrequently, but generally avoided. One day's mail last week brought in accounts of three several banks having entered, locks and bolts to the contrary notwithstanding, and seven more and counting have been entered by burglars on Monday night last in Philadelphia.

Another great robbery has been perpetrated; 90,000 dollars was abstracted from the branch of the State Bank of Illinois, at Jackson, by means of false keys—the night of the 11th inst. Of this sum \$75,000 was in paper, \$17,000 in notes of the parent bank, and the rest comprised in notes of the several branches; \$5,000 in gold and \$4,000 in silver. The stolen books and papers of the institution were wantonly mutilated. Five thousand dollars reward has been offered.

THE UNION BANK OF MARYLAND. A meeting of the stockholders recently convened, for the purpose of examining the condition and determining whether to continue in operation or to wind up the concern. The condition of the institution was diligently inquired into, and reported, first by a board of directors who report the stock originally \$100, to be worth \$73.96 without bonus or \$75.39 with bonus included. This report was referred to a committee of the stockholders, who made a careful examination, arrived at the conclusion that the bank ought to continue in operation, only one of the committee dissenting. This report has been assented to, and the bank is therefore to continue its operations.

ERNEST BLACKMAR. departed this life at Thompson, Connecticut, on the 12th ult. in the 99th year of his age. He was the son of James Blackmar, and born in Gloucester, Rhode Island, in August, 1742—some thirty-one years before the American revolution. He was in the troops raised in the British colonies to take the island of Cuba, under the earl of Albemarle and Admiral Prescott, in a regiment commanded by Major General Putnam. He was in Captain John Spaulding's company, of Plainfield; lieutenant Smith and ensign Pennington, of Killybeg, General Lyman, of Springfield, of Northampton, and Col. Putnam, of Plainfield. He was without doubt the last surviving soldier at the taking of the Fort Mifflin, and the oldest in serving on the side of King George the third. He sustained through life the character of an honest and upright citizen, and returned to the last, in a great degree, his body and mental powers.

COLONIZATION SOCIETY. The receipts into the treasury of this society, from the 20th of January to the 11th July, the present year, amount to \$1,754.18, being \$24.31 more than were received during the same period last year. The African Repository says "should a similar increase be realized for the remainder of the present year, the society will be able to carry on its ordinary business of the society, and do much toward the extinguishment of the old debt, if not to cancel it entirely."

COTTON. Charleston, July 17. More inquiry for the article. Sales 3,049 bales at 8 to 10 cents.—See *Journal de mer.*

DR. DE MONT. "the companion of Emmet in the attempted revolution of Ireland, long years ago, and in the subsequent imprisonment and exile with which that attempt was punished," died at New York, where he had become estranged in the practice of medicine.

on Monday the 12th inst. in the 79th year of his age.

Robert Raymond Reed, late governor of Florida, died at Tallahassee, on the 2d instant, of congestive fever. He has been in some measure identified with the "true and progress" of that territory, and before the emigration thither held important offices in the state.

ERIE HARBOR. The Erie Observer of the 2d instant says, the schooner Experiment, captain Downs, sailed from this port on Monday evening last for Providence, Rhode Island, with 100 passengers, and 100 tons of cargo, and a little strange to our readers for us to state that vessel leave our beautiful harbor for ports on the Atlantic; but strange as it may appear, it is true, and the time is not distant when we will see vessels, in the port of Proque Island, that have sailed across the Atlantic. At Buffalo, captain Downs intends to take down the masts of his vessel and pass through the New York and Erie canal to the Hudson.

FIRE. The Huntsville Democrat reports the destruction by fire, of the bell factory in Madison county, Ala. owned by Messrs. Patton, Donagan & Co. together with about 100 bales of cotton. The loss estimated at from thirty to forty thousand dollars.

FLORIDA. It is believed that the five different detachments which Col. Worth has directed to visit various places in Florida, will be the means of breaking up the planting grounds and strong holds of the hostile Indians.

Cocacoe and his band, who, our readers may recollect, were captured some time since, and sent to New Orleans, have been recaptured by the forces of Colonel Worth, in Florida, where it is contemplated to use him in the future conduct of the war.

FLOUR. There were 6,335 bbls. and 640 half bbls. inspected last week in Baltimore—prices range from \$3.50 to \$5.75.

AT CINCINNATI. \$4.

THE HOUSE OF COMMONS, of Great Britain, consists of 643 members.

LIGHTNING RODS SHOULD NOT BE PAINTED. Oil is a non-conductor.

McLellan case. By the decision of the supreme court of New York, inserted in the number of the Register, the prisoner is remanded for a jury trial. We learn that the idea of appealing from the decision of the supreme court to the court for the correction of errors, has been rejected, and that the case will be argued in the prisoner's counsel, is removed to Onondaga, where the prisoner is now in custody, awaiting his trial by a jury of his country. The trial is to take place in September.

MISCELLANEOUS. An English paper states that the owner of an ambulating menagerie lately calculated that all the ferocious animals which are now confined in Europe were lost in an immense forest, it would contain 228 lions, 389 tigers, 102 leopards, 220 panthers, 67 elephants, 10 rhinoceroses, 3,700 wolves, 77 rattle snakes, 216 box coconuts, 1,040 hives, and 96 crocodiles.

Managers. Numerous applications to the department for appointments continue to be made, notwithstanding the fact has been made public, that the corps was filled in overflowing pretensions to the 4th March last, and that consequently no vacancies exist.

NEW YORK STATISTICS OF THE CITY. A new business directory gives the following as among the most numerous trades and professions in New York: Commission merchants about 600; importers (58 classes) 244; grocers 365; lawyers 596; brokers, (67 classes) 214; auctioneers 59; hotel-keepers 229; restaurateurs 70; hardware dealers 61; hide and leather dealers 43; bookellers and publishers 64; newspaper 48; periodicals 64; printers 106; druggists 83; hatmakers 17; tailors 74; hat dressmakers 42.

POTATO BUSINESS. New England with a territory scarcely as large as our country of Appaling, produces, according to the late census, 24,435,831 bushels "Irish potatoes annually." Where do they find room, in that little country to pile them up? Thirty-four bushels, one only think! At twenty cents a bushel, (they are worth here a dollar and a half) the potato crop of little New England amounts to over seven millions of dollars! For the entire country crop of Georgia for the last year, for ten cents a pound! Besides this, the same New England makes, one year with another, it seems, 2,192,062 bushels of wheat, and 15,195,972 bushels of other grain—wheat, at three cents a bushel, amounts to upwards of ten millions of dollars! How many bushels of wooden nutmegs, horn gum flints, poplar hams, &c. &c. these same enterprising chaps have made, the census does not inform us.

[*Memo (Sta) Telegraph.*]

PRESIDENTIAL. A meeting was held in the county of Philadelphia on Monday 12th instant which recommended General Cass, as a candidate for the presidency.

RUNAWAY SLAVE AFFAIR. Yesterday the bark *Kanawha*, Leckie, master, arrived here from Mobile, with a slave, who had stowed himself away on board, unobserved by the crew and master. The owners of the vessel, Messrs. A. & C. Cunningham, forthwith sued

the fugitive gentleman, for his passage, which they charged at seventy dollars, and had him arrested for that amount by constable Clapp, who committed him to jail. The colored man was held in the common jail, and manifested some excitement about it, which terminated in their peaceably bailing him out. In the meantime, too, the abolitionists were on the qui vive, and S. S. Seawell, esq., obtained a writ of habeas corpus to bring the slave before the supreme court, to be released; but he had not been out before the officer, named Frank, reached the jail, and the supreme court, precept. He has, therefore, nothing more to do than to rail road and steamboat to Canada, and become one of queen Victoria's loving subjects. [*Just Post.*]

STEAM BRIDGE. The St. Louis Argus describes the following: "A striking use of the steam engine has been adopted for crossing the Mississippi. It is a floating bridge, seventy feet long, and sixty feet wide, impelled by two engines of twenty horse power, and making the passage (2,000 feet) at the speed of about 350 feet a minute. The bridge draws, with all its machinery, but two feet. This capital invention will naturally supersede the awkward contrivances of bridges of boats on the great European rivers, and will not improbably obviate the formidable expense of building bridges, and must greatly facilitate communication in colonies and new settlements in every part of the world."

STAMMERS. The Britten left Boston on Saturday, carrying 100 stammers, and 39 barrels of Hulfia; she carried also 50,000 letters and 12,000 papers. She passed the Calcutta off Cape Island, in Boston harbor.

STOCKS. United States bank shares at New York, 17; Indiana 95; \$27,000 at 56.57.

SCAL. Some of the spirited planters of Cuba are taking steps to improve the quality of the sugar cane. A company has been formed, with a view to the raising and seed a parcel of 400 tons burrito to Oahu to give a cargo of the cane indigenous to that island for planting out in Cuba.

SUCIDES IN FRANCE. It appears from an official document recently published, that the number of suicides in France increases each year. In the number of suicides amounted to 2,577, being 161 more than in 1833, 303 more than in 1837, and 407 more than in 1836. The department of the Seine was the most prolific source of the entire, 668 females are returned among the suicides. Each period of life, from infancy to old age, has paid its tribute to this malady. There are two periods, first, from birth to marriage, and second, from marriage to old age. In the first, there are 102, two of twelve, two of thirteen, three of fourteen, many of fifteen, 147 of sixteen to twenty-one, 335 of 21, 183 of twenty and forty-one of eighty. The means most frequently employed were hanging, strangulation and suffocation. 955 individuals drowned themselves. 149 attached themselves with the fumes of charcoal, which appears to be the principal mode resorted to by the Parisians.

SIX STROKE. An eminent physician at New Orleans avers his belief that men stroke kills by epilepsy of the lungs, and not of the brain; in which opinion he has been confirmed by every dissection he has made within the last two years.

TEAPARTY. On Thursday afternoon last, at 5 o'clock, the farmers, mechanics and ladies assembled in the lot of the Messrs Osborn, in Pleasant street. About 1,200 individuals were given out, which called forth the farmer and his lux, the mechanic and his apprentice, and all, as far as possible, to join in a purely democratic and "right down good time." So it was a beautiful day and delightful sport were selected; a gaily band of music employed; an abundance of cake and lemonade provided; and about 800 ladies and gentlemen collected to enjoy their perquisites to pleasure. After sunset, a procession numbering about 400 was formed, which proceeded to the Town Hall to pass off the remainder of the evening in a dance. [*Northampton Courier.*]

TORRONS. Our last quotations of this article are fully sustained by the following: The quantity of wheat of the inspections of the last week in Baltimore comprised 353 Maryland, 392 Ohio, 7 Virginia and 10 Kentucky—total 765.

TRAVELLING. The number of passengers between New York and Philadelphia in a year amounts to nearly 200,000. The New York and New Jersey has carried \$30,000 from a tax of ten cents on each passenger.

WATERFORD. Saratoga county, New York. A fire which originated in a small building for storing lime, in the village of Waterford, on the afternoon 11th inst., raged for three hours with fury, first to consume seventy or eighty buildings, fifty of them dwelling houses, besides the Episcopal church, Academy, the Manual School, and Saratoga County bank. Loss estimated at \$150,000.

WATERING PLACES. Saratoga has a large number of victuaries, and the hotels are crowded with gay and fashionable people.

WATER IN LONDON. The quantity of water daily supplied to the city differs very much from that of London in 1833 it was 21,110,555 imperial gallons; furnishing each individual of its population, a daily supply of about ten gallons of this chief article of life.

WHEAT. New Maryland wheat brought \$1 25, and new Virginia red \$1 15, in Baltimore market last Saturday.

NILES' NATIONAL REGISTER.

FIFTH SERIES. No. 22.—Vol. X.]

BALTIMORE, JULY 31, 1841.

[Vol. LX.—Whole No. 1,507.]

THE PAST—THE PRESENT—FOR THE FUTURE.

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For latest FOREIGN NEWS see POSTSCRIPT on the CHRONICLE page.

FOREIGN AFFAIRS.

COMFATATIVE POWER IN THE NEW ARMY OF WAR.
British war steamers.—According to the navy list for the 1st of April, the following is the number of steam vessels in her majesty's service at that period:—Steamers aloft on the high sea 78, of which 25 are mail packets at various stations; steamers aloft on the lakes of Canada, 4; steamers building, 22; general total, 104, of which several were above 300 horse power, and a greater number above 200.

Very few war steamers are building. The number of the marine for 1842, the number of French war steamers is fixed at about 34 aloft, of which only 6 are of 220 horse power, and none above.

Le Rochefort states that, unusual activity has of late been displayed by the naval armament of Rochester in fitting out ships of war. Besides the ships of the line *Indefatigable* and the frigate *La Gloire*, the steam frigate *Gomer*, which was only commenced in January last, is nearly completed. *Le Rochefort* adds that this immense frigate is 27 feet longer than the *Hercules* of 100 guns, and the distance between her main peak and the point of her jibboom is 320 feet, which is equal to the height of the pillar to the Place Vendôme placed upon the batteries of the town of New Orleans. It will consume 94 tons of coal per day to animate, this colossal.

After the *Gomer* is finished, four large steamboats of 450 horse power will be commenced, and afterwards the *Coscatores*, *Monge* and *Infernal*, in all, nine steam frigates. Two warships, the *Capitaine* and *Messenger*, and the cutter *Le Balin*, will be launched at the same time as the *Gomer*.

Russian steamers.—Late advices from St. Petersburg say there are now aloft on the Neva, 34 steam vessels, of which 15 belong to the crown, and the rest to companies or individuals.

Launch of the Trafalgar.—The anniversary of the battle of Trafalgar, was commemorated by the launch of one of the finest war vessels ever built in the dock yards of England, at Woolwich, in the presence of the queen. A ship launch is always a favorite spectacle with English sight-seers; and the new vessel being one of the largest in the first class of line-of-battle ships, rated as 120 guns, but actually mounting more, the occasion was one of great interest. The concourse was numerous beyond all precedent.

Looking downward to the keel, and upward to the bulwarks, the height of the vessel was tremendous. The ship, as we have said, is registered to carry 120 guns; and from the fore head to stern is 246 feet 2 inches; extreme breadth 55 feet 7 inches; depth of the hold 32 feet 2 inches; its burden upward of 2,711 tons [old measurement]; its height 64 feet 11 inches. On the poop were crowded the queen, the royal family, and the courtiers, with the hussars, and the row of their weather-beaten, wrinkled visages, topped with three-cornered hats that became them as well as oak-crests would have done, looked like a quaint ornamental standing to the sides.

Opening throughout of the Great Western railway.—This magnificent railway is opened throughout the line between London and Bristol, 120 miles. From Bristol to Bridgewater has been so for some weeks. The Great Western railway would have been open so long since, but for the tunnel through Box-hill, [six miles from Bath], which is nearly three miles in length, principally cut through stone. The difficulty and danger of forming this monster tunnel were looked upon as so great, that some time ago it was about to be let out to undertake the work, and it was at one period intended to carry the railway

around instead of through the hill. After very great difficulties and impediments, the tunnel has been completed, and will remain a wonderful monument of the power of human intellect and industry. Between Bristol and Bath alone, a distance of about twelve miles, there are six tunnels some of them of great length. The summit of the level of the whole line is at Swindon, 76 miles from London, and 27½ feet above the terebras at Bristol. In February, 1836, the works were commenced, the original estimate of which was two millions and a half sterling; but the actual outlay has been more than double that amount—expended of twenty millions of dollars. The distance from London to Bridgewater to be achieved in five and a half hours, and persons will be able to travel from London to Bristol in about four hours—120 miles.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.

Burgess S. Gathier, superintendent of the branch mint at Charlotte, N. Carolina.

United States attorneys.

Cornelius Darrah, western district of Penn.

Return J. Meigs, middle district of Tennessee.

Charles Chapman, district of Connecticut.

John H. Smith, district of Maryland.

Charles Davis, district of Vermont.

Balie Peyton, eastern district of Louisiana.

Joshua A. Spencer, northern district of N. York.

Justin Butterfield, district of Illinois.

Franklin Dexter, district of Massachusetts.

Thomas W. Sutherland, district of Wisconsin.

United States marshals.

Israel W. Kelley, district of New Hampshire.

Sylvester Harshorn, district of Rhode Island.

Thomas B. Johnson, district of Iowa.

John D. Kinsman, district of Maine.

William H. Russell, district of Missouri.

Silas M. Stillwell, southern district of N. York.

Anderson Miller, southern district of Mississippi.

Thomas H. West, district of Arkansas.

John B. Eldridge, district of Connecticut.

John G. Camp, middle district of Florida.

OFFICERS OF THE CUSTOMS—Collectors.

William H. Allen, New Bedford, Massachusetts.

Thomas H. Bond, Oswego, New York.

Bureau.

Peleg Aborn, Pawtucket, Rhode Island.

Samuel Atkinson, Wheeling, Virginia.

Dennis M. Williams, Nottingham, Maryland.

DIPLOMATIC. *The Russian minister* Mr. Bodisco, is about to quit this country with his young American wife, having received an appointment to the court of Vienna.

The Austrian minister. Mr. Marschal, also leaves us, for the court of the young queen of Portugal.

BOUNDARY LINE BETWEEN TEXAS AND THE U. STATES.

Through the politeness of a gentleman, one of the engineering corps, we learn that the commissioners who have, for some time, been engaged in running the boundary line between the U. States and the Texan republic, completed their appointment at the north end on Thursday, the 24th ultimo. The line strikes Red river one mile and a half above the White Oak shanty, near Mr. David Lloyd's, on range 28, about fifty yards below range 29. The timber has been cut about two feet on each side of the line, making an opening of twenty feet the whole length of the line; mounds have also been raised at every mile, five feet high.

[Arkansas State Gaz.]

THE MEXICAN COMMISSIONERS. The Mexican says that the house of commissioners appointed under the convention of the 11th of April, 1839, between the United States and Mexico, to adjust certain claims of citizens of the former against the latter, have been in session in Washington about one year. The board consists of four commissioners, two on each side, their secretaries and an umpire. A report from the American commissioners, of the progress and condition of the commission, under date of the 26th of May last, addressed to the United States senate, and published by order of the senate. From this it appears that great differences of opinion have arisen between the two

sides as to the powers and duties of the board. The Mexican commissioners, it seems, took their oaths before each other and then swore their secretary, and a discussion on the validity of this oath occupied the board a week. Then a discussion arose upon the rules of proceeding, which occupied the board some weeks. The Mexican commissioners pretending that the two governments were the parties litigant, that no claimant should be allowed to come before them, and that no document would be received by them unless it came through the department of state. The American commissioners were compelled to yield, after long but vain opposition, to these unjust rules of proceeding. Owing to the great delay occasioned by the difficulties raised by the Mexican commissioners, it was not until the 28th day of December, 1840, that the first case came before the board for a hearing on its merits. The denial of access to the claimants, and the circuitous method of obtaining proofs, and the whole course of the Mexicans have embarrassed all the proceedings, and tended very much to bring the convention to naught. One of the claimants, Mr. Santangelo, has published a pamphlet, in which the proceedings of the convention are strongly objected to, and the conduct of the Mexican commissioners particularly censured.

The following cases have been brought to a hearing and awards made by the board in favor of the claimants, since January last:

Peter Harmooy,	\$11,130
J. J. Astor & Son, New York,	37,661
Boardman & Pope, Boston,	27,461
Hitty Green, Key West,	16,941
Samuel Chew, Philadelphia,	18,291
Smith Thompson, New Haven,	2,098
Theodore Deering,	2,434
Francis H. Arnold, and others,	84,062
Ratchefs Hicks, Rhode Island,	15,452
Richard J. Arnold, do.	7,726
J. Nicholson, am't of A. L. Duncan,	138,824
Louisa Livingston, ex'x. of E. Livingston,	45,279
John C. West,	48,452
W. H. Sines and wife,	32,699

Total, \$908,381

Eleven other cases have been discussed and sent to the umpire with the arguments pro and con, as far back as May. Only one claim has been rejected, but a number have been laid aside or suspended, some because they are not among the claims that lawfully come before the board, and others because additional documents and explanations are wanting. "A large number of cases," it is judged, are yet to be submitted for examination, so that there seems to be no immediate prospect of the sitting of the board being brought to conclusion. The American commissioners are, William L. Mary and John Rowan; the Mexican, Senores Joaquin Valazquez de Leon and Pedro Fernandez del Castillo.

THE FORTIFICATION BILL passed on Tuesday in the house of representatives, by the decision of yeas and nays, 149 yeas, and 100 nays, in favor of 148 to 66. We copy from the National Intelligencer, the bill.

A bill making appropriations for fortifications, for ordnance, and for preventing and suppressing Indian hostilities.

Be it enacted by the senate and house of representatives of the United States of America in congress assembled, That the following sums be, and the same are hereby appropriated, to be paid out of any moneys in the treasury not otherwise appropriated, to-wit:

For repairs of Westward battery, Governor's Island, Boston harbor, five thousand dollars.

For repairs of Southeast battery, Governor's Island, Boston harbor, five thousand dollars.

For repairs of Fort Independence and sea-wall of Castle Island, Boston harbor, sixty-five thousand dollars.

For Fort Warren, Boston harbor, one hundred and five thousand dollars.

For repairs of Old Fort at New Bedford harbor, five thousand dollars.

For Fort Adams, Newport harbor, forty-five thousand dollars.

For fortifications in New London harbor—rebuilt of Fort Trumbull, Connecticut, thirty five thousand dollars.

For repairs of old Fort Griswold, New London harbor, Connecticut, ten thousand dollars.

For completing repairs of Fort Niagara, New York, and erecting and repairing necessary buildings thereon, twenty thousand dollars.

For completing repairs of Fort Ontario, Oswego, New York, and erecting necessary buildings thereon, fifteen thousand dollars.

For Fort Schuyler, New York harbor, seventy thousand dollars.

For repairs of Fort Wood and sea-wall, Bedlow's island, New York harbor, fifty thousand dollars.

For permanent walls for Fort Columbus, Castle William and South Battery, Governor's island, New York harbor, twenty thousand dollars.

For repairs of sea-wall of Castle William and other parts of Governor's island, seven thousand dollars.

For Fort Delaware, Delaware river, provided the title to the Pea Patch island shall be decided to be in the United States, including twenty-two thousand seven hundred and seventy dollars carried to the surplus fund, January 1, 1841, fifty thousand dollars.

For repairing forts at Annapolis harbor, Maryland, five thousand dollars.

For repairs of Fort Washington, Potomac river, thirty-five thousand dollars.

For Fort Monroe, Old Point Comfort, Virginia, one hundred and fifteen thousand dollars.

For repairs of forts Caswell and Johnson, and preservation of the site of the former, at the mouth of Cape Fear river, North Carolina, five thousand dollars.

For Fort Sumter, Charleston harbor, South Carolina, fifteen thousand dollars.

For commencing dikes to Drunken Dick shoal, for preservation of Sullivan's island, and site of Fort Moultrie, Charleston harbor, South Carolina, thirty thousand dollars.

For Fort Pulaski, Savannah river, Georgia, thirty-five thousand dollars.

For repairs of Fort Marion, St. Augustine, Florida, twenty thousand dollars.

For continuing sea-wall at St. Augustine, Florida, five thousand dollars.

For Fort Pickens, Pensacola harbor, Florida, twenty thousand dollars.

For Fort Barrancas, Pensacola harbor, Florida, forty-five thousand dollars.

For Fort Morgan, Mobile point, Alabama, forty thousand dollars.

For Fort Livingston, Barrataria bay, Louisiana, thirty thousand dollars.

For repairs of other forts on the approaches to New Orleans, Louisiana, fifty thousand dollars.

For engineering of fortifications, fifteen thousand dollars.

For incidental expenses, attending repairs of fortifications, fifty-five hundred dollars.

Sec. 2. And be it further enacted, That the following sums be, and are hereby, appropriated in like manner:

For current expenses of ordnance service, twenty-five thousand dollars.

For purchase of ordnance and ordnance stores, seventy-five thousand dollars.

For armament of fortifications, one hundred thousand dollars.

For purchase of saltpetre and brimstone, twenty thousand dollars.

Section 3. And be it further enacted, That the following sums be in like manner appropriated:

For preventing and suppressing Indian hostilities, viz:

For balance required, in addition to the sum applicable out of the amount appropriated at the last session of congress, for arrangements of pay due Florida militia called into service by the governor of the territory to eighteen hundred and forty, nineteen thousand three hundred and eighty-eight dollars and two cents.

For arrangements of pay due Florida militia, commanded by brigadier general Reed, for six months in the service of the United States, commencing November, eighteen hundred and forty, and terminating April, eighteen hundred and forty-one, two hundred and ninety-seven thousand two hundred and thirteen dollars and ninety-two cents.

For arrangements of pay due to a battalion of Georgia militia, for services on the frontiers of Georgia and Florida, in eighteen hundred and forty and eighteen hundred and forty-one, twenty-eight thousand four hundred and ninety-five dollars and ninety-two cents.

For the quartermaster's department, the sum of four hundred and forty thousand and forty dollars, that being the amount required in addition to the amount appropriated at the last session of congress, which last sum of money for preventing and suppress-

ing Indian hostilities are to be expended under the direction of the secretary of war, conformably to the acts of congress of the 19th of March, one thousand eight hundred and thirty-six, and the acts therein referred to.

THE ARMY.

St. Augustine, July 16. Yesterday the flag at St. Francis' barracks was suspended at half-mast, and a salute of guns fired from Fort Marion, in tribute to the late commander-in-chief, gen. Maromb.

Major Churchill, major Mapes, and capt. Heintzelman, United States army arrived in town Sunday last. These officers together with captain Conner, who had previously arrived, constitute a board for the examination of claims, and immediately entered upon their official duties. Major Churchill president, and Mr. Tolle, recorder of the board.

GENERAL ORDERS, No. 24.

Head quarters of the army, adj. gen. office, Washington, June 22, 1841.

I. The attention of the president of the United States has been called to the ease of captain G. C. Hutter of the 2d regiment of infantry, recently tried by a general court martial, and sentenced thereof, reprimanded in orders, and required to join his company in Florida. Instead of complying with said order, the captain, after communicating to the department of war his dissatisfaction at the proceedings of the general-in-chief in his case, expressed his intention to go, and has actually proceeded from Lynchburg, Virginia, to St. Louis, Missouri, for the transference of some private business, without asking authority therefor, and has for two months been absent from his regiment without leave and without reporting himself to the proper authority.

After a careful consideration of the whole subject, the president, availing no palliation for this open dereliction of duty, contempt of authority, and disobedience of a positive order on the part of captain Hutter, deems it due to the public interest, and necessary to the maintenance of discipline, that he should be dropped from the rolls of the army. Accordingly captain Hutter will cease to be an officer from the date of this order.

II. First lieu. R. C. Ashton, adjutant of the 2d regiment of dragoons, having obtained a short leave of absence on false pretences, being now absent without authority, and under circumstances which would justify the most severe action to be taken from his regiment, and having, moreover, embezzled public and private funds in his trust for disbursement and safe keeping, is, by direction of the president of the United States, dismissed from the service with disgrace.

By order of Alexander Macomb, major general commanding-in-chief.

L. THOMAS, Assistant adjutant general.

THE NAVY.

A slip from the office of the Norfolk Beacon, dated July 24, 7 P. M. has the following:

"The U. S. stoop of war Fairfield, commander Talmat, came up from Hampton Roads to-day and anchored off Lambert's Point, (wind and tide being ahead) where she fired a salute, which was answered from the Pennsylvania, bearing the broad pennant of com. Morris. We learn that she is coming up for the purpose of having some alteration made in her cabin for the accommodation of capt. Burgess, who will proceed to the Mediterranean in her. The U. S. stoop of war Cyane, at present lying at the navy yard at Gosport, was put in commission to-day. Commander James Armstrong has been appointed to her command. We understand her crew will be crewed in a few days. Her destination is supposed to be the Brazil station.

The U. S. ship of the line Delaware, bearing the broad pennant of com. Morris, remains in Hampton Roads. Com. Morris has not yet reached here. The sloop of war George Macdonald, and the U. S. stoop of war Warren, of the West India squadron, were spoken off Charleston on the 18th instant. They were bound north.

The Vernoe at Boston from Buenos Ayres, reports that the schooner Eclipse, sailed thence May 25, for Montevideo and Rio Janeiro.

Ship Kremlin, formerly of Boston, purchased by the Buenos Ayres government, for a ship of war, was named the "Twenty fifth of May," and was to mount 28 guns, 18 and 24 pounders.

The ship of war, com. commander Voorhees, was at Marselles, June 25, for Mahon next day, and thence to Gibraltar.

From the Pacific. Advices from Lima have been received by the New York Journal of Commerce by the ship of war, com. commander Voorhees.

The U. S. frigate Constitution, captain Daniel Turner, was at Lima on the 20th May and would

sail for the United States in the beginning of July. The stoop of war Yorktown, capt. Anlick, is nearly ready for sea, bound for the Sandwich, Society and Friendly Islands and New Zealand; the U. S. ship of war "Dale" com. Maunsell was at London, but expected shortly to take a cruise to leeward, perhaps as far as Guayaquil. The U. S. schooner Shark, lieu. comd. Bigelow, was on a cruise to Payson, Guayaquil, &c.

We learn that the U. S. ship Delaware 71, bearing the broad pennant of commodore Morris, is expected to arrive in Annapolis Roads forthwith.

THE CONTEST FOR TRADE.

In proof of the position which we assume in the Register, of the 17th instant, of the approach of a trying contest with the most powerful government upon earth for our fair share of the trade of the world, we refer our readers to three several articles contained in the present number. The first of those is the report of the committee of the house of representatives upon naval affairs. The committee have attended almost exclusively to the belligerent aspect of the facts they exhibit. In that aspect they are imposing and alarming. The subject of this country to a contest of what is required for the safety of their lives and property. But that is an uncertain, and we sincerely hope, a remote contingency, though it is one for which the country ought to be prepared, as being the very best and cheapest method of averting it.

But the facts contained in the report alluded to, viewed in another aspect, exhibit an immediate—'we had like to have said inevitable danger to the trade and commerce of this country, which requires instant and the most effectual measures to counteract. It is a giant grasp that the British government are in the act of making for a monopoly of the intercourse between the various sections of the globe. We have not space to devote in remarks of our own upon the subject at present, and therefore simply direct the attention of our readers to the document referred to, and to the following extract which we take from the New Orleans Bix, which reached us by the last mail, as illustrating the facts to which special attention should be directed.

"The Royal Mail Steam Packet company. The following account of the Royal Mail Steam Packet company and their steamers, which is the course of a few months are to be the subject of a very monthly paper, as often inwards, has been communicated to us from an authentic source, and cannot fail to prove interesting to our readers.

The capital of the company is £1,500,000 in 18,000 shares of £80 each. The direction of the company is placed in the hands of the most eminent merchants in London. The company is incorporated under a royal charter from the crown, and for the express purpose of performing the public service of carrying the mails between England and a large portion of the western world. By their charter the company cannot own any vessel but such as are engaged under contract with the government, nor can they go to any port or place save those to which under such contracts they may be directed to proceed. The present contract extends to a period of ten years from the time of starting, and the remuneration is £240,000 per annum during peace, to be increased 25 per cent. should war arise. The mails on board of every steamer will be carried at the absolute charge of an officer of the royal navy, who will be paid a salary of £1,000 per annum, and express authority. To distinguish them from men of war, and at the same time to keep them under the denomination of national vessels, they will carry a particular British post office flag.

The steamers appropriated for this gigantic service are 14 in number, about 450 horse power and 1,600 tons burthen each. Of these, twelve will be constantly in active service with a spare steamer in England and one in this quarter of the world. They will be employed in carrying the mails, and in order that such may be able to take in its turn, the long voyage to England, by which means each will return to that country twice every year, and thus whatever repairs may become necessary may be readily and easily made. They are intended chiefly to carry passengers. Each cabin passenger will have a separate berth, six feet and a half in length, by seven and eight feet in height and neatly fitted-up, and furnished. There will be a separate state room and cabin for ladies, and the berths are so constructed that two can be thrown into one for the convenience of families. Each vessel will contain about one hundred such berths; the whole properly aired and ventilated. Each vessel will carry one large gun on the stern, and perhaps two upon deck. The crews will be chosen from the most skillful and experienced architects and engineers of Great Britain. They are a little larger

than the vessels in Cunard's line, and may consequently be expected to perform their voyages with equal if not greater celerity, especially when it is considered that by far the greater portion of their work will be done in a milder and more settled climate than the north.

The combination under which these steamers are to work, embraces a regular conveyance backwards and forwards twice every month, with every port in place, insular and continental, from Surinam on the east, to the bottom of the Gulf of Mexico on the west, and from Halifax by New York on the north, to Chagres on the south—the whole work on given points, so that there is not a day lost in the transmission of the mails either outwards or inwards, for as one steamer arrives at any given point, one or more are ready to start on other lines of the combination.

As the transmission of the mails no more time is occupied at any place, than is sufficient to exchange mails and passengers. The course outwards from Europe to this port, is by Madeira, (probably also Corunna), Barbadoes, St. Thomas, Porto Rico and Havana. The time calculated to accomplish it including stoppages, is 25½ days. The course to England is by Havana, Nassau and Fayal. The time from New Orleans to London will be 22 days; but should the steamers perform their work at the average rates of Cunard's line, the time between New Orleans and London, both outwards and inwards, will be nearly two days less either way. At Nassau the great line is connected with North America, and it also connects all North America with the whole of the West Indies, including the coast of South America and the Gulf of Mexico. A sailing vessel connects Madeira with Fayal. From New Orleans to New York, by Havana and Nassau, will occupy from 8 to 9 days each way. From New Orleans to Surinam will occupy 8 days; to the Cape of Good Hope, 10 days; to New Orleans to Barbadoes, 9 to 9½ days; from New Orleans to Lagayra, the same period, and so on, in equal proportions, throughout the whole extent of the line.

The course of the steamers throughout the different lines is so timed that answers to letters can be received with perfect regularity, and with the utmost possible despatch. On the arrival of the European steamer at Havana, all the mails which had been sent from North America are there received. Two steamers immediately start from the Havana; one proceeds to New Orleans with the outward mail. Thence she goes to Tampico and Vera Cruz, and taking in the return mail, proceeds back to Havana. The other leaves Havana for Vera Cruz, and from Tampico with the outward mails, and from the latter place to New Orleans where she takes up all the return mails, and carries them to Havana where she arrives at the same time with the other steamer, and where a steamer is ready to start to bear the whole to the connecting point of Nassau, when the mails proceed northward to North America, eastward to Europe, and southward to the West Indies. It will be readily perceived that by this arrangement abundance of time is afforded in every place for replies to letters.

We have conversed with the commissioner who has been appointed by the company and the government to make the necessary preparations for commencing this extended service. He informs us that every government and the authorities of every colony, British and foreign, from Surinam to the Mississippi, have most readily and cheerfully acquiesced in the views and wishes of the British government and company, by agreeing to counter the steamers as national vessels, to be consequently exempt from all port charges and custom house dues and regulations; and in permitting them to arrive and depart, land and receive mails, passengers and specie at all the ports.

The agent has politely furnished us with the names of the gentlemen comprising the direction of the company. They are the following: John Irving, M. P. chairman, Andrew Colville, vice chairman, Thomas Cairns, Thomas Baring, Henry David, son of P. Maxwell Stewart, John Irving, jun. Robert Catesworth, William Marshall, George Brown, Russell Elliot and George Hilbert.

Such are the outlines of the British project for monopolizing intercourse along our north Atlantic waters, in addition to that already established by Cunard's line.

One other extract, bearing upon the subject before us, must suffice for the present. It is from a letter which we find in the National Intelligencer, and has relation to similar projects even the western coast of this continent and throughout the great Pacific ocean.

Tulacumna, March 20, 1841.

MY DEAR SIR: As you did me the honor to ask me to write to you, I avail myself of the present op-

portunity to do so; and as you have always manifested so much interest in my plans, I will relate to you some account of my success since my arrival in the Pacific.

The first steamers, the "Pera" and "Cithi," of 700 tons and nearly 200 horse power, reached this port after a voyage of 55 days at sea from London, passing through the straits of Magellan, and occupying thirty hours from sea to sea, affording thereby another proof of the victorious power of steam. Although encountering at times adverse weather, not the slightest accident occurred to either ship or machinery. The combination of steaming and sailing has been beautifully demonstrated, and the sailing ships under canvass alone, with merely a section of the paddle floats taken off, was fully equal to the fastest ships.

Our steam operations commenced here under the most brilliant auspices. Nothing could exceed the interest manifested by the inhabitants. I first commenced on a line of coast of fourteen hundred and fifty miles, embracing no less than eleven ports of importance, including Lima and Valparaiso. Such were the facilities afforded by the millions of the south, that, in this coast, the ease in which the ports were entered, that so accomplished the voyage in its full extent within two or three hours, and to the minor and nearer ports in a less period. Perhaps no part of the world has been so well supplied with steam, offers such decided advantages for "steam" as this, and certainly no part of the world requires it more: voyages which were usually of twenty to thirty days are accomplished by the steamers in forty hours, and voyages of fifteen days are reduced to twenty-four hours.

As proper measures were not taken to secure a supply of coal from England, I have been obliged to stop until such supplies were forthcoming. Encouraged by the hope of meeting the millions of the south, I adapted to steam purposes. I explored the country as far as Chiloe, where I found coal, but that which offered most advantage was in the bay of Talcahuano; no mines had hitherto been worked, but several cargoes had been taken superficially; here I commenced my labors. Without practical knowledge or the aid of science, I have opened no less than seven mines—have found the material necessary for our purposes, and am now engaged taking out about fourteen tons per day at an expense of about one dollar per ton. I have found the steamer, its quality is in the proportion of sixteen tons to thirteen tons of English coal. I am now in hopes of finding another and lower stratum, and with this view I am sinking two shafts which give strong indications of better coal. If I succeed, I feel confident that I shall find coal fully equal to New Castle, if we draw a comparison between the first and second stratum, and that the quantity will be sufficient to supply all the steamers which may be required on this coast for any period. This discovery of steam coal will, perhaps, be considered one of the most important events in the history of this country. It is rather a singular coincidence that the coal discovered both on the eastern and western sides of the isthmus of Panama is of precisely the same character as the coal of Talcahuano. I have sent to the isthmus for some tons of this coal, and hope yet to derive our supplies from that source, so far as may be required for that portion of our steam service.

The line of steam communication I propose to extend immediately as far as Guayaquil, and for the present the intercourse from there will be by means of sailing packets once in twenty days.

As the line of commerce of the Pacific will, soon commenced to Australia. I feel the greatest anxiety to see this intercourse established. For America I consider it as one of the most important points; it will make her the stepping stone between Europe and the Eastern Archipelago. The Australian colonies of England will assume a position novel and of infinite value to them progress in civilization; the Anglo-Saxon race will occupy nearly all the vast inhabitable space embraced in their widely extended borders, and the tide of intercourse will run from the shores of Japan and China to be poured in the same position as it regards our western shores of the Pacific as Europe occupies as it regards our Atlantic states.

In considering the establishment of steam navigation in the Pacific as the pioneer of these great events, the barrier that divides the two seas or oceans will soon disappear. I have ocular evidence that the junction can be effected with infinitely less difficulty than is imagined. I passed over the Isthmus on the 10th inst. to this country with a vessel of the tonnage of forty feet, and a distance of twenty-eight miles. This is but a barrier of straw when compared to the vast results which will be produced. I sincerely hope that one of the first acts of the government will be to investigate this, to us more than

to any other nation in the world, all important matter. Our steamers cannot but look forward to the period when our worn ironies will reach the Pacific, and when the population of the U. States reaches that coast, of what infinite value will a water communication through the isthmus of Panama be to us. It may perhaps be thought too speculative to indulge in such views; but when I reflect that twenty years only, the time which I resided on this coast, has witnessed one of the most important political and commercial revolutions which has ever taken place, I cannot but view the period of these great changes to which I have referred, as much nearer than we imagine.

DUTIES ON AMERICAN TOBACCO BY THE GERMAN STATES.

It appears from the correspondence called for by the senate, between the American minister at Berlin, and the authorities of the Prussian government, that no modification of the existing duties levied on American tobacco in the German states of the custom union is likely immediately to take place.—The present duty on our tobacco is enormously high, being \$3.25 on the importation of the duty of reducing this duty was strongly urged by our minister and agent. "What we demanded," says Mr. Wheaton, "was, such a general reduction of the duty on the importation of all foreign unmanufactured tobacco into the country of the Germanic confederation of commerce and customs, as would have the incidental effect of counteracting the unfavorable operation of the present duty on tobacco in leaves and stems produced in the United States, in comparison with its operation upon the tobacco of the colonies of leaf tobacco, imported from the Spanish colonies, and the South American states. It was upon the same grounds, that we had proposed a discrimination between leaves and stems." Mr. Kuhlmeier, director general of the Prussian customs, admitted that he should have no hesitation, if called upon to give it as his opinion, considering the question in a financial point of view, that a considerable reduction of the present duty on foreign raw tobaccos might be made, without any injury to the revenues of the association.

Mr. Wheaton adds: "Mr. Kuhlmeier concluded the conversation by remarking, that no change would be made in the existing tariff of the association during the present year, (under the present tariff, the duty on tobacco, with foreign ports), the tariff being already settled for the years 1840, 1841 and 1842; and the general triennial revision being to take place at the next congress, which is to meet at Stuttgart, the capital of the kingdom of Wurtemberg, in June, 1842. He had, however, ascertained, during the present session of congress at Berlin, that the commissioners from the southern states of Germany, supposed to be most interested in the cultivation of the native plant, had no insuperable objections to a reduction of the duty, if it could be shown that it would be attended with an increase of revenue, and especially if it could be anticipated that equivalent advantages would be thereby obtained for their products and manufactures, in the transatlantic trade. The foreign tobacco, he said, was principally required by these states to mix with the native, and they would be willing to take a larger quantity of North American, as it would not injure the cultivation of the native plant."

In a letter by Mr. Dodge to Mr. Wheaton the following comparison of duties is made:

In the Zollverein, the duty is \$3.25 per 100 lbs.	
Holland, V. 14 1/2 cts; M. 12 "	
Belgium, Virginia, Maryland, &c. 42 "	
Denmark, 42 "	
Hanover, 70 "	
Stettin, 70 "	
Breusswick, 70 "	
Dresden, 70 "	
Hamburg, 70 "	

[Continued.]

REPORT ON A HOME SQUADRON.

HOUSE OF REPRESENTATIVES, JULY 7, 1841.
Mr. Thomas Butler King, from the committee on naval affairs, to whom the subject had been referred, submitted the following report: *Resolved*—

"The committee on naval affairs, to whom was referred so much of the president's message and accompanying documents as relates to the navy, acknowledge to report on the expediency of providing for the support of a home squadron, as recommended in the report of the secretary of the navy."

The change which the introduction of steam power has already effected and is constantly producing in the naval armaments of the maritime powers

of Europe, evidently require the most prompt and efficient action on the part of the government of the United States, to meet this new and powerful auxiliary in naval warfare, by so changing the construction and employment of our navy as most effectually to protect our commerce and guard our sea coast against the sudden approach of an enemy employing this new and formidable description of force; and it is the opinion of the committee that no measure is more imperiously demanded by every consideration of prudence and safety than that recommended in the report of the secretary—the employment of a home squadron, composed of a pair of armed steamers. He very justly remarks, that "Had a war with Great Britain been the result, as at one time was generally feared, of the subjects of difficulty now in course of adjustment between that power and the United States, not only would our trade have been liable to great interruption, and our merchants to great losses abroad, but a naval force, comparatively small, might, on our very shores, have seized our merchant ships and insulted our flag, without suitable means of resistance or immediate retaliation being at the command of the government. To guard against such a result—to be ever ready to repel or promptly to chastise aggression upon our own shores, it is necessary that a powerful squadron should be kept afloat at home. This measure is recommended by other considerations. There is no situation in which greater skill or seamanship can be exercised and acquired than on the coast of the United States; and in no service would our officers and seamen become more thoroughly initiated in all that is necessary for the national defence and glory. In that service, aided by the coast survey now in progress, a thorough acquaintance would be gained with our own sea coast, extensive and hitherto but imperfectly known; the various ports would be visited; the bays, inlets, and harbors carefully examined; the uses to which each could be made available during war, either for escape, defence or annoyance, be ascertained; and the confidence resulting from perfect knowledge would give us, what we ought surely to possess, a decided advantage over an enemy on our own shores."

In addition to the excellent and comprehensive view presented by the secretary, the committee beg leave to submit a few observations in regard to the present state of our sea coast defence, their efficiency in case of war, and the measures now being adopted by Great Britain and France to change their naval armaments from the common vessels of war to armed steamers. It is a fact almost too notorious for remark here, that our fortifications are in a most inefficient condition. Many of those that have been completed are not supplied with cannon, others are going rapidly to decay—some are unfinished and progressing so slowly that it will require many years to complete them; none of them are properly garrisoned, and some have not a man to keep the gates closed. These fortresses have cost immense sums of money, and if well supplied with guns and garrisons would afford but partial protection to a few points on our sea coast and to our armed squadrons in time of war. They could not defend us against the armed steamers of an enemy, which might pass them in the night, or avoid them by entering harbors where there are no fortifications.—This last remark is peculiarly applicable to the southern coast, where there are numerous harbors on the Atlantic and the Gulf of Mexico, and not a fort, from Charleston to Mobile, in a condition to fire a gun. In the event of a war with France or Great Britain, the fortifications at Pensacola, and perhaps others, might be seized and held by the enemy, or any of our unprotected harbors might be entered by fleets of armed steamers loaded with black troops from the West Indies to annoy and plunder the country. The northern portion of the Atlantic coast, where such vast sums have been expended to place it in a state of defence, would by no means be

secure against the rapid movements of such an enemy. The harbor of New York itself might be entered through the Inlet at Amboy and Staten Island Sound, and the fortifications at the Narrows entirely avoided. The city might be sacked or laid under contribution before a sufficient force could be collected to prevent the approach or escape of so formidable an enemy; and it is seriously to be feared that there is not a harbor on the whole coast, however well defended against the sailing ships of an enemy, that these steamers might not enter, by avoiding the forts or passing them in the night.

If this is true, it must be perceived that not only our commerce, but our cities with all their wealth, would be at the mercy of an enemy employing a force so rapid and certain in its movements. It, therefore, becomes a question of the most urgent and vital importance to the people and government of the United States how they can soonest and best provide the means of meeting this new and powerful auxiliary in maritime war. The employment of a home squadron, as recommended by the secretary of the navy, must be justly regarded as not only the best means of meeting any sudden emergency that may arise, but of leading to such ulterior measures as may be found necessary to give to our commerce and seacoast the greatest possible security.

As connecting itself immediately with this subject and calling for the most vigilant course of policy on the part of the government of the United States, the committee beg leave to call the attention of the house to the measures now being adopted by Great Britain to keep afloat and actively employed on our northern coast and in the West Indies a large number of steamers of the largest class; many of them with their guns on board, and the others at all times ready to receive them.

Some time since a contract was made with that government by Mr. Cunard and his associate to carry the royal mail from Liverpool to Halifax for the sum of sixty thousand pounds sterling, or \$391,000 per annum. In compliance with this contract, four steamers have been constructed and placed on the line, of twelve hundred tons burthen and 450 horse power each. These vessels leave Liverpool and Halifax every fortnight, and perform the trip across the Atlantic each way with great certainty in twelve days. These steamers are commanded by officers of the royal navy, and are so at all times subject to the orders of the British government. So great have been not only the facilities afforded to commerce and intercourse, but saving to the revenue in the cost of carrying the mail, that it is now proposed to double the number of steamers, that they may leave their respective ports every week instead of every fortnight. The London Journal of Commerce says:—"under the old packet system, between Falmouth and Halifax, by the gun brig, the expense to government was about forty thousand pounds sterling annually more than the receipts of postage. By the line of Cunard's steam ships, a balance of twenty thousand pounds appears already to the credit side of the Atlantic mails." This line has been extended to Boston.

On the 20th March, 1840, a contract was entered into between the commissioners of the admiralty and "the royal mail steam packet company," for conveying "all her majesty's mails" from such port in the British channel as the commissioners shall prescribe, to the West India islands, the coast of South America, Mexico, and the United States, touching and delivering the mails at the ports specified on the various annexed to this report, on which are traced the various lines of communication to be established in pursuance of the contract. The company is bound to "provide, maintain, keep seaworthy, and in complete repair and readiness," for the purpose of conveying the mails, "a sufficient number—not less than fourteen—of good, substantial, and efficient steam vessels, of such construction and strength as to be fit and able to carry guns of the largest calibre

now used on board of her majesty's steam vessels of war" to adopt from time to time, and at all times, such changes or improvements in construction, machinery, armament, and rigging, as the commissioners may require; to carry a certain number of government officers and men, at a stipulated price, and at all times to hold their vessels subject to the orders of such officers as may be placed on board to assume command. This company is to receive two hundred and forty thousand pounds sterling per annum, which may, in certain events, be increased to three hundred and ten thousand, or to \$1,368,800.

These steamers are all in rapid progress of construction. They are to be about 1,500 tons burthen, and to receive engines of 500 horse power each.—Those that have been launched are estimated to be in all respects equal to sixty-gun frigates. "Thus," it is said, "the country will be doubly served; and, while it pays to the mail company, 240,000 pounds per annum for the transport of the mails, it will defray, by the same payment, the annual charges of the largest and most powerful steam fleet in the world, fully armed with the heaviest ordnance, to act as war-frigates when required by the government for that purpose." To which may, at any time, be added the steamers employed in Cunard's line, and those running from London and Bristol to New York. It is also said to be in contemplation to establish another line from some port in England to St. John's, New Brunswick, under a contract similar to that made with the royal mail steam packet company.

All these lines will soon be in full operation and employ at least twenty-five, and perhaps thirty steamers of the largest class and most approved construction; those on the southern line, and probably those on the northern lines also, having their guns on board. These steamers are to be commanded by officers of the royal navy, and to carry such number of officers and men as the government, under certain regulations, may require, who will thus derive all the necessary instruction to enable them to command and manage vessels of this description. Of the fourteen designed to carry the West India mails, at least ten will be constantly employed in conveying them on the various lines as traced on the map here annexed; it will be seen by reference to it that this formidable fleet will be at all times within three or four days' run of our southern coast. In the event of a declaration of war by Great Britain against the United States, as the will, of course, possess the information necessary to enable her to concentrate her forces, all the steamers in the West India mail service can be collected at any point on the southern coast by the time the declaration would be communicated to the president. Those employed on the northern lines to New York and Boston, may commence hostilities before the last preparation can be made to meet them. Depots of coal are to be established at Halifax, and at several ports in the West Indies, from whence these fleets can be supplied and the prediction made some years since by an intelligent and experienced British officer, that their sailing ships of war would become coal carriers to their steamers, will be fulfilled.

There are, it is said, at this time, ten thousand black troops in the British West Indies, and that orders have been recently issued to increase the number to twenty-five thousand. These troops are disciplined and commanded by white officers, and, no doubt, designed to form a most important portion of the force to be employed in any future contest that may arise between Great Britain and the United States; and, by reference to the map of the West India mail lines, it will be seen that in our present defenceless condition, a force composed of armed steamers and troops of that description would not only give great annoyance to our coast, but most effectually and at once put a stop to all communication around Cape Florida, or through the passage of the West Indies, to or from the Gulf of Mexico, and,

consequently, the commerce of the great valley of the Mississippi must fall into the hands of the enemy, or its vast productions, cut off from market, be rendered valueless.

France is pursuing a course of policy in every respect similar to that of Great Britain. The last official register of her navy shows that she then had thirty seven armed steamers, carrying heavy guns, equal in all respects, if not superior, to those of any other nation. The sudden appearance of one of them some two years ago, in the harbour of Baltimore, must be recollected by all. A law has recently been enacted authorizing the government to establish a line of armed steamers from Havre to New York, on the plan of the British West India mail line; and, surprising as it may seem, a number of gentlemen of position have actually sent in proposals to take the contract, if that city instead of New-York shall be inserted in it. Thus it will be perceived that our own merchants, driven by the laws of trade and intercourse, are about throwing the whole weight of their skill, enterprise, and capital into the hands of one of our great maritime rivals, for want of proper action and encouragement on the part of their own government, and that the humiliating spectacle is likely to be presented of American merchants, who have excelled all others in commercial pursuits, being employed to support a naval force that may be directed against the cities in which they reside.

Under the old system of maritime war, our squadrons could be employed in the protection of our commerce and our flag abroad, without danger of aggression on our own coast, because the fleets of an enemy could no sooner approach to assail than our own return to defend us. But the introduction of steam power has affected such astonishing changes, that armaments on the most extensive scale are no longer to be considered as alone suited to the purposes of war, but the most formidable vessels the world has ever seen to be employed in the transportation of the mail, passengers and freight, to pass along the whole line of our coast, and into our ports, as familiarly as common trading ships. If these vessels can be rendered profitable in time of peace, the security they will afford to persons and property, from the attacks of privateers and small armed vessels, will render them indispensable in time of war.

This system is yet in its infancy; and it is not in the power of the committee to say, with any degree of accuracy, how far it may be rendered useful to our commerce, or profitably connected with our navy; to what extent it may be made to support itself, or the policy of other governments, and a proper regard for our own safety, may render its adoption wise or necessary. These are questions of the utmost importance to all portions of this widely extended country, and ought to be promptly and properly inquired into, and satisfactorily answered.

A gentleman of great respectability and much experience in commercial affairs, and particularly in steam navigation, has given it as his opinion that "contracts could be made immediately for lines of four steamers from Boston to Havre, of four from New York to Liverpool, of three from Norfolk, via Charleston and Savannah, to Havana, and of three from New Orleans to Havana, by the guaranty of the government of less than one million of dollars per annum, with a moral certainty of receiving back more than half of it, from postage on letters and papers, immediately, and the whole in a few years." This arrangement would keep equipped and officered for immediate service at least fourteen steam frigates, without the annual charge for repairs, manning, victualling, &c. &c. This system would bring to the aid of the government all the energy, skill, and economy of individuals who will, in enterprises of this nature, always surpass it.

From what has been stated, it must, in the opinion of the committee, be perceived that a powerful

squadron has become as necessary for our protection at home as the employment of our ships of war has hitherto been, or may hereafter be, for the protection of our flag and commerce abroad. This squadron ought at once to be established, and from time to time increased, as the means placed at command of the department may permit, and the various objects connected with it, as pointed out in the report of the secretary, may best be promoted and attained.

For this purpose, the committee report herewith a bill appropriating the amount asked for by the secretary, and recommending the adoption of the following resolution:

Resolved, That the secretary of the navy is hereby directed to inquire into the expediency of aiding individuals or companies in the establishment of lines of armed steamers between some of our principal northern and southern ports, and to foreign ports; to advertise for proposals for the establishment of such lines as he may deem most important and practicable; and to report to this house at the next session of congress.

The following remarks made by Mr. KNOX, of Georgia, when the bill making appropriations for a home squadron was under discussion in the house of representatives, will be read with much interest:

Mr. K. said he had no objection to the amendment suggested by the gentleman from North Carolina as to the objects of the appropriation being more specific, and, at the proper time, should an amendment be moved to that effect, he would vote for it. In reply to what that gentleman had said touching the power of congress to create a home squadron to be retained upon our own coast, the gentleman seemed to forget his own doctrine of specific appropriations. Congress gave this money; they would give it for a specific object, and if they did, the president, though he was commander-in-chief, could not apply it to any thing else. The gentleman said the bill was, really, for an increase of the navy. So it was; he admitted it was so designed to be, and he hoped to show that the navy might be thus increased without increasing the ordinary average in past years for naval purposes. The reasons for the proposed increase had been stated in the report of the secretary, and were familiar to the mind of every gentleman. Mr. K. would, therefore, not recapitulate them. He was assured from the authentic return he had showing what had been done in past years by way of appropriation, and what had been the comparative results in different years. He would not trouble the house by reading the whole, but would invite their attention to three or four items only.

In 1836 there was appropriated \$7,611,055 and we had 462 guns afloat.

In 1837 there was appropriated \$9,183,710 and we had 554 guns afloat.

In 1838 there was appropriated \$5,702,420 and we had 639 guns afloat.

In 1839 there was appropriated \$5,364,385 and we had 606 guns afloat.

In 1840 there was appropriated \$5,155,120 and we had 583 guns afloat.

In 1841 there was appropriated \$5,780,927.

The present bill increased this by \$789,310; besides which there were other bills reported, which made together an appropriation of \$1,553,916 for this session, and going to make up a grand aggregate of \$7,333,943 for the year; which was less, by a million and a half, than what was appropriated in 1836.

It was proposed to add 107 more guns to the service, making the whole number 1,070 afloat after the current year, instead of 462, which was the number in 1836.

[These statistics are reported by the year alone, and may not in every case be strictly correct.]

Mr. K. said he had gone into this comparative statement to show that the committee on naval affairs had not transcended the amount which in former years had been deemed reasonable and proper, although the country had had but half the number of ships in the service, or of guns afloat, which it would have during the present year.

Mr. K. had heard much about the abuse and misapplication of money appropriated for the navy, and he believed it all to be true. To illustrate the truth of the charge, he would refer to the table already quoted, showing on one hand the appropriations made, and on the other the result thereby obtained. In 1830 there had been an appropriation of \$4,704,149, and we had then 376 guns afloat; while in 1836, with an appropriation of \$7,611,055,

we had but 462 guns afloat. In 1861, with an appropriation of a little over three millions, we had 536 guns afloat; and in 1838, with an appropriation over eight millions, we had but 554 guns afloat. These facts were sufficient to show how enormous must have been the abuse to which he alluded. He trusted that now the time was come, and the men, come with it, in which economy, knowledge, integrity and a devoted zeal for the public service, if they did not curtail the actual amount expended, would to apply the same money as when he conversed with a far greater extension of the naval defenses of the country than had been witnessed for many years. Mr. K. was no niggard in regard to the navy. He would have been willing to give a much larger sum could it have been secured, for he served actively with the venerable gentleman from Massachusetts (Mr. ADAMS) that, instead of two war steamers, it was desirable that we should have twenty. The ocean was teeming with these mighty engines, rapidly passing each other in every direction, going wherever they pleased, in disregard of wind and waves, and which had appropriately been denominated the "cavalry of the ocean, mounted with cannon."

Mr. K. here went into a comparison of the population of this country at two different periods, and at the same time of the amount of tonnage and the guns to defend it.

In 1800 with a population of 5,305,000 and an amount of tonnage of 100,000 registered tonnage, we had 876 guns afloat; in 1841 our population was 17,000,000, our tonnage 2,960,000, and yet our guns were but 1,070. This showed how far our naval force was from keeping up with the growth of the population and the commerce of the country, and that the same ratio of defence at this day which had existed in 1800, we should require 2,000 guns afloat and an appropriation of over seven millions.

Mr. K. observed that although the importance of a home squadron had been very clearly set forth in the report of the secretary of the navy, there were some other considerations which could not but still more strongly impress it upon the mind. He here forcibly referred to the devastations of the enemy's force in the Chesapeake and on the exposed coasts of Georgia and South Carolina; their country had been plundered; their dwellings burnt; their property stolen; and had the contest continued, nothing but one extended scene of desolation would have spread from the Potomac to the Sabine.

The war had cost the country from one hundred and fifty to two hundred millions of dollars; and did any gentleman suppose that, had the United States possessed twenty ships of war well armed and fully manned, their outrages on our commerce could ever have happened which gave the occasion for so destructive a conflict? No man would maintain it. For it must be remembered that with nations war was a question of power, and with us a question of honor. Questions of policy and questions of honor could easily be negotiated away, as all history abundantly proved; but when policy and interest decided war, the blunder of this country's cannon was generally the first announcement that hostilities were commenced, and then a long array of reasons was gotten up as a pretext for the blow.

Mr. K. here referred to and read an extract from the *Richmond Enquirer*, which sounded the tocsin of alarm by announcing that a British vessel called the *Thunder* was at this time engaged in arraying the channel of the Chesapeake and Delaware bays, and was about proceeding to the southwest for the purpose of attacking the defenses of the harbor of facilitating the entrance of a British fleet into our harbors. He then said the object of a home squadron was to prevent the completion of such a purpose. He expressed his great surprise at the remarks of some gentlemen, who seemed to suppose that the invention of rail roads, by facilitating the assembling of troops, superseded the necessity both of fortifications and of a navy. Instead of this, these several modes of defence ought to go hand in hand, and be combined for the general end of the safety of the country.

Mr. K. alluded to the change which had manifested itself in the naval policy of Great Britain, in regard to a substitution of steam power for ordinary ships of war. He stated the enumeration of the British fleet in 1840 to be as follows: ships of the line, 105; vessels of a lower grade, in all, 403; and war steamers, 87. The number of steamers had since then been stated at 300.

The *French Republic* consisted of 23 ships of the line, 160 lesser vessels, and 36 steamers; but which there had been at that time eight steamers on the stocks. These vessels propelled by steam arose at Athens in fourteen days. It would be well if we copied the courage and property of our people, if we

a force of this description, without a gun to defend themselves?

But not only was it an availed of for vessels of war, properly so-called. The governments of France and England were adopting an entirely new policy, by employing armed cruisers for commercial purposes—thus causing the sagacity and enterprise of the mercantile community to support the expense of their naval defence—a great and wonderful step in the preparations for maritime warfare.

Appended to the report of the naval committee would be found, in reference to these very important facts, a resolution inquiring into the expediency of encouraging our own merchants to establish lines of armed steamers similar to the recently established by France and England. In addition to the lines previously existing, a new one had recently been formed, on a contract with the Brazilian government, extending from Great Britain to every important port in Brazil. These various lines had been multiplied till they now resembled a perfect web across the ocean. Mr. K. had no apprehension that that formidable and sagacious power had any intention of immediate war with this country; it would not prevent suit her policy. It was also a grand and a surely sifting bar whole system. She desired above all things to emancipate herself from the necessity of depending on any of our products for carrying on those manufactures which were the great sources of her wealth. Hence, while she had emancipated her slaves in the West Indies, she still retained millions in slavery in India, and was endeavoring to avail herself of their industry for a supply of raw material now obtained from this country. She looked with great just apprehension to the rapid growth and extending commerce of this country.

Mr. K. here made some remarks on British emancipation, which he considered but as one step in this great scheme of the national policy. He alluded to the recent great increase of the slave trade. Two hundred thousand were now said to be annually imported into the West Indies and South America per annum; almost the whole of which were purchased with British manufactures. While this was the case, how great a force was it for her to offer a guinea a head for negroes captured on the high seas! If she was sincere in her wish to put an end to the trade, why did she enter the harbor, and break up the factories on shore? But, no, she suffered the slaves to be purchased with her manufactures, embarked on the ocean, and then offered to pay her own officers a guinea a head for catching them if they could. When they were rescued and brought into her own islands, they were put to an apprenticeship of fourteen years.

[Here the CHAIR reminded Mr. K. that he was wandering from the subject before the committee.] Mr. K. explained and then went on to observe that the moment Great Britain could supply herself elsewhere with a raw material for her manufactures, she might export war—war to the knife—war with all her thunder. After dilating further on the grand game now playing by that country, Mr. K. asked whether this government would be content to sleep in reckless security under such a state of things, and never take a step to meet and counteract a system of policy which was aimed at our prosperity, and, if possible, at the very existence of our republican institutions? Would we wait till she came upon us like a thief in the night? Did gentlemen forget that the last of the wars in Europe at least ten had been commenced without any formal declaration? No; England would not send us word she was coming. The thunder of her cannon would be the voice in which she would speak the purpose of her heart to the world.

Mr. K. said, in conclusion, that he would not weary the committee by deprecating upon the provisions of the bill. He hoped it would receive a general support, and that we should show the world not only that we are ready and prompt in using the means necessary for our defence, but equally wise and economical in their appropriation.

REPORT UPON A BANKRUPT LAW.

The following report, from the committee on the judiciary, accompanied the bill reported by Mr. BARNARD in the house of representatives on Wednesday last, for establishing a uniform system of bankruptcy.

The committee on the judiciary, to whom have been referred the petitions and memorials presented to the house on the subject of a bankrupt law, respectfully report:

In the opinion of the committee, a bankrupt law ought to be passed by congress without unnecessary delay; and they present a bill for the consideration of the house.

This bill is essentially the same that was introduced to the senate at the first session of the last congress,

after great deliberation, and which finally passed that body. It was not then considered in the house for want of time.

The policy of laws designed to afford remedy and relief to our creditors and their debtors who are hopelessly insolvent, has the sanction of usage, in the past and the present, among nearly all highly civilized and business communities. The leading idea upon which these laws have proceeded has certainly always been the same; it has varied with the general state of the law, and with the progress of society. In a country where the creditor was, by law, the undisturbed abettor of liberty and life in his insolvent debtor, the immediate motive for intervention must have been different from that which has prompted legislative interference where the relation of debtor and creditor has been differently understood.

In England, bankrupt laws had their origin apparently in the idea that debtors who did not pay were merely unwilling, and not unable to pay. The first bankrupt law passed in the time of Henry 8th was levelled against those who craftily obtained the goods of other men and fled; or kept their houses, and refused to pay their debts. It came in aid of the law, previously in existence, which rendered the unwillingness, which authorized imprisonment for debt—a thing unknown to the common law. If a debt was not paid, the creditor itself was supposed to have been craftily obtained; the ability to pay was presumed. The debtor was arrested and imprisoned, till he should be made willing; or, if he had fled or kept house, so that arrest was impossible, his estate passed into the custody of the law for the liquidation of his debts.

So long as this idea of ability and unwillingness prevailed, and no other was admitted, the whole evil, so far as creditors were considered, was supposed to be adequately met by the punishment of imprisonment or confiscation. When, however, it was found, as industry and production came to be increased by the use of capital and credit, that the mass of debtors who did not pay were only unable but not unwilling, it became necessary to turn round, and, without disarming the creditor, throw a shield over the defenceless head of his honest and innocent debtor.

The law in England on this subject, often variously modified in matters of detail, now is, and has long been, in substance:

And second, that where creditors invoke the punishment of imprisonment on their debtor, the latter, if willing but unable to pay, may regain his freedom upon a voluntary and honest surrender of his property, to be applied towards liquidation.

And third, that where debtors invoke the punishment of confiscation on their debtor, which can only be done where the debtor belongs to one or another of certain specified classes, the creditors shall take the full benefit of the proceedings by the application of the property towards the payment of their debts; provided the debtor, being honest and willing but unable to pay in full, shall, on certain terms and conditions, be forever discharged from all legal obligation to pay the rest and residue of his debts.

Thus the law of interposition and relief, in England, as between creditors on the one hand, and debtors who cannot pay their debts on the other, stands, and is administered, in two distinct branches and under two distinct systems. In the one system the debtors are divided into two classes, the one of which are called bankrupts. In a report made to the queen, in July, 1810, and signed by eight out of nine commissioners appointed to investigate this subject, it was strongly recommended to reduce the two branches of the law and system to one administration to one consistent system, and make the whole law of the case more conformable to reason and in right.

The principal improvements in the law relating to insolvency proposed by the commissioners are these:

To extend the benefits of the discharge from debts, in case of bankruptcy, beyond the mercantile and other specified classes, to which they are now chiefly confined, so as to embrace "all persons engaged in business requiring capital and credit."

To allow and encourage a voluntary cession of property, on the part of insolvents, "at such period of their affliction as will best ensure equal justice to all their creditors."

To make the granting of a certificate of discharge a judicial act, which may be opposed by creditors if the debtor, to which their consent shall not be necessary.

The suggestion of these improvements is sufficient to indicate the great change which public sentiment has undergone, or is undergoing, in England, in regard to the proper basis on which those laws ought

to rest that interpose their special authority between creditors and their insolvent debtors.

At this day, and in this country, if a system of laws relating to bankruptcies is to be established, it is believed that it is not sufficient to preserve and state the grounds on which it ought to stand.

Credits, or demands, are property, in which, not infrequently, the bulk of large individual estates consists. As property, they are under the protection of the law, as well as such as the law of property. All the rights of property attach to them—the right of protection and defence against all encroachment and injury, and the right of recovery when wrongfully taken away, or withheld. They are private property, and private property is sacred. It must be respected. And the law must be vigilant and efficient in its guardianship of it. Failure in this is failure in the highest duty of civil society, and tends directly to discord.

But the nature of credits, or demands, is such as to constitute them a peculiar species of property; and, before we can undertake to pronounce with certainty on the whole duty of society and the law in regard to them, we must consider attentively their nature and peculiarities.

They are a peculiar tenure—a tenure which implies and includes a contingency. The foundation of loan is trust, whatever securities are not taken; it is confidence; it is credit—all terms which imply trust, and the possibility of failure. The risk relative to the loan is upon the lender, and the lender when the period comes for demanding payment.—This kind of property is held subject to this contingency, and the lender himself takes the risk; he is his own insurer. If his debtor fails, he loses; if not, he has his own. He bargains, too, for this risk, in the shape of interest, premium, or commission. He parts with the immediate possession of his property, expecting it to come back to him, in paper time, with increase; he puts it afloat, and takes the hazards of the voyage for a consideration. If, when the time of the turbulent sea, he expects to sustain the loss.—He is content to hold his property subject to this contingency.

While his debtor remains solvent, which is always to be presumed until the contrary appears, the duty of society and the law towards him and this property of his is plain enough. If he invoke the law in the case, it will come efficiently to his aid. If his debtor attempt to elude his demand by flight or fraud, it will be his duty to pursue him to the very death; and, otherwise, it will seize the unwilling debtor's estate and make the debt out of it for the creditor. When the law by these means has aided the creditor in the recovery of his property it has done all it duty as well as his solvent debtor.

But suppose, before such recovery is had, the debtor is found to have fallen into a state of hopeless insolvency; in other words, that contingency has arisen; subject to which the demand has been hidden from its inception. What course can a new duty has arisen on the part of the law.

The fact of insolvency being ascertained, the fact of utter and hopeless inability to pay all his debts, the debtor stands at once creditor, if in a new relation, at least in a relation materially modified. His creditors, taken together, now form a class, looking for a common relief to a common fund, which is insufficient to satisfy them all; and every principle of equity and justice requires that the law should interpose in give and take, which distribute the loss, in proportion to the relative amount of his demand, at the same time casting on each an amount of loss proportioned to the risk and insolvency undertaken by him.

When this is done, the inquiry arises, what more remains in the law to be done? What further, and can the creditors demand? They cannot have the body of their debtor cut up and divided between them, as was said might have been done under the law of the twelve tables, or sell him with his wife and child in slavery to pay their debts. They cannot at this day and in this country load him with chains, inflict stripes upon him, or throw him into a perpetual prison. Within, in this country, it may be considered as wholly settled, by a wise and humane public sentiment and policy, that the law will pursue, and will permit creditors to pursue, an honest but unfortunately and hopelessly insolvent debtor no further, after what remains of his wrecked fortune has been equitably divided amongst those to whom he is indebted.

Beyond this the law sees and wisely adjusts that there is an end of all reasonable hope of further advantage to creditors. A form of insolubleness still remains, but the substance is gone. Nothing is left to the debtor with which to recover himself but his hands. He is no longer a man, but a wreck. It is not profitable, according to his skill or his habits, but in no regular employment will or can the wages of labor afford more than a current support to the laborer and those dependent on him, so long as he is not

who were in favor of protection; and who they were that were in favor of counteracting the action of foreign governments against the native industry of our own people.

Mr. A. has adhered to the recent proceedings in the British parliament in relation to free trade and the corn laws, and to the defeat which the British ministry had sustained there. He hoped that, before the American nation undertook to act upon such a system, they would have something more before them than the testimony of the British parliament. Let the British government set the example of free trade, and it would then be time enough for us to meet them in that spirit.

He hoped the printing would be agreed to; and he wished it was the point of the meeting to reconsider the vote by which the proposition of the gentleman from Pennsylvania (Mr. FORTNACE) had been thrown out of the power of this house. He hoped the subject would be considered at this session even if there should be no action upon it until the next. He was for coming to an issue upon it at once.

He hoped also that the other gentleman from Pennsylvania (Mr. BIDEACE) would bring forward the resolution to which he referred. But let not the gentleman move in reference to the committee of ways and means. There was too much compromise in that committee. He hoped the gentleman would move its reference to the committee on manufactures. But let us not commit the labor to the wolf—open our commerce to him.

Mr. PICKENS could have no objection, he said, to the printing of the memorial if that were the only question. But as the gentleman from Massachusetts (Mr. ADAMS) chose to make the printing a question, and asked before a protective tariff, and asked them to combine and come together with a united action because those opposed to them were acting upon one principle. He (Mr. P.) regretted that the gentleman from Virginia (Mr. WISE) was not in his seat to hear some of the remarks of the gentleman from Massachusetts, and to listen to his billing and cooing to the Pennsylvania delegation upon this floor. Had the gentleman from Virginia been here, he might perhaps have been induced to believe that his charge to a coalition between Kentucky and Massachusetts was true. Probably he might have gone against other compromises and other conditions, not with Kentucky, but with the Pennsylvania delegation. Mr. P. protested against all such bargains and coalitions, and was understood to speak upon Kentucky not to sustain any such bargains, but to sustain the spirit and the principles of the compromise act.

The gentleman from Massachusetts has said it would be consulting a bull if sent to the committee of ways and means, like sending a lamb to the wolf. He (Mr. P.) repelled the insinuation if intended to apply to him or his friends. When he says there is too much compromise on that committee for him, who does the gentleman allude to? He cannot say he (Mr. P.) was for compromising. No; he would find in him no compromise. His course was open and without compromise upon great principles. He must allude to others upon that committee, and let them answer for themselves. He said that the gentleman had alluded to upon that committee or in this house, he would say to the gentleman that he hoped the time would yet come when that under-current, which was now seen to ripple, would swell and roll upon us like the great waves of state bounding upon it, with as gallant a crew on board as ever shouted for victory under the flag of liberty and independence.

Mr. KING, of Georgia, said he felt it his duty to say a few words in reply to what had fallen from the honorable gentleman from Massachusetts, (Mr. ADAMS), who seemed disposed to ring the changes once more on the subject of the British corn laws, and to marshal his battalions under the banner of a protective tariff. He had called out the interests of the west, and made an appeal particularly to the great state of Pennsylvania to come to the rescue of the manufacturing interests of the northeast. I propose (said Mr. K.) to examine briefly the effect of the British corn laws on the grain growing and manufacturing interests of this country. The effect in the first place is, to raise enormously the price of bread, and consequently the price of labor in England. This increases of course the cost of the manufactured grain, and renders it more difficult for the manufacturers of Great Britain to compete with those of this country, both in our own and foreign markets. If, by the

repeal of the corn laws, the price of bread should be reduced in England, and the price of grain increased in this country, the cost of manufacturing would be increased here and reduced there. It would consequently be more difficult for our manufacturers to compete with those of Great Britain.

It therefore cannot be to the interest of the manufacturers of this country to seek or desire a repeal of the British corn laws. How does the matter stand in regard to the grain growers of this country? Great Britain has access to the markets of Great Britain through the colonial ports of Canada and New Brunswick, at a very low duty. The grain growers of the continent of Europe cannot avail themselves of this advantage, and consequently their grain costs more in competition with the grain of the corn laws were repealed, the grain of the continent being much cheaper than ours, would exclude it from the British market, and consequently our agricultural interests of the middle and western states would no longer enjoy the great advantage they now have over all other grain growers of exclusive access to the British market through the colonial ports. I therefore assert, sir, that both the manufacturing and grain growing interests of this country would be greatly injured by the repeal of the British corn laws. Let the members from the west to weigh well and look with caution on the arguments of the honorable gentleman, when he endeavors to raise their prejudices against the corn laws, and enlist them under his tariff banner. They should pause and well believe that the manufacturers of the north really desire the adoption of any measure which, if it has the effect they say it will, must increase the cost of labor in this country and diminish it in England. As I have shown, however, the repeal of the corn laws would increase the cost of labor in the price of grain in England, but no increase in the price of grain or labor in this country, but undoubtedly will cause a decrease in the price of both grain and labor, by depriving our grain growers of local advantages they now enjoy through the colonial ports.

Now, sir, one word in regard to this unnatural alliance of the west with the east. Where do the people of the western states feel the best and most extensive interest for their protection? In the south—in the cotton growing states! not in the east, or manufacturing districts of the union. Where do the farmers of Kentucky, Ohio, Indiana, Illinois and all the great west and northwest send their corn, wheat and other products? Not to the east, but to the eastern manufacturers? No, sir, they send them to the south. Whose interest ought they therefore to consult—the manufacturers of the east, or the planters of the south? Let them decide when the question of a tariff for protection comes up. The honorable gentleman from Massachusetts has said that the question of a protective tariff is a question between free labor and slave labor—this being, when interpreted, a question of taxation on the south for the benefit of the north. Now, sir, when this question shall be presented, I shall join the honorable gentleman from South Carolina, (Mr. PICKENS), and demanded to know where the great state of Kentucky stands in regard to the compromise act? Is it possible that the south, which affords a market for the products of the west and manufacturers of the east, is to be deserted by the former and plundered by the latter? We shall see, sir.

Mr. PENDLETON said he did not intend to discuss the question of a tariff, the motion to print the report of the committee had suggested the subject of man from Georgia, (Mr. KING). That gentleman had said the effect of the English corn laws was to reduce the price of American grain, and therefore was advantageous to the American manufacturer. He said that South Carolina, at the present time, appeal to the west to support his peculiar notions upon the subject of a tariff. Now, he (Mr. P.) wished his friend from Georgia, when he made his appeal, to be prepared to convince us of the west that reducing the price of our great staple, grain, was the way to make us rich.

Mr. KING said he was misunderstood. Mr. ADAMS had been, he said, patient or rather an impatient listener to this debate, and although he had carefully refrained from taking part in it, he had long and useless discussions which had characterized the last three weeks, yet he felt it due to himself now to say a few words.

Mr. A. after alluding to the habitual feeling of regret and wounded pride he had ever felt towards the gentleman from Massachusetts, (Mr. ADAMS), expressed the exceeding regret and pain with which he (Mr. ARNOLD) had witnessed how ardently that gentleman had seized upon every topic which was presented to him, and uttered a few words, which were not like the gentleman from South Carolina, (Mr. PICKENS), who had expressed his regret that the gentleman from Virginia (Mr. WISE) was not

in his seat. On the contrary, he (Mr. A.) rejoiced that that gentleman was not present to hear the remarks of the venerable gentleman from Massachusetts. It was with pain that he had witnessed the course of the gentleman from Massachusetts during this session, and from Pennsylvania, (Mr. FORTNACE), he had witnessed the course of the gentleman from Virginia. And although what he (Mr. A.) said might have no influence upon gentlemen, yet he would say—he felt it due to himself and the country to record the facts of his own observation, who had seen in this house, both from the north and the south.

[Cries of—that is true—that is true.]

He had voted the other day to lay the proposition of the gentleman from Pennsylvania, (Mr. FORTNACE), on the table, because he (Mr. A.) thought that it was not offered in good faith. Whenever any important memorial or document was presented here in good faith, and a representation of its contents was made, (as in the case of this memorial), he was willing to vote to print it, that it might be sent forth to the country for the information and enlightenment of the people, who were not in the mass politicians. That being the tribunal of the last resort, it was right that they should be kept in the light, and his vote had been here, and would be, to print all papers and documents necessary to that end. But he had entertained a very different opinion of the memorial presented the other day. He believed it was motivated.

The case was presented with the remark that it was not offered to impugn the motives of members.

Mr. ARNOLD said he was not doing so. That memorial prayed for a protective tariff. Those who knew the memorial, and the gentleman who presented it, knew that to speak of a protective tariff to the south was to open Pandora's box. And the memorial was couched in language likely to be most offensive, and calculated to affect the course alike of southern and northern men who might be in favor of a bank, but might have conflicting opinions on the subject of the tariff. His vote upon all questions which did not legitimately come up for the action of the house during the extra session was not to be taken as an expression of the vote he might give hereafter. He would vote now to give the go-by to all questions except those for the consideration of which congress had been convened; he would do nothing but the business which he had been sent to do.

Mr. A. after a brief allusion to the compromise act, and to his own course thereon, said he would not now go into the question of the tariff. Whenever the issue should be presented to the American people by a voluntary involuntary law, he would be one of every solution. His opinions on this subject were fixed; he wished not to agitate it now, but he wished that the house should proceed to do the business of the country. He wished we could have a test question, that we might know who were our friends and who our foes in this house—who were for us and who against us; because, if it should be ascertained that nothing could be done, he should be for adjourning forthwith. It was to be regretted that many of our friends considered themselves whigs, and representing whig districts, with large majorities, should not only be found against us, but be found voting with the opposition on this floor. There was a powerful opposition proper, and there was an opposition improper, (so to speak), and the latter was the one which he wished to see disarmed. Now, he wished to know what he had to depend upon. If, owing to defections in the whig ranks, the opposition had become so strong that nothing could be done, why they had better go some other way, and spend the time in doing so, in everlasting fire debating and brawling upon every little trifling question that was brought before the house. It was a serious question whether the friends of the administration in this house, or the opposition party, with its new ally, districts, in a majority, and unless they could go on and do business, the sooner the session was brought to an end the better.

Mr. FILLMORE said that, unless there was some important business before the house, he would move the committee of ways and means had much business to do, move that the house adjourn.

Objections in several quarters.

Mr. F. said he would then move that the committee of ways and means have to sit during the sessions of the house until further order.

Mr. GILMER said it was very desirable that members of the committee should be present during this discussion, because, in the first place, it involved a most important question, and, in the second place, remarks of this kind were affecting the very organization of that committee, to which it would be proper to reply.

Mr. FILLMORE was then understood to withdraw both motions.

Mr. W. W. LIVING said that he had voted for the resolution offered on Saturday last by his colleague from Pennsylvania, [Mr. FURNACE], viz: to refer a petition presented by him, on the subject of the tariff, to the committee on manufactures, with instructions. He had done so because he considered the motion right in itself. He did not stop to inquire as to the motive which influenced his colleague, or whether the resolution was the result of a caucus deliberation, and introduced with a view, as some supposed, to embarrass the action of congress at the extra session. It was of no consequence to him that others, who were supposed to participate in that caucus, had dodged the question on this floor. He was perfectly willing to take it for granted that there had been a class of sentiment on this subject on the part of his colleague and some of those politically associated with his colleague—a change similar to that which seemed to have taken place on another important question. He was willing to believe that gentlemen who had slept soundly during the whole period of a former administration, had become suddenly awakened to the interests of their country on the vital question of the tariff, as in the other house, where they had been suddenly aroused from their slumber by another important question—the controversy with Great Britain respecting the outrage on the Caroline. These changes of sentiment were wholesome evidences of the influence of public opinion. He was content, therefore, to vote for a resolution that his colleague's resolution was offered bona fide, and his vote was accordingly given in its favor.

But he regretted to find that only a minority of the house voted with him, [Mr. L.] on the resolution, that a proposition to amend in itself should get the go by with the assent of a large majority of all parties; that so many of all parties on this floor should manifest such nervous shrinking and timid sensitiveness whenever the subject of the tariff and protective duties was referred to, however remotely, would cause surprise and astonishment in the minds of those he had the honor to represent. He was grieved, too, on Saturday last, when the honorable gentleman from New York, [Mr. BARRETT], had moved a resolution referring the various topics embraced in the president's message to appropriate committees, that this question was the only one overlooked. He [Mr. L.] had endeavored to supply the oversight by an amendment directing a reference to the committee on manufactures, but was cut off by the sudden and prompt application of the previous question. Why was this, asked, Mr. L.? Is this question of the tariff to be shunned and avoided like the school of abolition? Are the industrial classes of the community to be deprived of a hearing on this floor? Why object to the printing of the memorial now presented? Why not refer all such memorials to the committee on manufactures, thus leaving the appropriate committee? Why not throw the responsibility on that committee, and let them investigate the subject? If it is inexpedient to act upon this question at the present session, let the committee say so. Even if the house is precluded from action now, is there no reason why the intervals of leisure afforded by the discussion and consideration of other topics could not be appropriately occupied by the committee in the investigation of this subject. He believed it was conceded by all opponents of a protective tariff that, in the adjustment of duties on imports for mere revenue purposes, incidental protection might be given to domestic industry by discriminating duties. He would ask if that very matter of discrimination is appropriately referred to the committee on manufactures, and he would appeal to the liberality even of those opposed on principle to the protective system to treat this question with the same fairness which they accorded to other questions.

Mr. PICKENS submitted to the gentleman from Pennsylvania, now, in making this appeal to the liberality of the gentlemen from the south, he could reconcile the distinction raised by the gentleman from Massachusetts between free labor and slave labor, &c.

Mr. LIVING said it would be unbecoming in him to offer any explanation as to the meaning of the venerable gentleman from Massachusetts, whilst that gentleman was here so ready and willing to explain his own meaning. It would be presumptuous in him, [Mr. L.] and he would not attempt it.

Mr. LIVING resumed. He could assure gentlemen that all attempts to give this question the go by would prove futile. The manufacturers and mechanics and working men of the country would be heard. They never would consent that their petitions and memorials praying the consideration of

congress to subjects in which they feel a deep interest, should meet the fate of abolition petitions, when their workshops were closed and all branches of domestic industry languishing for want of the fostering care of government. The question could not be long evaded. It would have to be met within a short period, at the next session at farthest. The period limited by what was called the compromise act was close at hand: an act manifestly in violation of popular sentiment—against the known sentiments of the majority of the people of these U. States, and caused by the threat and menace of a small minority of those people. He, [Mr. LIVING], would fail in his duty to the manufacturing and industrial constituents whom he had the honor to represent, if he did not protest against the course which gentlemen of all parties seemed disposed to pursue on this, to them, and to the whole country, most important question. Whenever the opportunity would be afforded, it was his intention to move a reference of that part of the president's message which related to the tariff and duties on imports to the committee on manufactures. He would ask, at the same time, that all petitions on those subjects now laid on the table might have the same appropriate reference. If this resolution, which should be voted down, he now gave notice of his intention, at the proper time, to introduce a resolution which gentlemen might consider a test question, and which he believed could not be evaded, it would tend to desire the introduction of any embarrassing topic at the present session, but he could not close his eyes to the obvious demands of duty upon him as the representative of a hard-working, honest and industrious people. Gentlemen spoke of what was going on in England on the subject of protective duties. It was true that Lord John Russell had introduced a bill for the modification of the corn laws, proposing a reduction of duties, it was said, equivalent to fifty per cent. It was at least doubtful whether the introduction would be successful or fall a sacrifice to that measure, if, indeed, the measure itself originated in sincerity. Who could tell what would be its practical effect on the manufacturing and agricultural interests of this country? Not one man in all this nation. The effect, many feared, would be the entire prostration of American industry, and the arraying against our manufacturing interests other interests which hitherto had been united to them. Who, in this nation, could foresee the end of the agitation now going on in Great Britain on the subject of her corn law? It might end like the famous controversy about free trade in that country years ago.

Gentlemen would recollect the famous rallying cry of "High rates and free trade" which British manufacturers and British merchants spread even on this side of the Atlantic, with the view of affecting the decision of this very question on a former occasion. When the American compromise bill was introduced on the part of Mr. L., it was a free trade. It remains to be seen whether all this agitation and excitement on the subject of the corn laws, on the other side of the Atlantic, have not their origin in kindred motives, and are not intended to work similar results in this country. He trusted that the motion to print the memorial would prevail.

Mr. BOTTS rose and said that he knew of no practical good that could result from this debate, and as there was no important business before the house, he would give notice before the committee of ways and means that might be matured probably in the course of three or four hours, if the house would afford an opportunity, and then be prepared for the action of the house to-morrow, he would move an adjournment.

Mr. ADAMS asked the yeas and nays.
Mr. BOTTS said he had made his motion simply for the purpose of affording the committee of ways and means an opportunity to prepare business for the action of the house, he would withdraw his motion to adjourn, and move the previous question on the motion to print.

[Cries of "That is it!"]
But the house, by yeas 79, noes 80, refused to second the demand.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

July 22. Mr. SMITH, of Indiana, presented a petition of citizens of Dearborn county, in that state, praying congress for the passage of a general bankrupt law this session.

Mr. THILLMAGE presented petitions for the same object, from New York, and Reading, Berks county, Pa.

Mr. WRIGHT presented a remonstrance against the same from citizens of New York.

The following resolution submitted, yesterday, by Mr. CLAY, of Alabama, was adopted:

Resolved, That the secretary of the treasury prepare and lay before the senate, a list of all articles imported and subject to a duty of less than 20 per cent, and report under its existing laws; and also, restricting the rate of duties paid on each, and the amount of duties paid on each class of these articles, in 1837, 1838 and 1839, with the whole value of these articles imported in each of these years.

The resolution of Mr. BENSON was adopted, requesting the secretary of the United States to communicate to the senate the proceedings and reports of the commissioners appointed to examine into the conduct of contractors and agents on the public buildings.

A resolution offered yesterday by Mr. HENDERSON was adopted, calling on the navy department to prepare and lay before the senate, at as early a day as possible, at the next session of congress, a report on the necessity and propriety of a naval depot and navy yard at the Gulf of Mexico.

The bill to change the place of trial of general Gratiot, was taken up, and after considerable debate, the question on its passage was negatived; yeas 19, noes 26.

According to notice of yesterday, Mr. BERRIN moved to amend the bankrupt bill. His amendment had been directed anxiously to this measure, as appeared from the numerous memorials presented since they had been in session. The bill was the subject first introduced at an anterior session, with a single change as to the limitation of the time it was to be in force. It contained two principles: the one relating to voluntary bankrupt, and applicable to all persons without limit to the amount of indebtedness; the other compulsory, and applicable to merchants, retailers, brokers, underwriters and marine insurers, the amount of whose debt must not be less than \$2,000.

The motion was then carried, the bill taken up, and read through by sections, the objects of which, Mr. B. severally and briefly explained.

A debate arose on the fifth section, Mr. BARROW inquiring if its provisions were not in conflict with those of the second, which was imported to Louisiana, as protecting the rights of married women and minors, under their peculiar system.

After explanation on this by Messrs. BERRIN, HUNTINGTON, WALKER and BARROW, no amendment being made, the remainder of the bill was read, and one or two slight modifications adopted.

The bill was then taken up by the senate, when Mr. NICHOLSON said he intended, if offered by no one else, to move an amendment, to include within the provisions of the bill, all banks, whether incorporated or not. But as he had not prepared it, he would defer it to be put in on another day, to give time for the preparation of amendments, the senate went into executive session; and, after which, adjourned.

July 23. Resolutions were submitted by Messrs. Phelps and Henderson, which he over one day.

Mr. PRESTON, from the committee on military affairs, reported house bill making appropriations for fortifications and for the prevention and suppression of Indian hostilities, without amendment.

The senate then proceeded to the consideration of the bankrupt bill, as the general order.

Mr. NICHOLSON moved to amend the bill, so as to include incorporations within its provisions.

Mr. CLAY, of Alabama, suggested to the senator that he had better be put in his amendment to exclude such corporations as were owned wholly or in part by states.

Mr. NICHOLSON then sent to the chair the following proviso, to come in the 21st line of the first section of the bill:

"Provided, That all banking corporations, except those in which the stock is owned wholly or in part by a state, or for which a state is responsible, chartered for the purpose of issuing notes or other evidences of debt, shall be put in the same class as they shall be liable to become bankrupt according to this act."

Mr. NICHOLSON advocated the amendment at some length. He made the modification at the suggestion of his friends from Alabama, but he had not the slightest doubt of the power of congress to include all banks. The evil this sought to remedy had been extensively felt in more than two-thirds of this union, in which the currency was different in kind and value. The amendment he had proposed would reach the evil by holding out to every bank the certainty of its dissolution in case of suspension.

Mr. BERRIN attached immense importance to the amendment. The opinion in regard to banking corporations in a bankrupt bill was a growing one. He contended that they came within the provisions of a bankrupt act, as many of them had suffered from the act of having mixed up with their legiti-

mate business the perils of banking. He insisted that the effect of such a provision would be to separate the sound banks from the rotten ones, and would act as a better regulator than any national institution possibly could do.

Mr. Woodbury could see no reason why natural persons should be subject to all the penalties of this law, and artificial persons should not. He quoted Mr. Appleton's opinion in favor of the application of such a law, as most likely to be more effectual in preventing specie payments than any other measure whatever.

Mr. Williams pointed to the state of Maine, where the bankrupt law of the state was in force against banks, to which he, in a great measure, attributed their present soundness.

Mr. Sevier contended that the subject belonged wholly to the states, and that for this government to meddle to do what the states had not done, was an implication that the states had not acted correctly; and he for one would not sanction it by his vote.

Mr. Berrien replied at length against the adoption of the amendment. He thought difficulties might occur in arranging the details and the clashing of unjust interests with the state and United States courts. Another insuperable objection was that the banks were laboring under embarrassments, from the present position of affairs, and the application of the provisions of this act could not be extended to them without acting on the whole indebted community.

Mr. Walker said this had ever been a favorite measure with him, since its first introduction in 1837. There was no danger of the clashing of individual interests, because the bankrupt law would override the state laws, and it was for that purpose it was needed to give uniformity to its action.

Mr. Bayard moved to amend the amendment by striking out the words "except those in which the stock is owned wholly or in part by a state, or for which a state is responsible," giving his reasons therefor of some length.

Mr. Henderson followed at some length. Mr. Clay, of Alabama, had some scruples as to the power of the general government to interfere with institutions emanating from states, but when it was sought to enlarge their powers he must at once oppose the amendment.

Mr. Smith, of Conn. said that where the powers of the state and general governments were in conflict under this act, the state must yield. He thought this the time, above all others, for the insertion of such a provision in the bill.

Mr. Benton said many of his friends were not prepared to vote on this amendment, and he would propose that it be printed, and lie over till to-morrow morning.

Mr. Berrien said the matter had been repeatedly before the senate, and as they were much behind the house, he hoped no delay would be made.

Mr. Benton then moved to lay the bill on the table, which was carried; yeas 26, nays 17.

Mr. Clay then gave notice that he should move to take up the bank bill to-morrow.

Mr. Tallmadge moved to go into executive session.

Mr. Clay moved to take up the bankrupt bill now; and on that called the yeas and nays.

Mr. Tallmadge withdrew his motion, and the question being on the motion to take up the bankrupt bill, Mr. Clay appealed to the friends of the bill to suffer them to go on with it now, and not wait in this manner for the various amendments, greatly retarding the bill, as they had a mass of business on their table.

The question was then taken, and the senate decided to take up the bill, by yeas 26, nays 22.

The question was then taken on the amendment to the amendment offered by Mr. Bayard, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Archer, Bates, Bayard, Benton, Choate, Clay, of Ky. Clayton, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merck, Miller, Morehead, Mouton, Phelps, Porter, Simmons, Smith, of Indiana, Sturgeon, Tappan, White, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Barrow, Benton, Buchanan, Calhoun, Clay, of Ala., Claiborne, Crittenden, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Preston, Sevier, Smith, of Ind. Sturgeon, Tappan, White, Woodbury, Wright, Young—22.

The question was then taken on the amendment as amended, and decided in the negative, as follows: YEAS—Messrs. Allen, Bates, Bayard, Benton, Buchanan, Linn, McRoberts, Nicholson, Pierce, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—16.

NAYS—Messrs. Archer, Barrow, Berrien, Choate, Clay, of Alabama, Clay, of Kentucky, Clayton, Claiborne, Evans, Graham, Henderson, Huntington, Kerr, King, Mangum, Merck, Miller, Mouton, Phelps, Porter, Preston, Sevier, Smith, of Ind., Sturgeon, Tappan, White, Woodbury, Wright, Young—17.

Rivers, Sevier, Simmons, Smith, of Indiana, Southard, Tallmadge, Woodbridge—34.

Mr. Tallmadge moved to adjourn. The long and exhausting sessions, and the heat of the weather, were such as to cause great weariness and lassitude. The motion was lost—17 to 23.

Mr. Wright then moved to strike out that clause which related to the privileges allowed to married women and minors, in the second section, on the ground that it deprived the bill of that uniformity of system which ought to belong to a general bankrupt law.

The amendment was opposed by Messrs. Huntington and Walker.

Mr. Mouton said, if this provision was stricken out, he could not give his support to the bill.

The question was then taken on striking out, and decided in the negative, as follows:

YEAS—Messrs. Benton, Clay, of Alabama, Fulton, King, Linn, McRoberts, Nicholson, Pierce, Preston, Sevier, Sturgeon, Tappan, White, Williams, Woodbury, Wright, Young—17.

NAYS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merck, Miller, Morehead, Mouton, Phelps, Porter, Simmons, Smith, of Indiana, Rivers, Simmons, Smith, of Connecticut, Smith, of Indiana, Southard, Tallmadge, Walker, Woodbridge—37.

Mr. McRoberts moved to amend the bill by striking out "more than two months" from the second section, but it did not prevail.

The suggestion of Mr. Young, the bill was so amended to exclude from the privileges of the act all persons who had alien trusts confided to them.

The bill having been reported to the senate as amended, on the question that this bill be engrossed, Mr. Preston rose and delivered his views at some length in opposition against the general features of the bill, declaring it to favor the debtor interest alone, while that of the creditor was entirely overlooked.

The question being taken on the engrossment, it was decided in the affirmative, as follows:

YEAS—Messrs. Barrow, Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merck, Miller, Morehead, Mouton, Phelps, Porter, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, White, Williams, Woodbridge, Young—27.

NAYS—Messrs. Allen, Archer, Bayard, Benton, Buchanan, Calhoun, Claiborne, Crittenden, Fulton, Graham, King, Linn, McRoberts, Nicholson, Pierce, Preston, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Woodbury, Wright—22.

July 24. Mr. Tallmadge presented a bundle of memorials asking the enactment of a bankrupt law. They were from cities and other portions of the interior of the states of N. York and Pennsylvania. The two resolutions submitted respectively by Mr. Phelps, calling for information in relation to our commercial intercourse with Sardinia and other countries, were taken up and adopted.

The bankrupt law was then read a third time, and the question, "shall this bill pass?"

Mr. Tallmadge rose and spoke for upwards of an hour in favor of the passage of the bill.

Mr. Buchanan followed at some considerable length against the principles of the bill and its details.

Mr. Walker followed in reply, contending, with great earnestness, for the principles of the bill and its details.

Mr. Berrien replied at length to the arguments of Mr. Tallmadge in defending, with much zeal, the principles and details of the bill.

Mr. Preston said, as the bill involved very important principles, he would move that the question be taken by yeas and nays.

The yeas and nays having been ordered on the passage of the bill, the vote stood as follows:

YEAS—Messrs. Barrow, Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Henderson, Huntington, Kerr, Merck, Miller, Morehead, Mouton, Phelps, Porter, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, White, Williams, Woodbridge, Young—26.

NAYS—Messrs. Allen, Archer, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Claiborne, Fulton, Graham, King, Linn, McRoberts, Nicholson, Pierce, Preston, Rivers, Sevier, Smith, of Conn. Sturgeon, Tappan, White, Woodbury, Wright—23.

Mr. Clay then moved to take up the bank bill, and requested that the question on agreeing with the committee on the several amendments should be taken separately on each.

This motion having been agreed to, the question was taken, and several of the amendments were concurred in.

The amendment to the 11th section having been taken, it was decided in the affirmative, as follows:

"Provided no assignment or transfer of stock shall at any time be made to others than citizens of

the United States, or corporations and companies of the several states, or of the United States and territories thereof; and, if otherwise made, the same shall be void, and the stock so unlawfully transferred shall be forfeited and accrue to the surplus fund of the bank."

Mr. Clay said he could not on full reflection agree to that amendment. It was putting a restriction on the holder of the stock, which would impair the value of his property. He thought the other provisions, which forbade foreigners and foreign corporations from taking any stock, were amply sufficient without the insertion of this proviso. The bill already contained a clause which would impair the value of the stock, and the stock so unlawfully transferred should be voided and accrue to the surplus fund of the bank.

Mr. Walker declared that to confine the taking of stock to the holders of the United States would be rendered entirely nugatory, if this provision were abandoned. What difference did it make if the stock was allowed to be sold by owners to foreigners, and what guard would the other proviso be if American owners could sell to them at pleasure? None whatever. And this clause would impair the value of the stock, and the stock so unlawfully transferred would be voided and accrue to the surplus fund of the bank.

Mr. Benton said that if it was to be made, it would be much more likely, and there would be much stronger ground for it, if the bank should be in possession of British stockholders, and in that event it would be more easily vanquished.

Mr. Henderson made some observations; when Mr. Clay, of Alabama, demanded the yeas and nays on the proposition.

The question stood for striking out 24, against it 26.

The following amendment to the 17th section having been reported:

"Giving to any number of stockholders of said bank not less than ten, and to their agents or attorneys in fact, the privilege in such examination to inspect any and all private and individual accounts, dealings, and accommodations with said bank and its several offices of discount and deposits."

Mr. Clayton hoped the amendment would not be concurred in, and pointed out the effects likely to ensue from its adoption.

Mr. Walker said this amendment was made on his motion, and had been concurred in by the whole of the committee, and he could not see how it could be rejected. It was on this very provision. Could it be possible that, after all the abuses which experience had shown to have sprung from the want of such a feature in the bill, it should be rejected? Unless gentlemen intended that all the proceedings of the bank should be veiled in secrecy and mystery, they would not interfere with that proposition.

Mr. Clay said that the evils which gentlemen seemed to fancy could not occur. If there was any bank bill which came within a hundred miles of the present in point of guards and restrictions, he should like to see it. What did the prior clause of the section say? Had not the head of the treasury the right to inspect books, papers, and even accounts of individuals? Was not the condition of the bank to be published monthly? And were not the bank and its branches open at all times to the free and unrestricted inspection of a committee of either house of congress, committee of the stockholders, or of the public?

Mr. Clayton said that "shrouding in secrecy" was not the object of the amendment. He said that the present charter had outstripped all that had ever preceded it, in the case taken to prevent every abuse. By the amendment he would place the institution in the hands of not less than ten, and owning only a single share of stock, which might have been obtained only the day before, have the right to go into an examination of all the private dealings of the bank. Such a clause would place the institution in the hands of the disposal of its enemies. Persons, from whom, caprice or malice, could derange or interrupt its functions. He would therefore move to modify the amendment so as to insert after the word "ten," "such stockholders as may be designated by the board of directors, and shall hold the same three months prior thereto."

Mr. Walker said that the amendment had been placed where it stood after a solemn argument in the committee. Now, the proposition was to open the examination to such stockholders as might be designated, but not to the poor. Before an examination can be made the stockholders must own \$5,000 worth of stock, while ten individuals with one or more shares only could have that privilege. Why make the right to stock more exclusive than the law? Why make so odious a discrimination, and

one so directly at war with the genius and spirit of our institutions? Why not have it open to all? We should demand the very best and say:

Mr. Clay. The pool the pool were to be abridged of their right? How so? Was it to be supposed that any ten stockholders who might get hold of a single share for the purpose of trying to deprive the owners of individuals, or of destroying the institution, would be permitted to do so? What merchant, what business man, would keep his accounts or make his deposits in such an institution, under such circumstances? The question was not as the Senate had supposed, to prevent examination, but he did not desire to see the amount so small that any speculator or his agent should have the power to examine into the concerns of the bank for sinister purposes. The senator from Mississippi was mistaken in supposing that each one of the stockholders should hold five hundred shares; it was that amount in their aggregate capacity; it was necessary that amount should be represented before such examination was made; and any stockholders living close by for fear could at any time associate together—that was, any nine of them could associate with one, if they pleased, so as to secure the object. The principle of his amendment came from the other house; the popular, the democratic branch. Mr. Walker was not aware that the other branch had adopted the feature.

Mr. Clay said it was in the bill before that body. The question on the amendment being taken, the vote stood as follows:

YEAS—Messrs. Archer, Bates, Bayard, Berrien, Claiborne, Clay, of Ala., Colburn, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Merrick, Miller, Morehead, Phelps, Prentiss, Preston, Rives, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—25.

NAYS—Messrs. Allen, Barrow, Benton, Buchanan, Calhoun, Clay, of Ala., Colburn, Culbert, Fulton, Henderson, King, Linn, McRoberts, Monro, Nicholson, Pierce, Porter, Sevier, Smith, of Conn., Sprague, Tappan, Walker, Williams, Woodbury, Wright, Young—26.

So the motion was lost. Mr. Clay now expressed a hope that the entire amendment would be rejected.

Mr. Porter had voted for the amendment. His personal experience in relation to the banking principle, and he thought the principle of publicity a very salutary one; but he was not aware at the time of the abuse to which it might be subjected. He would move to modify the amendment so as to insert after the words "each of whom shall hold not less than five shares."

Mr. Walker professed himself satisfied with the modification, and it was adopted.

The question was then taken on concurring in the amendment as amended, and decided in the negative as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, Henderson, King, Linn, McRoberts, Monro, Nicholson, Pierce, Porter, Sevier, Smith, of Conn., Sprague, Tappan, Walker, Williams, Woodbury, Wright, Young—24.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Claiborne, Clay, of Ky., Clayton, Dixon, Evans, Graham, Huntington, Kerr, Merrick, Miller, Morehead, Phelps, Prentiss, Preston, Rives, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—26.

So the amendment was lost. On motion of Mr. Wright, the senate then adjourned.

July 26. Mr. Sevier presented a letter from the secretary of war in relation to the claim of a Cioctaw Indian now in this city, praying for the confirmation of certain land titles to that tribe.

Mr. Clay, of Ky., presented a petition signed by many respectable inhabitants of the city of Washington, who were men of business, calling the attention of congress to the business condition of the District of Columbia, owing to the state in which the banks of the District were left by the late administration, and respectfully asking the recharter of the banks of the District for a limited time.

The bank bill was then taken up, the question being on the further concurrence with the amendments of the committee.

The amendment providing that the bank shall not increase the amount of debts due to it when the notes exceed three times the amount of specie in its vaults, was, on motion of Mr. Clay, of Ky. modified so as to provide that the bank shall not knowingly increase the amount of debts due to it, when the notes in circulation exceed three times the amount of specie in its vaults; and whenever such excess takes place, it shall be the duty of said corporation to return to its proportion, with as little delay as will be safe and practicable.

The amendment was opposed by Messrs. Clay, and Huntington, and advocated by Messrs. Walker, Clay, of Ala. and Linn.

The question was then taken, and the amendment of the committee rejected, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala., Colburn, Fulton, King, Linn, McRoberts, Monro, Nicholson, Pierce, Rives, Sevier, Smith, of Conn., Sprague, Tappan, Walker, Williams, Woodbury, Wright, Young—23.

NAYS—Messrs. Barrow, Bates, Berrien, Claiborne, Clayton, Dixon, Evans, Graham, Henderson, King, Linn, McRoberts, Monro, Nicholson, Pierce, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—24.

Mr. Clay opposed the amendment in the same fundamental rule, providing that no note or bill of which any member of either house of congress of the United States, is maker, drawer, endorser, acceptor, or otherwise a party, shall be discounted.

Mr. Walker said, to remove the senator's objection, he would propose a modification, to provide that no note should be discounted by a member of congress. Would the senator compromise? He had before compromised, and on this ground they might compromise.

Mr. Clay said it would be a great improvement, but the amendment would still be open to objection, as an unreasonable interdiction in members of congress. He would vote for the amendment, if the senator would either, that he should be otherwise obliged to vote against the whole amendment.

Mr. Walker then moved to strike out the amendment and insert, the proviso, that no note or bill shall be discounted for any member of either house of congress.

Mr. Buchanan said no member of congress ought to be a borrower at this bank, and he was willing to interdict them to this manner, which was but a small injury to them, as there were many other banks in which they might borrow. If this power was given, the directors would assist each other in making loans.

Mr. Clay said the directors of the bank were not to have any loans, and therefore they would have to comply with the directors of the branches.

Mr. Buchanan advocated the amendment at some length.

Mr. Culbert dwelt on the propriety of the majority adopting the amendments, of a just nature, of the constitution, in order to avoid all idea of the bank being a political institution.

By general consent, the amendment of the committee was adopted, unanimously, the amendment proposed by Mr. Walker, who then, at some length, rejected the amendment as modified.

Mr. Benton read from the report of the investigation of the proceedings of the late bank, a statement showing the amount of its loans to members of congress, editors of newspapers, &c. Mr. Clay further opposed the amendment. What was the principle contained in it? It was that members of congress should not share in the benefits of an institution to be created by their votes. On the same principle, it might be supposed that they voted to reduce the tariff, for the purpose of getting their clothing cheaper.

Messrs. Culbert and Linn advocated the amendment.

Mr. Pierce said the only hope to this country was in rapidity. The amendments were to be voted down.

He referred to loans of two hundred thousand dollars in one year, and three hundred thousand in another, by the old bank to members of congress.

Mr. Clay said that the greater part of the loans were made by those opposed to the bank.

Mr. Buchanan had no doubt of that.

The question was then taken; and the amendment as modified concurred in, as follows: (YEAS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, King, Linn, McRoberts, Monro, Nicholson, Pierce, Porter, Sevier, Smith, of Conn., Sprague, Tappan, Walker, Williams, Woodbury, Wright, Young—25.)

NAYS—Messrs. Barrow, Bates, Berrien, Claiborne, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—24.

The question then being on the amendment of the committee, providing "that the entire liabilities of any one director of any said offices to said corporation may exist to an amount not exceeding ten thousand dollars," after a few remarks in its support by Messrs. Allen and Culbert, it was adopted by a large vote.

YEAS—Messrs. Allen, Archer, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, Henderson, King, Linn, McRoberts, Monro, Nicholson, Pierce, Rives, Sevier, Smith, of Conn., Sprague, Tappan, Walker, Williams, Woodbury, Wright, Young—27.

NAYS—Messrs. Barrow, Bates, Berrien, Claiborne, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—24.

After a concurrence in various others, the amendments of the committee were gone through.

Mr. Clay, of Kentucky, offered an amendment, the object of which was to allow payment of subscriptions of stock to the bank to take place in certificates of stock, issued under the act entitled "an act authorizing a loan not exceeding twelve millions dollars." This amendment was adopted without a division.

Mr. Clay offered several verbal amendments consequential on this, which were adopted.

Mr. Huntington renewed his motion for amendment made in committee, providing that no notes of less denomination than five (instead of ten) dollars shall be issued. He advocated this at some length.

After discussion by Messrs. Woodbury, Bayard, Tappan, Buchanan, Huntington, Sevier and Henderson, the amendment was lost by an equal vote, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—25.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Claiborne, Clay, of Ala., Colburn, Fulton, King, Linn, McRoberts, Monro, Nicholson, Pierce, Rives, Sevier, Simmons, Smith, of Conn., Sprague, Tappan, Walker, Williams, Wood, Wright, Young—26.

Mr. Walker offered his amendment which was ordered to be printed some days since, to strike out, at page 14, from line 16th to 20th the provision that three directors shall be appointed by the president, and insert a proviso, that during the next session of congress four directors shall be appointed by congress—two by the house of representatives, to be chosen at the same ballot, each member being permitted to vote for one director only; and the two persons having the highest number of votes to be declared elected; and two directors to be chosen in like manner by the senate, and the four directors to be appointed in the same manner, on the first Monday of January of every year, during the existence of said corporation.

This, being advocated by Mr. Walker and opposed by Mr. Clay, was rejected, as follows:

YEAS—Messrs. Linn, McRoberts, Bates, Sevier, Sturgeon, Walker, Williams, Wright—7.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Benson, Birney, Calhoun, Clayton, Dixon, Evans, Fulton, Graham, Henderson, Huntington, Kerr, King, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Rives, Sevier, Simmons, Smith, of Connecticut, Smith, of Indiana, Tallmadge, Tappan, White, Woodbridge—26.

Mr. Bayard moved to amend the amendment, by striking out the words "debts due, and becoming due to said bank," and insert the words "the discounts, loans and other investments, bearing interest of said bank," (which should sever at any time exceed the amount of capital stock paid in, and seventy-five per cent advance thereon.)

After some conversation by Messrs. Bayard, Simmons and Buchanan, the amendment was rejected, without a division.

Mr. Linn moved to insert, at page 14, line 52, the following: "and no person who was president or director of the old Bank of the United States, during the time of the government directors were excluded from knowledge of participation in the affairs of the said bank, and shall have concurred in said exclusion or in the measures of the bank producing entrenchment, panic or pressure, in 1823 and 1834, shall not be a director or agent of this bank or any of its branches."

This was supported by Mr. Linn, and opposed by Mr. Clay. It was then rejected, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, Linn, McRoberts, Monro, Nicholson, Pierce, Rives, Sevier, Smith, of Conn., Sprague, Tappan, Walker, Williams, Wood, Wright—13.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Benson, Claiborne, Clay, of Ky., Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—27.

Mr. McRoberts moved to insert, at page 15th line 60; and no person who was a director of the old Bank of the United States, or a director at the time the committee of the house of representatives was raised leave to examine said bank, shall ever be eligible to the place of director, president, or officer of any bank or any of its branches; nor shall any person be re-eligible who shall have voted for any willful invasion of the provisions of this act, during pre-

vious service therein; and every person appointed director of this bank, or any of its branches, shall take and subscribe an oath, in duplicate, declaring that he has not willfully concerned in any violation of this act; and all false swearing therein shall be held and deemed willful corrupt perjury, and be punishable therefor."

Mr. Clay hoped this bill of amendment would meet the fate of its predecessor. He would as soon vote for it on principle, as to vote to take these men up, and try and hang them without judge or jury.

Mr. McKelven said the amendment did not go far as to hang them, but disappportion to some degree ought to be expressed against them.

The amendment was lost, as follows:
YEAS—Messrs. Allen, Benton, Clay, of Alabama, Fulton, Linn, McKelven, Nicholson, Pierce, Sevier, Smith, of Conn., Tappan, Wadsworth, Wright—13.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—25.

Mr. Benton moved to insert at the 34th page, 8th line, after the word "bank,"—and so much of the constitution of the United States, and so much of the laws of the United States, and so much of every treasury regulation as are applicable to the public moneys in the treasury of the United States, shall be held and taken to apply to said moneys when deposited or placed in said bank or branches."

Mr. Clay said a previous section of the bill provided that money deposited in this bank shall be taken to be to the treasury, liable to be taken out only by check.

The amendment was rejected, as follows:
YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—21.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Ky., Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Tallmadge, White, Woodbridge—27.

Mr. Smith, of Connecticut, moved to insert at page 21, line 124, a provision that no loan should be made by said bank, or any of its branches, to any individual, company, corporation or state, of a larger amount than ten thousand dollars, so long as any applications are pending or rejected of a like amount, or good notes, or bills of exchange which are sufficiently secured.

This was rejected, by the following vote:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—21.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Tallmadge, White, Woodbridge—25.

Mr. Benton moved to add at the 20th page, line 116, "nor shall any member of congress, during the time that he is a member, or for two years thereafter, be a stockholder in said bank or stockholder or owner of the bank, or any of its branches or have in any way employed, or receive any compensation from it, or any grant or bounty from it."

This was rejected by the following vote:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—25.

Mr. Tappan moved to add at the close of the bill as an additional section, the following:

"And he it further enacted, that this being act to create a fiscal agent for the government of the United States, congress hereby asserts the power under the constitution, to alter or repeal the same at pleasure, except so far as it provides for the payment of the loans that may be contracted under its provisions."

To this, Mr. Walker offered the following amendment: "And provided, that no person shall be deprived of any property held under said act by such alteration or repeal, in any manner repugnant to the 5th article of the amendments to the constitution of the United States."

The amendment to the amendment was rejected without a division; and the question then being on the amendment of Mr. Tappan, this was rejected as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—25.

Mr. King moved to insert a prohibition of loans or discounts to the president of the United States, the vice president, to the heads of any of the executive departments, the postmaster general, and attorney general of the United States included, or to any judge of the supreme court.

After a brief discussion, by Messrs. King and Walker this amendment was negatived, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, Henderson, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Ky., Clayton, Dixon, Evans, Graham, Henderson, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—25.

Mr. King suggested to the senator from Kentucky, (Mr. Morehead), as the amendments were completed, to suffer the bill now to be engrossed to the reading, as this would cut off further amendments that might arise to hinder the bill, and on the question of the third reading of the bill the whole subject would be open for discussion. He was prepared to take the vote on the engrossment now, if the yeas and nays should be equal, he would call the question on the final passage.

A further conversation took place, in which Messrs. Calhoun and King desired the question now to be taken on the engrossment; and Messrs. Clay, of Kentucky, and Morehead declined binding themselves, and positively cutting off all amendments, if they, the friends of the bill, were responsible for it, and in the haste in which they had gone through it, they might have passed over some necessary amendments. They would agree to fix by hour to-morrow, when the opponents of the bill would agree to say twelve o'clock, when the debate should cease, and the question be taken on the amendments, if any, and on the final passage of the bill.

The decision of Mr. Berrien the senate then adjourned.

July 27. Mr. Young presented a memorial from a number of citizens of Illinois, in relation to the abolition of slavery, not only in the states and territories, but also arising upon the free influence in the matter, or any union of church and state. The motion to receive ordered to lie on the table.

Mr. Allen presented a memorial from citizens of Benning, recontaining against a national bank, assumption of state debts, protective tariff, and the distribution of public lands.

Mr. Buchanan presented a memorial of the anti-slavery society of Pennsylvania in favor of abolishing slavery in the District of Columbia. Motion to receive ordered to lie on the table.

Also, a number of citizens of Pittsburg, Pennsylvania praying the establishment of a national bank and branches in the several states.

Mr. Preston asked leave to introduce a bill, the subject of which he did not come within the scope of business laid down or action at the present session; but such was the condition of the business under the commission to carry into effect the provisions of the treaty with Mexico, that he hoped the introduction of the bill would be admitted by general consent.

Leave having been granted, Mr. P. introduced a bill to amend the act entitled an act to carry into effect the provisions of the treaty with Mexico. The bill was read and referred to the committee on foreign relations.

Mr. Tappan, by general consent, introduced a joint resolution for a distribution of a certain number of copies of the Digest of Patents; which was made the special order for Friday next.

Mr. Benton sent an amendment to the chair, which he meant to offer when the duty bill came up. His said gentlemen had been hunting up every thing for taxation except physic and gun-guns. It was ordered to be printed.

The bill to establish the fiscal bank was then taken.

Mr. Morehead rose and delivered his views in favor of the bill in a speech of upwards of two hours' length.

Messrs. Calhoun, Allen, Benton and others rejoined.

Mr. Simmons then moved to reconsider the vote of yesterday on the proposition to limit the issue of notes of not less denomination than \$5. He had voted in the negative, but from conversations with his friends, it was thought desirable in the present state of the currency, to make the proposed change.

Mr. Huntington briefly explained the object in view.

With the motion to reconsider was taken by yeas and nays, and decided as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Ky., Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—27.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

The amendment was opposed by Mr. Benton, and advocated by Mr. Smith, of Indiana.

The question was then taken on the adoption of Mr. Huntington's amendment, and decided in the affirmative as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clay, of Ky., Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—27.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

Mr. Clay then addressed the senate of some considerable length in favor of the following amendment, which was to strike out a portion of the 16th fundamental rule, and to insert the following:

"And the said directors may also establish one or more competent offices of discount and deposits in any territory or district of the United States, and in state with the assent of such state; and when established, the said offices or officers shall not be removed or withdrawn by the said directors prior to the expiration of the charter, without the previous assent of congress: Provided in respect to any state which shall not, at the first session of the legislature thereof, have adopted the proposed amendment, resolution or other usual legislative proceeding, or conditionally assent or dissent to the establishment of such office or offices within it, the assent of the said state shall thereafter be presumed; and provided, nevertheless, that when it shall become necessary and proper for carrying into execution any of the powers granted in the constitution, to establish an office or offices in any of the states whatever, and the establishment whereof shall be directed by law, it shall be the duty of said directors to establish such office or offices accordingly."

Mr. Rives followed at great length against the amendment.

Mr. Preston addressed the senate in favor of the amendment.

Messrs. Calhoun, Walker and Buchanan each spoke at length in opposition to it.

Mr. Clay rejoined, and was followed by Mr. Rives in reply at very considerable length; when the question was taken on the adoption of the amendment, and decided in the affirmative as follows:

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—35.

NAYS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

Here there was cries "question on engrossment—question on engrossment."

The question being then taken, the vote stood for engrossment as follows:

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Ind., Southard, Tallmadge, White, Woodbridge—35.

NAYS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Ala. Culbert, Fulton, King, Linn, McKelven, Monton, Nicholson, Pierce, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

The senate then adjourned, after a protracted session of several days.

July 28. The chair laid before the senate a message from the president of the United States, enclosing a communication from the department of

Mr. T. solicited the unanimous consent of the house to offer this resolution, and explain the necessity, expediency and justice of its adoption; but objection being made, the resolution was not received.

Mr. Underwood asked leave to report a bill providing for the repair of the Potomac bridge. Objection was made.

Mr. Briggs moved that the house resolve itself into committee of the whole on the state of the union.

Mr. Levy, of Florida, asked leave at this time to offer a series of resolutions calling for information on one of the departments, and which he desired might be read for information. Objection was made.

Mr. Levy said that he had waited long for an opportunity to present these resolutions, affecting, as they did, the interests of the territory which he represented. He desired to be informed by the speaker when he might present them?

The speaker replied, whenever the speaker had the same privilege under the rule.

Mr. Barnard asked Mr. Briggs to withdraw his motion for the present, in order that the bill from the senate (now on the speaker's table) to establish a uniform system of bankruptcy throughout the United States might be put on its first and second readings.

Mr. Briggs did not withdraw.

Mr. Barnard asked the yeas and nays on the motion to go into committee, which were not ordered.

And the question being taken, the vote stood: yeas 57, noes 56. But no quorum voted.

Mr. Weller moved a call of the house, which was refused.

But still no quorum voted.

Mr. Weller said that the house adjourn.

Mr. Weller said he would object to any question being taken in the absence of a quorum, and asked the yeas and nays on his motion to adjourn, which were ordered.

At the request of many members, Mr. Weller withdrew his motion to adjourn.

And the question recurring on the motion of Mr. Briggs that the house resolve itself into committee of the whole on the state of the union, Mr. Briggs withdrew that motion.

Mr. Barnard thereupon moved to take up the senate bill to establish a uniform system of bankruptcy throughout the United States.

Mr. Weller and other members objected, and Mr. W. moved that the house resolve itself into committee of the whole on the state of the union; on which the yeas and nays were taken, and were, yeas 54, noes 51.

The house then again resolved itself into committee of the whole on the state of the union (Mr. Cushing, of Mass. in the chair), on the bill in relation to duties and drawbacks.

The pending question being on the motion of Mr. Johnston, to strike out the enacting clause of the bill, Mr. Holmes, of S. C. replied at length to certain portions of the remarks submitted yesterday by Mr. Adams; and urged the passage of the bill.

Mr. Sergeant spoke with great earnestness and power in favor of the passage of the bill; examining it especially with reference to its bearing upon the compromise act, and contending that its provisions, whilst they amounted to a repeal of the act of July, 1832, did not affect or interfere with the provisions of that compromise act.

Mr. Gilmer made some remarks in opposition to the bill; for the passage of which, he contended, as a measure of revenue, (in which light alone he was willing now or ever to consider it), there was no necessity at this time. In the course of his remarks, Mr. G. took occasion to vindicate his own political course from aspersions which, he said, had been cast upon it in various quarters.

Mr. Linn sustained the bill at some length.

Mr. Underwood followed in some statements and arguments (looking to that conclusion, especially with reference to the article of tobacco) which, he said, he intended to offer when it would be in order for him to do so. He declared himself in favor of the passage of the bill, though he said he should vote for it with much greater satisfaction if the amendment indicated by him should be adopted. At the conclusion of his remarks, Mr. U. read his amendment for information.

After a few brief remarks from Mr. Trippitt, also mainly directed to the point of retaliatory duties, Mr. James I. Fine obtained the floor, and moved that the committee rise. Which motion prevailing, the committee rose, reported progress, and obtained leave to sit again.

The speaker then before the house a message from the president of the United States, transmitting a

communication from the secretary of state, on the subject of appropriations required for the outfit and salaries of diplomatic agents of the United States, which was read and referred to the committee of ways and means.

Mr. Kennedy, of Md. gave notice of an amendment which he intended to offer to the revenue bill, and said that, as the amendment was one of some value, he would ask the house to let it be printed. Which was agreed to.

On leave given, Mr. Stanley, presented the petition of citizens of the District of Columbia; which was referred to the committee on the said District, and ordered to be printed.

Petitions were also presented, on leave, by Messrs. Care Johnson, of Tenn. Windsor, and Adams, of Massachusetts.

The house then adjourned.

Wednesday, July 29. Petitions were presented, by general consent, by Messrs. Adams, of Mass. and Pope, of Kentucky.

Mr. Fillmore moved that the house proceed to the consideration of the resolution offered by him yesterday, and laid on the table, fixing the time at which the revenue bill should be taken out of committee.

But Mr. F. now modified the resolution to read as follows:

Resolved, That on Friday next at 12 o'clock M. all debate in committee of the whole on house bill No. 12 shall cease, and the committee shall then proceed to vote on the amendments then pending, or they may be offered to said bill, and the same shall then be reported to the house, with such amendments as may have been agreed to by the committee; provided, that nothing in this resolution shall prevent the committee from reporting the bill to the house at an earlier hour if it shall think proper.

The mover of any amendment may make a brief explanation, to which there may be a brief response; but no such explanation or response shall exceed ten minutes each, and no more than twenty minutes shall be given to any one amendment.

Mr. Lewis Williams objected to the latter part of the resolution, as contravening the rules of the house. Besides, he wished to know who was to determine what a brief explanation was. He moved a division on that part of the resolution.

The speaker said that the last part of the resolution certainly came in conflict with, and in fact changed the rule of the house.

Mr. McKay rose and suggested to Mr. Fillmore to modify his resolution by striking out Friday and inserting Saturday.

Mr. Fillmore. It so happens, from some cause or other, that there were many members frequently absent on a Saturday, and I must adhere to Friday; so at least as to dispose of the bill this week; above the previous question.

Mr. Pickens (this being, he said, a very important bill) moved a call of the house. But the house refused to order a call.

And the speaker being about to put the question on seconding the demand for the previous question Mr. McKay insisted that he had moved his amendment before the previous question was called, and said, therefore, the question should be taken upon it.

The speaker said he had understood the gentleman not as absolutely moving his amendment, but as suggesting it as a modification of the resolution, which the gentleman from New York (Mr. Zittmeyer) had declined to accept.

Much conversation took place as to the question of fact; after which, the amendment of Mr. McKay was regarded by the house as having been formally made before the motion was submitted for the previous question.

The question recurring on the demand for the previous question, it was taken, and decided in the affirmative: yeas 104, noes 80. So there was a second.

And the main question was ordered to be taken; which main question was, first, on the amendment Mr. McKay, striking out Friday and inserting Saturday.

Mr. Miller, of Missouri, asked the yeas and nays on that motion; which were ordered, and, being taken, were yeas 91, noes 101. So the amendment was rejected.

And the question then recurring on the resolution, Mr. Medill asked the yeas and nays; which were ordered.

And the question on the adoption of the resolution was then taken, and decided in the affirmative, yeas 113, noes 85.

The latter part of the resolution (that which allows brief explanations of amendments) was withdrawn.

Mr. Marshall asked the general consent of the house at this time to present a petition praying the

passage of a uniform bankruptcy law; and was understood to say that, as he should himself vote against such a measure, he desired to say a few words in explanation. Objected to.

A message was received from the senate, through Ashbury Dickinson, esq. secretary of that body, stating that the senate had passed an act to amend an act entitled "an act to carry into effect the convention between Mexico and the United States;" and asking the concurrence of this house therein.

Mr. Chubb moved that the bill be put upon its first and second reading, with a view to its reference to the committee on foreign affairs. Objection was made.

Mr. McKay moved that the house resolve itself into committee of the whole on the state of the union.

Mr. Barnard said he would, if in order, move to amend the motion so as that the house should first take up the business on the speaker's table.

Mr. B. said that his object was to reach the bill from the senate to establish a uniform system of bankruptcy, in order that he might make a motion that it be printed. It would not require more than ten minutes to dispose of it.

The speaker said that this motion would not be in order unless the motion of the gentleman from New York (Mr. Barnard) should first be voted down.

And the question being then taken, the motion of Mr. McKay, by yeas 100, noes 65, was agreed to.

So the house resolved itself into committee of the whole on the state of the union (Mr. Cushing, of Massachusetts, in the chair) on the bill in relation to duties and drawbacks.

The pending question being on the motion of Mr. Johnston, to strike out the enacting clause of the bill, Mr. James I. Fine, who was called to the floor, rose and addressed the committee during the hour.

Mr. I. had not concluded when, the hour having elapsed, the chairman interposed, and Mr. I. took his seat.

Mr. Barnard addressed the committee on the general policy and provisions of the bill.

Mr. Barnard was followed by Mr. Windsor, who, while he admitted that the sum proposed to be raised by this bill was not greater, if so great, as would be needed, objected to the mode of laying the duties, as not founded on sufficient knowledge of the details of the subject. He referred to several statements from his constituents as proving that Congress did not now possess the adequate information to act upon. He could not vote for the bill in its present form, but he would vote for amendments as had been proposed by Mr. Barnard, by substituting a direct specific duty on particular articles, such as silks, stuffs, goods, fruits and spices, which he contended would be within the provisions of the compromise act.

Mr. W. was followed by Mr. Randolph, who indicated his purpose to propose to amend the bill by imposing a duty of 20 per cent. upon rail road iron; and to exempt silk plush and soda ash from duty altogether.

Mr. Everett next addressed the committee in a speech whose interest drew most of the members round him. The committee then rose.

A message was received from the senate, through Ashbury Dickinson, esq. secretary, stating that that body had passed a bill to incorporate and authorize a local bank of the United States; and asking the concurrence of this house therein.

On motion of Mr. Sergeant, the bill had its first and second reading, was referred to the committee of the whole on the state of the union, and ordered to be printed.

Mr. Wise expressed his hope that it would be considered at as early a day as possible.

Mr. Sergeant concurred in this desire.

Mr. Pickens inquired while bill would have precedence, that from the senate, or the bill which had been reported to the house from the committee of ways and means?

The chair replied, that would be for the committee of ways and means.

Mr. Pickens knew that; but wished to understand which of the two bills the gentleman from Pennsylvania meant to press?

Mr. Sergeant said, in reply, he should prefer the bill from the senate; though he would not be understood to say that it might not need some amendments.

Mr. Pickens suggested the propriety of referring the senate bill in the first place to the committee of ways and means.

(Cries of no! no!)

Mr. Ingersoll wished to have the rules suspended; that petitions on the bankrupt bill might now be presented; but before any decision on this motion, the house adjourned.

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FOREIGN ARTICLES.

The British steamer Acadia, with 22 passengers for Halifax and Boston, reached the latter on Tuesday, in 124 days from Liverpool, from whence she brings papers of the 20th July. The Acadia exchanged salutes with the Caladoun 40 miles off Cape Ann. The Columbia made her passage out in 124 days.

Nothing of interest has occurred since our prior article. The prospect of peace is favorable. The Turco-Egyptian question is said to be settled at last. The precise result of the late elections, had not yet been ascertained, but the Tory majority would be about seventy, and so the little prospect we had of "FREE TRADE" is quietly stowed away under batches, whilst the CORN LAWS and TOBACCO RESTRICTIONS which have so long graced their tariff of duties are more signally triumphant than ever.—The people of England have, in the late resort, rejected and contemned their own cry—and it now becomes the obvious duty of the people of the United States to consider their own interest alone.

The British papers are filled with speculations as to the arrangements of the coming ministry, of which it appears agreed upon all hands that Mr. Prax is to be premier. It is therefore important that we should ascertain his sentiments as far as we can, and for that reason we extract from one of his recent eloquent speeches, so much as has relation to the position of affairs with this country.

GREAT BRITAIN.

The queen.—From the tone of some of the Tory papers, we infer that the sympathies of the queen are with the present ministers and the defeated party. The Cambridge Advertiser, a radical paper, says: "We have heard it rumored, but will not vouch for the fact, that her majesty has most graciously signified her intention of raising to the dignity of the peerage those liberal county members of the parliament who have suffered adverse circumstances, retired from the contest."

A great number of riots occurred during the recent elections, and many lives were lost. At Waterford a monster, named Morgan, three times delirious, fired a pistol loaded with slugs, at a crowd of boys and girls who were shouting, "Wyse and Barron for ever!" "Down with the Tories." Eleven of the poor children were wounded, and three of them were not expected to recover.

The landing of corn and additional guarantees for the carriage sentiments highly favorable to the preservation of peace between England and the United States. Lord MONTPELIER, who stood for the West Riding of Yorkshire—an agricultural district—lost his election by a few votes, thus spoke from the hustings:

"Stress has been laid upon the disturbed condition of several foreign countries, as affording a clue to the depression of your domestic industry. Well, but what if the distant relations of those countries with us and with each other should not mind what if they should continue? what if they should ever increase? Hostility is deprecated with America. I echo from my heart that philanthropic prayer, but I wish to devise new and additional guarantees for the harmony of nations. We have enough of fancied and trivial causes for war; give us real and solid motives for keeping peace. I fear that peace will never be long secured by the arguments of philosophers, or by the reasonings of political economists. X—Sic 23.

nominate, or by the praises of poets, or even, as the world goes now, by the precept of divines. We cannot make the lion lie down with the lamb; but we may create profitable trade between the woolens of Leeds and the sugars of the tropics. We cannot make an eagle and the sparrow into plowshares; but we can exchange the steel of Sheffield for the servants of Poland and the flour of America; and I believe statesmen will never be so safe as when they are acting upon general and comprehensive principles."

The London Globe—a ministerial paper—seems to consider the defeat of the whigs as in some sort a necessary thing, and commands the magnanimity of lord JOHN RUSSEL, in offering himself as a sacrifice to the first attempt to introduce a great principle. It takes upon it the following reflections:

"None of those great measures which have turned out our party have failed to bring them in again. No great measure, which is really called for, can fail in this country, to restore life to its authors. Our confidence, therefore, in the ultimate triumph of liberal principles of administration, is as strong as our confidence in the reason and the justice of those principles. It was hardly to be hoped that these should be recognized, in a first contest, sufficiently to amount, not only all illicit uses of influence, but all legitimate interests, hostile, at first, though imperfect in formation."

ROBERT PEEL'S SPEECH.
English politics. The speech of sir Robert Peel to his constituents of Tamworth, will prove interesting to our readers. We make an copious extracts as our space will permit.

On the foreign sugar question, he said: Gentlemen, in the course of the late session of parliament, a proposal was made by the ministers of the crown, to reduce the duty on foreign sugar, and thereby allow of its introduction to the markets of this country. Gentlemen, I opposed that proposition to the House of Commons, and I stand on those grounds. I consider the article of sugar as wholly exempt from the operation of the principle of free trade. The question is whether, after the sacrifices which this country has made for the suppression of our slave trade and the abolition of slavery, and the glorious results that have ensued and are likely to ensue from these sacrifices, we shall run the risk of losing the benefit of those sacrifices, and tarnishing forever that glory, by admitting to the British market, sugar, the produce of foreign slavery? (Loud cheers.) Mr. Knight has said that we do not refuse in other articles the produce of slave labor. He states that cotton, tobacco and coffee, are produce of that description; and he adds, that because we take these articles, it is obvious from the deduction, that we controvert our principle of the exclusion of slave labor from the British market.

The deduction, in the abstract, is correct; the proposition, in the abstract, is just. But follow it to its logical conclusion, and you cannot but be brought to the last degree the manufacturing prosperity of the kingdom, reject the cotton of the United States. But, gentlemen, there is a peculiar distinction to be taken between sugar and the articles alluded to.—Sugar has never been admitted into competition in the country, the produce of foreign slavery. And the question is, whether or not there is a sufficient supply of sugar from the free labor of our own colonies, to enable the working classes to have it in sufficient abundance; for I submit that it has almost become one of the necessities of life.

If you open the markets of England to the sugar of Cuba, you may depend upon it that you give a great stimulus to slavery and the slave trade. You make a great experiment in the West Indies, and it has hitherto been more successful than all the circumstances of the case warranted. The industry those colonies has been somewhat paralyzed by the gift of freedom to the slaves. There is now some difficulty, naturally enough, in finding for the present a sufficient supply of free labor, and there is therefore raised a disinclination in our supply of sugar, for the negroes have not yet come round to regular habits of working. It is, however, a difficulty or diminution only temporary, I apprehend, which will soon therefore be at an end. But the cause of the disinclination in the production is, I apprehend, rather of a temporary than a permanent nature. We have hopes of an increased supply from our W. India colonies, and our possessions in the East Indies offer the

means of acquiring a supply of sugar to an almost indefinite extent. In this case we need not run the risk of forfeiting the character we have already acquired at such an immense sacrifice by the abolition of slavery and the slaves, for we have a possible result of increased supply of sugar from the West Indies, and a new supply from the East Indies of sugar produced by free labor. (Hear, hear.) These considerations lead me to the conclusion that it is not necessary to open the markets of England to sugar the produce of slave labor. (Cheers.)

The corn laws.

Gentlemen: I must here repeat the opinion which I have declared here before, and also in the house of commons, that I cannot consent to substitute a fixed duty of 8s. a quarter on foreign corn, for the present ascending and descending scale of duties. (Cheers.) I prefer the principle of the ascending and descending scale to such an amount of fixed duty. And when I look at the burthen the land is subject to in this country, I do not consider the fixed duty of 8s. a quarter on corn from Poland, and Prussia, and Russia, where no such burthen exists, a sufficient protection for it. (Great cheering.) Gentlemen, it is certainly a very important question to be put to your corn at the cheapest market. (Hear, hear.) But gentlemen if you adopt that theory in practice, you must, as a matter of common justice, compare the burthen on the land in other countries with the burthen on the land in this country. (Cheers.) The land of this country is most heavily burthened; you cannot consent that, [addressing disturbers in the crowd.]

Look at the amount of poor's rate as levied on land, as compared with that levied on the productive means of manufacturing industry. [Loud cheers.] Who pay the highway rates? Who pay the tithe? I say, not, perhaps, altogether, but chiefly the landed occupiers of this country. And, gentlemen, if corn be the produce of other lands, not subject to these burthens, but the sugar would not be just to the land of this country, which bears them all, to admit at a low duty. [Hear, hear.] The duty of 8s. a quarter is proposed by the government; if this proposition be adopted, I foresee a redundancy of foreign corn when you are not in want of it, when your own harvests are profitable and abundant; but when the time of scarcity shall arrive it will be impossible for you to levy a duty of 8s. a quarter on foreign corn. Gentlemen, what provision, I ask you, is to be made for that contingency? [Hear, hear.] If corn be at 70s. or 80s. a quarter, will it be possible to levy the fixed duty of 8s. a quarter? [Hear, hear.] By whom is it to be taken off, and when? Once off, by whom is it to be taken again? [Hear, hear.] Take a series of years for your averages—make this experiment, (so doubtful in its issue to me the least of it), and, after all, you will have, as he, the great advocates of this fixed duty, tells you, to give to the land the burden of corn. What, then, becomes of the cry of "cheap bread?"

Gentlemen, it is said that the state of manufactures and commerce of this country is so distressed that it is necessary to change the present corn law to reduce and give to the land the burden of corn. What interest than I do in the manufacturing prospects of this country. Gentlemen, it is possible that I can recollect the origin of my own prosperity—is it possible that I can reflect that I own all I possess—but I owe all I possess to manufacturing industry. I do not feel the most lively interest in all that affects the trade and manufactures of the country? [Cheers.] No, gentlemen, I should be acting a most ungrateful part if I forgot these circumstances. [Cheers.] It is possible that I have also the duty of the working classes, should not be anxious for the adoption of every measure to enable them to command the necessities, and, if possible, the luxuries of life? [Cheers.] Gentlemen, I have that feeling to its fullest extent; but I have also the duty of the working classes, should not be anxious for the adoption of every measure to enable them to command the necessities, and, if possible, the luxuries of life? [Cheers.] Gentlemen, I have that feeling to its fullest extent; but I have also the duty of the working classes, should not be anxious for the adoption of every measure to enable them to command the necessities, and, if possible, the luxuries of life? [Cheers.] Before we make the change, we should be well convinced of the fact, that the distress which is complained of, and for which we all grieve arises from the operation of the corn laws. [Cheers.]

	SPECIFIC DUTIES DUTIES TO AN AD VALOREM					
	WINE.					
	Average cost pr. gal. per cent.		Rate of du. by per act. of 1836.		per cent.	
	89	171	15	181	10	
Madagascar	91.66	99.13	57.75	33.00	26.31	18.81
Morocco	81.66	121.55	20.71	17.77	13.23	10.15
Sicily	0.56	7.74	7.21	6.31	5.53	4.34
Rest of France, in casks	0.21	1.5	4.25	3.72	3.19	2.95
Other of France, in casks	0.23	2				
France, in bottles and casks	1.51	2.5				
Rest of Spain and Austria	0.17	2				
Rest of Spain, Austria, Germany	0.20	2.5	28.31	23.02	15.17	18.41
Rest of Spain, Austria, Germany	0.20	2.5	3.48	5.07	2.47	1.71
Other countries, in casks	0.56	7.74	6.90	5.17	4.43	3.69
Other countries, in casks	0.66	7.74	11.24	9.23	7.03	7.03
Other countries, in bottles, &c.	1.90	7.74	39.70	34.74	29.75	24.82

Year	Appropriations	Excess of appropriations	Excess of expenditures	Appropriations	Expenditures
1925	\$989,437 00	\$909,497 06	\$89,939 94	\$989,019 10	\$737,475 30
1926	1,357,431 05	1,170,666 72	186,764 33	1,065,940 31	896,610 31
1927	1,417,432 10	1,210,760 40	206,671 70	1,005,393 44	891,120 16
1928	1,17,257 84	1,181,482 40	332,255 44	1,092,469 79	1,138,338 96
1929	1,417,257 84	4,559,182 40	332,255 44	1,090,455 80	1,733,437 11
1930	1,361,062 00	3,384,295 39	197,233 70	1,771,577 36	1,938,051 99
1931	2,123,267 17	1,954,711 00	178,556 65	1,767,177 56	1,785,041 99
1932	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1933	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1934	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1935	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1936	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1937	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1938	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1939	2,698,687 91	2,678,787 50	489,160 00	1,486,661 41	1,785,041 99
1940	1,923,585 46	2,901,295 46	566,531 09	19,000 00	272,150 11
Total	\$8,413,882 96	\$7,727,141 93	\$686,741 03	1,263,784 04	11,992,405 85
1941	2,370,448 57	2,310,130 16	60,318 41	1,186,085 67	6,248,553 81

Amount	Expenditure	Amount	Expenditure
857,001 02	2,2	1,0	3
602,626 99	6	202,949 02	3
349,705 37	6	853,838 60	3
938,174 28	2		
91,666 76	2		

Year	Number of mammals	Approximation	Expenditure	Revenue of up- keep of population	Excess in m
1975-76	356,057	89,514	868,512	100,739	144
1976-77	356,057	89,514	868,512	100,739	144
1977-78	356,057	89,514	868,512	100,739	144
1978-79	356,057	89,514	868,512	100,739	144
1979-80	356,057	89,514	868,512	100,739	144
1980-81	356,057	89,514	868,512	100,739	144
1981-82	356,057	89,514	868,512	100,739	144
1982-83	356,057	89,514	868,512	100,739	144
1983-84	356,057	89,514	868,512	100,739	144
1984-85	356,057	89,514	868,512	100,739	144
1985-86	356,057	89,514	868,512	100,739	144
1986-87	356,057	89,514	868,512	100,739	144
1987-88	356,057	89,514	868,512	100,739	144
1988-89	356,057	89,514	868,512	100,739	144
1989-90	356,057	89,514	868,512	100,739	144
1990-91	356,057	89,514	868,512	100,739	144
1991-92	356,057	89,514	868,512	100,739	144
1992-93	356,057	89,514	868,512	100,739	144
1993-94	356,057	89,514	868,512	100,739	144
1994-95	356,057	89,514	868,512	100,739	144
1995-96	356,057	89,514	868,512	100,739	144
1996-97	356,057	89,514	868,512	100,739	144
1997-98	356,057	89,514	868,512	100,739	144
1998-99	356,057	89,514	868,512	100,739	144
1999-00	356,057	89,514	868,512	100,739	144
2000-01	356,057	89,514	868,512	100,739	144
2001-02	356,057	89,514	868,512	100,739	144
2002-03	356,057	89,514	868,512	100,739	144
2003-04	356,057	89,514	868,512	100,739	144
2004-05	356,057	89,514	868,512	100,739	144
2005-06	356,057	89,514	868,512	100,739	144
2006-07	356,057	89,514	868,512	100,739	144
2007-08	356,057	89,514	868,512	100,739	144
2008-09	356,057	89,514	868,512	100,739	144
2009-10	356,057	89,514	868,512	100,739	144
2010-11	356,057	89,514	868,512	100,739	144
2011-12	356,057	89,514	868,512	100,739	144
2012-13	356,057	89,514	868,512	100,739	144
2013-14	356,057	89,514	868,512	100,739	144
2014-15	356,057	89,514	868,512	100,739	144
2015-16	356,057	89,514	868,512	100,739	144
2016-17	356,057	89,514	868,512	100,739	144
2017-18	356,057	89,514	868,512	100,739	144
2018-19	356,057	89,514	868,512	100,739	144
2019-20	356,057	89,514	868,512	100,739	144
2020-21	356,057	89,514	868,512	100,739	144
2021-22	356,057	89,514	868,512	100,739	144
2022-23	356,057	89,514	868,512	100,739	144
2023-24	356,057	89,514	868,512	100,739	144
2024-25	356,057	89,514	868,512	100,739	144

	Amount of pay	Appropriation	Expenditure	Balance of appropriation	Amount of pay made
1,038 01	595,692 90	\$918 34	118 24	22	\$19 24 55
1,038 01	1,111 49	1,102 41	41,227 60		6,135 85
1,038 01	1,316 25	1,302 45			
1,038 01	1,711 86	1,592 90	31,543 56		
1,038 01	1,525 51	1,002 50	3,945 96		
1,038 01	2,505 92	1,706 44	33,519 50		
1,038 01	8,311 00	2,215 22	62,104 82		
1,038 01	2,383 10	1,715 09	36,501 69		
1,038 01	4,301 12	1,917 02	50,541 09		
1,038 01	1,010 17	1,010 17			
1,038 01	1,005 61	1,005 61			
1,038 01	27,346 50	19,009 84	46,072 05	11	735 07 59
2,273 90	61,138 16	1,284 16			

INTERNET INFORMATION

U. S. SENATE. The following table shows the standing of the U. S. senate, for the first session of the 26th congress—also the second session—with the first session of the 27th congress, convened 31st May, 1841. The senate consists of 53 members, and is divided into three classes; one class to be elected every other year; term 6 years. Each class stands in its proper column, with the date of its termination. A star designates, Van Buren members.

First session, 26th congress.			Second session, 26th congress.			First session, 27th congress—31st May, 1841.		
1841.	1843.	1845.	1841.	1843.	1845.	1843.	1845.	1847.
1. Maine, Ruggles,	*Hubbard,	*Williams,	Ruggles,	*Hubbard,	*Williams,	*Pierce,	*Williams,	Evans,
2. New Hampshire,	Davis,	*Pierce,	Bates,	*Pierce,	*Williams,	*Pierce,	*Williams,	*Woodbury,
3. Massachusetts,								
4. Connecticut,	*Smith	Webster,	Huntington,	*Smith,	Choate,	*Smith,	Choate,	Beter,
5. Rhode Island,		Huntington,	Dixon,		Huntington,		Huntington,	
6. Vermont,	Knight	Dixon,	Phelps,	Knight,	Dixon,	Phelps,	Dixon,	Simmons,
7. New York,		Phelps,	Tallmadge,	Phelps,	Tallmadge,	Phelps,	Tallmadge,	
8. New Jersey,		Tallmadge,	Southard,	Phelps,	Southard,	Phelps,	Southard,	Miller,
9. Pennsylvania,	*Wall,	*Buchanan,	*Sturgeon,	*Buchanan,	*Sturgeon,	*Buchanan,	*Sturgeon,	
10. Delaware,		Bayard,	Cleyton,	Kerr,	Bayard,	Kerr,	Bayard,	Clayton,
11. Maryland,	Cleyton,	Spence, dead,	Merrick,		Merrick,		Merrick,	
12. Virginia,		(Vacant.)			Rives,		Rives,	
13. North Carolina,	*Roane,		Mangum,		Graham,	Graham,		Mangum,
14. South Carolina,	*Brown,	*Strange,	*Calhoun,		Preston,	Preston,	*Calhoun,	
15. Georgia,	*Calhoun,	Preston,	Berrien,		*Colthbert,	*Colthbert,	Berrien,	
16. Kentucky,	*Lumpkin,	*Cutburt,	Crittenden,		Cloy,	Cloy,	Morhead,	
17. Tennessee,	Crittenden,	Clay	*Anderson,		*Nicholson,	*Nicholson,	(Vacant.)	
18. Ohio,	*Aderson,				*Tepan,	*Tepan,		
19. Louisiana,	*Nicholas,	*Allen,	*Nichols,		*Allen,	*Allen,		
20. Indiana,		*Monton,	Smith,		*Mouton,	*Mouton,		Berrow,
21. Mississippi,		Smith,	White,		White,	White,		
22. Illinois,	*Welker,	Henderson,	*Walker,		Heederson,	Heederson,		*Walker,
23. Alabama,	*Robinson,		*Robinson,					*Roberts,
24. Missouri,	*King,	*Young,	*King,		*Young,	*Young,		*King,
25. Arkansas,		*Clay,			*Linn,	*Linn,		
26. Michigan,	*Fulton,	*Sevier,	*Beuton,		*Benton,	*Benton,		
	*Norwell,	Porter,	*Fulton,		Porter,	Porter,		
	*18-5.	*18-5.	*Norwell,		*18-12.	*18-12.		
	Van Buren 80, Harrison 31—in all 51.	Van Buren 27, Harrison 25—in all 52.	Van Buren 71, Harrison 25—in all 51.		Van Buren 22, Tyler 20—in all 51.	Van Buren 22, Tyler 20—in all 51.		
	Y. B. majority 9.	Y. B. majority 2.	Y. B. majority 2.		Y. B. majority 2.	Y. B. majority 2.		

CURRENCY. Currency has been the topic of long and labored investigation, and it may seem presumptuous to attempt to settle any principle in relation to it. But if it is an important subject, it ought to be understood; we therefore give our views of it, in the hope of aiding in the settlement of the great question. Currency is that form of capital or credit used as a circulating medium; or any thing which, in a given locality, will purchase commodities or pay debts without further negotiation. This is the simplest illustration of the term. Currency is also "capital seeking investment." Capital is accumulated by labor, aided by capital; and its first form is the product of labor, whatever it may be. If this product is to be used by the producer, or bartered for some other form of capital, each party desiring to consume what he obtains, no currency is required or used; but if the producer desires to invest the product of his labor for future use in some substance not at hand, he first converts it into currency, that it may be ready for investment when the desired object is presented, and whilst thus waiting investment, it remains currency. To determine whether it is currency or not, it is immaterial whether the substance be bank notes, bank deposits, or gold; the fact that the owner desires to invest it, and can do so when the object of desire is presented, constitutes its essential characteristic.—Gold hoarded is not currency, but capital invested for future use. So bank notes and bank deposits, while the owner or holder has no desire to change their character, or to use them, are capital invested; but the moment the desire to invest arises, they are currency; hence currency, being a medium of exchange, is extremely scarce, whilst the apparent amount of money has in no degree diminished; the desire to invest having ceased, the currency is diminished proportionably.

The most objectionable form of currency is bank deposits. In a period of confidence, the bank holding, and the party owning them, are both desirous of investing them, and currency is thereby doubled; while in a period of panic, they are ready at hand to be invested in real estate, or other then most desired. Bank notes may first be collected before they can be invested, and then can only be once invested; they are, therefore, a less objectionable form of currency. The currency of the United States, with the exception of a small amount of metal in circulation, consists of bank deposits and bank notes, or of the credits of banks. The amount in use is seriously estimated, but one hundred and seventy-five millions of dollars is an approximation to the truth, and sufficiently correct to illustrate our purpose. This mass of credit has grown up with the nation during the last half century. It adds nothing to the substantial capital of the country; yet it performs all the functions of capital, and is a gain to the nation, equal to the amount of metal which would be required for its currency. Its liquidation in metal is an impossibility, and it never was contemplated by the parties who issued or received it, nor can it properly be considered a part of the contract. It

will continue to exist and perform its functions while confidence remains, and will perish whenever its character is doubted, or whenever, to any great extent, its conversion into metal is demanded. An adverse foreign demand for ten per cent. of the currency in metal, would at once destroy the convertibility of the whole mass. Unlike metal, it will not revert to capital, that being a material substance, always exchangeable; but will utterly perish, leaving the community to want of capital, the first elements of wealth—currency. By "legalized suspensions," or "facilities" in various forms, miserable substitutes may be provided; and these substitutes are not matters of choice, depending upon the will of the banks or the public, but of absolute necessity, essential to the very existence of the social compact; for a currency, good or bad, will exist.

To a nation like our own, of limited capital and ample room for its employment, the benefits of a currency of credit hardly be appreciated, and these advantages render it idle to propose its abandonment. The proposal to destroy one hundred and seventy-five millions of the capital of the nation, would be an absurdity perceptible at once; but since credit performs all its functions, and has done so for fifty years, it is only by failing to see its true relation to the interests of the country, that its abandonment is advocated by those really desiring the country's welfare.

Such is the currency of the United States—a mere mass of credit; the representative of real wealth in the hands of the debtors of the banks which furnish it, and rarely exceeding in amount one half of the property upon which it rests—perhaps the least valuable form of wealth, but yet less valuable than like amount of metal, yet liable to be paralyzed or destroyed in an hour by an adverse condition of the foreign exchanges. This adverse condition of exchanges may arise from various causes, and is therefore important to be formidable. European wars, inducing a disposition to hoard, or the payment of armies, might bring this calamity upon us, from the fact that we prefer to Europe an open market, to which she will resort to purchase goods, to be rid of her surplus, or desires to purchase gold. From this condition it is impossible for us, by any other process than countervailing duties, to extricate ourselves. If we abandon the system, we cannot abandon the obligations which have grown out of it. The individual and public debt will still remain. If we denounce the banks and ruin their credit, they have only to suspend their own loans of credit, and they will still hold the obligations of the public for three hundred and fifty millions, the amount of their capitals, to be paid by a community without a currency, which would sweep into the coffers of the banks the entire estate of the nation. All industry would be at an end, and "nada ou rien" would be the universal sentiment of society. Such a condition of things cannot be contemplated without horror. It must never be—but it will occur, unless, by the strong arm of law, we prevent the importations which destroy our own industry, and create a balance against us. We have no longer credit in Eu-

rope—a fortunate event. Our state stocks are now too low in the scale of depreciation to meet the difference in exchange; and it is idle to suppose that by any other process we can prevent the occurrence of the circumstances we have described.

The European manufacturer, secure of his home market, sails forth to find an outlet for his surplus; which, whether a profitable one or not, is comparatively of little importance. If suffered to remain at home, it depreciates the value of his remaining stock more than its cost. Into the first open market it is therefore thrust, and exchanged for gold, if nothing better can be found. All the commercial world, except the United States, have either a metallic or a depreciated currency, or a form of circulating; here then all centre, to be sold to the highest bidder.

Now comes the crisis in our affairs. The constitution of the United States having forbidden to the states the creation of any other legal currency than gold or silver, and the enactment of any law impairing the obligation of contracts, the banks finding the current of exchanges adverse, contract the currency; this produces pressure, which but aggravates the evil—panic ensues, confidence is lost, and the whole fabric of the currency falls, involving in one common calamity, banks, the public and the government.

To demonstrate beyond the possibility of doubt, that this is the secret source of all evils we endure, let us contrast our condition with that of France.—France has a population of 36 millions; the currency of the United States is 18 millions; we are then as 1 to 2 of France numerically. In point of capital, in the form of real estate, in utility, in buildings, animals, roads, canals, rail roads, manufactures, minerals, coal, iron, lead, and the leading constituents of wealth, we are at least in the same ratio.—In point of moral, intellectual and physical capabilities, we stand not far behind her. Of the precious metals, jewels and capital in whatever form, as also in military arrangements, France is greatly our superior; but these, while they are retained, add nothing to her ability to acquire wealth or to meet expenditures. What then is the condition of France? What is her debt? What the amount of her civil service? What her armies and navy? The debt of France is one thousand and millions of dollars; her annual expenditure 200 millions; her army, 500,000 men; her navy, 350 ships and 35,000 men, with all the munitions of war. Yet, notwithstanding all this vast expenditure of means, France is daily improving her condition, and has improved it to a great extent since 1815, when she was overrun by the allied armies, her capital in the hands of her enemies, and her treasury exhausted.

True, her population is heavily taxed, but much that is abstracted from the people in the form of taxes, returns to them in the disbursements of the government; and labor, by an increased activity, is

enabled to reserve to itself a competency. What is our condition after the 25 years of peace? Is our army 250,000 men? Is our navy equal to half that of France? Is our revenue 100 millions of dollars?—Although our public debts are not five hundred millions—the proportion of our population to that of France—are our public stocks, though nearly double the interest of those of France, accredited even in our own markets, or have we an equivalent for these expenditures in any other or a better form? If unable to employ 250,000 men as soldiers, can we employ them in constructing canals and rail roads? The coast is not in the interest, and will impress itself strongly upon us, if we bear in mind that our population is half that of France, and in 25 years will be equal. From what cause does this contrast exist? Whence is derived the pay, subsistence, clothing and arms of this half million of soldiers, these naval manions, the pay of her civil service and innumerable police, the gorgeous display of her court and nobility? Could we, with our present policy, sustain a standing army of 250,000 men? Where shall we find an equivalent for this? In our bankrupt merchants—our broken down currency—our laborers asking in vain for employment; our states sacrificing their bonds in market at 40 per cent. discount, to construct a canal of a few miles extent; and the "unhappy star" alerted of an advance of her credit, equal to two dollars a head of her population, for the construction of her great public works, whilst France spends six dollars per head annually, and prospers by the outlay. Are we less intelligent, less energetic, less industrious, or four political institutions that we are thus? There must be a radical difference in the policy of the two nations to produce such differences in their capabilities. That difference is found in their foreign commercial code, and the same difference is found in the statement of Dr. Bowring, quoted above. "The principal object of the French tariff is to protect the French manufacturer; to exclude every thing which competes with him in the home market, to shut out every foreign article which can be produced at home." This is the only important difference in the policy of the two nations, and it is adequate to the result. The industry of France is sustained, and devoted to the interest of France, and the world recognizes her as a nation. Give to America industry, and talent its own glorious country to embellish, freed from the wasting influence upon her currency by European policy, which proscribes many of our staples, and burdens others with enormous duties, while they force their surplus upon us freely and without hindrance, and a few short years would change the scene. Industry would again spring into life, our currency be reanimated, and the nation be redeemed from worse than colonial bondage. *[American Institute report.]*

GREAT BATTLE IN THE INDIAN COUNTRY.—Under this head the St. Louis Argus, of the 23d, contains the following important and interesting piece of intelligence:—"Large numbers of Indians, negroes and mongrels, from Florida have been placed upon the borders of Arkansas and Missouri. By a gentleman direct from Fort Leavenworth, we learn that some 600 negroes from Florida, and runaways from the Choctaws and Chickasaws, and from the whites, united with a few Indians, and perhaps a few white men, have been gradually assembled in the fastnesses west of Arkansas. Not long since they march high up Red river and camped for the purpose of hunting buffalo. The buffalo were the valuable fur with logs, and were killed with a difficulty protect themselves against all dangers? They caught but few buffalo, and therefore to supply their wants, invaded the possessions of the Choctaws and carried off cattle, poultry, grain, &c. The Choctaws followed, but finding their numbers and fortifications an overmatch, the retired and sent to Fort Gibson for the U. S. dragoons. Capt. Moore of company D, was sent to capture them with three companies of dragoons, but after arriving upon the Red river, he found their entrenchments too strong, and their number too great to venture an attack. He accordingly sent to Fort Tawson and was reinforced with a fine company of infantry and a couple of pieces of cannon.

"The cannon were shortly brought to bear upon the works and soon made the splinters fly and the log move so quickly, that the refugees, at a signal rushed outside of their fortifications and began to form upon the prairie in front of their works. Ere they fully succeeded in doing so, Capt. Moore and his gallant dragoons charged upon them at full gallop. The enemy that ensued is represented as terrific—the dragoons routed them in all directions, and, after putting large numbers to the sword, succeeded in capturing the remainder. The conduct of the dragoons is represented as worthy of all commendation as regards both skill and bravery. The

bravery and numbers of the refugees availed absolutely nothing against the irresistible charge of the mounted dragoons.

"This decisive blow will give security to the exposed portion of our frontier and convince the lawless negroes and Indians that our dragoons may not be trifled with. The loss of the dragoons was unknown to our informant—he said an express brought the news to the fort."

THE NAVY.

The U. S. frigate *Macdonald*, commander James Wilkinson, and sloop-of-war *Warren*, commander Wm. Jamieson, arrived at Boston on Wednesday morning from Pensacola, having left that port on the 9th instant, and anchored of the navy yard. "The *Macdonald* looks as if she had met with distressing times, and her general external appearance, with her 'slump' main topgallant mast, although decorated with a broad pennant, is more like an old English transport than a crack American frigate. Boston harbor presents a warlike aspect. There are at anchor in the stream two eighty gun ships, a frigate a sloop-of-war and a government schooner. On Tuesday commander Hull benighted down his pennant on board the Ohio, and the ship is to be immediately taken into the navy yard, and those of the crew whose term of service has expired, will be paid off. If the *Macdonald* had arrived on Tuesday, the novel spectacle would have been presented of three broad pennants, (the blue, the red, and the white), in the same squadron of ships; viz: the *Pennant* of com. Hull, on board the Ohio; of com. Down on board the Columbus, and of com. Wilkinson, on board the *Macdonald*. We believe that a case has never occurred in our navy where three commodors, commanding squadrons, have hoisted their pennants in the same port at the same time."

IMPLEMENTS OF WAR. In the National Register of October last, volume 50, page 187, we inserted extracts from English papers relative to some wonderful powder water to have been discovered by a Mr. Warner, and the effects of which was by him exhibited to sundry high officers and scientific persons in the confidence of the British government, who the accounts stated were perfectly astonished at the result. Whether this discovery has relation to some new and more destructive concentration or development of the properties of gunpowder or of its application to projectiles—or whether it be some new combination that is destined to astonish mankind and revolutionize the whole system of war as was the consequence which followed the discovery of gunpowder, we have scrutinized all the publications that have yet come to our hands upon the subject without being able to detect. That something of vast magnitude is involved in the discovery, would seem to be clearly indicated by what recently passed in the British parliament when ministers were called upon for information relative thereto.

"House of commons, June 16th, 1841. Mr. Warner's invention. Mr. Wakley said that, seeing the noble lord the member for south Staffordshire in his place, he wished to put the question to him if he had given notice; and, in order that the house might understand the case, he hoped they would extend to him their indulgence for a few moments. In August, 1840, an editorial notice appeared in the Times newspaper, stating that a discovery had been made of great consequence, and which, in the opinion of certain gentlemen, was calculated to effect, in no ordinary degree, all future warfare on the face of the civilized globe. It was represented to be the discovery of a power of such vast magnitude, that the writer could scarcely at first believe such a thing in existence; but he challenged inquiry, and in the article alluded to gave an account of the proceedings which had taken place in relation to the subject before his majesty William IV and the lords of the admiralty. It appeared that subsequent investigations were made into the nature of the discovery, and that the circumstances were brought under the consideration of the prime minister, lord Melbourne, who referred the case to the lords of the admiralty, and requested that an inquiry might be instituted. The notice which appeared in

the Times in August was followed by three others in September, from which time the matter seemed to have rested till February, 1841. During that month another notice appeared in the Times, and an account was given of an experiment said to have been performed on a sheet of water on the property of Mr. Boyd, in Essex. He would read the first of the article alluded to. It stated that an experiment was tried, on Saturday afternoon, of one of the inventions to which we alluded last autumn, which a friend on whom we have reliance had an opportunity of witnessing. The trial took place on the ground of Mr. Boyd, in the county of Essex, a few miles from town, in the presence of sir Robert Peel, sir George Murray, sir Henry Hardinge, sir F. Biddell, lord Ingestre, colonel Curwood, captain Britten, captain Webster, and some other gentlemen."

The report went on to state that a boat, weighing two and a half tons, and filled with five and half tons of solid timber, crouched and clamped together with iron spikes, was set in motion; and on a signal from the inventor was to use the words of the reporter, "instantaneously scattered into a thousand fragments." The report further states that the arrangements had all been under the inspection of captain Britten, and that Mr. Werner, the inventor, never went near the workmen employed. He had stated what he believed to be the marrow of the question. It was a discovery of such vast importance to the maritime power of this country, and as regarded the interests of humanity, that he thought both the house and the country had a right to be informed on the subject. If such a power really existed, and could be used, he might almost say war would be at an end, for no one would expose themselves to the certainty of being destroyed. The noble lord having witnessed the experiment he (Mr. Wakley) wished to know whether the account given of it in the Times, and repeated by Mr. Wakley, a gentleman of undoubted veracity, was to be considered as true and entitled to public credence?

Lord Ingestre said, in answer to the question of the honorable member for Finsbury, he would state shortly to the house his opinion of the experiment alluded to. He regretted very much that the subject had been noticed either in a newspaper, in a pamphlet, or in that house, because he considered that a discovery of such vast importance ought to be kept as secret as possible. He had known of the invention for upwards a twelvemonth, and his attention was first accidentally called to it by a paragraph in a newspaper. At first it struck him that there was something behind the announcement of the discovery, that more was meant by it than met the eye; but he could not guess from what he had witnessed, that he was convinced that the discovery was one of the greatest importance. He would have hesitated, perhaps, to have stated this, had it merely been his own opinion; but when such distinguished officers as admirals King and Hardy—now no more—had left their opinions of the discovery recorded on paper, he had no hesitation in giving his opinion to the house.

He had further to state, that at his solicitation sir G. Murray had gone to witness the second experiment, and that he was particularly struck, as, indeed every body must be, with the immense power contained in so small a compass. That gallant officer had since had communication with the inventor, and had informed him (lord Ingestre) that he had been with the first lord of the treasury, and had received the assurance of lord Melbourne that an inquiry would be instituted into the merits of the discovery. The inventor had been now for ten years endeavoring to impress the government of this country with the importance of his invention, and during that period he had struggled with the severest difficulties rather than accept the tempting offers of foreign governments, being determined that so powerful an engine should not be lost to his own country. He

had frequently urged these considerations on the first lord of the treasury, and also that it could easily be ascertained whether or not the instrument was worth having. It was cruel to the individual and unjust to the country that the matter had long since been decided on.

Sir Francis Bordaet having been a witness in the experiments, would say that he had never seen anything more astonishing, nor had he ever conceived that anything so small and trifling, in comparison to its effects, could ever have been invented. An immense fabric of wood-work, strongly clamped together with iron, at the distance of two or three hundred yards scattered into fragments. Foreign governments were anxious to secure this invention, which so far exceeded all others for the same purpose; but he hoped one effect of this discussion would be to secure it for this country.

Mr. Brotherton was quite willing to give encouragement to all persons who invented engines for increasing the industry or augmenting the happiness of the people, but he must protest against any encouragement being held out to the invention of engines which he considered to be injurious to the peace and welfare of society. It might be said that the invention of these machines would put an end to war (heat, and cheers,) but he doubted that. War was a remnant of barbarism, and ought to be discouraged by a civilized state in all possible ways.

The subject then dropped, and the house adjourned at six o'clock.

In noticing the above debate, the *New York Courier* starts a question whether Walker, the inventor, or whether ROBERT L. STEVENS, one of our own countrymen, and who is now in England, is not the real author of the discovery.

The *Courier* states that "during the last war, Mr. STEVENS constructed a shot, which, on experiment, proved fully as powerful and destructive as that to which allusion has been made in the house of commons. It was offered for sale to government, who appointed a commission consisting of commodores ROSSA, CHAMBERS, and we believe MONROE, of our navy, in report upon its merits. Under their superintendence, a structure was raised on governor's island of solid timber, some fifteen feet square, and clamped together with iron spikes, which the inventor in question on the first discharge instantaneously scattered into a thousand fragments." Upon this, the government paid Mr. STEVENS twenty-five thousand dollars for his discovery, but peace following almost immediately afterwards, no opportunity offered for testing it by actual practice. A number of the shot were however made by Mr. STEVENS and delivered to government. These have been lying about in our navy yards and arsenals, and it is very likely that from some of them the Englishman obtained the secret which he now offers to the British government. Had the U. S. ship President been detained a little longer before she sailed at the close of the last war, she would probably not have fallen into the hands of the British armada which captured her, as Mr. STEVENS was on his way to board her, with some of his shot, and only arrived half an hour too late."

POLITICS OF THE DAY.

Large meeting in the Park to re-nounce against the passage of a national bank law.

A very large and respectable meeting of all classes of the citizens of N. York, was held in front of the city hall, last night, to re-nounce against the assumption of power by congress, to create a national bank.

There must have been between 2,000 and 3,000 persons present, although the call was not signed by any one; and the meeting was only considered preliminary to a much larger one, that will be called in a few days by the old and young men's committees. We observed among the crowd a great number of individual men, who have usually acted in concert with the whig party on all political subjects, and several ex-whig aldermen, &c. &c.

The meeting was called to order by the appointment of GEORGE BRYCE, a wealthy silver-smith, to the chair; and Mr. HUNT as secretary.

Mr. F. C. Treadwell, the author of the "letter to Daniel Webster," read a long and very calm and able written remonstrance against the proposed bank law, from which we can only find room for the following passages:

The advocates of the power of congress "to grant charters of incorporation," have long since retired from the field of argument. A few bold assertions upon the authority of two of the writers of the *Federalist*, of Hamilton and Jay, for Madison was against them, and a determination to establish a bank at all hazards, in bold defiance of the constitution, and of the voice of the people through their trumpet, the ballot boxes, is all that is now heard of this advocate of the power to charter banks. If the exercise of this power betray an utter want of confidence in the justice of their cause, it must be admitted that they exhibit no small degree of instinctive prudence in the management of it. The opinions of Hamilton, once so potent, so conclusive with the trainbands of his admirers, have entirely lost their charm, and are seldom quoted for any other purpose than to show how easily they may be refuted. For instance, he maintained that congress might charter a bank for the purpose, or, the other way, of a loan of money, provided the lenders should demand such a consideration or condition, in order to put them into credit. They themselves have little or no money to lend, and this bank charter is indispensable to the credit, to give the "bill of credit" which it allows them to emit, sufficient circulation to draw in and absorb the means of those who have money, and thereby enable those who have none, to become the bankers of the government! The abolition of borrowing money of men who have no money; of legislating into credit by a special act which congress has no constitutional power to pass, a knot of broken down political gamblers, bankrupts, stock jobbers and trade-fallen bankers, who have secured the lobbies of the government, and of the skirts of the treasury, has no parallel but in the political and financial circles of the Hamilton school.

When congress borrow money they must borrow it as the constitution prescribes, on the credit of the U. S. and not on the credit of all the money they can get; nor land credit; they cannot borrow money on conditions which the constitution does not authorize them to make. The bankers having obtained corporate conditions, may demand others. They may say their charters is not safe from repeal.

Wherefore, this meeting earnestly re-nounce against the assumption of the power by congress "to grant charters of incorporation," either for the creation of a national bank, or any other such measure, such powers being among those "not delegated to the U. States."

After this was read, and responded to by loud, long and continued cheering, the remonstrance was unanimously adopted.

The following resolutions were offered by John H. Hunt and adopted by acclamation:

Whereas, the president of the U. S. in his recent message to congress, has declared that in vetoing the renewal of the charter of the late U. S. bank, president Jackson was "fully sustained in the course he had taken by the popular voice," and has further admitted that in the election of his successor, and in other subsequent elections, the chartering of any similar institution was disapproved by the people.

And, whereas, the president declares that he has no means of determining what is now the judgment of his constituents upon matters of finance, but by appealing to their appointed immediate representatives, and, therefore, the prominent measures now before congress, namely, the creation of a national bank, or corporate "fiscal agent," and its adjuncts, the "loan bill" and the "distribution bill," (the one to borrow money for the U. S. treasury, the other to give public money away) appear to have been brought before congress through the influence of foreign bankers and stock-jobbers, their agents, confederates and counsellors; for they were not made test questions, and were not publicly avowed by any party at the late elections, when the present advocates of these measures studiously concealed their designs, if such designs they then entertained.

And, whereas, it is all-important that a government founded on the popular will, and directly amenable thereto, should frequently receive from their own lips the sentiments and instructions of the people: Therefore,

Resolved, That congress has no constitutional power to charter a national bank, or any other measure, for the incorporation of a bank, or the creation of a "fiscal agent," or any other name or disguise whatever.

Resolved, That a national debt is a national curse, which, if submitted to as a resource in time of war, ought never to be contracted in time of peace.

Resolved, That the distribution of the proceeds of the public lands or any other branch of the national revenue among the several states, for the purpose of increasing the price and stimulating the sale of state bonds, would be a virtual assumption of such bonds, and a palpable violation of the federal constitution.

Resolved, That it is the duty of the government of the U. States by a wise and prudent foresight, so to husband its resources in time of peace as to make the most effectual preparation for war; and that when, as is now the case, our country is menaced on every side, from the Atlantic, from the Pacific, from the St. Lawrence, from the Niagara, when on the ocean our flag is insulted, when our ships are captured by British cruisers, and the peaceable inhabitants of our frontier villages are assassinated in their beds, or murdered while flying unarméd from midnight assassins; when our lives and liberties are publicly justified by the British government; and when the bankers of this colossal power, to whom we owe nothing, have their agents in the lobbies of the capital, clamoring for our money and our lands, we should be reverent to our duty—revert to the U. S. constitution, and our rights, and we did not call on our government in all its branches, to keep in its own hands all the means it possesses, and to be at all times prepared to resist such a course of oppression.

Resolved, That the assumption put forth by certain office holders of the legislative class, that they can take from the people the right to repeal odious laws of their making for 20, 30, or any other number of years, is an atrocious insult to those from whom they derived their power as representatives; and we here solemnly declare, that should congress and the president sanction the odious measures now sought to be fastened upon the country—measures which no party had the boldness to publicly avow at the late elections—we will vote for no future representative who is not unequivocally pledged to effect their repeal.

Resolved, That this meeting approves of the appeal made by the president in his late message, to the people of the U. States through their immediate representatives, for the purpose of obtaining their judgment on questions of finance; and our delegates are hereby instructed to call on him with a copy of the proceedings of this meeting, and to solicit his especial attention to the same, and to give explanations of the views of the people as he may require or desire.

Resolved, That we recommend the people of the United States to meet in their primary assemblies, and respond to the appeal of the president by giving a full expression to their views upon the important measures proposed for the action of the general government.

After which alderman Purdy offered the following, which was carried amid the most enthusiastic applause:

Resolved, That should congress pass an act for the creation of any national bank, we, the people here assembled, pledge ourselves on to the other, to cease not in our exertions until its charter is repealed. Let then our rallying cry be, repeal! repeal! repeal!!! and we earnestly call upon the whole intelligence of our beloved country to come to the rescue, and preserve, sustain and defend the constitution from the assaults of its violators.

The first speaker was a venerable looking old gentleman—who denounced the course of Henry Clay as selfish, and denigrated to the welfare of all the industrious classes—said that his conduct was mean in the extreme—that he was acting thus from disinterested motives—that he was not only legislating to put money in his own pocket, but was persevering and endeavor to displace John Tyler at the end of three years, and seat himself in the presidential chair. (This rally was received with great cheering.) He trusted in God, however, that John Tyler would remember (loud cheering) the views of the whole people, and not merely of the miserable, broken down, disappointed faction, at whose head Henry Clay placed himself. (Cheering.) He hoped that John Tyler would listen to the respectful remonstrance of some of his fellow citizens of N. York, and veto the bank bill, if it passed both houses. (Uproarious cheering.) And, if he did, he, for one, which, though he believed him to be, would vote for him for the next president of the U. States. (Loud and continued cheering.) John Tyler stood by the people without respect to party, the people would stand by him. (Cheers on cheers, and some dissenting.) And he would be elected president by the most tremendous majority ever given to any man.

Major DAVEC was called for loudly, and came forward, though in feeble health. He said, the people generally, without respect to party, all over the state of New York, had determined peaceably and legally to free themselves from the burden of Clay's

bank bill, if it passed. The great word "repel" would ring through the south, as he well knew; and through the north and west the cry of "repel!" "repel," would rise, till it overwhelmed the advocates of the bank bill. Mr. Clay might throw himself in the breach, but he would be overwhelmed, and as a political man he never could rise again afterwards. It is far safer to let the people have both houses, I believe there is moral courage enough left in John Tyler to veto it, although Mr. Clay stands ready to bully him out of his resolution, if possible. If Mr. Clay succeeds in compelling the president to sign it, I hope the people will resist it if it comes. If its capital should be taken up, (and God only knows who will be got to take the stock) and the notes are issued, let not one of you keep one of their notes in your pockets for three hours; but take it to the branches which are to be shut in the states against our consent, and ask the bank officers to give you money for the bills. (Tremendous cheering, and cries of "we will—we will—by heavens we will!") They can't delegate, legally, those powers to corporations which Mr. Clay proposes to delegate. They might as soon delegate the power to command the army and navy to a corporation; and John Tyler has too much sense not to be aware of this fact. (Cheers.)

Mr. Clay cannot tell the most ridiculous blunders in matters of finance that ever were heard of. A school boy would be ashamed of some of his statements; they are unworthy of an answer. He would not pay the directors—oh, not but he could give them a dollar better to tell the truth than to lie. There are let each have \$10,000; there are to be 200 directors; and of the 200 not one would ever pay bank a cent of the loan. (Tremendous cheering.)

You have been taunted as agrarians, and wanting to take property from the rich to give to the poor. Alas! you want to be the rich not to put their hands in your pockets and take away your hard earnings, which they are trying to do by Clay's odious bank bill. All the bank projects are bad enough, but Clay's is the most monstrous and vicious of the whole lot. (Tremendous cheering.)

I heard the bank men outside the crowd say this meeting would be a failure. (Laughter.) A failure! Why, this is a spontaneous meeting—called together by no party, and no party is to be seen—and here are nearly three thousand persons and they call this a failure. (Cheers and roars of laughter.) But we can fill this park, if we please, (cheers)—and we will. (Loud cheers.) We shall fill all the domes and the great hall of Congress, (tremendous cheering)—the Tyler whigs (cheers); for already the whigs of the city are divided into two bodies—the Tyler whigs and the Clay whigs, (loud cheers), and the desertions from the Clay ranks are getting more numerous every day—(loud cheers). He soon will not have a corporal's guard left. (Cheers and laughter.) "My black boy, Charles," will soon constitute the whole of his rank and file. (Cheers and roars of laughter.) For it is very evident that, as two stars cannot shine in one hemisphere, so John Tyler and Henry Clay cannot both rule this great nation. (Cheers.) With Mr. Clay it is, and Caesar, out! He must play first fiddle, or he will play no fiddle at all. (Laughter.) And if he plays, he wants the people to "pay the piper." (Cheers.)

But we will have a meeting here, when the old flag waves from the hall, that shall astound the stockjobbers. The people who are the columns of the commonwealth will go to the aid of the pillars of majesty, as the lion from the swiftness of Jordan. The stockjobbers, the speculators, the lobby men—they are the vermin of the body politic. (Cheers.) I have connections numerous among the whigs; they tell me not to fear those who are called the Clay whigs. My fellow citizens, their love might do me harm—but their hatred would be a blessing on my grey head. (Tremendous cheering.) They know I love Andrew Jackson. I do not care to fight by his side. No! I do not care for his conduct there—I love him because he vetoed the bank bill. (Tremendous cheering.) And if John Tyler has the courage—and I believe he has—to veto Clay's bill, the blessing of the nation will be old and young, rich and poor, man, woman and child, will ring round his heart and home, his head and his hearth-stone, till the latest hour of his life. [The enthusiastic cheering that followed this burst, was truly terrific and deafening for some minutes.]

It does not, the cry of "repel!" will ring from one and of the union to the other. The great people are ready—the calm north—the chivalrous south, the adventurous west—and the enterprising east—will all be ready to repel Clay's odious and treasonous bank bill if it passes. (Cheers.) The good sword of the people will cut the Gordian knot asunder; peaceably always peaceably!—(Cheers.) Not

as our antagonist said before the election, "for any day we may!" Not so! Never forcibly, my friends! (Cheers.)

Mr. Clay seems determined to be the great I AM. He distributes the public lands—he creates a bank, he says it shall pass—he creates a loan—he calls it a contract. Yes such a contract as the lion made. The lion distributed a quantity of plunder in three shreds—he took one share because of the power of his name—the lion! [Mr. Clay is the lion of the west—he takes one share for that]. Well, the lion claimed the second share, because he was the strongest and strongest beast in the place, and boasted of more power than the rest. [So with Mr. Clay in the senate]. "Aod, then," said the lion, "there is one share left, to be sure: I don't exactly insist that it is mine; but let me see the beast that dares to touch it, and I'll tear him to pieces." (Cheers.) And so it is with Mr. Clay and his contracts. He is the lion, and claims the lion's share. [Loud cheers and laughter.]

And now, my friends, I leave you. And now I call on you, solemnly in this noble Park, here beneath the broad, bright canopy of Heaven, in the face of you sun, which, setting in his golden radiance seems to smile upon our meeting to give three cheers to these beautiful cheers—the Almighty God may hear and reward to you that all-wise Ruler over all may bless John Tyler, as he did the good old hero of New Orleans and give him moral firmness to veto the bank bill. (Tremendous cheering, which lasted some minutes.)

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specie payment throughout the country, ought to cost unavoidable delay to be resumed. That a currency of uniform value is indispensable to the practical regulation of commerce between the states, and with foreign countries—would restore the public finances; stimulate the industry of the people; renew their mutual confidence; facilitate the beneficial exchange of their agriculture, mechanical, manufacturing and commercial products; increase their enterprise at home and abroad; and restore to the nation industry, prosperity and happiness from which it has fallen. We therefore earnestly from congress, the adoption of the present action, of such measures, as will secure to the country the benefits we have enumerated.

2. Resolved, That gold and silver being confessedly insufficient for the business of the American people, are not, and cannot be, "hard" money. That whatever is the medium of purchase and sale—in which state banks is now chiefly employed—is the money of the country; and that the constitutional power to "regulate the value" of "money" comprehends the right to equalize the value of the notes of the state banks.

3. Resolved, That the legitimate mode of obtaining these desirable ends, is the establishment of a national bank; clothed with all powers necessary to displace all other banks, and the adoption of such measures as may be necessary for securing the benefits to be derived from such an institution.

4. Resolved, That the absence of such an institution, private enterprise, activity and prosperity notwithstanding, has been the cause of the depression of credit have been diminished, and individual and national embarrassment have prevailed; whilst the establishment by congress of a national bank, has in each case revived the public finances, quickened the industry and enterprise, and enlarged the business and prosperity and happiness of the country.

5. Resolved, That the constitutional power to create a national bank, such as heretofore existed, has been often sanctioned by successive Congresses, by the representatives of the states and of the people, and by the judiciary, that we cannot regard it as an open question. That the constitution was intended as an honest, and a practical thing—suited to the wants and interests of a great people—and to be administered on permanent principles, of an invasion of which the supreme court of the United States was in the last resort to the arbiter. That to unsettle by congressional construction to day, what had been settled by the wisdom of legislative, executive and judicial determination, is to weaken the foundations of our government and make it the puppet of dreams, theory and visionary abstraction.

6. Resolved, That we are in favor of the creation at the present session of congress, of a bank with the power to establish branches in the several states and territories—that we regard the granting of such power as within the constitutionally defined authority of the federal government—that it is one of the principal characteristics of its nationality; is looked for by the large mass of the people, and highly important to the great practical ends for which such an institution is desired.

7. Resolved, That a creation of a bank of the United States, by the first congress elected under the constitution, many of whose members belonged to the convention which framed that instrument—in the approbation subscribed to the charter by the same convention, and in the sanction of the sanction granted by president Jefferson, an act passed by successive republican congresses, for the negotiation of loans from that bank—for extending its branches into the territories and dependencies of the United States, and for the purpose of securing imprisonment and had labor, any longer or counter of the notes of the bank—in the approval by president Madison, of the act passed by a republican congress incorporating the second bank; and in the uniform and consistent policy of the United States, composed of judges Marshall, Washington, Johnson, Livingston, Dural and Story, declaring the bank and its branches to be constitutionally created, we find ample warrant for a faith on this subject not to be destroyed or weakened.

8. Resolved, That while we honor all the whigs in congress, who have been faithful to the expectations which prompted their election, our thanks are preeminently due to that "noblest Roman of them all," Henry Clay, of Kentucky. His conduct under our triumph has been characteristic harmony with former professions, and fits to overdoing the measure of his country's confidence, admiration and gratitude.

9. Resolved, That copies of these resolutions be signed by the officers of this meeting, and be forwarded to the president of the United States, and to both houses of congress.

THE GREAT MEETING IN NEW YORK.

On the 6th inst., the great meeting of the whigs of the city of New York, assembled in canal street to express their deliberate opinions in favor of a national bank with power to establish branches wherever they may be deemed necessary. The number present, it is estimated, was at from four to ten thousand. The Courier says:

Never was there greater unanimity of opinion exhibited at a public meeting; and if the voice of the people has any weight at Washington, there will be prompt action on the subject of a national bank, and Mr. Clay's bill for giving to a national bank national powers—those rights and powers without which it would be useless incumbrance of the statute books—will become the law of the land.

The meeting being organized, a teller was read from ex-governor Poinsett, in which he declined the invitation given to him to address the meeting, but avowed his entire concurrence with the objects of the meeting.

The following resolutions were then unanimously adopted, and with long continued cheers.

1. Resolved, That the unequal value of the bank paper of the several states—depreciated in degree varying in the different sections of the country, is a stain on public and private credit—injurious to the morals of the community, and opposed to the principles of the federal constitution. That the power is given to congress by that instrument, to regulate the value of the currency, and to make uniform the existing depreciated currency can only be regulated and made uniform, by the exercise of a power for that purpose by the general government. That

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

July 29. Mr. *McDon* presented the memorial of Monsieur *Alfon*, in relation to his system of telegraphing, which was referred to his committee on military affairs.

Mr. *Mangum* from the committee on naval affairs, reported the bill from the house for the establishment of a home squadron, without amendment.

The house bill to provide for the navy pensions, with an amendment to strike out the second section.

This bill having been taken up in committee of the whole; Mr. *Mangum* explained the object of his committee in striking out the second section.

After some remarks from Messrs. *Woodbury*, *Williams*, *Huntington*, *Mangum* and *Calhoun*, Mr. *Woodbury* moved to amend the second section by inserting after the words "who receives pay"—"As an officer in the service which he may be engaged during the year, so that no officer shall receive pay at the same time both as a pensioner and an officer in service."

This amendment was discussed by Messrs. *Mangum*, *Clay*, *Alabama*, *Lincoln*, *Buchanan*, *Prentiss*, *Johnson*, *Huntington*, *Williams*, *Berrien* and others, when the question was taken on the amendment and carried, 21 yeas, 18 nays.

Mr. *Mangum* now expressed the hope that the second section would be stricken out in accordance with the view of the committee.

The striking out was opposed by Messrs. *Buchanan* and *Pierce* and rejected, yeas 19, nays 23.

Mr. *Woodbury* then moved to further amend the bill by adding to the first section the following:

"He decided that no part of this money shall be applied to the payment of any pensioners not entitled under the acts of congress as they expired prior to the year 1837."

Mr. *Walker* desired to keep the act of 1834 in force. He felt it a duty to see that the law granting pensions to widows for five years after the death of their husbands should be continued in force. He would therefore move to amend the amendment by inserting the following:

"As provided also, that the pensions authorized under the act of the 30th June, 1834, be, and the same are hereby, continued in force until otherwise directed by law."

This proposition was debated by Messrs. *Williams*, *Walker*, *Pierce*, *Sevier*, *Buchanan*, *Mangum*, *Clay*, *Woodbury* and others, when the further consideration was postponed until Tuesday next.

Mr. *Merrick* then moved to take up the bill for the renewal of the charters of the banks of the District of Columbia, which had been reported with an amendment. This motion was agreed to.

After the bill had been discussed for some time, the further consideration was postponed to go into executive session; and, after some considerable time spent therein, the senate adjourned.

July 30. Mr. *Barrow* presented a memorial from citizens of Louisiana against the extension of the limits of the port of New Orleans.

Mr. *Buchanan* presented a memorial from citizens of Pennsylvania in favor of a bankrupt law.

Mr. *Allen* submitted a resolution to the effect that all executive business should be transacted with open doors except when the senate is engaged with treaties. Except as having been made to its consideration, it lies over one day.

The joint resolution for the distribution of seven hundred copies of the digest of patents was taken up and passed.

The senate then proceeded to the consideration of the bill relating to the renewal of the charters of the banks of the District of Columbia. The motion pending being the amendment offered by Mr. *Beaumont* to limit to the 1st of March next the power to pay out or lend out notes of other than specie paying banks.

Mr. *Wright* addressed the senate at some length. He denied that the District required the aid of banks in the transaction of its business; that its condition was never more prosperous than at present, when there were more business buildings than at any former period when the banks were in full operation. He thought he could do better without banks than with them; particularly banks that issued irredeemable paper; which, he really believed, were the veriest curses that could be inflicted on any community.

A few minutes were for the "benefit of the people." The first paper he saw in the shape of a memorial was from the directors of those banks to renew their charters for the benefit of the people; but the people—the honest mechanic and laborer—did not ask it. He hoped the amendment of the senator from Georgia would not prevail.

The question was then taken on the adoption of the amendment, and carried in the affirmative, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Prentiss, Smith, of Indiana, Tallmadge, Williams, Woodbridge—31.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, King, Linn, Mouton, Nicholson, Sevier, Smith, of Connecticut, Sturgeon, Tappan, Walker, of Indiana, Wright, Young—18.

Mr. *Merrick* then moved to add to the first section a clause which would enable the banks of the District to issue notes of the denomination of one and two dollars.

This proposition was debated at some length by Messrs. *Walker*, *Merrick*, *Allen*, *Tappan* and others, when the question was taken on the amendment, and decided in the negative as follows:

YEAS—Messrs. Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Tallmadge, White, Woodbridge—14.

NAYS—Messrs. Allen, Barrow, Benton, Buchanan, Calhoun, Clay, of Alabama, Calhoun, Fulton, Graham, Linn, Mouton, Nicholson, Sevier, Smith, of Conn., Smith, of Ind., Sturgeon, Tappan, Walker, Williams, Wright, Young—23.

Mr. *Merrick* then moved to restore the fourth section of the bill, which had been stricken out in committee of the whole, wherein the bill was last before the senate, some weeks since.

On this motion a debate arose, in which Messrs. *Benton*, *Walker* and *Merrick* participated.

The vote was then taken on the motion, and resulted as follows:

YEAS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Prentiss, Preston, Rives, Smith, of Ind., Tallmadge, White, Woodbridge—25.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Fulton, King, Linn, Mouton, Nicholson, Sevier, Smith, of Conn., Sturgeon, Tappan, Walker, Williams, Wright, Young—16.

Mr. *Merrick* then moved to introduce a section to the bill providing for the extension of a charter to the Union Bank of Georgetown until the year 1847, for the purpose of winding up its concerns. Which motion was adopted.

The question was then taken on the engrossment of the bill, and decided in the affirmative, as follows:

YEAS—Messrs. Archer, Barrow, Bates, Berrien, Choate, Clay, of Alabama, Clay, of Kentucky, Clayton, Dixon, Evans, Fulton, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Sevier, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge, Young—39.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Calhoun, Clay, Linn, Nicholson, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Wright, Young—17.

The bill to incorporate the Mechanics' Relief Society of the town of Alexandria was taken up, and, at the suggestion of Mr. *King*, laid on the table for the present.

The bill making appropriation for the support of paper Janitors in the District of Columbia was taken up; and, after having been discussed by Messrs. *Merrick*, *Tappan*, *Wright*, *Calhoun*, *Sevier* and others, the bill was ordered to a third reading by the yeas and nays.

YEAS—Messrs. Archer, Barrow, Berrien, Choate, Clay, of Ky., Clayton, Evans, Kerr, King, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Smith, of Ind., Southard, Tallmadge, Walker, White, Woodbridge, Young—25.

NAYS—Messrs. Allen, Bates, Benton, Buchanan, Clay, of Alabama, Calhoun, Dixon, Fulton, Linn, Mouton, Nicholson, Smith, of Conn., Sturgeon, Tappan, Williams, Woodbury, Wright—17.

The land bill then came up as the general order; when Mr. *Saunders*, of Indiana, said he did not design to call up the bill during the present week, but some time later in the ensuing one.

The bill to establish a home squadron was then taken up; when Mr. *Benton* moved an amendment relating to the adoption of American water-stocked boats for the use of the same.

This led to a discussion, in which the relative merits of American and Russian hemp, and the process of rotting the same, were canvassed. The amendment, however, was not adopted; and the bill as it came from the house was finally read a third time by the yeas and nays.

The senate then adjourned over to Monday.

August 2. Memorials and petitions were presented and referred, as follows:

By Mr. *Wright* from the chamber of commerce of the city of New York, against the passage of the revenue bill, in the present form. Also, from

merchants and traders on the same subject; both which were referred to the committee on finance, and ordered to be printed. Also, a remonstrance from citizens of Niagara, N. Y., against the distribution of the proceeds of the public lands; which was laid on the table.

By Mr. *Buchanan* a remonstrance from citizens of Philadelphia against the passage of a bankrupt bill. Which was laid on the table.

By Mr. *Tallmadge*, from inhabitants of Moriah, New York, for a bankrupt law, which was laid on the table. Also, from a large number of citizens of New York city in favor of a national bank; also, the proceedings of a meeting of citizens of Rochester, New York, in favor of a bankrupt law; both which were laid on the table and ordered to be printed. Also, from four or five hundred citizens of New York, asking an increase of duties on watches, parts of watches, jewelry and pearls; which was referred to the committee on finance.

By Mr. *King*, of inhabitants of Alabama, intending to emigrate to Oregon, asking for protection from government, under our laws, when arrived there. The petition was laid on the table.

Mr. *Linn* submitted a resolution requesting the president of the United States, under the resolution of 1827, to give notice to the British government, in order to put an end to the treaty for the joint occupation of the territory of Oregon west of the Rock mountains, which expires on one day.

By Mr. *Evans*, from inhabitants of Maine, in favor of a bankrupt law. Laid on the table.

By Mr. *Clay* from manufacturers of glass, against a duty on materials used in the manufacture of glass; which was referred to the committee on commerce.

By Mr. *Miller*. From hat manufacturers of Boston, New York and Philadelphia, against a duty on articles used in the manufacture of silk hats; which was referred to the committee on finance.

Mr. *Calhoun* presented the proceedings of a meeting in Cumberland county, Virginia, in relation to the unconstitutionality of this bank, and confiding that it was not only the right but the duty to repeal the charter as soon as a majority could be obtained; also remonstrating against the distribution of the proceeds of the public lands, as the forerunner of the American system.

The memorial of Mr. *Andrew* was read, Mr. *Henderson* said the unconstitutionality of the bank had got to be a hackney phrase much more easily asserted than maintained by argument.

The debate was then continued on this subject between Mr. *Andrew*, Mr. *Allen*, Mr. *Madison*, Mr. *Wood* and Mr. *Calhoun*, when Mr. *Archer* rose to say that the people of Virginia, on mass, did not concur sincerely in any one opinion expressed in the memorial, and he would undertake to say they repudiated the idea of repeal.

Mr. *Calhoun* said he should be greatly mistaken if the people of Virginia, and a large portion of the people of the southwestern portion of the country, did not hold the same sentiments. He said it would be the most joyful act of his life to vote for the repeal. He had no idea that a party should saddle on the country a measure which would take up 21 years, when it was believed, and had been asserted, that the acts was unconstitutional, and dangerous to the liberties of the country.

Mr. *Archer* said that when neither his colleague nor himself had been made the organs of presentation of the proceedings of a meeting, it was to be regarded as presumptive evidence that it was not the voice of the people of Virginia which spoke. He could tell the gentleman that his nullifying doctrine would never prevail in Virginia. They were ready there, at all times, to repudiate such principles. They were as much against nullification as they were against abolition.

Mr. *Calhoun* thought time would show what were the sentiments of Virginia, and be looked with confidence to the result. Was this bank, surrounded by its satellites, to be fixed on the country, without the power of being removed? If the bank were, all the other measures would come of consequence—funded debt, protective tariff, &c.—measures destructive to liberty. He thought resistance to these measures was a cause as glorious as that of the revolution.

Mr. *Tappan* contended that it was incumbent on the friends of the bank, to prove the affirmative proposition of the constitutionality of this bank, and that need for discussion rested as yet on them.

Mr. *Henderson* said that the bank was such a subject was now brought forward, in the proposition that a bank was not constitutional, the burden of proof lay with the opponents of a bank.

The petition was then laid on the table and ordered to be printed. On motion of Mr. *Wright*.

Resolved, That the committee on the library be instructed to inquire into the expediency of taking proper measures for the distribution of the statistics of the 6th census now printing by the Government.

Mr. Linn submitted the following:

Resolved, That the president of the United States be requested to give the notice to the British government which the convention of 1807 between the governments requires, in order to pay and to the treaty for the joint occupation of the territory of Oregon west of the Rocky mountains, and which territory is now possessed and used by the Hudson Bay company, to the ruin of the American Indian and for trade in that quarter, and conflicting with our inland commerce with the interior provinces of Mexico.

Mr. Allen's resolution relating to executive session being held with open doors, save when treaties were under consideration, was then taken up.

Mr. Allen said he would like to take the vote when there was a full session.

Mr. Clay suggested that some hour be fixed, when there could be a full attendance on both sides, and the simple vote be taken. If the subject should lead to a protracted discussion, he would feel it his duty to move to lay it on the table.

Mr. Allen said he had no particular desire to debate it; he meant, however, to offer some observations. It was not to be presumed that the vote on such a subject should be taken in silence. He would let it lie for the present, and would call it up either to-morrow or next day.

On motion of Mr. Clay, the bill from the house relating to duties and drawbacks was twice read, and referred to the committee on finance, and ordered to be printed.

On motion of Mr. Smith, of Indiana, the bill to extend the time of issuing military land warrants to officers and soldiers of the revolution was twice read, and referred to the committee on public lands.

The bill to render the charter of the banks of the District of Columbia put on its third reading; when Mr. Mangum rose to move a reconsideration of the vote on the engrossment.

Mr. Benton hoped that some reasons would be given for the motion.

Mr. Mangum said there is a prohibition in the fifth section which forbids the banks to issue other denominations than notes of five dollars, while the banks in Virginia issued notes of six, seven, eight, nine and fifteen; which had to be placed in these banks on deposit.

The chairman of the committee for the District not being in his seat, the question on reconsideration was not taken.

The fortification bill was then taken up; when Mr. Preston rose and presented the object of the bill in a speech of some considerable length.

Messrs. Woodbridge, Linn, Sevier, Henderson and Evans participated in the debate and on the various amendments.

The following amendments were then severally concurred in:

"For surveys in reference to the military defences of the frontier, inland and Atlantic, thirty thousand dollars."

"For arrangements due for roads, harbors and rivers where public works and improvements have hitherto been made, and for the protection of public property now on hand at these places, and for arrears due for surveys and completing maps authorized by act of March 3, 1839, forty thousand dollars."

"For defraying the expenses of selecting and purchasing a site for the western or southern armory, to be selected by the president of the U. States, the sum of seventy-five thousand dollars."

Mr. Woodbury moved to amend the bill by inserting the sum of \$50,000 for the defence of the river Piscataqua, considering that it was of as much importance in point of public property as any other, not excepting Boston itself. The amendment was lost.

Mr. Woodbridge spoke of the importance of placing the northern frontier in a proper state of defence, and went into the subject in detail.

Mr. White followed, contending also for the security of harbor defence, creation of harbors, &c. as part and parcel of the system of defence.

Mr. Sevier moved to amend the bill with instructions to amend the same by adding "the necessary appropriations for such forts and fortifications on the southwestern and northwestern frontiers as may be necessary and proper for the defence of the country." Mr. S. gave his reasons at length for the motion.

Mr. Young moved to amend the amendment by making the instructions general for the defence of the whole country.

Mr. White suggested a modification, which was accepted by Mr. Young, to insert after the word appropriations, "for such other ports, fortifications, harbors and military roads as may be deemed necessary for the defence of the western, northwestern and southwestern frontiers."

Mr. White explained at some length the object of the amendment.

The question was taken on its adoption, and decided as follows:

YEAS—Messrs. Allen, Clay, of Alabama, Fulton, Linn, McRoberts, Porter, Smith, of Ind. Tallmadge, White, Woodbridge, Wright, Young—12.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Benton, Berrien, Claiborne, Clay, of Kentucky, Dixon, Egan, Evans, Graham, Henderson, Huntington, King, Miller, Phelps, Pierce, Prentiss, Preston, Rives, Sevier, Smith, of Ala., Southard, Walker—20.

The question was then taken on the motion to reconsider and decided as follows:

YEAS—Messrs. Allen, Benton, Clay, of Alabama, Egan, King, Linn, Archer, Barrow, Sevier, Smith, of Conn., Smith, of Ind., Tallmadge, White, Woodbridge, Woodbury, Wright, Young—17.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Benton, Berrien, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Mangum, Miller, Phelps, Prentiss, Preston, Rives, Southard, Walker—20.

Mr. Porter then moved to amend the bill by inserting an appropriation of \$75,000 for the purchase of a site to erect an armory at or near Detroit, Michigan.

Mr. P. spoke at some length to show the importance of the ports which he had named.

Mr. Evans opposed the amendment on the ground that it could be attached to nothing which was introduced in the house, and not from any indisposition to vote for the appropriation.

The senate adjourned after a session of six hours, without taking the question on the amendment.

Tallmadge presented a petition of 103 citizens of New York in favor of a bankrupt law; which was laid on the table.

The resolution of Mr. Allen to rescind the rule of the senate for the closing of their doors while in executive business, except when engaged on treaties, was taken up.

Mr. Allen advocated it, at some length. The business which was transacted in executive sessions, was, first, on treaties; and second, on nominations of public officers. When engaged on treaties with foreign powers, whose interests were adverse, and even hostile to ours, it might be of great importance that the progress of business should not be known until it was consummated. He therefore did not propose to rescind this portion of the rule.

But when engaged on the nominations of officers, whose character and actions for evil or for good deeply affected the interests of the people, there was no time for them, or agents of the people, to transact without their knowledge the business of their principals; but it was treating them as enemies. The people ought to be enabled to give their testimony as to the character of the multitudes of officers brought before the senate, the characters of many of whom it was impossible for them to be acquainted with; and the public examination would not injure the character of those who were worthy, while it would expose guilt and corruption.

Mr. Clay should not enter into this discussion; it was not a proper time—at an extra session of congress, and as they had some reason to hope, within two or three weeks of its termination. It might be shown that all reasons for secrecy, which applied to the case of treaties, were equally applicable to the case of nominations; that were this resolution adopted, their debates would be protracted to an unreasonable length—that exposures of individual character would be made that never ought to take place—that the attitude of the senate, to the nomination of the executive, and the whole world, would be of a most unpleasant character; but he would not go into the subject; he had risen to put an end, at this time, to this debate, and for this purpose he moved to lay the resolution on the table, and on this, he said the yeas and nays. The motion was carried, and the resolution laid on the table: yeas 28, nays 20.

The senate then proceeded to the consideration of the general order, being the bill to make appropriations for the erection of fortifications and the prevention and suppression of Indian hostilities; the motion pending being the amendment of Mr. Porter "for defensive works and barracks and purchase of a site at or near Detroit, Michigan, \$75,000."

It was typically advocated by Messrs. Porter and Woodbridge, showing the great importance at Detroit and its total want of defences. It was further debated at great length, by Messrs. Sevier, Benton, Buchanan and others.

Mr. Benton moved an amendment to the amendment to appropriate \$100,000 for the construction of armed steamers and other vessels of government on Lake Erie.

This, after some discussion, was rejected without a division. The question then recurring on the

amendment of Mr. Porter, it was lost, by yeas 21 nays 24.

Mr. Sevier moved an amendment, to appropriate \$80,000 for carrying on the military works at Fort Smith, Arkansas.

This, after some discussion, was adopted—yeas 19, nays 17.

Mr. Berrien moved an additional section to the bill, to appropriate \$200,000 for the payment and indemnity of Georgia, for expenses incurred by that state, in calling out her militia, in case of emergency, for the suppression on Indian hostilities, for the protection of her inhabitants against sudden incursions of the Creek and Seminole Indians, and for the payment of claims of the state of Maine, for the service of her militia.

This was opposed by Mr. Preston and others as not in accordance with the design of the bill, which was for carrying on old works of defence, where most immediately needed.

Mr. Linn moved to amend the amendment by inserting a provision for the settlement of the accounts of the Missouri volunteers called into service in 1829 and 1838.

Messrs. Clay, of Ala. and Walker, gave notice, if the amendment was persisted in, that they should bring forward amendments, for the settlement of old claims of their respective states.

After some conversation, Mr. Linn withdrew his amendment, and moved to that appropriating \$10,000.

Mr. Berrien was rejected—yeas 11, nays 27.

At a late hour, a motion for adjournment was made and failed. The bill was then reported to the senate when the amendments adopted in committee were severally reported to, so that appropriating \$75,000 for the purchase of a site for a western or southwestern armory. This was modified at the suggestion of Mr. White by adding "or northwestern," as he had heard Pittsburgh named as a suitable place for its location.

Mr. Clay expressed his intention of voting against this amendment, as the reduced state of the treasury rendered it inexpedient to make this enormous appropriation.

Mr. Benton (who offered the amendment) was surprised at objections to it, at this late hour. Had he been aware of opposition, he could have produced a cart-load of documents, reports from departments, &c. In its favor, with which he should be prepared to defend this amendment, and for the purpose of not meeting an adjournment; but this being strongly opposed from various parts of the senate, he concluded by saying that the arguments he might be able to make would be of no avail, and he would merely call the yeas and nays on concurring in the amendment.

After a few remarks by Mr. King, on his motion the senate adjourned.

August 4, Mr. Berrien presented a memorial of citizens of Augusta, Georgia, in favor of a bankrupt law, which was laid on the table.

Mr. Buchanan presented a remonstrance of glass manufacturers of Philadelphia, against an increase of duty on soda, ash, pipe-clay and other articles used in the manufacture of glass, stating that a levy of duties on these articles, as proposed by the revenue bill, would be destructive to their trade; which was referred to the committee on finance.

Mr. Smith, of Ind. from the committee on public lands, reported the house bill for the extension of military land warrants to officers and soldiers of the revolution.

Mr. Clay, of Alabama, submitted a resolution inquiring of the commissioner of the general land office whether any clerks have been appointed by him, who was laid on the table.

On motion of Mr. Sevier, a resolution was adopted directing the secretary of the treasury to inform the senate the amount of Indian money, legacies or trust funds, which have been invested in state stocks, and the amounts in the respective states.

The fortification bill was then taken up, the question being on concurring with the amendment of the committee appropriating \$75,000 for the purchase of a site for a western, southwestern or northwestern armory.

The amendment was advocated by Messrs. Benton and Preston, and opposed by Mr. Clay.

Mr. White moved to amend the amendment, by striking out the words, "western, southwestern,

northwestern army," and insert, "an army on the western waters."

Mr. King expressed doubt whether a location could be selected which would be satisfactory to all.

After further conversation by Messrs. White, Buchanan, Linn, Sevier, Preston, Tappan and Walker, as to the location of the site, Mr. White again amplified the amendment, so as to read "on the waters of the valley of the Mississippi." The amendment was rejected.

The question then being on concurring with the amendment of the committee, it was carried by the following vote:

YEAS—Messrs. Allen, Barrow, Bates, Benton, Buchanan, Clay, of Alabama, Culbert, Fulton, Henderson, King, Linn, McRoberts, Monahan, Nicholson, Porter, Preston, Sevier, Smith, of Indiana, Sturgeon, Tappan, Tappan, Walker, White, Williams, Woodbridge, Woodbury, Wright, Young—23.

NAYS—Messrs. Bayard, Berrien, Clay, of Ky. Clayton, Dixon, Evans, Graham, Kerr, Miller, Morehead, Phelps—11.

Mr. Allen renewed the motion for amendment made yesterday by him, appropriating one hundred thousand dollars for the construction of armed elements, and such other vessels of war, on Lake Erie, as the president may think proper.

Mr. Allen advocated this amendment, as demanded for the defense of Lake Erie, and for the purpose of making our force equal to that of the British government, whose steamers were cruising about our coast prying into its exposed parts.

Mr. Preston opposed the amendment as irrelevant to the bill.

The debate was further continued by Messrs. Porter, Allen and Woodbridge, when the question was taken, and the amendment adopted, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Clay, of Ala. Culbert, Fulton, King, Linn, McRoberts, Porter, Sevier, Smith, of Ind. Sturgeon, Talmadge, Tappan, Walker, White, Williams, Woodbridge Woodbury, Wright, Young—22.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Miller, Morehead, Phelps, Frost, Preston—11.

Mr. Porter renewed his motion for amendment, made yesterday, to appropriate fifty thousand dollars for defensive works at Detroit.

The amendment was advocated by Messrs. Porter, White and Preston.

Mr. Phelps offered an amendment to the amendment, to appropriate \$75,000 for fortifications on the outlet of Lake Champlain.

After some remarks by Messrs. Phelps, Preston, Mangum and Prentiss, the question was then taken on the amendment to the amendment, which was lost: yeas 16, nays 24.

The question then recurred on the amendment; which, after some conversation by Messrs. Linn and Sevier, was adopted: yeas 22, nays 17.

Mr. Talmadge offered an amendment, to appropriate for the purchase of site, and barracks, and defensive works at or near Buffalo, \$60,000.

The amendment was rejected, after brief remarks by Mr. Woodbridge: yeas 18, nays 21.

Mr. Henderson offered an amendment, to increase the appropriation for defensive works from New Orleans from 50 to \$150,000. He briefly advocated it, contending that the amount proposed for New Orleans in the bill was not proportionate to that proposed for other ports.

Mr. Barrow opposed this amendment. There was an unproporionate balance to those works, and no further appropriations were necessary till the regular session.

After brief remarks by Messrs. Preston and Henderson, the amendment was rejected: yeas 4, nays 33.

Mr. Woodbridge moved a reconsideration of the vote on the amendment providing for armed steamers.

Messrs. Woodbury, Wright and Allen, briefly opposed the reconsideration; and Mr. Woodbridge stated the reason which had induced him to make the motion, not being opposed to the amendment, but preferring that it be lost, to the loss of the whole bill.

The motion for reconsideration was rejected, yeas 23, nays 23.

Mr. Pierce said the amendments were disproportionate, part of the bill being applicable to a state of war, and the other to a state of peace. He moved to strike out a portion of the bill, with the amendments that had been adopted.

The president decided the motion out of order to strike out the amendments.

After some conversation on this point of order, the question was taken and carried on ordering the bill to engrossment for a third reading.

The senate adjourned at half past three o'clock.

HOUSE OF REPRESENTATIVES.

Thursday, July 30. Mr. Fillmore, from the committee of ways and means, reported a bill making appropriations for outfit and salaries of diplomatic agents, which was read twice, and referred to the committee of the whole on the state of the union, and ordered to be printed.

Mr. Levy introduced a bill making further provision for the suppression of Indian hostilities in Florida, which having been twice read, was, after some conversation between Messrs. Levy and Fillmore, referred to the committee on military affairs.

Mr. Levy introduced a bill to provide for the relief and protection of the people of the United States against the Indian banditti infesting the territory of Florida and the state of Georgia.

And, having been read twice by its title, the bill, on motion of Mr. L., was referred to the committee on military affairs, and ordered to be printed.

Mr. Levy offered the following resolution, which lies over one day for consideration, and was ordered to be printed:

Resolved, That the secretary of war be required to furnish to this house the following information, to wit:

1. What sums have been expended in the execution of the treaty with the Seminoles nation of Indians, specifying the several items.

2. Whether any, and what, annuities are paid to the Seminoles nation of Indians.

3. Whether the whole tract of country designated in the supplemental treaty signed at Fort Gibson on the 9th of March, 1832, is now in the possession of said Seminoles nation of Indians.

4. What number of Indians and negroes have been emigrated from Florida since the date of said treaty.

5. What is the aggregate amount of expenditure which has been occasioned by the hostilities of said Seminoles Indians.

6. How many persons in the military service of the United States have been killed or wounded in the course of said hostilities; (including militia and regulars), and distinguishing the grades of the killed and wounded.

7. How many number of persons have been allowed in consequence of wounds received in the Florida service, or to the widows of persons killed in said service.

8. What is the regular army of the United States is now on duty in Florida, and under orders for that service.

Mr. Williams, of Maryland, from the select committee to whom had been referred the bill from the senate in relation to the census, reported the same with an amendment.

The bill on motion of Mr. W. was referred to the committee of the whole on the state of the union.

On motion of Mr. Pickens the house again resolved itself into committee of the whole on the state of the union, (Mr. Cushing, of Massachusetts, in the chair), on the bill in relation to duties and drawbacks. The pending question being on the motion of Mr. Allerton, to strike out the enacting clause of the bill.

Mr. Ballouett addressed the committee at length, but before he had concluded his hour expired, and he resumed his seat.

Mr. Ingersoll next took the floor and occupied it for an hour in opposition to the bill.

Mr. Pickens followed in opposition to the bill, until the expiration of his hour.

Mr. Hubbard next addressed the committee in remarks mainly of a statistical character.

The debate was continued by Messrs. Medill, Hastings and McKen in a half hour.

When Mr. Wise obtained the floor.

Whereupon the committee reported progress, and obtained leave to sit again.

Mr. W. W. Irwin then moved to reconsider the vote of yesterday by which the resolution providing that the revenue bill be taken out of committee at 12 o'clock to-morrow, (Friday), was adopted.

Pending this motion, the house adjourned.

Friday, July 30. The business first in order was the motion submitted yesterday by Mr. W. W. Irwin, to reconsider the vote of Wednesday last on the resolution providing that the revenue bill should be taken out of committee of the whole on the state of the union this day.

After a few words from Mr. Irwin, in explanation of the motive which had influenced him in submitting the motion, he withdrew the motion to reconsider.

On motion of Mr. Bell, the house again resolved itself into committee of the whole on the state of the union, (Mr. Cushing, of Massachusetts in the chair), and resumed the consideration of the bill in relation to duties and drawbacks.

The pending question being on the motion of Mr. Allerton to strike out the enacting clause of the bill.

Mr. Wise, (who was entitled to the floor), addressed the committee during the hour in opposition to the bill.

Mr. Fillmore obtained the floor, but yielded for a moment to Mr. Kim, who said that, having been called suddenly from the city, he could not be present when the vote was taken, but that he desired to say that, had he been present, he would have voted against the bill on the ground of its inadequacy. He regretted that he had not had an opportunity of explaining his views.

Mr. Fillmore then addressed the committee till the hour of twelve, when the house, in pursuance of its order of Wednesday last, proceeded, without further debate, to vote on the amendments.

The question was then taken by tellers, (Messrs. Broadman, and Allerton acting in that capacity), on the motion of Mr. Allerton to strike out the enacting clause of the bill, which motion, by yeas 82, nays 119, was rejected.

The question then recurred on the motion of Mr. Lawrence to exempt from duty the articles of "tea and coffee."

Mr. Clifford moved to amend the amendment by adding "molasses, sugar and salt."

After some conversation on a point of order. The question was taken by tellers, (Messrs. Stields and Sellers acting), on the amendment to the amendment, which, by yeas 112, nays 84, was agreed to.

The question then recurred on the amendment of Mr. Lawrence, as amended by the amendment of Mr. Clifford.

Mr. Ferris moved to add to the amendment, as amended, the article of foreign coal. Rejected.

The question was then taken by tellers, (Messrs. Weller and Brown acting). And the amendment as amended, by yeas 57, nays 112, was rejected.

Mr. Wise moved to amend the first section of the bill by striking out the words (in the 43d line) "brass wire suited to the manufacture of pins;" which amendment, by yeas 120, nays not counted, was adopted.

Mr. Fillmore moved to amend the bill, in the third line, by striking out the words "from and after the date hereinafter mentioned;" and inserting the words "on and after the 1st day of September, 1841."

Mr. Roosevelt moved to amend the amendment by striking out the word "September" and inserting January, if the amendment to the amendment was rejected. And the amendment was agreed to.

Mr. Fillmore moved to amend the bill by adding, (in the 12th line), after the word "embroidery," the words "and laces of thread, silk or cotton."

Rejected.

On motion of Mr. Fillmore, the words "includog paste" were inserted in the 14th line after the word "jewelry."

Some amendments of phraseology, by way of transposition, were made, on motion of Mr. Fillmore.

On motion of Mr. Fillmore, the word "almonds" was struck out from line 38.

A great number of verbal amendments were offered by Mr. Fillmore, all of which were adopted.

Mr. Wise moved an amendment admitting certain specified articles free of duty till June, 1842. Rejected.

Mr. Pickens moved to amend the bill in the 6th line by striking out the words "raw hide."

The question was taken by tellers, (Messrs. James and Arrington acting), and, by yeas 53, nays 98, was rejected.

Mr. Williams, of Md. moved to strike out from the 53th line, all of which section of the bill, the words "raw unmanufactured."

A motion was made by Mr. Brewster to amend this amendment by inserting "tuckersburg, oscarburgs and buripia."

The amendment to the amendment to the amendment was rejected.

Mr. Holmes moved to amend the original bill by striking out from the 60th line the words "juniper berries;" which amendment was rejected.

Mr. McKim moved an amendment exempting certain specified articles from duty until June 30, 1842. Rejected.

Mr. Hubbard moved to amend the bill in the 1st section after the word "jewelry," in the 11th line, by inserting the words "blankets of wool, the value whereof at the place whence exported shall not exceed seventy-five cents each." Rejected.

Mr. Hubbard moved to amend the first section, in the 14th line, by striking out the words "duty of" the word "twenty," and inserting the words "eighteen" so as to read "a duty of 18 per cent." Rejected.

Mr. Winslow moved to amend the bill by inserting in the 15th line, after the word "lead" the words "dry or." Agreed to.

Also, to insert "tallow" among the articles to remain at the existing duties. Lost.

Also, to insert "cassow" in the free list, also "type metal." Both lost.

And the motion being withdrawn, petitions and memorials were presented (under general consent) by the following gentlemen, and were referred appropriately:

Messrs. Kennedy, of Maryland, Linn Boyd, Hunt, Fillmore, Childs, Barnard, Gordon, Sumners, Hubbard, Talbot, Ingersoll, Stratton, Bismarck, Randall, of Maryland, Maxwell, Cross, Davis, of New York, P. G. Goode, of Ohio, and Wood, of New York.

Mr. Jones, of Md. on leave given, offered the following resolution, which was adopted:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of making immediate provision for the defence of the Chesapeake bay by steam batteries.

Petitions and memorials were further presented by *Messrs. Sergeant, Holmes, Wallace and Cranston.*

On motion of *Mr. Tillinghast*, the house took up, on its first and second reading, the joint resolution from the senate on the speaker's table, providing for the distribution of 700 copies of the Digest of patents.

Mr. T. said, that, so the bill made a small appropriation, it would therefore be necessary that it be committed.

So, on this motion, the bill was referred to the committee of the whole on the state of the union.

The following resolution, of which notice had been given, was offered by *Mr. Oliver*:

Resolved, That the rules of this house be so far amended that all amendments offered on committee of the whole, whether adopted in committee or not, upon the bill for the establishment of a local bank, shall be voted on in the house by yeas and nays, one-fifth of the members present voting for the same.

Mr. Fillmore moved that the resolution be laid on the table.

After some conversation between *Messrs. Fillmore, Briggs and Oliver*, as to whether the resolution had been received or not, when it seemed to be conceded that the resolution was properly before the house; and the question was then taken on the motion of *Mr. Fillmore*, and decided in the affirmative, yeas 107, nays 84.

The speaker (by general consent) laid before the house a communication from the secretary of war, covering estimates of the amounts of money required to carry into effect certain Indian treaties.

On motion of *Mr. Proffit*, the communication was referred to the committee of ways and means. *Mr. Stoddard*, of Massachusetts, then introduced a bill in relation to the whole on the state of the union, (Mr. John C. Clark, of New York, in the chair), and resumed the consideration of the bill from the senate to incorporate the subscribers to a fiscal bank of the United States.

The pending question being on the motion of *Mr. McClellan*, of New York, to strike out the enacting clause thereof—

Mr. John T. Mason (who was entitled to the floor) addressed the committee, during the hour, in opposition to the bill.

[The committee rose informally, and the speaker resumed the chair, for the purpose of receiving a message from the president of the United States, by the hands of *John Tyler*, jr. his private secretary. After which, the chairman again took his seat].

Mr. Charles Brown, then took the floor, and spoke for the hour in opposition to the bill.

Mr. Washington, of N. Carolina, next addressed the committee in favor of the bill, and principally in reply to *Mr. Stoddard*, of the day previous.

Mr. Wood, of New York, followed in opposition to the bill and in reply to *Messrs. Sergeant and Stuart*, of Va.

Mr. Payne, of Alabama, also spoke at some length against the creation of a bank, and replied to *Mr. Sergeant* as to the historical evidence in favor of the constitutionality of the bank.

Mr. Davis having obtained the floor, the committee rose and reported progress, and thereupon the hour expired.

Wednesday, Aug. 4. *Mr. Morgan* called up for consideration the following resolution, heretofore offered by him:

Resolved, That at 12 o'clock meridian, on Friday next, the 6th instant, debate in committee of the whole on the state of the union, on the senate bill No. 8, shall cease, and the committee shall proceed to vote on all amendments that may at that time be pending, and that may be offered, and shall then report the said bill to the house, with such amendments as have been agreed to by the committee: *Provided*, that nothing in this resolution shall preclude the committee from reporting the bill at any time prior to the time above specified.

And the resolution having been read, and the question being on its adoption, *Mr. M.* moved the previous question.

Mr. Morgan then modified his resolution, at the request, he said, of a number of gentlemen around him, so as to strike out "Friday" and insert "Tuesday."

And the question, "shall the resolution be adopted?" was then taken and decided in the negative, as follows: yeas 55, nays 136: So the resolution was rejected.

Mr. Sergeant rose and offered the following resolution which was read:

Resolved, That at 12 o'clock meridian on Friday next, the 6th instant, all debate in committee of the whole on the state of the union, on senate bill No. 8, shall cease, and the committee shall proceed to vote on all amendments that may at that time be pending, and that may be offered, and shall then report and bill to the house, with such amendments as have been agreed to by the committee: *Provided*, that nothing in this resolution shall preclude the committee from reporting the bill at any time prior to the time above specified.

Mr. Gilder moved to lay the resolution on the table.

Mr. Sergeant asked the yeas and nays, which were ordered, and being taken, were as follows: yeas 96, nays 166: So the resolution was laid on the table.

And the question recurring on the demand for the previous question, there was a second. And the motion was sustained, that the main question should now be taken.

Mr. Ingersoll called the yeas and nays on the main question, (being on the adoption of the resolution), which were ordered, and being taken, resulted as follows: yeas 104, nays 97: So the resolution was adopted.

Mr. Sergeant moved that the house resolve itself into committee of the whole on the state of the union, but waived the motion for the moment at the request of the speaker, who laid before the house a communication from the president of the United States, transmitting a communication from the treasury department, enclosing a communication from the French minister to the secretary of the treasury, relating to the commerce and navigation with France under existing treaties.

On motion of *Mr. Briggs*, the communication and documents were referred to the committee on foreign affairs, and ordered to be printed.

The speaker laid before the house the following communication from the president of the United States, which was referred to the committee of ways and means, and ordered to be printed:

Washington, August 8, 1841.

To the house of representatives of the United States: On the 18th of February, 1832, the said representatives adopted a resolution in the following words:

"Resolved, That the president of the United States be authorized to employ Horatio Greenough, of Massachusetts, to execute, in marble, a full-length pedestrian statue of Washington, to be placed in the centre of the rotundo of the capitol, the head to be a copy of Houdon's Washington, and the accessories to be left to the judgment of the artist."

On the 23d of the same month, the secretary of state, by direction of the president, addressed to *Mr. Greenough* a letter of instructions for carrying into effect the resolution of the house.

On the 14th day of July, 1832, an appropriation of the sum of five thousand dollars was made to "enable the president of the United States to contract with a skillful artist to execute, in marble, a full-length statue of George Washington, to be placed in the centre of the rotundo of the capitol," and several appropriations were made in succeeding sessions in furtherance of the same object.

Mr. Greenough, having been employed upon the work for several years, at Florence, completed it some months ago.

A resolution of congress of the 27th of May, 1840, it was directed "that the secretary of the navy be authorized and instructed to take measures for the importation and erection of the statue of Washington by Greenough." In pursuance of this authority, the navy department held a correspondence with commander Hull, commanding on the Mediterranean station, who entered into an agreement with the owners or master of the ship "Sea" for the transportation of the statue to the United States. This ship, with the statue on board, arrived this day on the 31st ultimo, and now lies at the navy yard.

As appropriations have become necessary for the payment of the freight and other expenses, I communicate to congress such papers as may enable it to judge of the amount required.

JOHN TYLER.

The speaker also laid before the house the following communication from the president of the U. States, which was referred to the committee of ways and means, and ordered to be printed:

Washington, August 3, 1841.
Sir: I herewith transmit a communication received from the postmaster general, to which I would invite the attention of congress.

JOHN TYLER.

To the hon. John White, speaker, &c.
Sir: Post office department, August 2, 1841.

Sir: I have the honor to transmit the statement of the architect of public buildings, referring to the original estimate for the cost of the new general post office, and to the appropriations heretofore made for that purpose. The appropriation of the last session was all that was deemed necessary for the present year, being then supposed that the building could not be completed during the current session. As I have every confidence that it can be finished by the first day of December next, it becomes my duty to ask a further appropriation of seventy five thousand (75,000) dollars, being the balance of the original estimate. It is believed that this sum will be sufficient for the entire completion of the edifice.

I desire also to call the attention of congress to the estimate for erecting the out-buildings, iron railings, grading, paving and other contingencies including the purchase of a vacant lot in the rear of the building, which should belong to the government; and would suggest the propriety of adding a clause to the bill giving the power of applying towards the purchase of furniture any balance of these sums that may remain after the completion of the building and the other improvements contemplated. Respectfully, your obedient servant.

FRANCIS GRANGER.

To the president of the United States.

A message was received from the president of the United States, through John Tyler, jr. esq. informing the house that the president had approved and signed the bill seeking further appropriations for the maintenance of lunatic paupers in the District of Columbia.

The house resolved itself into committee of the whole on the state of the union, (Mr. John C. Clark of New York, in the chair), and resumed the consideration of the bill to incorporate the subscribers to a fiscal bank of the United States.

The pending question being on the motion of *Mr. McClellan* to strike out the enacting clause of the bill.

Mr. Davis (who was entitled to the floor) addressed the committee during the hour, mainly on the constitutional question, and referring, in the course of his remarks, to many high authorities.

Mr. Brown, of Tenn. followed in opposition to the bill.

Mr. Proffit delivered an eloquent and very animated speech.

He was succeeded by *Mr. Milton Brown*, who strongly advocated the passage of the bill.

Mr. Gamble followed on the same side of the question.

Mr. Marshall obtained the floor; but yielded to a motion of *Mr. Stanley* for the rising of the committee.

The question being put, no quorum voted.

Whereupon the committee rose, and the chairman reported that they had found themselves without a quorum.

Mr. Adams moved an adjournment.

Mr. Izard demanded the yeas and nays; which, being taken, resulted as follows: yeas 17, nays 70. No quorum having existed—*Mr. Weller* moved a call of the house. The vote on his motion was: yeas 62, nays 22. Still no quorum voting.

The call thereupon proceeded, when 96 members answered to the names of the members of the house.

The absentees were called, when it appeared that 129 members were present.

A quorum thus appearing, the call was suspended.

Mr. Marshall now took the floor, but, instead of a speech, presented an apology to the house, on the ground of indisposition, and expressing his hope that he should be permitted to address the committee in the morning, yielded the floor to *Mr. Weller* who occupied his allotted hour in an earnest speech against the bill.

Mr. McKen next addressed the committee in a very animated speech, also in opposition to the bill.

Mr. Afford, of Georgia, succeeded in obtaining the floor, and went into a speech marked with his usual earnestness and touches of humor, which frequently occasioned merriment, and relieved a long and wearying debate.

Mr. Hubbard, of Virginia, rose, at eight o'clock, and addressed the committee in decided opposition to the bill.

Mr. Pope, of Kentucky, obtained the floor, but yielded to a motion for the rising of the committee; which motion prevailing, the committee rose and reported progress; and the house, at a little past 9 o'clock, adjourned.

CHRONICLE.

AGRICULTURE. We learn from the *Kaneva* Jeffersonian, that the governor of Virginia, in furtherance of a late act of the legislature, has appointed a board of agriculture, comprising five gentlemen, who are to meet annually at one of the principal towns to discuss agricultural subjects.

AMERICAN ANTIQUITIES. It will have been perceived by those who have read Mr. Stevens' most attractive volumes of travels in Central America—and we pity those who have not—that the latter information from a "Padre" or Roman Catholic clergyman, which leads him to feel pretty certain that there is at this time existing, in Vera Paz, a city of 100,000 inhabitants, the ruins of a city of preservation much greater than the ruined places which he actually visited, and almost as perfect as when its inhabitants lived. He also obtained information from the same source of another city, now actually inhabited, south of Chiapas, which remains all its primitive outness, and is still in the occupancy of the Indians; who have never submitted to the white conquerors of the country, and which has never been controlled—scarcely known, indeed—by the Central American government. Here, then, is a field for exploration, and well may Mr. Stevens say that he who visits it, will "experience sensations which seldom fall to the lot of man."

Mr. Stevens is just the one to do it, and, we are very much deceived in the man if he does not undertake the journey before he is much older. The government ought to give him a commission that will enable him to travel with official facilities all over the country.

(N. Y. Courier.)

BANKS. In the state of Georgia there are, it is said, ninety banks, including the several branches. This is not quite one bank for each county, as there are about ninety-six counties in the state. The glorious effects of the multiplication of banks is exemplified in the present state of Georgia currency.

THE BANK OF ENGLAND. "Among other large things, is the Bank of England, which covers five acres of ground, and employs over nine hundred clerks. Every thing for the use of the bank is made on its own premises; and the printing of its notes is a large item. A note once returned to the bank is never re-issued, but is filed away, and at the end of every year the workmen are duly at work every day of the year, save Sunday, in printing notes. At the annual burning, two days are required, with a large fire, to destroy the old notes, and the employees two men constantly in feeding the fires."

VIC ADMIRAL CHARLES BAUDIN has been appointed marshall prefect at Toulon. Admiral Baudin, says the Times, "is the crack naval officer of France." The mission to which he has been appointed is necessary, as he should return in Toulon whether, in 20 minutes a telegraphic dispatch might convey so order that he proceed to see forthwith, and take the command of the French fleet in the Mediterranean.

(Mercantile Journal.)

COALS in request in Baltimore and commands 75 to 90 cents.

COTTON remains firm at previous rates in London, Liverpool and Havre markets, or rather it may be said to have slightly risen.

THE COTTON CROP. A letter from New Orleans says, that should the weather prove favorable, the yield will amount to 2,000,000 of bales, and perhaps to 3,000,000.

THE U. S. SHIP OF THE LINE DELAWARE, of 74 guns, anchored off Annapolis, on the morning of the 4th inst.

DEVALUATION. Letters from New Orleans say that the sudden death of one of the sailors in the Canal wharf, had caused an investigation into his accounts which, as far as the examination had proceeded, had disclosed a deficit of over \$80,000.

EXCHANGE. New York on London 107 1/2 [at] 108; on France 52 1/2 [at] 53; on Philadelphia 31; on Baltimore 31; Petersburg, Norfolk, Raleigh, Wilmington, &c. 3; Charleston 12; on New Orleans 4; Augusta 10; Savannah 10; Macon and Columbus 12; Mobile 9; St. Louis 9; Louisville 7; Cincinnati 5; Nashville 11.

FLORA has advanced in price and is in request in New York and Philadelphia at from \$5 97 to \$6 12; in Baltimore, Howard street commands \$5 97; city mills of new wheat \$6 60.

FLORIDA. The late accounts from Tallahassee represent the congestive fever raging to that place and its vicinity as unabated. It is said to defy all remedies, and there is scarcely a family untraced. The pestilence is not confined to one region of country, but spreading through the whole of Florida. A correspondent of the New York Post says:

"The violence of the fever is such that no mortal power can stay its ravages, and six hours generally suffice to carry off its victims. The Asiatic cholera is raging, not only among the United States troops, but throughout the whole region of Florida. Never has the season of such general and dreadful disease been known in the south."

FORSYTH BAKES. The eminent banking house of Forsyth & Co., at Vienna, whose liabilities are reported to be very heavy, has stopped payment. This stopping following that of Messrs. Smith, occasioned

a regular panic in the money market when it first became known, but by the judicious efforts of Messrs. Rothschild and other leading capitalists at Vienna, confidence was rapidly improving.

A GRAPE VINE. A correspondent of the Boston Post, writing from London, gives a lively description of one at Hampton Court, and its appendages. "Among the things noticed is a grape vine. He says, 'in a separate house is a grape vine, supposed to be the largest in the world; its thirty inches in circumference, the roots its longest branch is 110 feet, and it has borne 2,600 bunches of grapes.'"

HUNTON, TEXAS, which was settled five years ago has now four thousand inhabitants, and within the space of thirty miles there are 100,000 head of cattle. An average of nearly four every day in the year.

THE HUNDRED WEIGHT. It is not long ago since the Americans reduced the hundred weight from 112 to 100 pounds. The odd 12 bothered them in the calculations, and was observed not to be of the smallest use in any respect, so having resolved to cut down the hundred weight to what it ought to be, namely, one hundred pounds, they immediately, and without any fuss, executed their resolution. This is a small matter, but it is the characteristic of the country in which it took place. We question whether the British could manage to take the odd twelve pounds from the hundred weight, and about a twenty year's talk. It does not signify that nobody can explain how or when the odd twelve originated. "There it is—that is sufficient—it must not be meddled with, would you ruin the country with your pretended improvements." The hundred weight alone—we have become a great people with it as it is, and with that lot you be content."

(Chambers.)

INTENDED INSURANCE OF SLAVES. *New Orleans, July 22.* The overseer of the plantation of Robert J. Barrow, of west Feliciana, having occasion to raise from his bed live one of the recent hot nights, heard, he says, he negroes conversing in the quarters. On silently approaching the vicinity and listening, he overheard two of the slaves discussing the subject of a rising against the whites. This led to the examination the next morning of the two fellows when they confessed the fact, and gave information that led to the arrest of several others. The alarm was immediately spread abroad, arrests were made in various quarters, and it was found by the confession that they all agreed in the main facts, that there was to be a general rise and that the first of August was the day agreed upon.

A white man, a carpenter, who had lately done a job of work for Mr. Barrow, was arrested on suspicion, and examined. He said he had nothing to do with the matter, and he negated every thing the negroes on the subject, but acknowledged that they frequently spoke to him, and informed him all about it.

Three white men with about forty negroes, all of whom had confessed their own part in the intended rise, were in the jail at St. Francisville, guarded by a company of volunteers. Their examination by a French official, was to have commenced yesterday at 10 A. M.

At Woodville, we learn, numerous slaves were confined in the jail, having confessed to the same facts as those named at Feliciana.

LONGEVITY. We learn by the recent census, that there are 250 individuals in the state of North Carolina over 100 years of age making an average of nearly four to each county.

Gov. MOREHEAD. The speech of governor Morehead in the senate on the bank bill, is thus spoken of by the Madisonian: "Fervent to the vote on the amendment, the senate was addressed by Mr. Morehead, at considerable length, and however we may differ about the constitutionality of the bill, none can deny that Mr. Morehead presented the arguments and authorities in its favor in the strongest point of view. Mr. Morehead is the successor of Mr. Crittenden in the senate, and as a debater he has almost always been considered as the former place of orators. There is Clay, and Crittenden, and Morehead, and Marshall, and others, forming a galaxy such as has seldom been seen from one state since the planting days of old Virginia. As Mr. Tallmadge justly said, the other day, in allusion to Mr. Morehead and his predecessor,

"Like the waves of a summer, as one dies away, Another is pleasing and shining comes."

"Mr. Morehead, stands among the 'tallons' of the Kentucky orators in every point of view. His speech, which was listened to with undivided attention, by the whole senate, and a very crowded audience, was marked by a nervous eloquence by an occasional word of satire, and by frequent passages of rhetorical beauty."

MILITARY COMMISSION. A field officer who sold out of the service, got \$12,000 for the command of his regiment.

(London paper.)

McLEOD. The *Montreal Courier*, noticing the late decision of the New York supreme court, says—"Great Britain is not in honor put up with such a man, and will not allow Mr. McLeod to be tried for an act which his government has assumed as its own. The time must come when there can be no longer any dodging about the matter; and if our neighbors will persist in their assumptions, let them take the consequences, for however much we should deprecate a war with

them under different circumstances, the sooner we decide this question the better. England could not have a better cause; and in Canada we have never been so well prepared for a trial of strength as at present—August we say, if we must come, let it come at once, for it is very evident unless we settle all our disputes now, it will only be putting off the evil day to a period when we may not be so disposed to deal with our willful and head strong neighbors."

NEEDLES. It is stated that in the small town of Redditch, in the county of Worcester, England, there are upwards of 70,000,000 of needles manufactured every year.

NEW YORK STATE LOANS. The New York Journal of Commerce says that, of the state loan of \$3,000,000, 6 per cent. stock, for which bonds were opened on Monday last in that city, less than one hundred thousand dollars have been taken.

SIR ROBERT PEEL. The Liverpool Albion of the 19th ult. says: "Sir Robert Peel, not to speak it profanely, appears to be to the tones what satan was to the ancient Hebrews—a messenger from goodness sent to inflict evil. The respect his mission, but apprehend a thousand bad consequences from his propensities; like the doomed, who are represented from ghosts or fauns, as sensible in appearance, and actually proceeding to the commission of the most atrocious crimes, whilst they mysteriously discover their will to be the positive result of necessity. The evil genius who, every party is anxious to get a passage to America, who each expects to find friends. He shipped under the name of 'Billy Stewart,' and says her name is Isabella Stewart." (Paid. U. S. Gaz.)

A WOULD BE SAILOR. The ship *Algoonquin*, capt. A. Turley, from Liverpool, arrived this morning, and among her passengers is a healthy stout female, 16 years of age, who shipped in Liverpool as a sailor boy, being under the name of John Smith, and, from top to toe, and actually performed the duty of a lad on board, going sail, &c. for several days, when some suspicion arose among the crew, which led to the discovery of her sex. Capt. T. immediately had her removed from the fore-cabin to the steerage, and her dress changed for female apparel. It appears she is a destitute girl who had taken the method to get a passage to America, which she expects to find friends. She shipped under the name of 'Billy Stewart,' and says her name is Isabella Stewart. (Paid. U. S. Gaz.)

ROCK BALT. A body of rock salt, like that found in Europe, has been discovered near Abington, Virginia, at a depth of 380 feet. This is the first that has ever been found in the United States.

STEAMBOATS. The steamer *New York* from New Haven on Monday, brought to New York 325 passengers, at 12 1/2 cents each.

STOCKS have declined, the price of U. S. bank shares fell 1/4 [at] in New York on Wednesday last, and declined 1/2 [at] in London. The price of the Canal shares of 1839 sold at 85; Indians bonds at 87.

SUIT AGAINST MR. BIDDLE. Yesterday a "non" (declarator) was filed in the case of the president, directors and company of the Bank of the U. States, versus Mr. Charles Biddle. The damages are laid at one million of dollars. For the plaintiff, Messrs. Rawle, Wharton and F. W. Hubbell. For the defendant, Messrs. Russell, Dallas and Meredith. [U. S. Gazette.]

MR. SWARTWORTH, late collector of the port of New York, arrived at Boston in the Acadia, and proceeded immediately to New York, which he reached on the 4th inst., and was immediately summoned before the custom house investigating committee now in session there.

TRAVELLING. The number of persons travelling on the Hudson river is said to be greater this season than at any time since 1836.

TREASURY NOTES. Treasury department, August 3, 1841. The following table shows the issue under previous laws of the acts of congress of 1837, 1838, 1839 and 1840.

Redeemed of those issues	
Leaving outstanding	\$2,557,667 95
Issued under act of Feb. 22, 1815,	
Prior to 1837	672,681 32
Since March 4, 1837	2,924,251 58
Redeemed of that issue	8,466,992 90
Leaving outstanding	199,666 30
Since March 4, 1837	5,417,666 60

Making the aggregate outstanding on the 1st inst.

\$8,306,335 95

T. EWING, secretary of the treasury.

WETWARD WOL. The Milwaukee Sentinel says—"There has been a time when settlers were flocking into Wisconsin in greater numbers than now. Every boat brings us large numbers of immigrants of the most respectable character, and the immigration by land is increasing. It is a source of regret that an enviable one, and the inducement for settlers greater than in any other portion of the west."

WHEAT is selling at Philadelphia at 127; in Baltimore at 130, 127 for red, and 140 for white.

NILES' NATIONAL REGISTER.

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THE PAST—THE PRESENT—THE FUTURE.

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FOREIGN ARTICLES.

BRITISH AMERICA. Among the despatches from the home government, recently laid before the legislature of Canada, is one from lord John Russell, expressing in the following emphatic language, "the determination of England to maintain her authority over her possessions on this continent. 'In any measure,'" lord John Russell says, "that may be adopted it must be taken for granted that her majesty persists in the determination to maintain all its lands her royal authority in Canada. Neither the honor of her aid nor the safety of her empire is due to her loyal subjects in British North America, nor the provident care of the empire at large, would permit any deviation from this fixed principle of British policy."

"At the same time her majesty's advisers are not insensible to the difficulties imposed upon them in carrying into execution the purposes of the crown. A province bordered by an open frontier of more than a thousand miles—approached with ease at all times by the citizens of a neighboring and powerful state, separated from England not only by the ocean, but by the rigors of climate and season, must be maintained by a judicious preparation for defence in time of peace, and a rigorous exertion of the resources of the empire in time of war, or not at all. To trifle with the fortunes of men whose lives and properties are freely devoted to the service of England, or to encourage foreign aggression by a passive acquiescence, would be far more than the spontaneous surrender of these important possessions of the crown. The Canadians might, in such a case, incur no risk; no blood need be shed; and the treasures of the empire might be spared. The other course would be cruel to a brave people, and unbecoming the character of the country."

"But as I have already said we have no alternative, we have only to consider the means of binding Canada more firmly in this country, of developing her resources, of strengthening her British population, of defending her territory, and of supporting and encouraging the loyal spirit of her people."

ENGLISH IN CHINA.

The foreign news by the Columbia, published in Saturday's American, was calculated to arrest attention by the unexpected suddenness of its arrival, as well as by reason of its great importance. The British are in possession of Canton! How strangely it sounds—how incredibly would such an event have appeared if it had been predicted five years ago!

With every successive collision between the Chinese and their invaders, the imbecility of the former appears more and more manifest. The conquest of Mexico and Peru by the Spaniards under Cortes and Pizarro, affords the only parallel to the warfare now urged in the celestial empire. How far the supremacy of Great Britain may be established over that country seems to depend entirely on the extent of the views of policy that may direct her movements. If Canton could be taken without the loss of a single man, there is not much reason to apprehend effectual resistance to any enterprise which the invading forces may see proper to undertake.

When lord Clive carried the British standard from victory to victory in Hindostan, at the first conquest of that region, the spirit of plunder, once quickened by the sight of vast treasures lying at the feet of the conquerors, gave a powerful impulse to the progress of the invaders. If this same spirit should be aroused by the sack of Canton, who can venture to guess where its ravages will be stopped in an empire where the accumulated wealth of centuries is deposited? The amount of precious metals in China—particularly silver—must be immense. For the system of commerce long since established there has tended to bring coin into the country and to prevent its exportation.

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It is an idea which strongly moves the imagination—that which presents to us the spectacle of an army of foreigners in the midst of a Chinese city, whose walls for ages and centuries have been jealously closed against the entrance of a stranger. The curiosity of the civilized world is aroused to know what sights—what objects—will be there presented to the gaze of armed intruders.

Nor is there less of interest in considering that this successful invasion of a great empire has been effected by a nation inhabiting a remote little island in the western extremity of Europe—a spot insignificant in itself, yet rendered by the power of intellect one of the chief focal points of this world's doings.—What are the inherent greatness of the race which, from a mere foothold as a starting place, has diffused its spirit and extended its power to the extremity of the earth—conquering the wilderness of nature in one hemisphere, and overthrowing empires in the other? Such results, if they teach nothing else, will at least show that in the mind of man dwelt the true elements of human power—that ideas and principles are real things, whereunto the outward paraphernalia of state and circumstance are subservient mere instruments, having no efficacy in themselves.

(Balt. Amer.)

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.

Alexander P. Field, secretary for the territory of Wisconsin.

Isaac Oles, to be United States marshal, for the eastern district of Pennsylvania.

Erasmus C. of the customs—Collectors.

Leonard Devotion, Sackett's harbor, New York.

William J. Grayson, Charleston, S. C.

Perry Smith, Hartford, Connecticut.

Lowell Nash, Gloucester, Mass.

Elliot R. Hopkins, St. Louis, Mo.

John T. Collins, New Haven, Connecticut.

James Watson Butler, Johnson C. H. Ark.

Nathaniel Pennington Taylor, St. Louis, Mo.

Iris Porter, Iowa, Michigan.

Alfred Henderson, Johnson C. H. Ark.

Cyrus Langbein, Iowa, Mich.

James F. Harrison, Natchitoches, La.

MINISTER TO BRAZIL. Letters from Washington intimate that it is the intention of the government to send a full minister to Brazil, in place of Mr. Hunter, our charge d'affaires. It is stated as a reason for the appointment of a minister, that the present is a peculiarly appropriate time for extending our relations with Brazil, as our treaty with her expires in 1842.

The treaty between Brazil and England expires in 1844, and the former government is not disposed to renew it, for very good reasons too; for while the treaty admits English manufactures into Brazil at a duty of fifteen per cent, it makes no provision for the admission of Brazilian productions into England, other than the duty shall be no higher than on similar productions from other countries. Under this treaty British manufactures to the value of about \$25,000,000, are annually imported into Brazil, while the chief staples of Brazil, except cotton, are virtually prohibited in England. There is a strong disposition in Brazil to encourage their own manufactures, by discriminating and retaliatory duties on England, and to submit it to other and more equal terms in the renewal of the treaty.

[Newburyport Mercury.]

[We see that the secretary of state asks for an appropriation for a full minister to Brazil.]

THE FISCAL BANK BILL, which we announced the passage of in the last Register, was placed in the hands of the president on Friday the 6th inst.—since which the most intense anxiety has been evinced to ascertain whether it would be signed or vetoed. Up to the hour at which this number goes to press, nothing has been ascertained.

PROTECTIVE DUTIES. It is admitted by politicians on all sides that one of the first duties of a good government is to provide for the national defence. For this purpose public sentiment calls for

an increase of our naval strength; for additional fortifications at important points; for the establishment of armories; for the construction of steam batteries, and so on. The recent passage of the marine squadron bill gave great and general satisfaction.

In case of a war with a foreign power—an event which is always to be looked forward to as possible—such preparations as we have spoken of will have their use. But there are other means of national defence no less useful; and with the further advantage of being highly promotive of public prosperity in time of peace. We may illustrate what we have referred to by the following remarks of the London Quarterly Review on the real objects of the British protective policy: "The safety of this country," says the Review, "depends on its navy; and a navy is not merely a collection of well fabricated machines, which may be erected at any time, and to any extent, by almost any nation; and willing to undertake the necessary expense. The real essential strength of a navy is that which never can be created *pro re nata*, by any expense or any efforts—and ample and constant supply of hardy and skilful sailors. But there are other means of comparatively short period out of any population, and out of the least instructed part of any population; but seamen can only be made by early practice and long experience of the sea; and these again can only be applied by maritime commerce. This was the policy and basis of our navigation laws; and this is the true, or at least the greatest value of our colonial possessions: this accidental and exceptional necessity which distinguishes the smaller empire of Britain from all other states, creates and improves on an exceptional line of policy—to which the situation of other countries affords no analogy, and the general theories of economists have no application."

The Review goes on to show the special application of its remarks by an example—thus: "If foreign ships could bring us sugar at 1d. a pound, while, if conveyed by the better and therefore more expensive system of English navigation, it cost 2d. the additional penny would not be a mere tax upon sugar, but part of the price paid for the education, the maintenance and increase of a superior class of native seamen—without whom in day of war, the world would be without the means of a long peace blockade sugar at 1d. a pound."

It is not a mere "accidental or exceptional necessity" which renders the policy of Great Britain in this particular proper and judicious. The same necessity applies to any commercial nation that must maintain an efficient navy. But this refers more especially to discriminating foreign duties on vessels.

The same course of reasoning, however, comes with equal force to support that system of protective duties which looks to the fostering of domestic interests, when those interests are necessary to the nation's defence in time of war. With this regard to iron and coal—both of which articles are essential to the construction and use of steamships, and to some of our other applications—there ought to be an entire self-dependence on native resources. Why should we look to Wales and Sweden for supplies of iron, or to Pileton for coal, when both may be had in the mountains of Pennsylvania and Virginia? It is not only that we pay annually large sums abroad for iron and iron manufactures which could be had at home—the worst of it is that we are withdrawing from our own domestic establishments that enterprise, which, if extended, would build them up securely, and enable them in time of emergency to strengthen the arm of the government with the most potent weapons of war. Skill and dexterity in all sorts of handicraft are the results of much practice; they are not to be had at a moment's warning. Nor are the means of large supplies, when unexpectedly wanted, to be furnished forthwith. There must be large investments previously; and these will be made only when the policy of the government is favorable and to be depended upon.

Protection, such as we refer to, is judicious only when there is a substantial basis for the interest protected. When national industry is in the hands of care and industry are invited by the very fact. The abundant resources of this country in the two most important elements of mineral wealth are well

known. Surely it is not wise that these should be suffered to lie dormant in the bowels of the earth, when by the policy of government they might be brought forth, to give exercise to industry, to increase the store of national production, and to add strength to the arm of public defence.

[*Bull. Amer.*]

WEIGHTS AND MEASURES. A report from the superintendent of standard weights and measures has been communicated to congress by the secretary of the treasury, announcing the completion of the final series, (the ounce weights). We perceive by it that it is deemed important that the governors of the several states be invited to send directions to the treasury department to whom and how the standards may be forwarded, in order to reach their aim of public utility. There might then also be forwarded, at the same time, the yards, and some of the sets of the large weights, which remain still in the vaults of the treasury department, uncalled for, to bring them into that actual use which, at the time of their beginning, seemed so much desired. Mr. Haasler states that with the present delivery, the task of the construction of standards of the weights for the states, as well as for the custom houses, is completely solved. The sets of ounce weight for the states, begin with the ten ounce weight, and go down, decimally subdivided, to the one-tenth thousandths of the ounce. A number of standard yards sufficient for all the states, and for some of the custom houses, were completed last year.

[*Madisonian.*]

FORTIFICATIONS. The fortification bill, as it passed the house, stands the following appropriations:

For the forts in Boston harbor	\$184,000
New Bedford	8,000
Newport, R. I.	45,000
New London, Ct.	45,000
Fort Niagara	20,000
Fort Ontario, Oswego	15,000
Fort near New York	130,000
Fort Delaware	50,000
Fort at Annapolis, Md.	5,000
Fort Washington	35,000
Fort Monroe, Old Point	115,000
Fort Caswell and Johnson, &c.	8,000
Fort near Charleston, S. C. &c.	45,000
Fort Pulaski, Savannah	25,000
Fort Marion, &c. St. Augustine	25,000
Fort at Pensacola	65,000
Fort Morgan, Mobile	40,000
Fort Livingston, Barataria Bay	80,000
Fort near New Orleans	55,000
Contingencies for fortifications	15,000
Incidental expenses for the same	55,000

For fortifications	\$1,019,000
For current expenses of ordnance service	\$23,000
Purchase of ordnance and ordnance stores	75,000
Armament of fortifications 100,000	
Purchase of saltpetre and brimstone	30,000
For preventing and repressing Indian hostilities under various heads	\$220,000 00

Making a total appropriated by this bill, as it passed the house, of \$2,022,657 66

It has since passed the senate, with some amendments, one of which appropriates \$100,000 for armed steamers on Lake Erie; another \$75,000 for an armory in the city of New York, for the manufacture of arms and defensive works at Detroit.

At present the British have two armed steamers on Lake Erie and we none.

INDIAN WAR. A battle recently took place near Council Bluffs, between the Pottawattamies and Sioux Indians, in which five Sioux, (the whole party), were killed, and three Pottawattamies killed and one wounded. The party of Pottawattamies was about 35 in number.

After this, a party of about 30 Pottawattamies went out to search of Sioux, and as nothing had been heard from them at Council Bluffs, it was thought that the Pottawattamies had been entirely cut off or captured.

THE BRITISH MOVEMENTS. The St. Johns Courier of July 31st, terms from Mr. Perley, who has just returned from Temiscouata, that while he was there, captain Nelson, of the royal engineers, arrived there express from Quebec, with instructions to put the various frontier posts, now held by detachments of the 56th regiment in an efficient state of defence without delay. Market-proof de-

fenders around the barracks at Temiscouata were forthwith commenced, and captain Nelson then proceeded to the Degele and the Little Falls at the mouth of the Madawaska river, where a new and very strong block house is now in course of erection.

Captain Nelson remain at the Little Falls to superintend the completion of the block house, and despatched lieutenant Norton of the 66th, (an acting officer of engineers), and Mr. Tennant, of the commissariat, to the Grand Falls, for the purpose of removing all the guns and stores placed there to the block house, and also to bring up the artillerymen stationed there to the same place. Mr. Perley left the Grand Falls last Saturday, when the packing of the stores had commenced, and it was understood that the whole would move upwards on Wednesday last to flat boats which were getting ready. It was said (says the Courier) that these arrangements were made in consequence of an apprehension that some difficulty might arise between Mr. Fox and the American government, in consequence of the apparent determination to place Mr. McLeod upon his trial for murder, and it was therefore deemed prudent to put these posts in a state of defence, in order to prevent any possibility of interruption by land between this province and Canada being suddenly cut off.

The detachment of the 66th, at the Little Falls, is under the command of J. Smith; the post at the Degele, held by capt. Vaukey, and his company, and the post at Leconteville, is commanded by captain Charlewood.

Great Britain is thus going ahead very fast with its encroachments in Maine. Will the American government note its progress?

STATUE OF WASHINGTON. Greenough's statue of Washington has arrived at Washington from Italy. It is said that the doorway of the capital is not large enough to admit it to its destined position in the rotunda. A foreign journal speaks of the performer—"Truly may it be said, 'blessed are they who do not expect' for where I expected to be disappointed I was more than delighted. I had heard much, so much of Greenough's colossal statue of Washington, that I thought it utterly impossible that it could produce an effect upon me proportionate to the praises I had heard bestowed upon it, especially as I remembered the almost digit with which I had looked at Thrownwald's modern statue—the slenderly dressed statue of Lord Byron, and to say the least of it, Washington, particularly when magnified, was a more unpoetical, therefore a more difficult subject. But the manner in which Greenough has executed his almost impossible task is only another proof that genius can make a statue of the commonest and most commonplace things, just as a man was a mass of inanimate clay 'of the earth, earthy,' till God breathed immortality into him, and so formed him after his own image. Nothing can be more human, and at the same time more godlike, than his colossal statue of Washington. It is a sort of domestic jupiter—the sublime repose and simplicity of the whole figure, united, as it is, with ascending energy of expression, is perfectly classical, without the slightest abstract imitation, for the artist seems to have embodied Seneca's admirable advice *in a style—semile ex vivo, quoniam finis, non quoniam imago*, as there is no mistake the pure lineage of this statue—... fill the central point of the map of the United States, he has addressed his statue of Washington to a distant posterity, and made it rather a poetical abstract of his whole career, than the chronicle of any deed, or any leading feature of his life, which, as there is no other person, and extends with his left hand a sword, the emblem of his military command, towards the people; as the sovereign, he points heavenward with his right hand, by this double gesture is conveyed the idea of ascending, suggestive of self, and seeking the purest conductor in it was, between God and man.

The chair in which he is seated, being too large to be left out, tells also its history. The superior part is richly ornamented with acanthus, and garlands of flowers, while the base is solid, simple, massive, which plainly indicates that high cultivation is the proper result of sound government, and that nations, when piloted and well tilted, must flourish as well as grow. By the figure of the Columbian, which leans against the back of the chair on the left side, is connected the history of America with that of Europe, while that of the Indian chief on the right is emblematic of the state America was in when civilization first dawned upon her. The figure of the right side, seated in the chair, which was the first crew of American ships, is the rising sun under which is inscribed, *Magnus ab initio sacculus nascitur ordo*. The relief on the left side represents the geni of North and

South America, under the forms of the infants Hercules and Iphigene, the latter shrinking in dread, whilst the former struggles successfully with the obstacles and dangers of an incipient political existence. The motto for this bas-relief is, *Incipere posse et non desinere periculis*. In this statue, Greenough has achieved a glorious work and one that cannot fail to reach its destination—namely, the distant posterity to which it is addressed.

THE ARMY.

Glorious news from Florida! Cococoe's whole band—close of the Florida war. By the U. S. steamer gen. Taylor, capt. Peck, arrived at Savannah, August 7, we have the gratifying intelligence from Florida, that the great Florida military expedition, may now be considered as at an end. Wild Cat's whole band, men, women, children and negroes, 160 in all have come in at Tampa, and 40 more Indians of another band were on their way, and were expected at Tampa in two days. A gentleman who was on the gen. Taylor, says that he does not think another rifle will be fired by the enemy.

When Cococoe's family came in, col. Worth told him that he might go on shore from the steamer where he has come, and he refused to do so, saying that though he was anxious to see his family, he would not permit them to see him in front. The colonel finally consented to let him go on shore without his shackles, and after a warm greeting, they parted. The fact he said, was the coldest, and then returned on board the steamer. As soon as his lions were replaced, he told col. Worth that he had but one request more to make, and that was, to allow him and his people to go west as soon as possible.

We understand that col. Worth on taking command in Florida, set the first day of January, 1842, as the time of closing this war. From his admirable management and indomitable perseverance, seconded by the gallant officers and troops now in the field, there is every prospect that he will redeem his pledge. Should he succeed, he will have the honor of accomplishing what older and more experienced commanders have failed to perform.

During the war many of the officers of our gallant little army have distinguished themselves, and some of them would have done so, had opportunities been presented. It had been a field in which there has been plenty of hard service and but little glory.

Every thing that could be done, and we are glad once more to see a prospect of speedily subduing the enemy.

The first regiment of infantry now in Florida has been ordered to leave for New Orleans, and the Chien; upon Mississippi. They are to leave immediately.

St. Augustine, August 2, 1841. The steamer Wm. Gaston, capt. Somers, arrived this afternoon from southern ports. The large scout started from Key Biscayne, under the command of the Ensign, on the evening of Friday, the 20th ult. consisting of six companies of artillery, under the command of captain Burke, and a number of sailors and marines under the command of captain Rogers and others.

We are sorry to learn that that gallant officer, Major Childs, who was to have commanded the expedition was left sick at Fort Dallas. The posts south, are generally very healthy, with the exception of the posts near Key West, owing to the exposure of the men to the sun.

Major Childs has issued an order for the removal of all the stores and stores, from Key Biscayne to Fort Dallas, and will break up that post (the Key) entirely.

The accounts from Key West are of the most deplorable nature. The yellow fever is said to be raging at that place, and very fatal; a large number have already fallen victims to it. One of the unfortunate victims is Mr. Leavenworth C. Harvey.

The fever has been still worse at Havana, and we learn that there are now American ships now lying in that port without a soul on board, all having died of the prevailing fever.

We have no further news from Tampa Bay to communicate, since the last intelligence of the Indians coming in very rapidly.

The season has been exceeding unhealthy in Middle Florida. A letter dated Tallahassee, 7 July

is organized and put in motion, without occupying a single point of the disputed ground of the constitution.

Still, however, Mr. President, (said Mr. Rives) an objection has been somewhat started to this arrangement, that though the power of congress to create banking corporations within this District is unquestionable, yet they can be constitutionally exercised here only for local and not for national uses. On what principle is this objection as this is sustained? The District itself was created and set apart as an exclusive jurisdiction wholly for national considerations—to give entire freedom and independence to the deliberations and action of the national authorities established here. Mr. Rives said he had the sanction of the highest judicial authority known to our institutions for saying that the power of "exclusive legislation" over this District was conferred on congress not, as some times loosely said as a local legislature for the District, but emphatically as "the legislature of the union." What is this magnificent capital erected here for—for what the treasury building and all the other public edifices connected with the operations of the government, unless for national purposes? If Mr. Rives is right, the legitimate national object can any establishment be founded here than to be an auxiliary, and, in some sort, an adjunct to the great revenue department of the government?

It is true (said Mr. Rives) that acts done here, in virtue of the power of "exclusive legislation" over this District, are limited, in their intrinsic force, to the District. They have no operation, *per se*, beyond the District. Accordingly, the corporation proposed to be created here, as the fiscal agent of the government, will have its legal corporate existence here, and no where else. To use the language of the supreme court of the United States, in a recent case, "having an important bearing on the questions we are now discussing, it is 'to dwell here in the place of its creation.' But this does not prevent it, any more than corporations created by state authority, from extending its operations, by branches or agencies, into the states of the union, with THE ASSENT OF THOSE STATES. In every such case, the extra-territorial operation of the institution would be the result, not of any *intrinsic* force derived from the act of incorporation, but of the sovereign assent of the states permitting it to extend its operations within their limits. But this (said Mr. R.) is to anticipate a question which has not yet arisen, and to discuss much more at large. I return to the competency of congress to incorporate a bank in this District for national uses.

It will be seen, said Mr. Rives, if we trace the history of all the legislative discussions which have ever taken place on the constitutional power of congress to establish a national bank within the limits of the states, that the most determined opponents of the general power have invariably admitted the authority of congress to incorporate and establish such a bank within the District of Columbia. In 1791, when the first debate took place in congress on this disputed question, Mr. Fisher Ames, by way of illustrating and enforcing his argument in favor of the power, put the case of a bank established here under this power of exclusive legislation over the District, and said such a bank "could send its paper all over the union." Mr. Giles, of Virginia, and Mr. Stone, of Maryland, both distinguished opponents of the general power of congress to establish a national bank within the states, in noticing and replying to the argument of Mr. Ames, clearly admitted the authority of congress to establish such a bank as Mr. Ames had described, within the District. Again, in 1811, when, at the expiration of the charter of the first bank of the United States, the discussion was renewed on the constitutional power of congress, similar admissions as to the District were made, in unequivocal terms, by several of those who were most earnest in denying the general power of congress to create a national bank within the states.

But I have, said Mr. Rives, to come down to a more recent period of our political history, when recognitions of the same doctrine thicken upon us, and from quarters distinguished, or claiming to be distinguished, by peculiar republican orthodoxy. In 1814, when the effort to obtain a re-establishment of a national bank was first formally renewed, after the unsuccessful struggle of 1811, the subject came before congress on a petition of a number of the citizens of N. York. It was referred to the committee of ways and means of the house of representatives, at which Mr. Epes, a distinguished republican representative from Virginia, was the chairman. As chairman of the committee, Mr. Epes reported against the constitutionality of the proposed bank,

and embodied the grounds of that report in the following resolution, which, as setting forth distinctly the principle on which the objections of the republicans party of that day, to the constitutional power of a national bank rested, deserves particular notice.

"Resolved, That the power to create corporations within the territorial limits of the states, without their consent, is the power only of the powers delegated by the constitution of the United States, and is essentially necessary for carrying into effect any delegated power."

It cannot fail to attract attention, that the terms of this resolution, by an obvious and necessary implication, denied the power to create such a corporation as proposed, within the District of Columbia.

But this conclusion was not left to interfere only. The distinguished senator from S. Carolina, (Mr. Calhoun), then a distinguished member of the house of representatives, moved a recommitment of the report to the committee which brought it in, with the avowed purpose of obtaining their report in favor of a national bank in the District of Columbia—a report which was accordingly afterwards presented by the honorable gentleman seems frequently to support us on this side of the house of a design to misrepresent him, I will give his own words, as taken from the records of the day:

"It is clearly then said it would be found that the committee of ways and means had decided against the proposition, on the ground of unconstitutionality of establishing such a bank as that asked for in the petition. He wished to instruct the committee to inquire into the expediency of establishing a national bank within the District of Columbia; the power to do which, it could not be doubted, even within the constitutional powers of congress. For all practical purposes he believed such a bank would be as useful as that which was proposed. To state at his object, Mr. C. proposed the following motion:

"Resolved, That the committee of ways and means be instructed to inquire into the expediency of establishing a national bank, to be located in the District of Columbia."

This occurred during the first session of the 13th congress. At the succeeding session of the same congress the subject was resumed. Mr. Dallas, in the meantime, had become secretary of the treasury, and in October, 1816, he presented to congress a fifty million national bank, to be established at Philadelphia. That plan being under consideration in the house of representatives, and a resolution having been offered, declaring it to be expedient "to establish a national bank, with branches, in the several states," Gov. Wright, of Maryland, then a leading republican member of that body, moved to amend the resolution by inserting therein the words "within the District of Columbia." What said Wm. A. Burwell, of Virginia, on that occasion? "He and what he was, no one knows better than the honorable senator from South Carolina. I will only say that, through the whole of his patriotic and distinguished life, he was a strict constructionist of the 'most strictest sect,' and an inviolable and uncompromising defender of the general power of congress to establish a national bank. And yet, on the occasion here referred to, he did not hesitate to say that 'he had no doubt of the power of congress to establish a bank of the kind proposed,' (even a fifty million national bank, within the District of Columbia.)"

Having seen, said Mr. Rives, what were the doctrines of the old republican school on this subject, let us, for a moment, inquire if the modern democratic party have not, through its acknowledged interpretation of the constitution, held precisely the same doctrine. General Jackson, the grand lumina of the anti-bank party, was even *sedulous* in the most unqualified terms, the constitutional power of congress to establish banks in the District of Columbia, to any extent, and for any purpose. It is curious and remarkable coincidence that, the very act by which he put the veto on the bill for rechartering the late bank of the United States, he took special pains to re-affirm and vindicate the unlimited authority of congress to create banks in this District. In that bill was a provision that no other bank should be established by congress during the continuance of the institution thereby rechartered, except "that congress might renew existing charters for banks within the District of Columbia, not increasing the capital thereof, and might also establish any other bank or banks in this District, with capitals not exceeding in the whole six millions of dollars." This restriction general Jackson seized upon, and signalled in his veto message as particularly unconstitutional. It is so sought to be made the ground of the constitutional power of congress to establish banks in the District of Columbia, and increase their capital at will—a power which he pronounced to be "unlimited and uncontrollable by any other authority than that which gave existence to the constitution!"

Mr. Van Buren, his anointed successor, as head of the modern democratic party, in like manner, unequivocally admitted the constitutional power of congress to establish a national bank (*ex nomine*) within this District. There is his famous letter to Mr. Sharrod Williams. Let gentlemen read it, and make any thing else out of it, if they can. In expressing his opinions on the subject of the constitutional power of congress to establish a national bank, his negation of the power is invariably made in reference to the states. Adopting the language of his friend, Mr. Butler, he says "he holds that congress has no power to create a national bank in any of the states of the union." "He is, therefore, decidedly opposed to the establishment of a national bank in any of the states;" and then adds, "he is also opposed to the establishment of such a bank in this District of Columbia as unconstitutional,"—implying that, in the District, it would be constitutional at least. No one can fail to perceive the marked contradiction throughout in his position as to the establishment of a national bank in the states and in the District, placing in opposition to the former on the ground of a want of constitutional power, and to the latter on considerations of expediency alone. Indeed, the very principle of the constitutional objection, as stated by him, and which he justly says was the main ground of the objection, is directly opposed against the establishment of the first national bank, to wit: "that the constitution does not give congress the power to erect corporations within the states," of necessity excludes the District of Columbia; for all must admit that the powers of congress possess the power of incorporation in this District.

The constitutional power of congress, then, to incorporate a bank in the District, for the convenience and uses of the government, if deemed expedient, is a power which has been recognized and admitted by all parties from the birth of the constitution down to the present day. It has been used in an especial manner, admitted, and in terms the most unequivocal, by leading and distinguished men of the republican and democratic parties, who have been most signalized for the zeal and earnestness, as well as ability, with which they have defended the general power of congress to establish a national bank within the limits of the states. After this steady and unbroken current of testimony and opinion flowing through the course of half a century, it would seem to be in vain to expect any other result, if the question is sustained. The plan of the secretary of the treasury, then, so far as the question of constitutional power is involved in the incorporation of a fiscal bank of the United States in this District, may be safely assumed to rest on a firm and certain basis.

Mr. Rives then proceeded to consider the other part of the secretary's plan, which provided for the assent of the states to the establishment of branches of the proposed fiscal bank within their respective limits; a principle which was rejected by the bill of the senator from Kentucky, (Mr. CLAY), but which Mr. R. wished to restore by the amendment he had just offered. It is intended, in the report made by the honorable senator, (said Mr. R.) that this part of the secretary's plan is founded on the false principle that the powers of congress can be enlarged by the consent of individual states, without resorting to that process of amendment, requiring the concurrence of three-fourths of all the states, which the constitution itself provides. But he is entirely to be understood as not extending the assent he has attributed to the assent of the states by the secretary's plan. I fully and unhesitatingly subscribe (said Mr. R.) to the doctrine laid down by Mr. Madison,

"To the list of republican authorities may be added the following pregnant letter of that sterling republican and patriot, Judge Wise, of Tennessee:

"To the list of republican authorities may be added the following pregnant letter of that sterling republican and patriot, Judge Wise, of Tennessee:

DEAR SIR: Your favor, dated 15th ultimo, was received by the mail which arrived here on yesterday, and with pleasure I send you an immediate answer.

Your recollection of different conversations I owe to Mr. Kinsman is correct. I then stated, and yet believe, congress has not the power to charter a bank conferring upon it the power to do business within the limits of any of the states, and that the national bank, as created by the bill, would be found indispensable. I have heretofore said, and yet believe, congress has the power to charter one, to do business in the District of Columbia, and that they could authorize such bank to conduct its business in the states, in each state, with the consent of the respective states; and that through such a District bank, thus connected with the state banks, every desirable object towards keeping the currency in circulation, and thereby promoting the public mores, could be as certainly attained as through a national bank, and I am, I believe, as certain as I am of the truth of my own statements, that your object is attained."

H. L. WHITE.

D. A. CRAWFORD, esq.

*Bank of Augusta vs. Erie—Peterson's Report, vol. am. p. 249.

his veto message on the internal improvement bill, that the general powers of congress cannot be enlarged beyond the limits prescribed in the constitution, by the assent of individual states. But, in this case, no effect of that sort is claimed for the assent of the states. The assent of the states to the establishment, within their respective limits, of branches of the proposed fiscal bank, stated here, does not, in any manner whatever, enlarge the power of congress. The power of congress is fully exerted in the act of creating the corporation here, and giving it the legal attributes and facilities of an artificial being. The congress has not conferred any power to do this, has been already shown. The only effect of the proposed assent of the states is to permit this corporation, when thus lawfully and constitutionally created by congress here, to extend its operations, by such branches or agencies as it may think fit to constitute, within the limits of their respective sovereignties.

And will any gentleman seriously contend that it is not competent for the states to do this? Suppose that the state of New York should create a bank intended to promote her commercial intercourse with the other states of the union, by dealing in domestic exchanges—take, indeed, the existing case of the Pennsylvania bank of the United States—will any gentleman gravely contend that it would not be competent for Virginia, in the exercise of her own sovereignty to permit any such institution to establish a branch or agency within her borders? And could it be pretended in such a case, that the permission given by Virginia had, in any manner, enlarged the legislative power of the United States? Virginia, exerted in creating a corporation by the force of their own laws. If this can be legitimately done with regard to a bank created by the authority of a foreign country, for so the case of the Bank of England is, (said Mr. R.) that, with the sovereign assent of a state, even a branch of the Bank of England might be established within its borders, can it not be as unquestionably done with regard to a bank created by congress in this District? I do not deny it, it is not to question a power of congress, but to assail the vital principles of state sovereignty itself.

If the individual action of the states is such an anomaly as gentleman would represent it—never to be required in any case whatever in the operations of the general government—then, I presume, said Mr. President, that particular states have from time to time surrendered their soil and jurisdiction, ceded large portions of their territory, with all the rights of citizenship and sovereignty, to be added to the general government? I do not speak of the purchases of parcels of land made by the United States, with the consent of the legislatures of the particular states in which they lie, for the erection of forts, arsenals, dock yards, &c. because they are provided for by a special clause in the constitution. Nor do I speak of those earlier cessions of territory in the northwest made by the proprietor states previous to the adoption of this constitution; but I speak of those cessions and compacts of particular states, embracing large domains, made long since the adoption of the constitution. I speak of the cession of the western territory to the United States by Georgia in 1802, out of which two of the youthful states of the southwest, Alabama and Mississippi, have grown up; I speak of the surrender to the United States of her western reserve by the state of Connecticut at a still later period. Were these "nomination in the bond?" Can any gentleman show me any clause in the constitution which empowered these two states to make those large cessions to the United States? None! No, sir; there is none such. They acted each one for itself and from itself, in virtue of their separate sovereignty, existing anterior to the constitution, and still remaining, except where it has been restrained or taken away by positive provisions of the constitution.

This principle of state assent, in concurrence with acts of national authority, ought to be no novelty to the honorable member from Kentucky, at least. His annual journey from Ashland to Washington, and from Washington to Ashland is paved with it over every foot of the Cumberland road; for the honorable senator will doubtless recollect that, in the act which bears the signature of Mr. J. Caldwell, president of the United States—the previous assent of the three states of Maryland, Pennsylvania and Virginia was expressly required to be given in the construction of the road within their respective limits, and that assent was actually given by the legislative or formal acts of the legislatures of those states, before a spade or pickaxe was displayed upon their soil.

But there is a more recent act of a character less questionable, involving the same principle, and in which many of us personally bore a part, in which I beg leave to recall to the recollection of the Senate. I refer to the law passed by congress in 1836 for dis-

possing the surplus revenue of the United States in the treasuries of the several states, with the assent of the legislatures of the states in the disposal by acts of their respective legislatures. No gentleman will contend that congress could have obviated the keeping of any portion of the national treasure upon the states, or any of them, without their sovereign assent, separately and freely given, each one for itself, and yet, with the assent thus given, the legality and constitutionality of the arrangement never has been, and never can be, questioned. The principle of it is obvious. Congress, on its part, assumes the power to provide, at its discretion, for the safe keeping of the public money. The states, on their part, possess the power to accept the custody and use of those funds, if tendered, as they may think fit. The concurrent action of these two authorities, each exerting itself in its own sphere, and without in any manner adding to the power of the other in its sphere, produces precisely that practical result which is contemplated in the present case from the assent of the states, to the establishment, within their limits, of branches of an institution created by congress within this District.

I might, (said Mr. Rives), pursue this subject much further; but I forbear. I will only mention, in passing, for the edification of those professed disciples of strict construction who are in the habit of learning the lessons of any of the names of Mr. Jefferson, an instance in which that great republican statesman attributed to the individual assent of the states an efficacy, in regard to the distribution of power between the states and the general government, far beyond any thing that could be accomplished by the simple assent of the treasury. Believing that a final and adequate remedy could not be found for the disorders of the currency while the states possessed the power of creating banking institutions, he proposed, in a letter addressed by him, in June, 1818, to Mr. Eppes, then chairman of the committee of ways and means in the house of representatives, that "the states should be applied to, to transfer the right of issuing circulating paper to congress exclusively, in perpetuity, if generated not during the war of our independence, but at a subsequent letter addressed by him to the same gentleman in November, 1818, in which he uses the following language:

"I still believe that no proper representation of the true nature of the proposition, and the legal features would lead to congress their power of establishing banks, saving the charter rights already granted. And this should be asked, not by way of amendment to the constitution because, until three-fourths shall concur, nothing could be done, but simply by them one by one, singly, as their consent might be obtained."

I will not undertake to decide, (said Mr. Rives), how far this suggestion of Mr. Jefferson could be constitutionally carried into execution. I presume his idea was that each state, being competent to impose a voluntary limitation on the exercise of its own sovereignty, might, by some act, in the nature of a compact with the general government, agree to refrain from authorizing the issue of bank paper, leaving the vacuum thus created in its circulation to be supplied by treasury bills, (his favorite form of a paper currency), to be issued by congress in the exercise of a power already possessed by it—I think the only proper arrangement is a simple declaration of a portion of their power by the states without a corresponding concession of any new power to congress. And for this he may have supposed that there was the warrant of some analogy in the great compact of the new states with the general government, by which they agreed to waive for a time an important branch of their sovereignty—their taxing power, in regard to lands held or sold by the United States within their limits. But whatever may have been the idea of Mr. Jefferson, whether well or ill founded, it gives a slightless distance beyond any principle involved in the assent of the states to the establishment of branches of the central fiscal bank within their limits.

While there is no violation or abandonment of principle in the proposed assent of the states, it could not fall to exert a happy influence in reconciling opinions, and harmonizing public sentiment. In reviewing the history of the pure opposition to a national bank, it will be seen that the most important objection to it has ever been founded upon the supposed violation of the rights and sovereignty of the states in the introduction of an institution of so much power and influence within their borders, without their assent. That idea was completely put forward by the resolutions of the legislature of

Virginia, in 1811, against a renewal of the charter of the first bank of the United States. That noble and resolute commonwealth of Pennsylvania, which so gallantly stood by the side of Virginia, in that memorable struggle, proclaimed her principles in language worthy of her own character and of the cause. I see her two distinguished senators now near me, and they will pardon me if I read the instructions which they gave to her senators in 1811, in which, with such becoming gravity, dignity and clearness, she put forth the grounds of her objections to the renewal of the charter of the first bank of the United States, or the incorporation of any similar bank. I wish those honorable gentlemen to read those instructions as still subsisting, in spirit at least, and then I might felicitate myself with confidence on receiving their able support on the present occasion. With their permission, I would read the instructions:

"The legislature of Pennsylvania, ever desirous to secure an administration of the federal and state governments, conformably to the true spirit of their respective constitutions, feel it their duty to express their sentiments upon an important subject now before congress, to wit: the constitutionality or establishment of a bank: From a careful review of the powers vested in the general government, they have the most positive conviction that the authority to grant charters of incorporation, within the jurisdiction of any of the states, is not conferred by the constitution, and that if it were, it would be so recognized in that instrument, either expressly or by any warrantable implication:

"Resolved therefore, That the senators of this state, Sec. be instructed to use every exertion in their power to prevent the establishment of a Bank of the United States from being renewed, or any other bank from being chartered by congress, designed to have operation within the jurisdiction of any state, without first having obtained the consent of the legislature of that state."

The spirit of these instructions is faithfully embodied, said Mr. Rives, in the amendment I have had the honor to submit.

But it is argued by many friends on this side of the coast, that the power of establishing branches of the proposed bank within the states, independently of their consent must be asserted, because the constitutionality of a national bank is now a settled question. That the constitutionality of a national bank is a settled question, I do not deny; but, in my opinion, it is a proposition, which, in my judgment, cannot be satisfactorily maintained. A retrospect of our political history will show that there have been at least as many decisions of the people and their representatives on this subject, as there have been in favor of it. If the congress of 1791 decided for it, the congress of 1811 decided against it. If a bank was re-established in 1816, it was permitted to expire by its own limitation in 1836, with a hearty acquiescence of a large majority of the people, at the time, in its fate. Three or four years before that time, general Jackson had negatived a bill for a recharter of the bank expressly on the ground of the unconstitutionality of an institution organized as that was. This he did in the very crisis of a pending presidential election, in which the propriety of his course on the subject of the bank was necessarily put to issue; and yet he was re-elected by an overwhelming majority of the popular suffrages.—When Mr. Van Buren became a candidate to succeed him, he declared in the most unequivocal terms, his thorough conviction of the want of constitutional power in congress to establish a national bank in any of the states of the union, and in a very earnest and emphatic manner, he declared his intention to vote on that issue in the election. And yet, with declarations such as these, precluding the possibility of a national bank for the ensuing four years if he were elected, he was chosen president of the United States.

In the result of the late presidential election, the question of the constitutionality of a bank cannot with fairness be said to have been decided by the judgment of the nation. There were too many other important issues to be decided, and the result was too uncertain. The consciousness of the sub-treasury minister in opposition to the administration of Mr. Van Buren many persons who differed widely on the question of a national bank. The opinions of the distinguished and talented individual who was the candidate for the presidency had been decidedly opposed to the constitutionality of a national bank. In his votes in the house of representatives at a former period, and in a letter addressed to his constituents in 1822, which was extensively republished, he had stated and declared these opinions in a strong manner. In his letter to Mr. Sherrod Williams, in 1826, it is true he said he would not withhold his signature, if elected president, from a bill, with proper modifications and relations, chartering a national bank, provided such an institution after a fair and full examination of other expedients, should be shown to be necessary.

for the management of the public revenue; and provided, also, there should be decided and unequivocal manifestations of the opinion of the country in favor of it. The qualifications and provisos with which he so carefully surrounded his answer, evidently left him uncommitted to the question, and taken in connection with his former well-known opinion, produced in Virginia at least, a very general impression, among those who supported his election, that the best of his own mind was strongly against a national bank. At the same time, the opinions on this question of the leading statesmen of the Union, as vividly presented for the second office to the government, and who has since been called to its head, were well known, and must of necessity have entered into the consideration of the nation; as the casting vote in the body, which he was to be invested as vice president, as well as the contingency, (by no means an improbable one, under the circumstances of the case), which has since devolved on him the office of chief magistrate, gave to these opinions the highest practical importance. His unvarying opposition to a national bank, on the ground of its unconstitutionality, had been vouched by the public history and records of the government, in the eyes of the nation, for near a quarter of a century.

[Mr. CLAY here rose and called Mr. RYAN to order, affirming that he was not alluding to the opinions of the president on a pending subject of deliberation.]

Mr. RYAN said the senator from Kentucky had certainly mistaken his purpose. He was making an historical review of the career of the president, the late presidential election, in reference to an issue alleged to have been made and decided in that election. It was in that connection only that he referred to the past opinions of the president on this question of a national bank as a question of his conduct; and in that connection it was surely both his right and his duty, if he thought proper to do so, to speak of them. He did not speak of what might or might not be the present opinions of the president, and least of all did he make any reference to his opinions with a view of producing any effect on the independent action and free deliberations of this body.

[Some further conversation ensued on the question of order, when the president was finally decided that the remarks of Mr. RYAN were in order.]

Mr. RYAN proceeded. I think, therefore, Mr. President, there is no sufficient ground for saying that the question of the constitutional power of congress to establish a national bank was decided in the late presidential election. I have seen with regret the persevering efforts that are now being made to liberate private judgment, by hiding up this question as one finally closed and settled by the most authoritative sanctions. Great names are arrayed, and I have seen this mighty name of Mr. Jefferson, who was at his life's end, crying out, in compromising support of a national bank, forward to sustain it. A statement is produced, from what source I know not, nor is it my purpose to question in any manner the respectability of it, that Mr. Jefferson, in a conversation with Mr. W. A. Burwell, of Virginia, in the spring of 1815, after the refusal of congress to recharter the first bank of the United States, declared that he considered the question of its constitutionality as having been definitively settled. Now, sir, the published writing of Mr. Jefferson shows that three years after that time he did, indeed, consider the question of the constitutionality of a bank of the United States as settled, but as settled against its constitutionality. In a letter to Mr. Eppes, the same writer, Mr. Jefferson, he used this emphatic language: "After the solemn decision of congress against the renewal of the charter of the bank of the United States, and the grounds of that decision, (the want of constitutional power), I had imagined that question at rest, and that no more applications would be made to them for the incorporation of banks."

The truth is, Mr. President, that this mooted question has received different decisions at the hands of the people and their representatives, at different times; and it is now as much a matter of difference of opinion at this as at any former period of our history. It has been settled one way at one time, it has been settled another way at another time; the result of which is, that it is yet an unsettled and open question, and will probably ever remain so, in the public judgment. I will not undertake to say on which side of it a majority of the nation are at this moment. All must admit that a very large and patriotic portion of the nation, (probably a majority of the nation), maintain the negative. In this divided and nicely balanced state of public opinion on a fundamental question of power, and one, too, which has never failed to excite a profound veneration through the mass of the people, is it not the part of true policy and wisdom to avoid this

disputed question, when the same practical results can be attained in the most proper way by the secretary of the treasury? I would appeal to honorable gentlemen on this side of the house, and ask if they are not willing to show as much consideration for the honest and conscientious convictions of a large body of their fellow citizens, in regard to the sacred boundaries of the constitution, as they have shown in the case of the northeastern boundary, to the shallow and unfounded claims of a foreign power, in regard to the limits of the national domain, by establishing the dispute in its very origin.

Mr. RYAN said that in every country as a nation, in the history of that great struggle which had dissolved the British empire, we had a monetary lesson on the danger of extreme assertions of power, which ought not to be forgotten. That glorious and ever-memorable contest had arisen on the subject of the British parliament to tax the colonies without their consent. So long as the colonies were permitted to tax themselves, in the joyous pride and voluntary generosity of freemen they poured out their treasure, with untainted abundance, into the lap of the mother country. But, in an evil hour, the scheme was conceived of taxing them without their consent. The "dignity of the crown and the honor of parliament," it was said, required the assertion of power. The stamp act was passed and repealed. Peterbush, a colony now called New Brunswick, was sold; but the colonies, planting themselves on the imperishable principle of British liberty—the free consent of the people, through their representatives, to the imposition of taxes—reinstated, and again money was poured down the throat of the mother imposed by parliament, all were repealed except the miserable duty of three pence a pound on tea; and that was continued, not for revenue, for it yielded none, but as an assertion of the legislative supremacy of parliament over the colonies.

"It was by such management as this," in the magnificent language of Burke, "by the irresistible operations of ferocious councils, that so paltry a sum threw pence in the eyes of a financier, so insignificant an object in the eyes of a philosopher, shook and finally dissolved the pillars of a commercial empire that circled the whole globe."

Shall we follow so ill-fated an example, and insist on the power of establishing branches of the proposed fiscal bank within the limits of the states, without the assent of a majority of the legislative assembly of congress, when there is no reason to believe that every practicable object can be obtained without such assertion? Will gentlemen permit me to commend to them the example and the language of the great man whose name I have just mentioned, to the similar confessions in which he was placed? I like themselves, in regard to the power of congress to establish branches for the proposed bank in the states without their consent, he held, in the most unqualified manner, the abstract right of the British parliament to tax the colonies. As a member of the Rockingham administration, he was concerned fully in the declaration act which affirmed that right. But when it came to the question of carrying out the power in practice, against the remonstrances of the colonies, he opposed it with all the mighty weight of his eloquence and wisdom. He said he considered that day to have nothing to do with the right of taxation—it was less than nothing in his consideration—be looked to the policy of the question—to practical results. On the question of the right of taxation, (as to the question of the right of the British parliament to power of congress to create a national bank), he found opinions divided and perplexed—great names militated against each other in that field—high and revered authorities lift up their heads on both sides, and there was no sure footing on that ground. It was so.

"The great Serboian bug, Where armies walk have sunk."

"The question, therefore," said he, "is not what a lawyer shall tell me I may do, but what wisdom, prudence, reason, tell me I ought to do. What avails the strength of my legal title, if by its exercise I lose my suit? These, indeed, were words of sobriety and truth. I trust they may be better headed now than they were then. I commend them to the reflection of patriots and statesmen."

Mr. RYAN said there was another profound and important truth in capital letters, which the genius of American institutions—taught by the wisdom of the same great philosopher and statesman, which, he trusted, honorable senators would pardon him for recalling to their recollection. It was this, that "the consent of every wise public council ought to be to find out by cautious experiments, by cool and rational endeavors, with how little, not how much" power, governments could be conducted, and the affairs of nations be administered. Why, therefore, assert the disputed power of congress in this

instance, admitting it to exist, till experience shall have shown it to be necessary for the successful operation of the great and honorable policy of the senator from Kentucky, I well recollect, said Mr. R., with that impressive and stirring eloquence which so eminently distinguishes him above other men, used to approach his political opponents, during the administration of the great and good senator, the assertion of power—ever intense, as he said, on the exercise of power, power, inexorable power. I trust, sir, we shall not fall into the same error now. The distinguished senator from Kentucky also had the honor to deliver the address of the hour, on the life of that true-hearted republican patriot, (Gen. Clinton), who then filled the chair you now occupy, Mr. President, the memorable words with which he began his casting vote against the bill for re-chartering the charter of the United States in 1811. The nation caught them as they fell, and has cherished them since as the oracles of wisdom. "In the course of a long life," said he, "I have found that government is not to be strengthened by the assumption of doing more than is just, but by the energetic execution of those which are incumbent on the former never fails to produce suspicion and distrust, whilst the latter inspires respect and confidence."

A firm conviction, said Mr. RYAN, is, that if the institution now proposed to be created shall be founded on the "incontestable" ground suggested by the secretary of the treasury, sustained and fostered by the assent and good will of the states, it will be far more efficient to every useful end, than if it be borne on the shifting sands of the United States government, thrusting it upon the states without their consent, and in despite of their objections. A proceeding of this sort necessarily begets opposition. A party war will be commenced upon it at the threshold of its own existence, and the use of agitation and contest. On the contrary, if you refer the establishment of branches to the assent of the states within whose limits they are to be placed, they will not merely be admitted, but they will be invited wherever the public interest shall place them. You disarm at once the jealously of state sovereignty. You place your institution under the safeguard of state honor, and under that moral protection of public sentiment which is far more powerful than the arm of the law. If any of the states should withhold their assent from the establishment of offices of discount and deposits, where they may be deemed necessary for the purposes of the institution, the assentual I have offered contains the ample provision for the establishment of limited agencies, which would meet the exigencies of the public service and the leading commercial wants of the union, and which, under a recent decision of the supreme court of the United States, (in the case of the bank of Augusta, v. Sack), might be established in the state without a formal act of consent on their part, their assent being presumed (till the contrary is declared) from the general course of nations.

With these provisions, adapted to every probable contingency, I feel persuaded, said Mr. RYAN, that the proposed institution would work well—smoothly, harmoniously, efficiently. I am far from placing any poor opinions of mine in competition with the sagacity and experience of the senator from Kentucky but, like himself, I have conferred with some able practical men, and they give me assurance of its feasibility and success. The secretary of the treasury, too, whose special province it is to collect information on these subjects from the most experienced sources, has, in his official presentation of the plan contemplated by the amendment, given us every reasonable warrant in advance of its capacity to meet the wants of the government and the country.

Mr. RYAN said the history of the two former banks of the United States ought to be full of instruction to us, and suggest some important reflections for our guidance on the present occasion. I do not now mean to inquire into the true measure of the benefits derived from them. But, admitting that, on this respect, I should be found to differ from some of my honorable friends on this side of the house, especially as to the last bank of the United States, which I believe was the author of all such evil as good could suffer. But, admitting that, as a source of public aid and indignation, sinking millions of the national capital in the convulsive struggles of their dissolution, and obliterating for a time every sense of its benefits they may have rendered to the country in the deep feeling of political hostility of

Which they were the object. To avoid the recurrence of similar mischiefs hereafter, the institution now proposed to be created must be founded on different principles. You must especially avoid the original sin in the charters of the two former banks, by planting this on constitutional ground not liable to plausible objection, and by abstaining, in its organization, from any violation of the sovereignty of the states, or gratuitous offence to state pride. You must change its character. Instead of a commercial, trading, speculating, stock-jobbing bank, you must make it what its name imports—a fiscal bank—charged primarily with the collection, transmission and disbursement of the public revenue, but exerting incidentally an important and salutary influence on the general currency of the country. In short, sir, I would have it as unlike as possible the late bank of the United States. I would propose of the sober suggestions of such financiers as Mr. Gallatin and Mr. Appleton, who, in their late publications on the subject of the currency, have laid the country under obligations to their wisdom and patriotism.

I acknowledge, sir, with pleasure, the many valuable improvements and new securities engrained upon this bill now before us by the secretary of the treasury and by the honorable senator from Kentucky, (Mr. CLAY). With that distinguished senator I am heartily concurring in the propriety of the bill of the suggested application of the fourth instalment of the surplus revenue of 1836 to a subscription for stock in the bank on behalf of the states. With him, too, I cordially concur in the propriety of excluding, from the bank, all the possibilities of any transactions of a business character between the bank here and members of congress or officers of the government. A similar exclusion of the officers of the bank, the provisions for a large publicity in regard to the condition, operations and accounts of the bank; this narrower limitation than usual imposed on the amount of loans and discounts; and last, though not least, the non-renewability of notes and other evidences of debt discountable, (though it should be preferred for a much shorter term than one hundred and eighty days for them to run)—all these are great merits in the original plan of the secretary or the amendments of the senator from Kentucky. But yet one thing remains to be carefully guarded against in my humble judgment, than all the rest, to consolidate the public confidence and support, and to secure to this new institution a career of extended, useful and harmonious operation. Assert no odious or questionable right in its creation. Do not place it, at its very birth, a principle of contestation and strife. Let it have the free and conscientious support of all the elements of our mixed institutions—of state and of federal power harmoniously blended. Thus, and thus only, will it become what all must wish to see it, a national, and not a party institution, shielded by public opinion from those fierce political storms which marred the usefulness and finally overwhelmed in violent convulsions both of its predecessors.

Mr. CLAY, of Kentucky, addressed the senate as follows:

I regret extremely that the senator from Virginia (Mr. RIVES) has felt himself constrained, by a sense of duty, to submit this amendment. No good, nothing, I fear, but unmix mischief, can come out of it, although I am quite sure this is far from the intention of the senator. The people want at our hands a bank, a real, old-fashioned bank—such an one as they and their fathers have long and justly experienced the benefits of. Now the institution, the proper organization of which we are considering, is to be a national bank or a local bank. If it is to be a national bank, we have the power to make it, or we have not. If we have the power, the states have already consented in the constitution, to the establishment of a national bank, no further or other consent from them is necessary. Indeed, if they have not already given their assent in the constitution, they cannot give it in any mode other than that which the instrument itself provides for, according to which there must be the concurrence of three-fourths of the states. This, I think, is too clear for argument. If we have no power to make an undesignated national bank, we ought not to attempt it. We ought not to seek to accomplish indirectly what we are not authorized or forbidden to do directly. This District of ten miles square was placed under the jurisdiction of the general government so that the federal authorities might govern it, not that, by means of the local jurisdiction, the whole union should be governed or controlled. We ought not to apply a power granted for one purpose to the attainment of another purpose, for which it is not given. I do not think, then, that we can establish a local bank, and impair the national faculties or functions. But the bank which the senator from

Virginia proposes is, manifestly, a mere local bank of the District of Columbia. The senator might have spared himself some time in proving the power of congress to establish such a bank. There can be no doubt of the existence of such a power. It has been again and again exercised, in the chartering of the Bank of Washington, the Bank of the Metropolis, the Patroble and other banks. Any one of these banks might have asked the permission of a state to establish a branch within its borders. The bank under consideration, if amended as proposed, would not essentially differ from them, except in the magnitude of its capital and the interest which that government takes in it.

Assuming the existence of the power as a settled and legitimate power, it ought to be exercised for the benefit of the whole union; and it ought to be so exercised, without soliciting any further consent from the states. If it be a federal power, it should be granted in the constitution, upon what possible ground of principle can we place our justification for not exercising the power, without the previous consent of the states, to be expressed hereafter in separate acts?—And if we established one rule in prior to the exercise of the constitutional power to establish a bank, we must obtain the consent of the states, what are the limitations, if any, to the rule? Must we not ask the previous consent of the states to exercise the power, to exercise the power to exercise in the constitution to the federal government?—If we propose to establish a post office or a mail route, in a state, or to lay and collect taxes, or to perform any other federal duty appertaining to this government, must we not solicit the previous consent of the states?

The senator from Virginia argues that, in making such a bank as he wishes, we only forbear to exercise the power, if we have it, to establish a national bank; that, forbearance to exercise is no abandonment of the power; and that, if his bank does not work well we can hereafter resume the power and make another bank. It is very true that, in consenting to make such a bank as he proposes, we do forbear to exercise the power to establish a national bank; for there is quite as much difference between his bank and a national, as there is between any other local bank; any state bank, and a national bank. Just as much difference as there is between a bank of the District of Columbia and a bank of the United States. As a general proposition, it may be true that forbearance to exercise power is not tantamount to the surrender of the power. But there may be, on the other hand, such marked and palpable evidence that the voluntary forbearance to exercise a given power amounts to a virtual surrender of that power. And I think the bank question is such a case. It has been contested for fifty years, and variously decided. During the last eight or ten years the contest has been conducted with the greatest zeal and earnestness, not to say bitterness. The defeated party, not much short of a moiety of the nation, stoutly denies, as a party, the power. Now, if the triumphant party, at the close of the contest, refuses to exercise the power, will it not be hereafter construed as a virtual or implied relinquishment of the power? If that party, moreover, declining to exercise the power, puts forth in lieu, but in the name of a national bank, a sickly, inflexible, unpopulous local bank, which, I think, cannot fail to disappoint the hopes and expectations of the people, how could you afterwards resume the relinquished power? Why, the people would become so disgusted with the very name of bank of the United States, that they would not allow you to resume the power. The senator tells us that if his experiment fail, we may then make a bank after the old model. Why, sir, what have we been struggling against for the last eighty years? Experiment after experiment, until our country has been brought to the very brink of ruin. And, at the very moment when we have not merely seen laid, but got, as all had hoped, into a safe port; when storms, and tempests, and experiments were at an end, and the bright sun of hope and prosperity was beaming upon our joyful vision, the senator from Virginia comes forward and asks us once more to put to sea with him on a distant and perilous cruise, and to try another experiment! The proposition which requires the consent of a state to establish a branch of a bank, if it proceeds upon the erroneous assumption that the branch is introduced for the sole benefit of a particular state. But that is not the case. It is put there for the benefit of the union, including the particular state. If the federal power to establish a branch exists, it ought to be exercised for the common benefit of the union; if there be no such power, then the branch ought not to be clandestinely introduced into a state. But do, Mr. President, see how the senator is evading the consequences of his own senator's proposed amendment. It is a part of that

amendment, that, when an office of discount and deposit is once established in a state with the consent of the state, the office shall not be withdrawn without the assent of congress. Now, if your power be incompetent to plant an office of discount and deposit within the limits of a state without the consent of the state, how, after it is put there, can you hold and maintain it there in spite of and against the will of the state?

[Here Mr. RIVES interposed and said that, it was a part of the compact made between the sovereign state and the bank.]

Mr. CLAY continued. Suppose it is, whence do you derive your authority to enforce any contract made between a sovereign state and a corporation? If you are forbidden by the constitution to place a branch in a state, can you delegate such an authority? Can you, in other words, delegate what you have not to a corporation. Forbidden to effect an object, directly, can you achieve it indirectly?

The project of the senator from Virginia proceeds upon the supposition that the constitution has not granted any power to congress to establish a national bank, and, therefore, a branch is admitted within a state, it is there in virtue of the will, under the authority of the laws, and subject to the jurisdiction of that state. It is consequently amenable to and may be dealt with by, the power of the state against which the branch was created by a foreign power.

The senator inquired if it were not competent to Great Britain in what if she pleased the establishment of a branch or office of a bank of the United States within her limits? Most undoubtedly she may; and, therefore, a branch is admitted by the admission of such a branch by a state. Upon the supposition of the admission of such a branch, would it not be subject to the parliament of Great Britain? Could the fact that the corporation whose branch was thus created was created by a foreign power, reign, exert any restraint upon its power, or of the British parliament in dealing as it pleased with the alien or emigrant branch which it had thus received? The branch located within the state by the consent of the state, to a national bank, would be a local institution, governed by the local laws. That, I think, would be the case of any branch unconditionally admitted by the legislature of a state. But if you organize a bank within the District of Columbia, and then, by a subsequent act, announce to the states that branches can only be admitted within their limits by their consent and authority, you necessarily invoke the several states to deliberate on the question of admission which they shall think upon to give or withhold, as they may choose or not choose, according to their opinion, they may consent absolutely or upon conditions, according to the views which they may happen to take, not of the interest of the whole union, but of their several compartments. Thus a power which, if it exist, beyond all question was delegated for the general good, and to be exercised by the senate and house of representatives of the United States in congress assembled, is devolved upon each of twenty-six state legislatures, to be executed according to their respective opinions of the interests of each of them.

And can it be doubted that the consent of the several states (if indeed any of them did consent) would be coupled with various restrictions and conditions, according to what they might deem best for their several communities? The taxing power would probably be insisted upon by all of them.

The bank would be told, yes, you may establish a branch, but you must pay the same tax that the local bank pays, and you must be no stronger within our borders and let him fare better than the natives. And who could withstand the force of that argument before the people of any state in the union? Other conditions would be sought to be imposed, such as the nature of the business to be transacted by the branch, the rules of exchange, the denomination of notes, the participation of the state authorities in the direction, &c. A fruitful source of contention, in some states, would be the mode of the payment of the branches, as have seen the terminus or commencement of canal, or rail road or Macadamized road, distracting and agitating a whole state.

Another question of great importance would be the degree of the protection which the branches would enjoy in its several states which might admit them. Concede the power of congress to establish a national bank, and the right to protect its existence and its operations necessarily results to congress. If the power to establish a branch is wholly dependent upon the states. The committee have inserted in this bill adequate provisions to punish counterfeiters of the issues of the bank, and its officers, agents and servants, who may embezzle its funds, or who may be guilty of any crime, or be effectual, on the supposition of the assistance, in the

federal government, of a power to establish a national bank; but, if no such power exist, or if existing, you forbear to execute it, these provisions will be all their force and effect. For congress cannot, if it is not authorized to establish, or does not mean to establish a national bank, pass penal laws operating beyond the territory of this District. The enactment of penal legislation, operating to deprive a man of his life or property, the right to imagine exercise of human authority. Congress cannot extend its protection of the banks of the District of Columbia beyond the limits of the District into the limits of the states. These alone must afford them protection, or they would there be legal protection. Now, what would be the condition of this fiscal bank as to crimes committed against it in the states? In the states adjoining branches? In the states refusing the admission of branches?

My friend from Virginia has argued to prove that congress possesses the power to make such a bank as this; that when it is brought into existence by the authority of congress, its corporate capacity is complete; and that congress may invest it with the privilege of contracting with the states, or the introduction of its officers. When introduced, he thinks the purposes of its institution may be accomplished. There is no doubt, I repeat, that congress may create such a bank; but it is, nevertheless, nothing more nor less than a bank of the District of Columbia. If the officers of its agency action, through officers or agencies situate beyond the District, that exterior action would not result from the legislation of congress, but from the legislation of the states by which their consent was granted to establish the officers within their limits. And the states would have just as much a right to allow of these offices or agencies, whether there was any grant from congress or not to the corporation, in its charter, to establish them. For there can be no logical pretense, that the bank of the Metropolis might now establish such an office or agency in any state that would permit, notwithstanding the silence of its charter on that subject. The Pennsylvania Bank of the United States, it has been established, that in its agency in other states, which must have depended solely upon the toleration of their laws.

No amendment to the charter, made by the committee, has commanded from the senator from Virginia warmer commendation than that which he has given to the parent bank. All power of discounting within the District, and compels it to transact that part of the business of banking, through its offices, beyond the District. Considered as a national bank with branches, emanating from and protected by the states by the national authority, I think that the feature is worthy of all the senator's admiration. But if it is to be regarded as a mere District bank, springing from the power of local legislation possessed by congress, it would be certainly a most anomalous, if not a ridiculous feature. In this view, congress will have made, in virtue of its local power, or of legislation, a great District bank, which is strip of all essential power of banking within the District, and transmits all of its important business beyond the boundaries of the District. We shall have made a mere of power, indeed, with a body destitute of life, animation or action where it abides, but which may throw out all around it into the states its long and huge paws or branches to conduct the most extensive operations thereof. Mr. President, is this such a national bank as the people of the United States expect from congress?

The senator from Virginia has invoked a spirit of concession, compromise and conciliation in our deliberations. I have, indeed, in this view, been heretofore found wanting in yielding to the influence of such a spirit. But there are some cases of principle which admit of no compromise, and I fear that this is one. The question is a national bank or no national bank, constitutionally or constitutionally, power, or no power. There are two opposite properties or qualities to be reconciled or compromised? There is no mean or middle term. If you establish a really national bank, emanating from, sustained and protected by the power of congress, and operating within its limits without their consent or control, those who deny the existence of the constitutional power of congress to construct such an institution are dissatisfied and think they are called upon to yield every thing. And, on the other hand, if you establish a mere District bank, with branching powers in the states dependent upon their will, the friends of the constitutional power of congress think that you mock the people with an incompetent institution, and call upon them to surrender every thing.

And this, it seems to me, is the sort of concession or compromise which the senator from Virginia calls upon us to make—a concession of every thing on our side, and nothing on his—a compro-

mise in which he gets all and gives nothing! We were extremely glad, Mr. President, to find the honorable senator, although under another respect, agreeing with the friends of the bill, that great change in the administration of the general government which commenced on the 4th of March last. Some of us indulged the hope that, profiting by the illustrious example of his lamented neighbor, Jefferson, Mr. Monroe, he might come to the conclusion that the bank power was no longer an open or disputable question; but, if he could not agree with them and us, we hoped that other instances, on important measures, of concurrence of opinion between us, might compensate for this difference. For one, I was disposed to leave the senator in the undisturbed possession of his opinion, hoping that, if he could not unite with us in establishing an effectual national bank, we might do without his vote on that question. But I would ask him if he be kind or right in him to seek to disturb us in the quiet enjoyment of our opinions? If he cannot come to the twenty-six or twenty-seven which senators, who believe that congress has the constitutional power to establish a national bank, desire to establish, he is to establish them? Is not such a process against all the laws of gravitation?

[Here Mr. Rives said the amendment he proposed was reported by the secretary of the treasury.]

That is true, and the senator is entitled to all the benefit he can derive from that fact. I feel quite sure, however, that the secretary does not entertain a different opinion of the constitutional power of congress to establish the bank, than I do. I trust the senator from Virginia to forbear pressing his amendment, and, if he cannot give up his own peculiar opinion, to leave us in the undisturbed enjoyment of our long-cherished convictions.

He thinks, indeed, that the bank power is a question not so firmly settled, by repeated decisions, as I have supposed it to be. Why, sir, how stands the matter? Twenty-seven years ago, Mr. Madison considered and treated it as a settled question. After that, the new bank of the United States was established, which lasted twenty years. During its existence, two decisions of the supreme court of the United States, (the bank with the state of Ohio, and McCulloch vs. Maryland, involving the taxing and the power of the states), one, if no both, unanimously pronounced, affirmed the existence of the power. In congress, in 1822, a bill passed by considerable majorities to recharter the bank. Public opinion, in all the various modes of its manifestation, in the assemblies and in popular meetings, has proclaimed the constitutionality and expediency of a national bank. It is not true that the re-election of Gen. Jackson was a decision adverse to the bank power; for, in his veto of the recharter, he admitted the utility of a bank, and stated that, applied to the country, it would have done better. He was voted for, therefore, by large numbers—in my personal knowledge, he was by many—under a full expectation that, if re-elected, a national bank would be established. In the case of Mr. Van Buren's election, the single question of bank or no bank was not fairly put in issue. It was mixed up with others, and one, if not two of his competitors, were not understood to be unconditionally in favor of the power.

It has been argued that we must incorporate this amendment in the charter, and pass it as such, or we shall get no bank; and situations have been distinctly made to opinions entertained elsewhere. I do not think that it is compatible with the respect which is due to the chief magistrate, or to the dignity of independence of the executive, to play the allusion. Whatever inferences gentlemen may have felt themselves at liberty to draw, I am perfectly confident that the president has given authority to no one to say how, in a given contingency, he would act. Such a gratuitous intimation, in advance, on a question of such delicacy and difficulty, I think I am not mistaken when I say his sense of official propriety would restrain him from making. And my confidence in the patriotism and honor of the president, and in his devotion to the cause which brought him into power, is so great, that I feel perfectly persuaded that he cannot fail to look at any measure which congress may mature, and present to his consideration, with an anxious desire, if he can, to conform his judgment to the sense of the legislative assembly. I will say, for the reason already assigned, advert to the facts and circumstances on which I indulge hope, and from which I draw inferences various from those which have been expressed.

But, sir, is it quite certain that such a bank as the senator from Virginia would alone make it really better than no bank? All must feel that the bank controversy has had sufficient duration and sufficient bitterness. It should be the desire of all to see it

terminated, and harmony once more restored, if not forever, at least for a period of twenty years. Pass an old fashioned bank, with only such improvements as the experience has actually demonstrated to be necessary; such a bank as the people want and demand; such as the committee have reported, and I believe, in less than six months, that we shall have on this subject tranquility and acquiescence. For, sir, notwithstanding threats by our political opponents to attempt to repeal the law, making such an appeal to the moral judgment of mankind. But if they do, it is impossible for me to doubt the issue of such a contest.

Are we sure that if we pass a bank, whose operations are wholly dependent upon the separate movement of twenty-six states, we shall secure the desired repose? I fear not. I fear that such an institution will be but the commencement of our bank trouble; be but the vestibule of the bank controversy, second thoughts will restrain them from making such an appeal to the moral judgment of mankind. But if they do, it is impossible for me to doubt the issue of such a contest.

What is to be done in this unpleasant state of things? The path of duty lies broad, straight and straight before us. We have convictions, strong and unshaken convictions, of what ought to be done. And these convictions coincide with the opinions and the wishes of the people. The theory of our government, the spirit of our constitution, and the general public sentiment, indicate that the legislative and executive departments of government should be independent and uncontrolled in their respective spheres of action, the one by the other. Can we give up our dearest judgments, and make a presumption of what may be the judgment of others? No, sir; that is too great a sacrifice to ask of independent freemen, representing independent and enlightened freemen. Our true course is, to mature the measure, according to all the lights of our understanding, and the sense of the dictates of our best judgments, and transmit it as perfect as, in our consciences, we can make it, to the co-ordinate branch of the government. Upon receiving it, his duty, his responsibility, his rights will accrue; and, among the many, the most precious is, the examining the measure with all the freedom and independence which belong to his high station.

Let us hope for concurrence between the two departments of government; but if there should not be their concurrence would not be the greatest of calamities—a greater would be a voluntary surrender of sacrifice of the conscientious judgment and constitutional independence of the one to the other. If, after both have acted, there should be any discrepancy, and the one of the offices dictators of the exact point of difference will be seen; and then in a spirit of mutual liberality and concession, some measure may possibly be devised which will obviate all difficulties. I will not anticipate any disagreement in opinion between the legislative and executive authorities; but if it should unfortunately occur, it will not be the first instance of the kind, nor upon this bank subject, in our history. If, in the midst of a disastrous war, president Madison and congress should not agree, or the project of nationalizing a bank of the United States, and their disagreement did not seriously affect the public interests, surely, if, unfortunately, we must, I hope we may differ in a season of profound peace, in respect to the proper constitution of such an institution, and the decision of any irremediable evil upon our country.

Mr. PAXTON, following Mr. CLAY, said: I most earnestly hope, Mr. President, that the amendment proposed by the senator from Virginia will secure the action of the body. I have given to it all the reflection which its importance demand, and it is the clear conviction of my judgment that, all circumstances considered, we ought to concur in its adoption.

In the consideration of this subject, it is indispensable to look at the position in which the majority is placed, and to be governing in our decision by practical results rather than by theoretical opinions.

What, sir, are the circumstances by which we are surrounded? After a struggle unexampled in the history of parties, in which, for a series of years, opposing principles were arrayed against each other, the late battle has been fought and the victory won; the people have pronounced the condemnation of those measures which have been here so long and strenuously resisted; and it now becomes our duty to carry their will into effect.

The incompetency of the state banks to subserve the purposes of the government, equalize exchanges, and furnish a currency of uniform value throughout the Union, was brought in the late canvass prominently before the people and urged with great ability; and, although the inclination of my judgment was in favor of a fair experiment of this system under propitious circumstances, it seems to be the opinion of high authority that the people have pronounced its condemnation.

That the sub-treasury system has also been universally and unequivocally condemned can admit of no doubt. It has fallen with its own weight, and carried these with it who brought it into being.

It would be necessary for some bank agency in carrying on the commercial exchanges of the country was, however, among the whig party, universally admitted. I myself could not doubt it. It would be just as rational to forego the improvements of agriculture and subvert the whole of our language as now, in a commercial age and a commercial country, to adhere exclusively to a metallic currency, and forgo the facilities of banking agencies.

Banks, in some form, have become as indispensable to the commercial world, as the atmosphere itself is necessary to animal existence.

But, although the banking agency is most certainly demanded by the people, the form in which it shall be exercised may justly admit of some diversity of opinion.

In this uncertainty on a matter of detail—a mere question as to the best form in which the banking power shall be exercised—we assemble here. The president, in his message, declares his readiness to acquiesce in any measure proposed by representatives of the people, consistent with his constitutional obligations and now to unite in some measure for the purpose of carrying into effect the popular will, becomes our immediate duty.

Among the means presented for ascertaining the best mode to carry the popular will into effect the recommendations of that department, specially charged with the general finances and currency of the country cannot be pretermitted.

The senate having called upon the secretary of the treasury to furnish a plan most suitable in his opinion, for remedying the evils of a deranged currency, he submits his project. It comes to us, by the authority of the secretary, and by his own requisition, and in a manner the most formal.

The plan of the treasury, thus fairly before us, has received numerous and essential modifications by the committee to whom it has been referred, and to one of these modifications only the senator from Virginia dissents.

In either mode, it is believed that most of the existing evils will be remedied. Shall we hazard their continuance by refraining from the adoption of either? Is it expedient to employ any countermeasures, to entrench the execution of measures to our unwilling backs and adverse opinions? Will slight grounds justify a difference among those upon whose harmony and union interests of the highest magnitude depend? Is it expedient to expose the nation to the risk of a civil war, which, if it cannot be better to forego a possible advantage, which may only be gained by the sacrifice of that unity of action between the executive and legislative branches of the government, upon which, in our complicated system, so many vital interests depend?

Considering, then, the operation of the bill, as reported by the committee, and as proposed to be modified by the senator from Virginia, I cannot conceive that a case exists that would authorize a difference among those united together against a common avil.

It is said, however, that the amendment proposed by the senator from Virginia is but a continuance of those experiments under which the country has groaned, and which have eventuated in the stagnation of commerce, the loss of property and a deranged currency. But, sir, are not many of the provisions of the bill, as reported by the committee, entirely new? Are they not, therefore, experiments? Is not the abandonment of a great commercial emporium, and the location of the mother bank in the District of Columbia, an experiment? Is not the proposed limitation of 7 per cent. dividends, and

the application of the surplus as an available fund to supply a contingent fund, an experiment? Are there not other departures from any previous mode, more experiments, sanctioned, it may be, by our judgments now, but remaining to be tested by experience? Why, then, the alarmed attempt to be excited against another departure, not, perhaps, greater, or even vital, than those of which we have already been approved? All concur in establishing a bank of the United States. The existing difference is one of mere detail. If a probability exists that the other department may be reformed by the amendment proposed, are subordinate considerations to drive us from this object?

I bring my mind to the single point? Is the machine practical? Will it effect the objects for which it is designed? Who will venture to say that it will not? The executive branch of the government has given its opinion that it will. The senator from Virginia concurs in this opinion. I hope it will. Shall I then not try for the sake of harmony and peace? Should it succeed, our object is accomplished; should it fail, the evils of which we are united strength remains unimpaired. The importance of this harmony and union is too great, in my judgment, to be lightly thrown away. To preserve it, I would hazard nothing, endure much.

It would be hazardous to the consequences of a different course. May we not by division and contention among ourselves, defer, if not entirely defeat, the adoption of measures indispensable to the public prosperity, and importantly demanded at our present juncture, leaving our country in a deplorable place, the reins of power in the hands of those whose former policy has brought the country to the brink of ruin, and whose future action in the same career, if we may judge from the past, suggest the nation's destruction, perhaps the ruin of what we so long deplored? I confess, sir, I cannot contemplate this contingency without dismay. I would consider it fraught with unutterable calamity. A trading commerce, a fettered navigation, industry everywhere paralyzed, and domestic pursuits the union are but the harbingers of ills which may now be entailed upon the land. To avoid these results, by mutual concession and liberal forbearance, should be regarded as a paramount duty, a common object; to prevent a catastrophe which will fill many a patriot with anguish and mortification, I shall think myself justified in making almost any sacrifice.

It is said, sir, that I hoped the bill under discussion, as modified by the senator from Virginia, would be productive of good. It at least comes to us recommended by those into whose hands have been committed the finances of the country. But suppose, sir, that it were to fail? Suppose, sir, that still we have not gained the benefit of experience? Will not the adoption of some other measure be the worse apparent? Having made this concession to the scruples of the conscientious, or the fears of the timid, let us, sir, let us consider the course of the country since spontaneously and irresistibly to the adoption of means by which stability and value shall be imparted to the currency of the country? If an institution invested with the powers of the old bank of the United States should be put by experience to be the only expedient by which the essential ends of government can be attained, let it, in the name of our common country, be adopted. But in the meantime, until this creative necessity shall be satisfied, let us, sir, let us reject the trial of the same institution in a modified and some less objectionable form.

At an important crisis, like the present, when harmony and union can alone carry you triumph, let us, sir, let us unite in a common course of moderation, it is, in my judgment, preferable to two measures, and wisdom dictates to all conciliation and forbearance. Is it not better to approach the object of pursuit by advances gradual but certain, rather than to rush precipitately into a precipitous bound? In the consideration of this subject, each of us ought not to forget that there are others whose co-operation is not less essential than our own; that something is due to the laudable desire which all must feel to preserve reputation unimpaired for uniformity in opinion and conduct, and that every generous, honorable impulse should incline us to appreciate the motive which seeks to preserve the moral power of an untarnished name, and to shun the self-abasement which is often the consequence of variable conduct and inconsistent opinions.

Impelled, then, by liberal liberality to others which, in like circumstances, we should desire to see extended to ourselves, let us unite in a common ground, and march together in the re-employment of the objects for which we are convened.

It is for these reasons that I am induced to give a cordial support to the amendment proposed by the

senator from Virginia. It promises the attainment of the objects of a fiscal agent, and presents a common platform upon which all may unite.

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

August 5. Mr. Benton presented the proceedings of a large and highly respectable assemblage held in Fauquier county, Virginia, protesting against the extra session as unconstitutional, and against a national bank, as unconstitutional, and denying that it was made an issue before the people during the late presidential election, and maintaining that it was the duty to wage deadly and unceasing war until its repeal was effected, promising at the same time, that congress had full power to repeal the charter whenever the majority chose to do so; also, against the distribution of the proceeds of the public lands, against an increase of the tariff, and against a national bank, and giving thanks to the democratic members for their patriotic exertions during the present session in endeavoring to resist those measures.

Mr. Benton expressed his full concurrence in the sentiments expressed in the document, and he was prepared to show, when the proper time came, that more decisions had been made against the constitutionality of a national bank than in its favor. If gentlemen wished to express their opinions on this subject, they had an opportunity to do so. He would move to lay the document on the table, and that it be printed.

Mr. Dreher had no objections to the printing. He would not discuss the subject, as this was not the proper time, when the time would come, he was prepared to give his opinions on some of the sentiments contained in the document. It had been said that it proceeded from a large and respectable portion of the citizens of Fauquier. Without, however, denying the proposition, he would only say that he had seen in a newspaper published in the place where the meeting was held, an express avowal that the whole number of persons present was only 100, which assertion would scarcely have been made without a knowledge of its truth. One of the most conspicuous gentlemen in the neighborhood, who were present at the meeting, dissented from the leading provisions, and withdrew from the meeting. It yet was proposed to send forth these resolutions, and to have them printed in Virginia on some of the most important questions that ever came before any deliberative assembly.

Mr. Miller contended that, pending the late presidential contest, a national bank was an issue made before the people. It was not a question of mere merit of measures, and a vast majority of the people had decided in favor of the establishment of a national bank. Did senators, when they spoke thus earnestly, sincerely, and in favor of a repeal, mean to say that no faith nor trust was to be reposed in a solemn act of congress? If they did, in what a light must they present themselves before a Christian community and the civilized world.

Mr. White said that the practice of printing private memorials had been growing since he had been a member of the senate until it had become their duty to arrest it. A great expense in that way was daily accumulating without any corresponding advantage to our counsels or to the public interest, and he was willing in such cases to make a just discrimination, and would vote to prohibit memorial having reference to any specific and important question of public policy pending before the senate, which was drawn in respectful terms and with a benevolent purpose. He could not, however, consent to print and circulate to the public domain a paper like the present, which purported to be a treatise upon matters and things in general, most of which had passed from the consideration of the senate. If the senator from Missouri wished the memorial to be printed, he would use it in reference to the report of the secretary of the treasury, would "dissect" its various contents, he would cheerfully aid in giving the proper disposition to the paper, but would not contribute, by his vote, to print consecrating to a document which attempted to barter a policy so intimately connected with the interests of his constituents as the tariff, by a declaration that "the south would pay it and the north would not." He would use it as a document to the spirit of our institutions, and would advance dreadfully and implacable war against the constitutional acts of congress. Mr. W. said he could see no merit in the present document to entitle it to more. Large sums are allowed to the large mass of private memorials, which are read and referred with, but being printed.

Mr. Allen would ask the yeas and nays on the question, in order to ascertain what really was the

opinion of the majority of the senate in relation to the matter. If he understood the remarks of the senators, they went to deny the power of congress to repeal laws which had been enacted by its predecessors; and the people, fearing the danger of such political heresies, had asserted the right to tell their agents, "if you do this, we will change our agents and their measures when we obtain a majority;" and because they thus loudly speak, their agents insolently arrogated to themselves the power to exclude their masters from the right of declaring their sentiments; and this was the English of the whole matter.

Mr. Clay hoped the document would not be printed. There was no occasion for it, as the subject was not now before them, the bank bill having passed the senate. If it became a law, and the question of repeal was raised, he would be ready to support the printing of such documents, and gentleman might come on with their "repeal" as soon as they pleased; he would meet them on it, and they would be frowned down by the universal feelings of an indignant community. He moved to lay the subject on the table.

Mr. Clay, of Alabama, hoped the senator would withdraw the motion for a moment.

Mr. Clay. I will not.

Mr. Benton. There is no objection to the moment it is laid down.

Mr. Clay. Well, get a majority to sustain you, if you can.

Mr. Benton. I demand the yeas and nays.

The yeas and nays having been ordered, the vote stood for laying it on the table as follows:

YEAS—Messrs. Bates, Berrien, Claiborne, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merriek, Miller, Phelps, Fort, Sumner, Smith, of Ind., Southern, Tallmadge, White, Woodbridge—21.

NAYS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Alabama, Claiborne, Eaton, King, Linn, McKelven, Nicholson, Smith, of Connecticut, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—30.

Mr. Benton. I now move to take it up, and give notice to the senate, that I will move the proposition every morning during the session, till it is taken up. He was proceeding to speak of the subject, when

Mr. Clay called the senator to order.

Mr. Benton. Take down the words.

Mr. Clay. I will take down no words. I make the point of order. The member has no right to discuss the merits of the question.

Mr. Benton. I can only say that I consider this attempt the most portentous.

Mr. Clay. I call the senator to order.

Mr. Benton. Take down the words. Take down the words.

Mr. Clay. The point of order is that on a proposition to take up, or lay on the table, it is not in order to discuss the merit of the subject.

Mr. Linn would like to know the nature of this case. The senator from Missouri, (Mr. Benton), had moved to print the paper. The senator from Kentucky (Mr. Clay) had moved to lay the matter on the table. Now he considered this motion relating to the question here before them, which was the motion to print. This had been laid on the table, and the paper now remained before them, open to discussion. He appealed to the president, if that was not the case.

The president so understood it, that it was the motion to print which had been laid on the table, and this carried with it the motion to print.

Mr. Calhoun and the question was still on the memorial; that was not disposed of, and the senator had a right to speak at large on the subject.

Mr. Walker and the chair had decided differently on another occasion. The motion to print, being laid on the table, did not carry the paper with it. The case of abolition petitions was precisely analogous.

The president drew a marked distinction in the case of abolition petitions, and that before them. The motion to revive in the one case was ordered to lie; here, the paper has been received and entertained.

After some further discussion, in which excitement was manifested, by Messrs. Calhoun, Clay and Benton.

Mr. Cuthbert asked, given granting the senator from Missouri to be out of order—(Mr. Benton, I do not allow that)—should any thing stir discussion? Was it or just? He believed that the subject was settled before the body, and regretted to see the ebullitions of passion manifested by the senator from Kentucky.

Mr. Clay (bowing good humoredly). With all due deference to the opinions of the senator, I think the ebullitions of passion are manifested by the other side.

Mr. King gave his opinion, that the motion to print being laid on the table, did not carry the document with it, and that the senator from Missouri had a right to discuss the subject.

Mr. Benton would not take his seat until the chair had decided.

The chair had decided; if that decision was erroneous, it remained for the senate to decide.

Mr. Phelps asked if the subject was still debatable, after the chair had decided, and no appeal was taken?

Mr. Benton appealed from the decision of the chair.

After some remarks by Mr. Tappan, Mr. Clay moved to lay the appeal on the table.

Mr. Benton. The yeas and nays on that motion.

Mr. Buchanan asked the nature of the question.

Mr. Benton, made a point, and gave the appeal, being a privileged question, could not be laid on the table.

After further conversation by Messrs. Calhoun, Clay, of Kentucky, and Cuthbert, it being fifteen or twenty minutes after eleven.

Mr. Tallmadge suggested to the chair, whether, under the rule, it was now in order, to take up the unfinished business. And accordingly this subject was then laid over.

Mr. Clay, of Kentucky, from the committee on finance, on that reported the house bill relating to duties and drawbacks, with amendments; which were ordered to be printed.

On motion of Mr. King, the bill to extend for ten years the charter of the Mechanic's Relief society of Alabama, was taken up, and passed.

On motion of Mr. Merrick, the bill to revive and continue in force, the charters of the banks of the District of Columbia, was taken up, the motion pending being to recommit the bill.

Mr. Mangum withdrew the motion.

The question then being on the third reading of the bill, after a few remarks by Mr. Benton in opposition, and by Mr. Merrick in favor of it, it was carried by the following vote:

YEAS—Messrs. Archer, Barrow, Bates, Berrien, Claiborne, Clay, of Alabama, Clay, of Kentucky, Clayton, Cuthbert, Dixon, Evans, Felton, Graham, Huntington, Kerr, Mangum, Merriek, Miller, Phelps, Fort, Sumner, Smith, of Ind., Southern, Tallmadge, White, Woodbridge, Wright—30.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Linn, McKelven, Nicholson, Pierce, Sturgeon, Sumner, Smith, of Ind., Southern, Tappan, Walker, Williams, Wright—15.

Thus the bill was passed.

The fortification bill was taken up, the question being on its passage.

After a brief remark by Messrs. Prentiss, Preston, Mangum and Phelps, the question was decided in the affirmative, as follows:

YEAS—Messrs. Allen, Archer, Barrow, Bates, Bayard, Benton, Berrien, Buchanan, Claiborne, Clay, of Alabama, Clayton, Clayton, Cuthbert, Dixon, Evans, Felton, Graham, Henderson, Huntington, Kerr, King, Linn, McKelven, Mangum, Merriek, Miller, Morehead, Munton, Phelps, Fort, Sumner, Preston, Rivers, Sever, Sumner, Smith, of Ind., Southern, Sturgeon, Tallmadge, Walker, White, Williams, Woodbridge, Wright—45.

NAYS—Messrs. Calhoun, Nicholson, Pierce, Woodbury—4.

The navy pension bill was then taken up, as in committee of the whole.

The motion pending was the following amendment offered by Mr. Walker to the amendment of Mr. Woodbury:

"And provided, also, that the pensions authorized under the act of 30th June, 1834, be, and the same are hereby, continued in force until otherwise ordered by the acts of congress."

The amendment of Mr. Woodbury was to add to the 1st section the following:

"Provided that no part of this money shall be applied to the payment of any pensions not entitled under the acts of congress as they existed prior to the year 1837."

Mr. Choate rose to address the senate—

When Mr. Walker withdrew his amendment.

Mr. Choate went into the merits of the amendment, offering considerable length, in which he contended that the pensions could not now be withdrawn without manifest injustice to the pensioners, and a breach of faith in the government.

Mr. Woodbury followed at some length in favor of his amendment, which a general debate ensued, in which Messrs. Huntington, Calhoun, Evans, Wright and Williams participated.

Mr. Walker then moved to amend the amendment so as to read—

"That all widows, or children of all naval officers, rearms and marines now deceased, and entitled to receive or make proof of their pensions under the act of 31 March, 1837, shall receive the same until

otherwise directed by law, but no widow or child of any naval officer, seaman or marine who may be deceased, shall be entitled to any pension by virtue of any provision in the said act."

On this motion, a debate of some length occurred, in which Messrs. Sevier, Bates, Woodbury, Prentiss, Calhoun, Walker, Mangum, Buchanan and Cuthbert took part.

The question on the adoption of Mr. Walker's amendment was decided in the affirmative—yeas 27, nays 16.

Mr. Calhoun then moved a proviso to the following effect, that nothing herein contained shall be so construed as to make the pensions under the act of 1837 chargeable upon the treasury.

The question on this motion was decided in the negative—yeas 14, nays 28.

Mr. Williams moved to add a proviso to the effect that no pensioner who has received a pension for five years shall be entitled to receive under this act.

On this proposition a debate ensued in which Messrs. Bates, Mangum, Huntington, Pierce, Williams, and others, participated.

And, the question being taken, the vote was as follows:

YEAS—Messrs. Benton, Buchanan, Calhoun, Clay, of Alabama, Clayton, Fulton, King, and McKelven, Pierce, Sevier, Smith, of Connecticut, Walker, Williams, Woodbury, Wright, Young—17.

NAYS—Messrs. Archer, Bates, Barrow, Berrien, Claiborne, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merriek, Miller, Morehead, Fort, Preston, Rivers, Sevier, Sumner, Smith, of Ind., Southern, Tallmadge, White, Woodbridge—36.

Mr. Williams then moved to amend the bill, by adding as a third section the following:

Sec. 3. Be it enacted, That an act entitled "an act for the more equitable administration of the navy pension fund," passed 3d March, 1837, be, and the same is hereby repealed; and that the amount of pensions for disabilities, and to widows, and children of officers, seamen and marines, shall be regulated by the pay of the navy as it was on the 1st May, 1836, and commence when the proof establishing the pension shall be completed."

And this question was pending when the senate adjourned, after a session of nearly seven hours.

August 6. The unfinished business of yesterday morning was taken up, being in relation to the proceedings and resolutions of the meeting of citizens of Pasquot county, Virginia, presented by Mr. Benton.

The question pending, was on the motion of Mr. Clay, and yeas 19, to lay on the table the appeal from the decision of the chair, which was taken by Mr. Benton.

A discussion on points of order, by various senators, arose, and was protracted sometime beyond the expiration of the morning hour, and then lay over till to-morrow.

Mr. Huntington, from the committee on commerce, reported the following joint resolution:

Resolved by the senate and house of representatives of the United States of America in congress assembled, That the secretary of the treasury be, and he is hereby authorized to cause the light-house now stationed at Sandy Hook to be removed, and to be placed near Bardens reef in Long Island Sound; and the light-house now at Bardens reef to be removed and placed near Execution rocks in Long Island Sound.

The navy pension bill was then taken up, and after a brief remark by Mr. Choate, the question was ordered by Mr. Williams, of Maine, relating to the introduction of a third section, going to repeal the act of 1837, and making the amount of pensions to widows and children of officers, seamen and marines regulated by the pay of the navy as it was in May, 1836, in which Messrs. Mangum, Walker and Williams participated.

The question was then taken on its adoption, and decided in the negative: yeas 19, nays 28.

Mr. Calhoun then moved an amendment, to strike out the words "seamen and marines," and to provide that the widows and children of officers, seamen and marines, now on the pension roll, under the act of 1837, shall receive their pensions until otherwise directed by law, but none shall be hereafter added to said list, and act as any other, except those of April 2d, 1809, and January 14, 1813, and the second section of the act of 4th March, 1814.

Mr. C. said it must be admitted on all hands that the act of 1837 was not only wrong in principle, but also in fact, as the pension law had went on to show the defects of the law and the abuses which had crept in under it.

The question having been taken on the amendment, it was decided in the negative: yeas 20, nays 24.

Mr. Buchanan then offered an amendment, which was adopted, to strike out the words "until other

wise directed by law," and insert "until the close of the next session of congress."

And the bill was then ordered to be engrossed.

The bill from the house, "to appropriate the proceeds of the sales of the public lands, and to grant premium rights," was taken up.

Mr. Smith, of Ind. chairman of the committee on public lands, rose and addressed the senate for upwards of two hours, presenting the subject in a clear and strong point of view. After Mr. S. had concluded, Mr. Linn suggested the propriety of now offering the amendments, and perfecting the bill, before further discussion.

Mr. Archer expressed a desire to address the senate on the land question, but in consequence of the hour, and the pressing relations to be settled on, he moved to go into executive session; which motion was adopted; and, after remaining some time therein, the senate adjourned.

August 7. Mr. Buchanan presented a memorial from dealers in coarse woollens, asking that coarse wool may be exempted from duty.

Also, from citizens of the city and county of Philadelphia, asking that soda ash and bleaching powder be admitted free of duty. As those articles were excepted, he would move to lay the memorial on the table.

The senate then proceeded to the discussion of the point of order, the question pending being an appeal taken by Mr. Calhoun from a decision of the chair, that a motion to lay an appeal on the table was in order.

On this question a debate of very considerable length ensued, in which Messrs. Clay, Calhoun, Evans, Bayard, Prentiss, Walker, Clayton, Buchanan, Linn, King, and others participated. The question was then put, "shall the chair be sustained?" and resulted as follows:

YEAS—Messrs. Clay, of Kentucky; Clayton, Evans, Merriek, Mill, Morehead, Phelps, Summons, Tallmadge—8.

NAYS—Messrs. Allen, Archer, Barrow, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, Graham, Henderson, King, Linn, McKim, Morehead, Nicholas, Poinsett, Prentiss, Rivers, Sevier, Smith, of Connecticut, Smith, of Indiana, Sprague, Tappan, Walker, Williams, Woodbury, Wright, Young—25.

The next question was, whether, after a subject had been laid on the table, the motion to take it up was debatable.

Mr. Clay made a point of order, contending that it was not debatable; and he moved Mr. Benton to order on a preceding day when about to give his reasons for taking up a document.

Mr. King contended that a senator, under the rules, might, to a limited extent, give his reasons for wishing to take up a paper that had been laid on the table.

Mr. Clay said if that rule were to prevail there would be no limit to debate on the subject.

Mr. Clayton said if the motion to take up could be debated even to a limited extent, then the motion to lay on the table, which precluded debate, would be a mere nullity.

This question was also debated at length, when the senate decided that it was not debatable, by the following vote:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Ky. Clayton, Dixon, Evans, Graham, Huntington, Mangum, Merriek, Mill, Morehead, Phelps, Poinsett, Prentiss, Rivers, Sevier, Smith, of Ind. Tallmadge, White, Woodbridge—25.

NAYS—Messrs. Allen, Benton, Calhoun, Clay, of Ala. Cuthbert, Fulton, King, Linn, McKim, Morehead, Nicholas, Poinsett, Prentiss, Rivers, Sevier, Tappan, Walker, Woodbury, Wright, Young—18.

The question then reverted to the original decision of the chair, that a motion to lay the motion to print on the table carried the subject with it, on which Mr. Benton had appealed. After some considerable discussion, the following was put on record:

The president pro tempore announced to the senate that the question raised by the senator from Missouri (Mr. Linn) did not, in his opinion, properly arise on the motion of his colleague (Mr. Benton) to take up the motion to print, and was, therefore, not necessarily to be decided. And the decision stated on the journal of Thursday, as having been made on that question, was not intended as a general parliamentary rule, but was founded on the peculiar state of the question, supposing that the paper had been actually laid upon the table by the practice of the senate, as a matter of course, and thereupon the appeal was withdrawn.

The navy pension bill was then read a third time and passed.

And then the senate adjourned.

August 9. Mr. Chase presented a memorial asking that chloride of lime might not be subject to duty.

The resolution submitted by Mr. Linn some days since, requiring the president to give notice to the British government, agreeably to the convention of 1827, putting an end to the treaty for the joint occupation of Oregon, was taken up, when Mr. Linn announced his intention to offer some remarks on the subject either to-morrow or next day; meantime, he would request that it be passed over informally, which was acquiesced in.

The resolution submitted by Mr. Clay, of Ala. relating to the appointment of additional clerks in the land office, and the grounds on which they were appointed, &c. was taken up, and discussed at length by Messrs. Smith, of Indiana, Clay, of Ala. Linn, Preston, and Smith; when Mr. Preston offered the following amendment, which was accepted, as a modification by Mr. Clay:

"And the same information, with regard to such increase or diminution during the four years from 1829, the four years from 1833, and the four years from 1837."

The debate was further continued by Messrs. Buchanan, Smith, of Indiana, King, Preston, and others, but before coming to any decision on the resolution, it was on motion of Mr. Smith, of Ind. laid on the table.

The senate then proceeded to the consideration of the order of the day, being the bill to appropriate for a limited period the proceeds of the public lands.

On the motion of Mr. Smith, of Ind. several amendments of the committee were adopted.

Mr. Walker moved the following amendment, to be added to the fifth section:

"And be it further enacted, That the two per centum on the net proceeds of the land sold by the United States in the state of Mississippi since the 1st December, 1817, or that may hereafter be sold under the act entitled 'an act to enable the people of the western part of Mississippi territory to form a constitution and state government, and for the admission of such state into the union on an equal footing with the original states,' and all acts supplementary thereto, reserved for the making of a road or roads leading to said state, be, and for said net proceeds be, ratiocinated to the state of Mississippi, payable on the 1st day of May after the passage of this act, so far as the same may then have accrued, and quarterly payable, as the same may accrue, after said period: Provided, That the legislature shall not sell the first part of the land until their acceptance of said relinquishment in full of said fund, accrued and accruing; and also, embracing a provision to be unalterable without the consent of congress, that the whole of said two per centum shall be faithfully applied to the construction of a rail road leading from Brandon, in the state of Mississippi, to the eastern boundary of said state, in the direction as near as may be, of the towns of Adams, Cahawbe and Montgomery, in the state of Alabama."

This was debated at some length by Messrs. Walker, Clay, of Alabama, and King, in support, and opposed by Messrs. Evans, White and Smith, of Indiana. It was then adopted; yeas 22, nays 21.

Mr. Clay, of Alabama, then moved an amendment to the same effect in relation to Alabama.

Which was rejected: yeas 20, nays 22.

Mr. Calhoun offered the following amendment, to be added to the end of the second section:

"Provided, That nothing herein contained shall be so construed as to convert the distributive shares assigned to the several states into a debt due them, or to prevent congress from repealing this act, whenever it shall deem the public interest to require it, except so far as it may relate to the said grants."

This was advocated by Messrs. Calhoun, Allen, and others, and opposed by Messrs. Smith, of Ind. Woodbridge and Phelps. It was then rejected; yeas 21, nays 25.

Mr. McRoberts moved an amendment, to add in the second article, at the fourth line, after the word "Columbia," the words "and the territory of Wisconsin, Iowa and Florida."

This was advocated by Messrs. Sevier, Wright and Allen, and opposed by Messrs. Huntington, Clay and Smith, of Indiana, on the ground that the government paid the civil expenses of the territories, and also made appropriations for their schools, public buildings, roads, &c. and also that, by the deeds of cession, the lands were granted to the states.

Mr. Woodbridge also opposed it, and Mr. Buchanan said he should be induced to vote against it, in compliance with his instructions.

The question was then taken on the amendment, and rejected; yeas 20, nays 26.

And, after a session of near seven hours, the senate adjourned.

August 10. Mr. Smith, of Indiana, presented a petition of captains and owners of steamboats and

others, interested in the trade and prosperity of the whole country generally, and particularly of the western states, very numerous signed, in favor of the improvement of the navigation of the Ohio river, of the falls, by the construction of a canal on the Indiana side, to the river. Laid on the table.

On motion of Mr. Evans, two hundred copies of house bill relating to duties and drawbacks were ordered to be printed.

Mr. Benton moved to take up the document presented by him some mornings since, containing the proceedings of the meeting at Fausquier county, which had created the debate on the point of order and appeal from the decision of the chair.

The motion having been agreed to, Mr. Benton moved that the same be laid on the table.

Mr. Clay asked the yeas and nays on the question; and it was decided in the negative, as follows:

YEAS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McKim, Morehead, Nicholas, Prentiss, Rivers, Sevier, Smith, of Connecticut, Smith, of Ind. Southard, Tallmadge, White, Woodbridge, Wright, Young—24.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Dixon, Evans, Graham, Huntington, Kerr, Merriek, Mill, Morehead, Phelps, Poinsett, Preston, Simmons, Smith, of Ind. Southard, Tallmadge—18.

The bill repealing the sub-treasury having been passed in the house with amendments,

Mr. Clay moved that the bill and amendments be referred to the committee on finance, which motion was adopted, and, on motion of Mr. Tappan, the amendments were ordered to be printed.

Mr. Huntington asked the senate to indulge him in taking up the joint resolution relating to the light-boats now stationed at Sandy Hook and Bartlett's Reef, as it would occupy but a moment. The motion having been agreed to, Mr. H. explained the object of the resolution, which was a mere change of location of the boats on the recommendation of experienced pilots and navigators. Mr. H. then offered an amendment to come in at the end of the resolution, which was adopted, and the resolution ordered to be engrossed.

On motion of Mr. Smith, of Indiana, the senate proceeded to the consideration of the special order, being the bill to appropriate the proceeds of the public lands, and to grant premium rights.

Mr. Clay, of Alabama, moved to strike out in the 4th line of the 1st section the words "in the year of our Lord one thousand eight hundred and forty-one," and insert, "next ensuing the complete payment of the public debt, and to be paid by the treasury, contracted under any act of the United States."

Mr. C. grounded this amendment on the objections which he entertained to any distribution of the proceeds of the public lands while the country was in debt and held for additional taxation pending before the legislature.

Mr. Smith, of Indiana, said the amendment was fair and honest—it was made with a view to defeat the bill, and the question was simply bill or no bill, distribution or no distribution.

Mr. Clay, of Alabama, said his proposition did not go to the defeat of the bill, but simply to make it take effect after the country was out of debt.

Mr. Calhoun spoke for some time in favor of the amendment, in which he went into the subject of the finances of the country.

Mr. Clay replied at some length, touching also the finances, and denying that the bill would be any violation of the compromise act.

The debate on this question continued between Messrs. Calhoun, Clay, Rivers, Clay, of Ala. Smith, of Ind. Woodbury, Wright, Linn, Buchanan and Woodbridge.

When the question was taken on the amendment, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McKim, Morehead, Nicholas, Poinsett, Prentiss, Rivers, Sevier, Smith, of Conn. Tappan, Walker, Woodbury, Wright, Young—18.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Mill, Morehead, Phelps, Poinsett, Preston, Rivers, Simmons, Smith, of Ind. Tallmadge, White, Woodbridge—25.

Mr. Clay, of Alabama, then moved to amend the bill by inserting in the 2d section, line 10, after the word "states," the words "and such sums as may be paid to any Indian tribe for the purchase of any portion of the public lands."

On the taking of the question was taken without debate, and decided in the negative as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Ala. Cuthbert, Fulton, King, Linn, McKim, Morehead, Nicholas, Poinsett, Prentiss, Rivers, Sevier, Smith, of Connecticut, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon,

Evans, Graham, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Smith, of Indiana, Tallmadge, White, Woodbridge—36.

Mr. *McRoberts* moved to strike from the bill that clause which prevented the grant of pre-emption rights until after the surveys shall have been made. Mr. Merr. thought that clause manifestly unjust; survey might be delayed indefinitely.

The amendment was debated by Messrs. Smith, of Indiana, *Lin, Young, Porter and Huntington*, and on the question being taken on the amendment, it was decided in the negative. *YEAS—Messrs. Allen, Benton, Buchanan, Clay, of Alabama, Culbertson, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Porter, Smith, of Conn. Surgeon, Tappan, Wadsworth, Walker, White, Williams, Woodbury, Wright, Young—42.*

NAYS—Messrs. Archer, Bates, Bayard, Berrien, Clontie, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Prentiss, Preston, Rivers, Simmons, Smith, of Ind. Southard, Woodbridge—24.

Mr. *Young* then moved to strike out that clause which related to the exclusion of the whole.

Mr. *Smith*, of Indiana, explained that the bill simply required the alien to have filed his declaration of intention to become a citizen, as required by the naturalization laws, to give him all the rights under the bill.

When the question was taken on the amendment, and decided in the negative, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbertson, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, White, Williams, Woodbury, Wright, Young—42.

NAYS—Messrs. Archer, Bates, Bayard, Berrien, Clontie, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Simmons, Smith, of Ind. Southard, Woodbridge—25.

Mr. *Nicholson* then moved to exclude the proceeds of the sales of the vacant and unappropriated lands in the state of Tennessee, relinquished to that state on certain conditions.

After some remarks from Messrs. *Clay, White and Nicholson*, the question was taken, and the amendment was decided in the negative, as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbertson, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, White, Williams, Woodbury, Wright, Young—41.

NAYS—Messrs. Archer, Bates, Bayard, Berrien, Clontie, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Simmons, Smith, of Indiana, Southard, Tallmadge, White—27.

Mr. *Graham* then moved to amend the bill so as to place among the deductions from the net proceeds to be distributed "any sum apparently due to the United States as balances of debts growing out of the transactions of the revolutionary war."

This proposition was debated at some length by Messrs. *Graham, Calhoun, Clay, Tappan, Tallmadge* and others, and the question being taken, it was determined in the affirmative, as follows:

YEAS—Messrs. Archer, Bates, Bayard, Berrien, Clontie, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Simmons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—37.

NAYS—Messrs. Allen, Barrow, Benton, Calhoun, Clay, of Alabama, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury—19.

Mr. *Young* then moved to add to the bill additional sections, embracing the graduation principle, and the right of the states to tax the public lands within the territory, instead of allowing them to be exempt for five years, as they are under the present compact.

This was debated at some length by Messrs. *Water, Young, Benton* and others. A motion was then made to adjourn, but failed; says 19, says 19. The debate was further continued, and the senate adjourned without taking any question.

August 11. Mr. *Smith*, of Indiana, offered a resolution instructing the committee on post offices and post roads to inquire into the expediency of procuring by law at the present session, to enable the post office department to liquidate the dues from it.

Mr. *Clay*, of Alabama, offered a resolution inquiring of the secretary of the treasury why he has not laid before the senate the information in compliance with a resolution passed last session, calling for the issues of scrip, connected with military land warrants.

Both resolutions lie over one day.

The president laid before the senate a communication from the secretary of the treasury, in compli-

ance with a resolution of the senate, giving a list of all articles imported duty free, or bearing a less duty than twenty per cent, at valuations, with the amount of duties paid on, and value of, those articles in 1837, '38 and '39; which was laid on the table and ordered to be printed.

Mr. *Calhoun* offered resolutions of a highly respectful and complimentary nature to the citizens of Virginia, condemning in strong terms a national bank, distribution, &c. and maintained the right of "repel" of the bank. He moved the printing of the resolutions, which was negatived, says 19, says 20.

His papers were, after some remarks by Messrs. *Calhoun, Benton, Clay, of Ky. Archer and Clay, of Alabama*, laid on the table.

On motion of Mr. *Clay*, of Ky. the senate took up the bill for the repeal of the sub-treasury. The question being on concurring in the amendments of the house of representatives.

After some remarks by Messrs. *Clay, of Ky. and Calhoun*, Mr. *Calhoun* moved to postpone the subject to Saturday next.

The proposition was advocated by Messrs. *Calhoun and Benton*, and opposed by Messrs. *Clay, of Ky. Priston and Rives*, after which the question on postponement was taken, and lost, by the following vote:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Culbertson, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—41.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Buchanan, Clontie, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—28.

The question then returned on the first amendment of the house, which repeals the act of 1836, "to regulate the deposits of the public money," except the 13th and 14th sections.

The amendment was adopted by the following vote:

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Clontie, Clay, of Ky. Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Simmons, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—35.

NAYS—Messrs. Allen, Archer, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbertson, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Rivers, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—23.

The question was then on the second amendment, which repeals so much of the act of 14th April, 1836, making appropriations for the payment of revolutionary and other pensions, as provides that, after the 3d March, 1837, no note of less denomination than twenty dollars shall be offered in payment by the United States or the post office department.

This amendment was adopted by the following vote:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Clontie, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Merriek, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rivers, Smith, of Ind. Southard, Tallmadge, White, Woodbridge—26.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Culbertson, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Rivers, Sevier, Smith, of Conn. Surgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—23.

Mr. *Lin* moved to have being altered so as to be for the repeal of the sub-treasury law, and for other purposes, the amendments were completed.

On motion of Mr. *Lin*, the bill "to appropriate the proceeds of the public lands and grant pre-emption rights," was taken up; the question being then on the amendment of Mr. *Young*, offered last evening, embracing the graduation principle, and repealing the law exempting for five years the public land, when sold, from taxation.

After further remarks by Messrs. *Smith, of Ind. McRoberts and Benton*, the first division of the amendment was rejected: says 16, says 27.

The latter part of the amendment, after remarks by Messrs. *Smith, of Ind. McRoberts, and White*, was rejected: says 16, says 22.

Mr. *Lin* moved the amendment, of which he had given notice, and which was printed, to strike out the first nine sections of the bill, which compose the distribution feature, and to insert a provision that the net proceeds of the public lands hereafter sold, and the proceeds of the surveys and debts of government, shall be applied to the common defence of the union, on land and on water, until the U. States are placed in that state of strength and security which is due to the honor and independence of the nation, and the protection of the rights and interests of its citizens; and this to be in addition

to the ordinary annual appropriation for such objects.

He took for granted the constitutionality of this manner of disposition of the proceeds of the public lands, and entered at some length into the numerous and pressing reasons for its expediency.

Messrs. *Young, of Ark. Nicholson, Smith, of Ind. and King*, made some further remarks, in the course of which, it was intimated that the question of engrossment of the bill would be taken to-morrow.

The senate then went into executive session.

HOUSE OF REPRESENTATIVES.

Thursday, July 23. Mr. *Sevier* stated that the house resolved itself into committee of the whole on the state of the union; but yielded the floor to Mr. *Adams* who said he rose to a question of privilege. A message had been received yesterday from the president of the United States, containing a communication from the French minister to the secretary of the treasury, recommending against a bill pending before congress. The communication had been referred and ordered to be printed yesterday without being read, and he had not, therefore, been aware of its import until this morning. It was a matter of great importance, and, had he been aware yesterday what its character was, he should not have let it pass without expressing his views in regard to it. He proposed now to offer a resolution in something like the following terms:

Resolved, That the president of the United States be requested to inform the house by what authority the minister from France addressed a communication to the secretary of the treasury recommending the passage of a bill now pending before congress.

It was well known (Mr. A. remarked) to every body that understood the relations between citizens of good-will and nations that the organ of communication with the French minister was not the secretary of the treasury, but the secretary of state. The secretary of state was the proper person to whom all communications from foreign ministers were to be made. The impropriety of the proceeding was apparent to every eye, and was the danger of the precedent, if the house should suffer itself to be influenced in such a manner.

Mr. *Ingersoll* suggested, with great respect for Mr. *Adams*, that he should make his speech for a day or two. Mr. A. was understood to say that there were only a few hours yet remaining for the consideration of the bank bill, and to submit whether it would not be better to devote that time to it without interruption.

Mr. *Adams* briefly pointed out the consequences which must result if such a course of proceeding was allowed, but declined imputing any blame to the executive authorities.

A long and irregular debate followed, amidst much confusion, in which many members took part, among whom were Messrs. *Adams, Ingersoll, Pickens, Turley, Bates, Underwood and Fillmore*. It ended in laying the whole subject on the table, on motion of Mr. *Bates*. Says 99, says 77.

On motion of Mr. *Sergeant*, the house resolved itself into committee of the whole on the state of the union, (Mr. *John C. Clark*, of New York, in the chair), on the bill to incorporate the subscribers to a fire bank of the United States.

The question being on the motion of Mr. *McClain* to strike out the enacting clause of the bill.

Mr. *Pope* was entitled to the floor, and addressed the committee during the hour in favor of the bill, but had not quite concluded when the hour had elapsed.

The speaker resumed the chair informally for the purpose of receiving a message from the senate through A. Dickinson, esq. their secretary, informing the house that the senate had passed a bill to revise and continue in force for ten years an act entitled "an act to incorporate the Mechanica's Relief society of Alexandria."

Also, the act "making appropriations for various fortifications, for ordnance, and for preventing and suppressing Indian hostilities," with amendments.

Also, an act "to revive and extend the charters of certain banks in the District of Columbia." To all which said bills the senate asked the concurrence of this house. The chairman then resumed his seat.

Mr. *Bidwell* followed against the bill. Mr. *Murrah*, of Kentucky, next addressed the committee.

After enjoining in the fullest manner the positions taken by Mr. M. went on to show that, in relation to the constitutional question of the power to create a bank, he stood now where he had in 1837, and he quoted his former speeches and resolutions. He had always held that congress had power to create a national bank, but

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CONGRESSIONAL. The consideration of the president's veto message to the senate, on returning the bill for establishing a fiscal bank, was postponed, from day to day, by that body, from Monday until Thursday, when, after some debate, the question taken on its passage—the veto notwithstanding—standing—and decided in the negative: ay 25, nays 24—two thirds being required to carry a bill in such a case.

The bankrupt bill, which had passed the senate, and been debated in the house for the last two or three weeks, was so amended on Saturday, as to render it unpalatable to a majority of that body, and a motion to lay it upon the table—equivalent to a rejection—prevailed by a vote of 110 to 97—all the anti-Buren members in the house, except two, voting for the motion. This vote is said to have created almost as much excitement as the veto of the bill. Both houses, thereupon, immediately adjourned. A reconsideration of the vote was next day proposed and carried, by a majority of sixteen votes; the objectionable amendment was then voted and rejected—and the bill then passed the house by a vote of 110 yeas to 106 nays. An amendment, postponing the period at which it is to go into operation to the 1st of February, was immediately assented to by the senate, and the signature of the president was affixed to the bill on Thursday. The time for its going into operation was postponed with a view to allow an opportunity to congress to repeal it before then, should public opinion so determine.

The bill to renew the charters of the banks of the District of Columbia, for three years, has also passed the house, by a very large majority, and is now before the president.

The absorbing interest of the topics now occupying the attention of congress, induced us to postpone many articles that must be registered hereafter.

FOREIGN AFFAIRS.

FRANCE.

Royalty. The Paris correspondent of the National Intelligencer writes that, at the celebration of the baptism of the count de Paris, on the 9th June, the queen of France, accompanied by the sovereigns of Belgium, the old duchess of Mecklenburg-Schwerin, and suite, in his coach, and with a strong escort nearly touching the panels. He came to Versailles on Wednesday last, rather more open to inspection, and seemingly indifferent to the gaze (nothing more) from the gallery and the loungers in the avenues. A most travelling equipage on the day of his ge-

turn from his journey of last week. It consisted of two large elegant coaches, eight horses in each, and two baggage coaches with six horses each; the whole splendidly caparisoned on eight or ten mounted liveries, &c. A detachment of lanciers awaited at the gate of the park of St. Cloud his arrival there. When he visits any one of the royal palaces in the neighborhood of the capital, mounted gendarmes are stationed at intervals along the route.

CHINA.

The ship Onida, Smith, arrived at New York, left Canton on the 26th and Macao on the 27th April. Affairs remain much as when the Akbar sailed. Trade still open. No fighting, but an imperial edict has been issued, which is full of war against the English.

There were seven American vessels at Whampoa, and one at Macao, all loading. The ship Commodore sailed on the 28th of April, for Canton, New York, with a full cargo of teas and silks.—Teas were somewhat scarce, in consequence of so many English and American vessels loading.

The following is from the Canton Register of the 20th April.

Circular to her majesty's subjects, British factory, Canton 16th April, 1841. A satisfactory communication has this day been received from his excellency commissioner Yang, declaratory of the faithful intentions of his newly arrived colleagues concerning the arrangement concluded on the 30th ult. between H. E. and the undersigned.

The Kwangchow having also issued a proclamation by desire of their excellencies, intended to remove the trading people, the plenipotentiary has for a like reason (with the concurrence of the government) made public the accompanying notice under his own seal. (Signed) CHARLES ELIOT, H. M.'s plenipotentiary.

NATIONAL AFFAIRS.

APPOINTMENTS BY THE PRESIDENT, by and with the advice and consent of the senate.

Washington Harrow, of Mississippi, charge d'affaires at the court of her most faithful majesty, the queen of Portugal.

Ambrrose Baber, of Georgia, charge d'affaires near the government of Sardinia.

John S. Pendleton, of Virginia, charge d'affaires to the republic of Chili.

James S. Calhoun, of Georgia, consul for the port of Havana.

David Hoffman, of Maryland, commissioners under the act of congress to carry into effect the convention with the Mexican republic of the 11th of April, 1839.

Richard K. Call, governor of the territory of Florida.

United States marshals.

Alexander K. McClung, for the northern district of Illinois.

William Prantiss, for the district of Illinois.

Land officer.

Munford Stokes, register, Fayetteville, Arkansas.

custom house officers—Collectors.

George W. Pearce, Gloucester, Massachusetts.

James K. Livingston, Genesee, New York.

Judith T. Almsworth, Cape Vincent, New York.

Clayton H. Page, Little Egg Harbor, N. Jersey.

Postmasters.

Daniel H. Harris, of Frankfort, Kentucky.

Cyrus Edwards, at Alton, Illinois.

Geo. W. Spotswood, at Springfield, Illinois.

DIPLOMATIC. Isaac Rand Jackson, ex charge d'affaires at Denver, &c. family, embarked on Thursday in the packet ship Toledo, for New York for London.

AMERICAN CONSUL IMPRISONED. Captain Martin's of the bark Iris, in 11 days from Matanzas, reports that Mr. Croes the American consul at that port, had, by order of the governor general of Cuba, been arrested and confined in prison on the day that the bark left. The captain did not learn the particular or basis of any charges that had been made against Mr. Croes, who is represented as an extremely mild and amiable gentleman.

THE TREASURY LOAN. The secretary of the treasury has negotiated \$1,000,000 of the loan, lately

authorized, being all he is at present proposed for, one million thereof at 53 and 500,000 at 5 1/2 per cent. Of the latter sum, the Merchants' bank of New York, took \$150,000; Messrs. Canham, Whitehouse & Co. has \$250,000, and Messrs. Keitchum, Rogers & Bement \$100,000 for themselves or others.

INDIANS PACIFIED. The Burlington (I. T.) Hawk Eye, says that, in consequence of a visit from governor Chambers to the two parties of the Sacs and Foxes, they have been reconciled to each other, and their past difficulties, it is believed, are fully settled.

PARDON. We learn from the National Intelligencer that the president has granted a pardon to Henry H. White, confined in the penitentiary at Washington under sentence for burning the treasury. If we mistake not he had three tedious trials before a jury could agree—and it now appears by confession of one of the principal witnesses that the facts sworn to against White never existed.—The judges, prosecuting attorney and as many of the jury as could be found as well as a number of respectable citizens of the District joined in petition for his pardon.

TRADE AND COMMERCE.

The decisive overthrow of the Melbourne ministry and whig party, in the recent elections in England, was mainly occasioned by their attempt to modify the existing laws in a direction towards "free trade." They proposed not to dispense with, but amend the corn laws in such a manner as to allow the ingress of foreign grain and flour upon more liberal and regular terms than heretofore, and to reduce the duty upon sugar and a few other articles. Nearly the whole agricultural interest of the country was aroused, at once, by the proposition, and throwing their weight into the aristocratic scale, the tory party are elevated to power and the seal is affixed to the introduction of our surplus breadstuffs, unless the British community are, by the failure of their own crops, reduced to the extremity of almost starvation.

It is well for the United States that the policy of the British government is thus distinctly ascertained, before congress were prepared to revise the existing tariff of this country. There is now no doubt as to the measures which we have to encounter abroad. We understand the policy which their interest has induced them to adopt towards us—and we have only to consider how our interest can best be promoted in meeting their prohibitions. They legislate, not in behalf of FREE TRADE—in behalf of Britain. Their aim is to be in behalf of the general interest of the world; of a liberal, fair, open commerce—but in behalf of the monopoly of trade, so far as it can be secured to the benefit of the subject of "her majesty." They take care of themselves—and endeavor to take equal care of ourselves. We should have been glad—as we took occasion to express when the propositions of the Melbourne ministers were first announced in behalf of a modification of their restrictive laws—we should have rejoiced to meet them on that way in the broadest catholicity of benevolence, all, by abandoning, as far as possible, restriction upon commerce. It is true, and we so intimated, that we had but a glimmer of hope that they would seriously and in good faith abandon one inch of advantage they have gained over us in our existing intercourse. Yet we caught willingly even at the professed design of taking such a direction. It appears that it was but to announce such a design in England, and to ensure the defeat of the party so presuming upon British liberality. The remotest gleam of hope, in that direction, is at once extinguished. The contest for our fair share of the trade of the world must be forthwith commenced, and we hope it will be fought out fairly, spiritedly, manfully. The torres come into power upon the ground that the restrictive policy is to be maintained, and maintained it will be—but not without some people having to pay the price of the monopoly. If they can induce the United States to continue, as they have

for years past, to verge on towards "free trade," admitting British articles at less and less duty, and, in many cases, free of any duty, to the manifest profit of British manufactures; while on the other hand, they tax American products almost, and often quite, to the point of prohibition; if the American people will submit to a continuance of this system, they will just as effectually be taxed to pay the price of this British monopoly as they could ever have been by submitting to the British stamp tax and tax upon tea, which our fathers resisted in the last century.

That the tort ministry will have great difficulty in surmounting the embarrassments which lie in the path before them, no one, who will review the predicament which compelled the Melbourne ministry to adventure this last expedient for maintaining power, will doubt for a moment. It was by no means a voluntary suggestion of theirs. It was, in fact, a mere expedient to escape from difficulties which they perceived no other method of overcoming. How the new ministers may contrive to surmount those same embarrassments, remains to be ascertained. They say no of trifling import—and whatever expedient they may be driven to resort to may possibly be found as unpalatable to the British people, as was the suggestion of modifying the corn laws. They will find it no easy matter to compensate for the diminution of the West India trade, under the new policy they have adopted, by an "experiment." And, may we hope that they will find it an equally difficult task to reconcile the United States to a continuance of a system which operates to drain the union of from twenty to forty millions of dollars annually, when, by a wise legislation, the trade might be at least equalized.

We are desirous to the doctrine laid down by Thomas Jefferson, when first secretary of state under the federal constitution—that in our intercourse with other countries, it corresponds alike with the honor and the true interest of the United States to extend, to every country, privilege for privilege—and to meet them with restriction for restriction.

PRODUCTION OF COFFEE IN THE WORLD. The British Almanac states that according to an approximate estimate prepared by Mr. McQueen, the quantity of coffee produced in the various countries in which it forms a commercial export is as follows:

	ounds.
Brazil	124,000,000
Cuba and Puerto Rico	49,810,460
Java	40,067,128
Hyli	49,810,460
French tropical colonies	14,720,000
Venezuela and Colombia	11,544,024
Surinam	2,400,000
Mocha	5,500,000
Central America	897,540
British West Indies	10,169,855
British India	6,346,925

358,398,225

The consumption of coffee in Great Britain, during the year 1838, was 12,920,820 lbs. being more

"An article in the last Blackwood, concerning the errors which produced the overthrow of the Melbourne ministry, dwells with force upon what the writer considers their unfortunate and mistaken policy towards the West Indies. "They have first dismissed," says the writer, "by about a third, the total agricultural produce of the British West Indies, and then, in the name of shipping employed between them and the mother country; and then, to fill up the gap, and remedy the deficiency which they themselves have created, they propose to complete the destruction of the British West India islands by an inundation of foreign sugar, which will at once render cultivation in our own colonies impossible."

Another result has been to increase the slave trade in Cuba and Brazil; for the deficiency of the crops in the British West Indies has stimulated production in those other countries, where the slave trade is still in vogue; and since the emancipation act the importation of negroes has risen from one hundred to one hundred and ninety thousand annually.

Lord Palmerston, in his electrifying language at Tiverton, in relation to the British West India colonies, says:—"The West Indies were in a state of great difficulty, owing to the existence of slavery in its colonies. There were 800,000 slaves there—the objects of suspicion to the whites—the source of disturbance on every occasion, and whose compulsory labor, being not equal to the free labor of European workmen, did not supply the owners of estates with a satisfactory and certain source of labor for the cultivation of their lands."

We carried a measure unexampled in the history of the people—we induced parliament to free the British West India colonies to convert 800,000 slaves into free and independent citizens. Thus strengthening the empire at large without in the slightest degree diminishing, but on the contrary increasing the value of the property of those who had been the owners of those slaves. 'I should cheer'."

than double the quantity supposed to be produced by the British West India.

PRODUCTION OF SUGAR IN THE WORLD. The following approximate estimate of the quantity of sugar, produced in different parts of the world, is taken from the British Almanac:

	Cwt.
British sugar colonies	3,571,273
British India	519,128
Danish West India	450,000
Dutch do.	260,000
French sugar colonies	2,160,000
United States	900,000
Brown sugar, quantity of white not distinguished	2,000,000
Spanish West India	481,340
Java (without distinction of quality)	892,474
For internal consumption exclusive	
China, India, Siam, Java, and the United States	2,416,337
	18,080,658

VISIT TO THE U. STATES SHIP DELAWARE. Saturday has been set apart as the day on which the president, the heads of department, members of congress of both houses, together with a select company of invited guests, should pay a visit to the ship Delaware, now lying in the Chesapeake bay, off Annapolis, a town of ease in readiness at the depot in this city to receive them at seven o'clock.

Owing to the pressure of official duties, the president was, to the regret of all concerned, unable to join the party. But the secretaries of the navy, of state and of war, the attorney general, and postmaster general, (the secretary of the treasury being prevented by indisposition), took their places in the cars at the appointed hour, as did many members of congress, especially those from the western states, to many of whom a ship of war was a sight new to be enjoyed for the first time. A few senators also joined the party, as more would no doubt have done had not the senate on Friday, (unexpectedly to many), refused to adjourn over to Monday. The sky, for some time, presented a lowering aspect, and some drops of rain fell soon after the cars had got in motion, but the weather very soon cleared away, the mists proved propitious, and just enough to refresh to make the ride refreshing. The company was mingled without distinction of parties, and all seemed exhilarated by an escape from the routine of official life. The style of the school boys set free, for once at least, from the sound of recitation and the dominion of the rules. The cry of "Mr. Speaker!" was no more heard, for every body spoke at once, (as at certain times within the walls of a certain house, and in the place of the yea and nay bell, was heard the shrill note of the steam whistle, or the hissing and spluttering of the passionate locomotive in the van. A number of ladies, too, (though it was not strictly a part of the plan), graced the cheerful company by their presence and smiles; and the evident pleasure they received from the trip tended much to augment a like feeling in their less susceptible companions.

The country between Washington and Annapolis possesses but few attractions, and every one was rejoiced when the word passed from mouth to mouth, "Here we are!"

That ancient city, venerable as well from its early date as from the spirit-alizing associations with which it is connected, though not large has a picturesque appearance; many of its buildings private as well as public, preserving, unchanged, a model of the style of architecture which presided while Maryland was yet the seat of the colonial government. Among these are the state house, St. John's college, and the Episcopal church, whose lofty brick towers form a striking element in the landscape, visible from every direction. The state house of brick, stands upon a commanding eminence, and is remarkable for its very lofty and highly ornamental dome and cupola from the top of which the star-spangled banner now quietly waved to the breeze. Here we were privileged to stand, and that hollow spot where once we witnessed the most sublime act which human history has recorded; we mean the surrender, by Washington, of his military command, at the close of that victorious struggle which had placed his country high upon the world's map. There yet stands the chair in which governor Mifflin, (then providing over congress), sat when the commission was resigned, and the short but impressive words uttered, which, of themselves, were enough to give GEORGE WASHINGTON a name to every American heart. On the walls of the chamber hung long-length portraits of Paine, Carroll, Chase and Stone, four of the signers of the Declaration of Independence. In this same

building is also the state library, but the short time allotted for our stay did not admit of our visiting it.

We contrived to steal time, however, to climb to the top of the dome, where we were rewarded for a somewhat fatiguing ascent by one of the finest panoramas the eye can ask. The city lies like a map at your feet, with all its old buildings, streets and picturesque vicinity, through which flows the winding Severn, while in the distance lie the bright and silver bay, now exhibiting in full view the object of our journey—the majestic Delaware—lying at anchor off the mouth of the Severn, with her tapering masts and spars distinctly traced against the sky. Here of late hours have been seen to linger, while "admiration feeding at the eye," might expatiate over the attracting view, and examine all its details at leisure. But we hastened down, and, after a transient visit to the City Hotel, descended to the steamboat George Washington, which lay waiting to receive us, while here again the beloved stripes and stars threw their protection over us, the waving lists partially hid by a cloud of steam, whose white column contrasted strongly with volumes of the blackest smoke, and seemed contending with it for the mastery, while the windows of the houses were crowded, and the wharf crowded with spectators, drawn, no doubt, by the expectation of seeing him, the president, on whom all eyes are now bent so so intense and anxious a gaze. We were disappointed in this; they seemed to salute themselves with what was the next best thing, a very curious and critical inspection of the members of his cabinet. At length the bell sounded, and the boat, swinging out from her fastenings, walled us down the bay, some four or five miles, to the spot where the Delaware was moored.

And here we feel sensible our want of nautical knowledge; for though all looked upon that noble object with feelings of the strongest interest and delight, the ignorance of a landsman, mingled with emotion, and a desire to speak and to speak strictly properly of what gave all who gazed upon it such lively pleasure. A ship-of-war any where, and of any nation, is an object fitted to fill the mind and rouse the feelings. It is such a product of human skill—such a triumph of the resources of human strength—it calls up associations of so grave, and yet so exalting, a kind—that it can never be looked upon with entire indifference; but to an American, and in the present circumstances of America, a vessel of her glorious list may—a first-rate American line-of-battle ship—fully and completely equipped for sea, is a spectacle which absorbs the whole man, carrying away his deepest musings to the future and to the past. And, accordingly, it was interesting to witness the truth of this remark, as the steamboat began to approach the great Convention, which had been lively and general, gradually subsided: every eye was fixed. For a time every tongue seemed choked, and one heard only an occasional remark of lowly uttered admiration as her proportions and majestic form became distinctly visible. She lay like a floating palace—no, that is too light and gay a comparison—rather like some formidable fortress, with all its armament set afloat by magic power. Her grim and frowning battlements, now above row, their links and their muzzles protruded from the ports, struck the mind with awe. There was no gilded ornament to relieve the severity of the emotion. Every one must feel that her ornament was out of place. Power—force—was the only thing that she presented. She was the single idea solemnly, almost painfully, impressed upon the soul. And then, as the eye glanced up—upward, upward—along her towering masts, the symmetry, the harmony, the nautical beauty and grace, and the grandeur of sky-line, the majestic union of strength with ease, the desperate science applied to the plainest, (yet the fittest), materials, the gradual diminution and attenuation of the lines of tracery, so beautifully drawn against the sky, occupied the mind, and every one felt that the sight of her seemed the impression produced by the sight of the heavy armament. But how shall we describe the effect, when, suddenly, the spars were seen to be alive with human beings! and the long rows of masts, all dressed in the same simple costume, looked at a first distance as though they were holding hands, and were supported only by the air! Row above row they stood, silently looking down upon the approach of the visitors, (among whom they thought the president was one), with that air of staid and bold carriage which marked the character of the bravest tar. We forgot the guns—we forgot the towering masts. All eyes, and, we believe we may truly add, all hearts were fixed and fastened on the men. There they stood—our gallant and noble crew of American heroes, the defenders—ready to brave the wildest storms; ready to brave the most threatening danger; asking nothing but food, aittance for their mothers, and some just

meed of acknowledgment when they have acted nobly in our cause. And who, that is not dead to every grateful feeling can withhold it? Well may the patriotic make delight to embody their praise, and make it the criterion of his interest in our bodies. Poor fellows! how often do those strains sound but the dirge over their deep, their undisturbable grave!

In mounting the ship's side, the secretary of the navy, as might (being first elevated) preceded, and was followed by the residue of the cabinet. Then came the ladies; and then followed a promiscuous crowd of climbing senators, congressmen, judges, governors, generals and naval and military men, of every grade, together with other citizens who had been so fortunate as to have been distinguished by the commodore's gracious invitation. Gracious it was and gracious was its giver, ay, and grateful too, as no man could deny or doubt for a moment who witnessed his reception of his guests, and watched the expression of his dignified and intrepid countenance. He stood near the entrance of his own cabin, surrounded by as fine a group of officers as the eye of a commander or the heart of a contented crew could wish to look upon; and while the commodore of the navy laid their place near him, the commodore of the ship, captain Charles S. McCauley, introduced all her officers in succession according to their rank; to each of whom he extended his hand, with frank and open cordiality which belonged to the man, and which so strongly marks his manners and his character. The youngest midshipman was as kindly and as respectfully received as the oldest lieutenant, and they all seemed to appreciate and to reciprocate the regard with which they were recognized by the respected head of their own deservedly popular department.

The remaining guests having in turn been received, a salute of seventeen guns was fired, being the number prescribed by the daily regulations of the mark of respect to a governor of a state or the head of a department when visiting a ship of war. The marines were paraded on the larboard side of the ship as the guests entered from the opposite side, and in usual creditable appearance; they belong to uniforms critically neat, and their muskets shining with a brilliancy that no labor could have heightened. At the sound of the boatswain's whistle the men descended from the yards, where they had stood till now, looking down upon the spectators beneath their feet. Soon afterwards the drums beat "to quarters," and the men, in their white trousers and turgous hats, (the boatswain of their shirts having a patch of blue cloth upon them worked in white and each with a black ribbon), descended to the several stations, each company around its own gun, and then the proper officers passed round with written rolls in their hands, calling the men by name and according to the station of each man at the piece. The company next waited in a sort of procession, round the vessel, and rested the right side of each number of the company, orderly, hardy looking, able-bodied men as compose the crew was most exhilarating, and we may add, consoling; for it was impossible, while beholding them, thus collected and arranged, not to say to one's self, "my own life and the liberty and honor of my country are entirely safe with such defenders." There were in all nine hundred of them; a portion being, of course, upon the lower decks, so that you could not get the whole into your eye at one ship of their class, and the schooner board the *Peninsula* at Norfolk. Five bright-eyed boys they are, full of life and ambition, and action and emulation; and the very best of them they will soon prove themselves in the higher and more extended school into which they have now entered.

Having marched round the spar-deck, we were next conducted below. The Delaware is reckoned, in naval estimation, a two-decker; but, like every ship of their class, she has a fore-deck, and the spar-deck, being that to which you step when descending from her bulwarks; the upper or main gun-deck, on which is her lighter battery; the lower gun-deck, on which is her battery of heavy guns; and what is called the orlop-deck, which is appropriated to the use and accommodation of all officers, with the exception of the commodore, captain, first and second lieutenants, whose quarters are above. On the two gun-decks we were gratified in seeing the tables of the crew, arranged opposite the spaces between the guns, with benches, also swung, at each side—the whole capable of being drawn up close to the beams of the deck overhead, to be out of the way when the ship is cleared for action. Here were piled their tin cans, on the

top of which it was most gratifying to discover, laid in the nearest order a seaman's little library, consisting of two bibles, two prayer books, two hymn books and one volume of a moral and entertaining character. (The hymn books, in every instance, were the most worn.) We say this was gratifying; for who among men stood more in need of the instructions and the support drawn from the volume of inspiration and the promises of religion than these young souls of the deep-sea lives are in jeopardy beyond the lot of other men, while, too often, their moral and religious education is of all man most neglected?

Speaking of these mess tables, we may as well take this place to observe, that not only here, but every individual thing, whether of wood or metal, on board this fine ship, was as scrupulously and thoroughly clean as the hand of man could make them. The very decks were as white as a milk pail; and the tables so rubbed so cleanly, that they might be eaten from without any intervening substance. It was, soon after, our pleasure to see them surrounded, each with a merry company of cheerful, hungry, contented looking tars, as one need to take a later day's work, to find that the ship was not a mess pork, but from the regions of the cook, (each piece marked by the hy, with the number of the gun), their pans of pea soup, yet hotter than the meat, as we can testify, for we scaled our mouths with a small portion of it at a time. This article of shipboard broken into small pieces, ready for use, altogether looked so inviting and so comfortable, that they might awaken appetite in stomachs cloyed with the delicacies of a more luxurious table, and we very early noticed a number of the men, and among those of the ladies, partaking of this unwanted repast, to the no small surprise and delight of honest Jack, who, having no fork, was somewhat at a loss how to do the greens, but who, after a salt water apology, took his jack knife (well so named, "Jack" is never without it), which hung by a ropeyarn from some part of his dress, and forthwith carved, in a somewhat extemporaneous way, the best morsel in his aid for his unsuspecting guests. On this lower deck fifteen men are stationed, each gun, on the upper, thirteen. It went long to go into a minute account of the many convenient arrangements which were politely shown and explained to us, for availing of the small quantity of extra room, where the ship is so crowded, and giving to the purpose for allowing away in the most compact and convenient manner, the endless variety of matters and things which the service of such a ship requires; bag rooms, bread rooms, spirit rooms, armory, magazines, lockers, stores, carpenter's shop, work room, and more than we can remember, or than there would be time and space to enumerate if we could. All was most orderly. In fact, throughout the entire scene, order seemed to be inscribed every where. There was literally a place for every thing, and every thing was in its place. The officers were most patient with our ignorance, and their politeness suffered not the least expression or look of lurking contempt to betray itself at the many simple and hard laboring questions which we tossed them. All was politeness and good humor. Indeed, there seemed not a human being to be out of humor while we were on board, save one poor fellow, whose cheek was prettily well scorched and (what he called more for, perhaps), his whiskers singed, by the accidental discharge of a pistol from the hand of a shipmate.

We entered, among other partitions, what is called "the sick bay"—a portion of one of the lower decks, raised off for the accommodation of the few sick men, and, in case of an epidemic, for the rest, who were carefully and kindly attended by their messmates, detailed for that duty; and no sick chamber, in any gentleman's house, is in a cleaner or better state. The ship carries out a surgeon and four assistants. The magazines, of which there were two, were of course did not enter.

Among other articles worthy of note, below, were very long and large life-preservers, each capable of sustaining in the water more than fifty men, and the whole was to be landed through the fore of a raft, so that, should the ship founder, the crew would all be rescued from drowning at the time, and, should other circumstances be favorable, might all save their lives. This, we believe, is quite a modern improvement.

The Delaware, though rated as a twenty-four, carries 88 guns; of which, thirty-two are on her lower gun-deck, forty-two pounders; thirty-two on her upper gun-deck, thirty-two pounders; and the fore-deck, which is the deck, she carries the newly invented Paixhan gun, which differs little from others, save that this bore is larger and the gun consequently not so thick, and there is a more exact apparatus for depressing and elevating them; they are fired by percussion caps, and live in a mannerly

graduated brass scale by which to regulate the sights. The ball they fire is hollow, in fact a small sized bomb-shell, charged with powder only, and fired point-blank instead of at an angle, as bombs are fired from mortars. A shot which weighs upwards of fifty pounds, and contains a pound of gunpowder; the full charge to propel it is eight pounds, though less than that, and as low as five pounds, is sometimes used.

The dimensions of the ship are as follows:
Extreme length, over all, 205 feet.
Extreme beam 54.6.
Depth of the hold 21.
Length of the keel from post 162.
Cargo net's water line, 4,393.4 tons.
Height from lower edge of rabbit of keel to top of gun-deck 2.48.
Between lower and upper gun-decks 7.10.
Between upper gun-deck and spar-deck 7.6.
Between spar-deck and main-deck 6.104.
Her draught, all, at present is 2.56.

She carries two chain cables, and one of hemp, each of 120 fathoms in length; the former being stopped by a new patent, contrivance with a screw, called, the screw stopper. After the men had refreshed themselves by a good dinner, the drums beat to "general quarters," which signifies that the men are to man all the guns and prepare for action. No sooner was this order given than a cheer was raised, and the men were pulling away, and would be difficult for a landsman to conceive, and which once seen can never be forgotten. The whole crew seemed suddenly to have been seized with one universal madness; they ran about in all directions, as if a lighter hand was attached and bound to each man, from which he was vainly trying to escape. One had his arms and bosom full of pistols; another was carrying hatchets and boarding-pikes; another was running with a load of cutlasses; another had a rammer in his hand; another was pulling a round tow-bag off the sponge which was to sponge out the powder; some were taking off the aprons, or coverings, from the touch-holes; others were clearing out the touch-holes with small wires; others were handling the wadding, or heavy sponges which receive the recoil of the guns, others elevating and pointing the guns; the lights were extinguished; the magazine opened; cartridges were handed up; and more things done in a minute than can well be told in half an hour. The cheering, the hurrahs, the shouting, the officers delivering orders through their speaking trumpets; midshipmen passing about every where; not a voice heard but the voice of command; till, at length, after all these multiplied and seemingly confused movements, the order was given, "fire!" "fire!" was given; and then the mock engagement began in earnest. The heavy guns were discharged irregularly, at in very rapid succession, sometimes several at once, jarring the ship from stem to stern; the unwarlike, the useless commenced discharges of musketry on the spar-deck, in which they were accompanied by the sailors, each of whom had a short gun and a pistol, both of which they reloaded, firing away with all their might.

The effect of these merrimentous was truly astounding to look upon, and in the midst of it an officer went to the gangway with a large wooden rattler, which he plied vigorously for some moments, when, presently up came the men, in troops, treading on one another's heels in their haste, with boarding-pikes, axes, and broad short swords, with which they climbed the bulwarks as if expecting to meet an enemy endeavoring to scale their marine ramps and to take the ship by boarding. Those with the pikes and short swords went over the hammocks, as if to get a better footing; while those with the swords rushed to the top and there stood upon the hammocks, (which are closely stowed above the bulwarks), brandishing their bright broad blades, looking over as if to see their foes climbing the bulwarks from without. Surprised they all rushed in a crowd towards the bowsprit, sometimes to one side of the ship, sometimes to the other, as the orders of the officers resounded in the confusion; meanwhile, the thirty-two pounders were thundering away, and, as they continued, the men, who were their imaginary adversaries until, having sunk and destroyed them all, they were ordered to desert, and the drums beat a triumphant sound as if in celebration of the victory.

During this scene—a scene which no words can adequately describe—the visitors stood in astonishment, some having climbed up on the boats between the masts, others being mounted on the round house, and among them, to the astonishment of many, and to the disgust of others, a few were allowed to quail or faint, but seeming rather startled and excited by the sights and sounds around them, although the atmosphere was filled with smoke, and it was impossible to hear your own speak, and the deck trembled beneath their feet.

We had often heard and read of engagements at sea, but never did an adequate conception enter our mind of what must be the trial and contrivance, the errors and excitement of such a spectacle. It seemed pretty formidable even here, where there were none of those fearful adjuncts which there enhance the horrors of the scene. Here we were not the enemy, driving in the bulwarks and sending murderous projectiles in every direction, no falling of masts and spars; no gory wounds, and decks adrift with blood. Yet, from the excitement which was every where manifested in this short mock fight, as well by officers as men, by raw recruits, and even by frail and delicate women, we might be well imagined that where the fearful game is actually playing in earnest, every thing like fear vanishes in a moment, and all the real horrors of the scene are lost and overwhelmed in the absorbing anxiety for victory.

The battle over, we were called in an attack of a different kind. Both in the captain's cabin and in the ward-room tables were spread with a substantial cold collation of beef, lamb, tongues, fowls, &c. flanked by a plentiful supply of the juice of the grape; and with what the fatigues of the journey and with the terrors of the engagement, every body seemed in trim to do the amplest justice to the hospitality of the host. Kuvers and forks rattled almost as loudly as the broadsword and cut-throat had done a little before; and in a very short time the tables, if not the decks, were strewn with "dead men." No speeches were made, (unless very short ones, between chicken and champagne), but to witness the close of the entertainment the health of captain Mc-Cauley and the officers of the Delaware, was given by col. Washington, and drank with a unanimous and very brave expression of assent. Presently the toast was amended by including the crew, when an enthusiastic soldier cried out, "yes, by Jove, and the ship too!" The commander of the Delaware returned the compliment by toasting the members of congress, with a wish that "they might make liberal appropriations for the navy."—This ally produced a little piquant remark; which was yet further brightened by a rejoinder from Mr. Dean, expressing his confidence that "whenever the officers and crew of that ship met an enemy, they might do the same for them." The company then retired to the deck, to see the admirable band attached to the ship perform some of Boston's most admired airs in a style with which the composer himself would not have been dissatisfied. After this we had one more treat, in witnessing a number of our warlike gunnemen in raising and lowering the wide and heavy sails of the ship.

The closing hour was spent in general hilarity and enjoyment. Never, we believe, were more delighted faces collected in one glad group, within the same space, before. The company were delighted; the officers were delighted; the men seemed as well pleased as either; the ship rang with explosions of laughter and salutes of wit; and when the parting salute came, and the yards were again manned, there was not an individual who saw the smoke of the last gun curling and rolling majestically over the water, and heard the rich sound of the huzzas from yards and decks, who did not bring away with him a warmer heart toward our gallant navy, and the brave, well-armed and gallantly officers who will bear its flag untarnished over every sea and who, whenever he remembers or hears of the Delaware, will not associate with that name the remembrance of at least one happy day.

(National Intelligencer.)

THE ARMY.

From Florida. The troops made by the colonel commanding to give Wild Cat a ride on Harnett's rail road, had had the desired effect, and I am happy to inform you that 65 of his people are now at Tampa, making the whole number of houses now in it. It is the intention of col. Worth to send them, her safe keeping to the other side of the river. The red infantry take the field to-morrow in pursuit of Alcock Tuwestenngens. It is to be hoped that their persevering efforts may be crowned with success. The gentleman keeps shy since his sound thrashing by Genl. Alberts.

The troops at Fort King, Florida, continue very sickly, as well as those at other posts.

(Savannah Georgian, Aug. 10.)

The 2d regiment. The Buffalo Commercial says: The 2d artillery under the command of col. Banks, left this city, via the Erie canal, the seaboard, yesterday morning. The boats, fifteen in number, belonging to the Detroit and Troy and Erie lines, Messrs. Kingman & Co. and Col. Kimberly & Co. agents, had the contract.

The Detroit detachment are comfortably situated in the 2d's late quarters, at Poinsett barracks.

THE NAVY.

The U. S. schooner Grampus, Lieut. Paine, commanding, arrived at Boston on Saturday morning, from the Cape of Africa, via Ponce, P. R.

The frigate "Congress" was launched at Portsmouth navy yard on the 16th inst. She is said to be a splendid specimen of naval architecture. Great pains have been taken with her construction, and experienced artificers have expressed great admiration of her model and proportions. This ship, in fact, says the Boston Courier, designed to be a model frigate—and we have reason to believe that no little interest is felt by the navy board, and naval architects, to know what may be the result of some experiments tried in her construction.

The Norfolk Beacon says, that the French frigate L'Armida, of 46 guns, captain Loutat, bearing the broad pennant of admiral Arnoux, and brig L'Aurore, of 16 guns, captain Guenier, came up from Hampton roads on Sunday morning, and anchored off the naval hospital. The customary salutes were exchanged by those ships and the Pennsylvania, flagship of com. Shubrick.

The brig Hissin, of 20 guns, captain D'Auignille, is daily expected.

It is stated in the Philadelphia papers that orders have been given to prepare the frigate Haritan, which had been so long on the stocks at the navy yard Philadelphia, to be employed as one of the blockading squadrons.

The United States ship St. Louis, commander Forrest, sailed from Tahiti, March 7, for the Sandwich Islands. The officers and crew were well, except Lieut. Darlington, who was convalescent.

London Standard. The Boston Herald-American Journal publishes a letter from an officer attached to the East India squadron, dated Cape of Good Hope, April 22d. The squadron was about sailing from Saldanha bay, for the purpose of overhauling the Constellation's rigging.

Cape of Good Hope papers to the 11th of May, received at New York, mention that the U. S. ship Constellation and Boston were still at Saldanha bay.

The longest way round. The hon. Mark Kerr, a lieutenant in the British navy, says the Boston Mercantile Journal, arrived in the Sarah Parker, from Singapore, last week, and took passage in the Acadia, for Liverpool. He wishes to be in England as soon as possible on leaving Cape Horn, and though some English ships were about to sail to London direct, he preferred taking passage for Boston, as his quickest route. He will probably be in England 140 days after leaving Singapore.

GOV. MCNUTT'S LETTER.

We publish below, the correspondence between governor McNutt and the bond holders in Amsterdam, Messrs. Hoyle & Co. It will read with interest.

To the governor of the state of Mississippi:

The undersigned, as trustees for the holders of debentures of the Bank of the United States at Philadelphia, on deposit of American state stocks, and amongst others, of a considerable amount of bonds of the state of Mississippi, bearing five per cent. interest, issued through the Union Bank at Mississippi, and made payable to the agency of the United States bank of Pennsylvania, in London, the principal in 1850 and 1855, and the dividends semi-annual in May and November, having been refused payment of the interest due on the 1st of the month, on said bonds, are compelled to address themselves to the government of the state of Mississippi; and from their confidence in the faith of that government, they feel convinced, that the simple mention of the fact of the non-payment of such a debt stimulus for the government of the state of Mississippi to take immediate measures for the payment of the interest now due and which will further successively become due on those bonds, and to prevent the circulation of the currency, and to the interest of American credit in general, and to that of the state of Mississippi in particular.

HOPE & CO.

Amsterdam, 22d May, 1841.

Executive department, city of Jackson, July 18, 1841.

GENTLEMEN: I have received your letter, dated Amsterdam, 22d May, 1841, postmarked Washington city, June 21st, 1841, and bearing the official frank of the honorable Daniel Webster, secretary of state of the United States. I have duly considered the contents thereof. Those bonds were issued by the state of Mississippi, in conformity with the laws of that state—they were delivered by me as removed, to be sold at not less than their par value, and for cash, as the statute of this state required. The charter of the Mississippi Union bank prescribes not only the substance, but the form of the

bonds; and provides that they shall be in the sum of two thousand dollars each—“which sum, the said state of Mississippi promises to pay in current money of the United States,” to the order of the bank, with interest at the rate of five per cent. per annum, payable half yearly at the place named in the endorsement of the bonds. The act further provides, that “said bonds shall not be sold under their par value.” The bonds have been delivered to the managers of the bank to be sold on certain conditions, the state cannot be bound for their redemption, unless the terms prescribed were complied with in the sale. The constitution of this state expressly provides, that “no law shall ever be passed to raise a loan of money upon the credit of the state, or to pledge the faith of the state for the payment or redemption of any loan or debt, unless such law be proposed in the senate or house of representatives, and be agreed to by a majority of the members of each house and entered on their journals, with the yeas and nays taken thereon, and be referred to the next succeeding legislature and published for three months previous to the next regular election, in three naves per cent. of this state, and unless a majority of each branch of the legislature so elected after such publication, shall agree to and pass such law; and in such case, the yeas and nays shall be taken and entered on the journals of each house of the state of Mississippi, and this section shall be so construed as to prevent the legislature from negotiating a further loan of one and a half millions of dollars, and vesting the same in stock reserved to the state by the charter of the Planters' Bank of the state of Mississippi.”

Five millions of state bonds, dated the 5th, 6th, 7th, 8th and 9th days of June, 1838, were sold by the commissioners appointed by the Mississippi Union bank, to N. Bidde, esq. on the 15th day of Aug., 1838, at five millions of dollars, and the sum of one million dollars each, on the first day of November, one thousand eight hundred and thirty-eight, and on the first days of January, March, May, and July, in the year one thousand eight hundred and thirty-nine, and made payable at the agency of the bank of the U. S. at London, in sterling money of Great Britain, at the rate of four shillings and sixpence to the dollar, with interest payable semi-annually, at the same place and rate. No authority is ever given by an act of congress, or by the constitution, to change the currency in which said bonds were made payable. By selling the bonds on a credit, and changing them from dollars, current money of the United States, to pounds sterling of Great Britain, the following suits were

Interest on five millions state bonds, from 7th June, 1839, to 1st November 1838.	\$190,000 00
Interest on four millions 2 months	\$3,353 38
Interest on three millions 2 months	24,999 90
Interest on two millions 2 months	16,666 64
Interest on one million 2 months	8,333 32
	\$184,353 90
Difference between five millions dollars, principal of state bonds, in current money of the United States and sterling money of Great Britain, at four shillings and sixpence to the dollar.	478,730 00
Difference of interest on \$123,000 of state bonds, payable in twelve years, between current money of the United States and pounds sterling of Great Britain, at four shillings and sixpence to the dollar.	59,625 00
Difference of interest on \$3,750,000 of state bonds, payable in twenty years, between current money of the United States and pounds sterling of Great Britain, at four shillings and sixpence to the dollar.	353,028 00
	\$1,084,781 50

From the above statement, it will be perceived that one hundred and eighty-three thousand three hundred and thirty-eight dollars and thirty cents, were lost by selling the five millions dollars of bonds on a credit and paying interest thereon from their respective dates; and the further sum of nine hundred and one thousand three hundred and forty-three dollars, were lost by changing the bonds from dollars, current money of the United States, to pounds sterling of Great Britain. These two sums amount to the enormous sum of one million eight hundred and seven hundred and eighty-one dollars and thirty cents. Surely, such a sale cannot be binding on the state of Mississippi. The faith of this state was pledged for the payment of those bonds

for carrying into execution any of the powers granted by the constitution, to establish an office or offices in any of the states whatever, and the establishment thereof shall be directed by law, it shall be the duty of the said directors to establish such office or offices accordingly."

It will be seen that by this clause the directors are invested with the fullest power to establish a branch in any State which has yielded its assent;—and having once established such branch, it shall not afterwards be withdrawn, except by order of congress. The assent of the State is given by the force and sanction of an actually expressed assent, “provided in respect to any state which shall not at the first session of the legislature thereof, held after the passage of this act, by resolution or otherwise, *expressly* protest against such assent, or dissent to the establishment of such office or offices within it, such assent: of said state shall be thereafter presumed.” The assent or dissent to be expressed *unconditionally at the first session of the legislature by some formal legislative act*; and if no such act be passed, the assent or dissent of the directors are thereupon invested with power, at such time thereafter as they may please, to establish branches which cannot afterwards be withdrawn, except by resolution of congress. No matter what may be the grounds of protest, or of dissent by the legislature, which either prevents, or induces delay, addresses itself to their wisdom, to induce delay, its assent is to be implied. This iron rule is to give way to no circumstances—it is unbending and inflexible. It is the language of the master to the slave, and the slave is to obey. It is the language of the victor to the vanquished, and delay, postponement, or inequality to answer, produces an implied assent which is ever after irrevocable. Many of the state elections have already taken place, without any knowledge, on the part of the directors, of the result; the question was to come up. The representatives are to be sworn to the omission of the question to their constituents preparatory to final action upon it, but this high privilege is denied; whatever may be the motives and views entertained by the representatives of the people to the contrary, they are to be bound to assent, and never afterwards binding, unless their dissent shall be unconditionally expressed at their first session after the passage of this bill into a law. They may, by formal resolution, declare the question of assent or dissent to be not now and postponed; and yet, in opposition to their express declaration, and against their assent is to be implied. Cases unnumberable might be cited to manifest the irrationality of such an inference. Let one or two in addition suffice. The popular branch of the legislature may express its dissent, and yet the assent of the senate resolution may be defeated by a tie vote of the senate, and yet the assent is to be implied. Both branches of the legislature may concur in a resolution of decided dissent, and yet the governor may concur in the same, and yet the assent by the state constitution, and their legislative action be implied; and yet the assent of the legislative authority is implied, and the directors of this contemplated institution are authorized to establish a branch or branches in such state whenever they may find it to be in the best interest of the cause of the slave; and having once established it, they can under no circumstances withdraw it, except by act of congress. The state may afterwards protest against such unjust inference, but its authority is gone. It is no longer a State, it is a mere territory to act at its first session, and its voice can no longer be heard. To inferences so violent, and, as they seem to me, irrational, I cannot yield my consent. No court of justice would or could sanction them, without reserving all that is established in judicial proceedings, and all that is established in fact, with fact, and inferences at the expense of reason. A state in a condition of duress would be presumed to speak, as an individual, manacled and in prison, might be presumed to be in a condition of freedom. A man in a condition of duress would be presumed to consent, as an individual, manacled and in prison, might be presumed to be in a condition of freedom. A man in a condition of duress would be presumed to consent, as an individual, manacled and in prison, might be presumed to be in a condition of freedom. A man in a condition of duress would be presumed to consent, as an individual, manacled and in prison, might be presumed to be in a condition of freedom.

may be said that the directors have no established authority to make such a determination. But this is a question of power, and this bill invests them with full authority to do so. If the legislature of New York or Massachusetts, or any other state, should be asked to pass a law in such a case, it would be difficult to see how any security furnished against such a step on the part of the directors? Nay, it is not fairly to be presumed that this proviso was introduced for the sole purpose of meeting the contention that the directors had no authority to do so. It was introduced? And I submit to the senate, whether it can be believed that any state would be likely to resist quietly down under such a state of things? It is a great measure of public interest their patriotism and their conscientiousness would not permit them to pass from circumstances at war with such infer-

once, I cannot but regard as calculated to excite a feeling of fatal enmity with the peace and harmony of the country. I must, therefore, regard this clause as asserting the power to be in congress to establish offices of discount in a state, not only without its assent, but against its dissent; and so it is, in fact, an assumption of the right of the principles, the right in congress to prescribe terms to any state, implies a superiority of power and control, deprives the transaction of all pretence to compact between them, and terminates, as we have seen, in the total abrogation of freedom of action on the part of the state. I therefore further express, after the most solemn form of legislation, the dissent, which may from time to time hereafter be repeated, in full view of its own interest, which can never be separated from the wise and beneficent operation of this government; and yet congress may, in the exercise of its power, and upon grounds which, to such state, will appear to rest on a constructive necessity and propriety and nothing more. I regard the bill as asserting for congress the right to incorporate a United States bank with power and right to establish offices of discount in any state, whether with or without the assent of the state, with or without their consent; a principle to which I have always heretofore been opposed, and which can never obtain my sanction. And waving all other considerations growing out of its other provisions, I return it to the house in which it originated,

JOHN TYLER

Washington, August 16, 1841.

THE VETO MESSAGE

The following extracts will furnish specimens of the language of the public press, upon the president's veto message.

From the *Madisonian*, August 17.

The veto message. This day is the beginning of a new year in the publication of this paper, and it is also an epoch in the history of this republic.—Precisely four years ago, we entered this political metropolis of the union, and vowed upon the altar of patriotism that our energies should be devoted to the resistance of the sub-treasury and to the restoration of the currency to a sound and stable and popular basis. The system we opposed has been tried and condemned by the people and by congress, and the act repealing it, on Saturday last, received the sanction of the president. Having thus far fulfilled our pledges, we, this morning of our entering upon a fifth volume, take a fresh, though not a new, departure, and dedicate our organ to a document, which, we trust to be the introduction to a new and better order of things.

No deducting reader of this paper will be surprised to see in its columns to-day, A VETO, by president TYLER, of the bill to incorporate a national bank. No one, who knows his character or the history of his opinions, could possibly have anticipated a different result as the result of his deliberate action. The bill was not a measure which he knows that there is no will to show one recorded line of ours in favor of such an institution, can be surprised by the readiness, we avow, to sustain to the extent of our ability, the act of the president.—We have the less hesitation in doing so, for the reason of our profound conviction from the beginning that the bill was a measure which would not pass, and for the fact of our sincere belief, as it is our earnest desire, that a great and glorious good may ultimately come out of it in the attainment by some other mode, of the ends of the government and the wants of the people, and the final adjustment of this vexed question upon a perfectly constitutional basis, that will be likely to avoid those broilers, before the fluctuations of trade and the arrival of a party.

It has doubtless been to the president's painful duty to differ with many of his friends, and especially so to the extent of feeling constrained to put his negative upon an important, and, with many, a long and deeply cherished act, of those who contributed to the progress of the country. It is gratifying to find in the record to the fact that an act of Providence and the choice of the people placed Mr. TYLER at the head of the government, with all his long cherished, matured and well known principles and opinions still upon his conscience, they will find in their hearts no honest disposition to censure, however they may differ with him. If the president is in no reasonable sacrifice, we are sure, he would not have made, to meet all the just expectations of his friends, compatible with his duty to his country and the constitution. He has rededicated upon the subject with the deepest anxiety, and with the most sincere desire to settle a question which has so long and so deeply divided the people. He has been guided by the wisdom of courtesy, he yet has been

unable to bring his mind to a concurrence with the principles of the measure they presented for his signature. He has diligently discharged his duty, according to his oath and his conscience, and the bill is returned with his objections, frankly, clearly and firmly stated. It remains for congress and the country to pass judgment upon the act, and we devoutly hope they may bring to its consideration a heart and mind, as candid, as kind, as dispassionate and as conscientious, as has been exercised by him.

The president's objections are confined principally to three points, viz:

1. The unconstitutionality of the bill;
2. The impracticability of the 16th fundamental article of the 11th section;
3. The absence of all necessity of a federal bank to make local loans, as a means of transacting the fiscal business of the government.

The first point he deems it unnecessary to argue. It is a matter of faith and of profound conviction, long entertained, and every where proclaimed by him in every form of expression.

The second point he argues very forcibly, and makes it sufficiently apparent that the so-called "compromised" section is an evasion, not a concession, and that while it at first appears to yield a point, subsequently fully asserts its power to establish branches without the unqualified assent of the states, the lawful existence of which he denies. He also intimates that it would bring the states and the federal government into direct conflict, putting the peace of the union to peril. He shows that it is otherwise impracticable, and at war with reason and justice.

Another point, relating to the discounting power, is especially worthy the attention of statesmen and of the people. There is no man better acquainted with the corrupting tendency of local loans from a federal corporation than Mr. TYLER, as his report of 1854 will clearly show. It is in this cause more especially, than any other, that the corruptions and the abuses of the banking system of the country had been attributable. The enormous discounts of the late bank to favorite preceptors, politicians and legislators, and their evil effects, are not forgotten, and the fate of the Pennsylvania Bank of the United States perpetuated the example to the last. These evils are not necessary, and ought, if possible, to be avoided. The discounting of the currency is not necessary for the regulation of commerce or the currency.—The only possible pretext for it is, that it is a source of profit, when judiciously used, to the bank. But it is frequently the cause of its bankruptcy. Government need not be necessarily subject to the injurious and fluctuating effects of such a cause. It wants, and it must want, more than any thing else, a STABLE SYSTEM.

A federal institution, established with reference to the finances, can properly have but three objects:

1. To facilitate the collection, safe-keeping and disbursement of the public revenues.

3. Incidentally to facilitate commerce, by cheapening and equalizing the exchanges of the country.

It, therefore, the deliberations of the future shall lead to the establishment of an institution free from constitutional objections, and upon principles which shall fulfil the wants of the government and the people, and be at the same time stable and enduring, the problem will be solved, and the country will be at rest.

From the National Intelligencer of same date.

The veto. The suspense in which both city and country has been kept for some days as to the fate of the bank bill, which passed both houses of congress more than a week ago, is at last ended. The president yesterday returned it to the senate, in which branch it originated, with his objections. A copy of the message containing them will be found in the preceding column.

We regret exceedingly that such should have been the fate of the bank bill: not that we had any partiality for its particular form or structure, or had much confidence in its winning the necessary confidence of capitalists. But we approved the principle of the bill, and calculated upon amendments being made to it by a supplementary act which would have obviated the principal objections to it.

We confess ourselves also to be disappointed by this result. We had supposed the measure of a national bank to be as clearly indicated, by the popular enfranchisement in November last, as the repeal of the sub-treasury, or any other whig principle supposed to be sanctioned by that vote.

We knew, it is true, that the president had, in times past, in both branches of congress, by his speeches and votes, declared his personal conviction of the unconstitutionality of a national bank. But we flattered ourselves that he would draw the dis-

tion, which we thought we perceived, between the legislative and the executive character, which would allow of his signing an act in the one capacity which he would vote against in the other. Our impression, in this particular, was strengthened by a passage in his address to the people of the United States, which construed into an intimation that he would follow the example of Mr. Madison, and consider the power to establish a bank as settled by adjudication and acquiescence.

We therefore felt justified in predicting to our readers, with some confidence, that we should have a bank. For the moment, at least, that prediction has signally failed of accomplishment. The president has refused to sign the law for reasons which we feel bound to respect. The freedom of conscience is with us too sacred to be profaned; and we cannot deny to the president the privilege which we shall always claim for ourselves.

What is now to be done? is the question which naturally presents itself.

We are not of the temper of those who, after experiencing a disappointment in one thing, would fold our arms and attempt nothing more. "The plough goes on after a barren year; and, while the sheaves are yet warm, we take a new lesson upon the ruins of a former." Such is the course which, if our counsels could weigh with our friends in congress, would now prevail. There are among them, we know, proud hearts and exulting spirits, who might on the impulse of the moment, decide upon a different course. Of such, we would ask, what good can be expected from vehemence and outbreak? So far from effecting any good, such a course would weaken, disunite, and finally pervert the power of the whig party. Let us with the best hopes of the country. Shall such a catastrophe as this be allowed to follow the veto? Would such be the suitable remedy for the pain of the moment?

The bank, or fiscal agent, is a question of great interest; it is true; but there are questions of greater importance than that depending in congress, which the people confidently expect the whigs to carry out, and to which there is no doubt of the cordial co-operation of the president. He is not less convinced, we feel assured, that the whigs in congress, that nothing else can restore the prosperity of the country. We may gather, indeed, from the veto message itself, that the president is now ready to sanction a bank, such as, though short of what we should prefer, shall adapt itself to essential wants of the country.

We trust, therefore, that calmness, consideration and patriotism will be the prevailing spirit of the occasion, and that congress will not only carry out all its other great measures, but will also make a further trial for a bank, at this session. Possibly that object may not be accomplished till the next session, but it seems to us to be worth a trial. The course of representatives has shown how much important work may be done by the whigs, when men are both resolved and firm. Where there is a will there is a way. There is nothing so difficult, (not being impossible), that stout hearts and willing hands cannot accomplish it.

Let union and concordance, then, animate the whig party. Above all, let not the miscarriage of a single measure defeat the high raised hopes of the country in regard to others.

From the *Washington Globe*, August 16.
The veto. The public mind has been led to a national bank will be relieved by the president's message delivered to the senate to-day, and now presented in our columns. We think that it decides the question of a bank in any form for the present presidential term, and that the whig party, if constitution may celebrate this veto as they did that of general Jackson, as a great deliverance from that fatal system of corruption which, in the course of time, could not fail to make dollars, and not votes, sovereign to the country.

The message, it will be seen, confines the functions of any fiscal agent which may be established, to the legitimate purposes for which alone congress has a right to provide in connection with the treasury—for the collecting, safe-keeping and disbursing the public revenue. The president speaks a volume in this—I will say that in looking to the powers of the government to collect, safely keep and disburse the public revenue, and incidentally to regulate commerce and exchanges, we have been able to satisfy myself that the establishment by this government of a bank of discount in the ordinary acceptance of that term, was a necessary means, or one demanded by propriety to execute these powers. We understand that the regulation of commerce and exchanges, by the operations of the treasury, as meaning only that which necessarily follows the action of the government in performing the indispensable duty of the treasury department in relation to the revenue, which ought, in every

way, to be accommodated to all the public interests in every point on which it touches them. The message evidently would confine the faculties of the fiscal agent of the government to the direct objects of the department of the government of which it formed a part, and would not confer on it any additional substantive power to regulate commerce and exchanges, but would make the government agency, employed in its own specific duty, operate as advantageously as possible on some interest of the community not intimately allied with it, viz: the commerce and exchanges of the union.

In this the president directly reverses the federal scheme. A national bank of discount has for its principal object the creation and safe keeping of a national currency, by which it would supersede the currency of the constitution. And instead of making the collecting, safe-keeping and disbursing the public revenue the main scope of its action, the raising of revenue for its stockholders out of the public revenues as well as its own capital, would, (apart from politics), be its great function. The collecting, safe-keeping and disbursing of public money would be a mere incident, or rather a mere means out of which it would operate and disburse its principal object to the public. In a word, in making a national bank to do the simple business of counting in and counting out the public money, and then surrendering to it the power of taxation, the faculty of lending, and the privilege of discounting, the president would have nation in effect surrender its sovereignty to have a very trivial function performed for it—and that taken out of the hands of an ordinary individual agent, every where found in all ages and all countries perfectly competent to it. Federalism failed, we saw that extravagance in this, as in other things—it kills an ox or makes suicide for a pig.

There is another great point gained in the scope to which president Tyler limits any fiscal agency which may be established by congress, in the execution of legitimate government functions. He destroys the possibility of perpetuating any system which may be adopted by congress under the pretext of "vested rights." When an agency is employed merely to collect, keep and disburse the public money, it cannot be pretended that congress cannot change, modify or repeal at pleasure such fiscal machine, as circumstances may vary, and experience prove to be necessary. We shall hear no more of the sacredness of the government, or of the government, being contracted away to a corporation, and bound to submit to the abuses of such "chartered libertine," for twenty, or thirty, or fifty years, as those in power for the time being may choose to better it, for the one or the other of these terms.

Besides the political blessing, this veto brings with it a moral, which we hope is pregnant with blessings for the future. It punishes those the most atrocious fraud ever attempted upon a nation. Gen. Tyler, who has been so long and so loudly the didates of the bank party, because they were the solemnly pledged opponents of a national bank on constitutional grounds. They were known to be so to the whole federal party, and were so presented, for the votes of those opposed the establishment of a bank, and when they had attained power in part by the suffrages of those opposed to a bank, it is made manifest by Mr. Clay's bill, that the whole representative body of federalism in congress, had been guilty of a conspiracy to bring to the chief magistrate to violate his conscience, his pledges—his oath—to establish an institution, against which he was committed from his first appearance in public life, to his last as a candidate for the second office of the government. The whig party have labored, might and main, to make the man who has been labored to confer the highest dignity, stand forth before the people and all future generations, not as other men who have attained its first honor of the republic—not as a president—but as an impostor.

The federal representatives in congress, and their leader, (Mr. Clay), have nothing to plead in retaliation of the shocking sacrifice they would make of Mr. Tyler as a man and a public functionary, or to cover the depraved motives which prompted to pursue such purpose. They not only knew what Mr. Tyler's opinions were before he was elected, but since. In his first message, he not only intimated his own, but proclaimed that the opinions of the people had been again and again declared against a bank—and yet they have pressed upon him and demanded his consent to the establishment of a national bank in the most odious and objectionable form ever fashioned in this or any other country. They have acknowledged the error of their course, for this act of deliverance. If he maintains his position firmly, he will ever be acknowledged a public benefactor. We care not what he has for a fiscal agent, or whether he has any fiscal agent; so that, if

whenever management is instituted, it is conferred in his powers simply to the business of the treasury; and no pretext given to place it beyond the reach of the people, under the abused principle of vested rights or contracts. We hold that the rights of the people and the government cannot be contracted away—but for the peace of the country we rejoice that the president excludes, as we understand his veto, the possibility of its application, as formerly, to any system of management of the finances which may be suitably, by extension, to all the public connection or partnership with the public agency, and holding it strictly and simply to the discharge of a public trust.

From the *Baltimore Republican* of Aug. 17.

VIVE LE REPUBLICAIN! Never has taken pen in hand with more sincere pleasure and delight than now, when we are enabled to announce to our readers the truly gratifying intelligence that the president of the United States, rising above the influence of party feeling, has done his duty to his long-cherished principles and his country, and placed his VETO UPON THE MONEY MONSTER, which had been conceived and brought forth in corruption. This act of president Tyler entitles him to the warmest thanks of every well-wisher of his country, and will place his name among the bright galaxy of patriots to live in grateful remembrance, when the names of those who would have used him for their sinister purposes, will be only referred to as the names of traitors. We give him credit for this manly act; and hope, now that he has struck the blow which is to sever him from the corruptionists, that he will follow it up until the other obnoxious schemes of whiggery are, with this president, forever buried in the past. We shall never again to raise their hideous heads to our happy country. This first blow has been a powerful one; let him not falter or fall back, but be firm and determined, and all will be well for the country, and the people.

President Tyler could not have done otherwise than place his veto upon the bill, without having justified his whole political life, and stood before the world a monument of political inconsistency and bad public character. He has shown himself in the first, and has thereby saved the latter, and we freely accord to him the merit which is justly his due.

From the *Baltimore American* of Aug. 18.

THE VETO MESSAGE. Our readers have read this document before, and we give this morning the views of the several journals at the seat of government. We cannot pretend to disguise the feelings of regret and disappointment with which this exercise of his constitutional duty, the president of the United States has seen fit to stand out against the expressed voice of the two houses of congress, thereby producing an unpleasant disagreement between the executive and legislative branches of the government. We would use no words of reproach, nor cast any imputation upon motives. The president has exercised nothing more than a constitutional right; and he has done this, no doubt, under the imperative sense of conscientious obligations. It is the difficulty that we regret—the difficulty produced by the variant constructions of the constitution on the part of congress and the executive.

In this state of things the question arises—What course will be pursued by congress now for the indulgence of an exaggerated feeling, and violent denunciations that can do no good. Disappointment, deep and heartfelt, is experienced by the whig party, at large, and at the first blush the impulse of indignation is to give way to warm expressions indicating a sense of gross wrong, and a sense of trust betrayed, and of privilege abused. But there is, we trust, a strong principle of patriotism in the American people, which will come to the aid of civil reflection, in the present case, inducing charity of feeling in the exercise of judgment. Let us take realities as they are and deal with facts to the best advantage that circumstances will admit of.—There is between congress and the executive a difference of opinion on one subject. But there are other subjects upon which the government can act in harmony. At all events, let it be presumed so until the contrary is shown.

We are free to confess that we can discover, in the veto message, no ground broad and substantial enough to afford a basis for a national bank. And if a willingness for conciliation shall appear at the seat of government, laid no violent action on either part be permitted to widen the difference. If no agreement can be had—what then? Why let the question be acknowledged by the president, and let an opportunity to declare their will again. If the necessity for a national bank is not apparent now, we believe that the experience of two years more will add arguments enough to remove the objections

On this ground of inequality, he should not vote for the bill, without the amendments were adopted.

The debate was then further continued between Messrs. *Sevier, Walker, Clay, Buchanan and Sturgeon*; when the question was taken on the amendment, and decided in the negative, as follows:

YEAS—Messrs. Archer, Buchanan, Calhoun, Caldwell, Richardson, Fane, Sturgeon, Tappan, Williams, Woodbury, Wright—11.

NAYS—Messrs. Harrow, Bates, Bayard, Benton, Berrien, Choate, Clay, of Indiana, Clay, of Kentucky, Clayton, Dixon, Evans, Fulton, Graham, Henderson, Huntington, Kerr, King, Linn, McKelister, Mangum, Merrill, Miller, Morehead, Norton, Forster, Prentiss, Rice, Sevier, Simmons, Smith, of Indiana, Southard, Tallmadge, Walker, White, Young—38.

Another amendment, offered by Mr. *Sturgeon*, not distinctly heard, was lost without a division.

Mr. *Archer* moved to amend the bill by striking from the 8th section that clause which renders the disposition of the funds obligatory for roads, bridges, canals, &c. which, when made, were to be made free for the use of the United States in transporting the mail, munitions of war, &c.

The proposition led to a long debate, in which Messrs. *White, Smith, of Indiana, Clay, Huntington, Benton and Sevier* participated.

On motion of Mr. *Mangum*, the senate adjourned.

August 13. Mr. *Calhoun* presented the proceedings of a meeting held in Petersburg, and that in Virginia, in relation to the proceedings of the extra session, denouncing the bank as unconstitutional, and contending for the power of repeal. Laid on the table, and ordered to be printed.

Mr. *Smith, of Indiana*, from the committee on the public lands, reported the bill from the house for extending the time of locating military bounty land warrants, without amendment.

Mr. *Merrick*, from the committee on the District of Columbia, reported the bill from the house relating to the amendment of the charter of Georgetown.

The joint resolution offered by Mr. *Huntington*, for the transfer of the light-house at Sandy Hook, to the United States, in Long Island, and that at Parliett's Reef to Executive Rocks, was read a third time and passed.

The senate then proceeded to the consideration of the orders of the day, being the bill for the extension of the proceeds of the sale of the public lands; the amendment of Mr. *Archer* pending, viz: to strike out from the 8th section the clause making it obligatory to apply the proceeds to purposes of internal improvement.

Mr. *Clay, of Ala.* offered some observations against the amendment.

When the question was taken, and decided in the negative.

Mr. *McKeberts* then moved to amend the bill by inserting a provision granting to the states of Illinois, Indiana, Michigan, Arkansas, Louisiana, Mississippi and Alabama a quantity of land, which, together with that already received, exclusive of the 16th section for school purposes, should be equal to that granted to Ohio.

Mr. *McR.* spoke in favor of this amendment until he was quite exhausted and had to sit down.

Mr. *Smith, of Indiana*, remarked somewhat at large in reply to Mr. *McKeberts*.

Mr. *Clay, of Alabama* was satisfied that the amendment should have been resisted any where; least of all did he expect resistance to come from a senator from a new state. Mr. *C.* had never complained that Ohio had received too much, but that the new states had received too little, and the object of the amendment was to place all on a proper footing of equality.

Mr. *Calhoun* would vote for the amendment. If the bill was to pass, it would be right and proper. If it were presented as an alternative, to give the lands to the new states or distribute the proceeds among the states, he would yield up every acre to the new states, and think he did right.

The debate was further continued by Messrs. *Young, Clay, of Alabama, Walker, Smith, of Indiana, and others*, when a modification of the amendment was suggested by Mr. *Benton*, to the effect that "no grant be made to each of such states as may hereafter become members of the federal union; which was adopted."

Messrs. *Benton, Porter and Woodbridge* severally addressed the senate at some length, when the question was taken on the amendment of Mr. *McKeberts*, as modified, and decided in the negative, as follows:

YEAS—Messrs. Allen, Barrow, Benton, Calhoun, Clay, of Alabama, Fulton, Henderson, Kerr, Linn, McKelister, Moulton, Porter, Rice, Sevier, Simmons, Tallmadge, Tappan, Walker, White, Woodbridge—19.

NAYS—Messrs. Archer, Bates, Bayard, Berrien, Buchanan, Clay, of Kentucky, Clayton, Caldwell, Dixon, Evans, Graham, Huntington, Kerr, Man-

gum, Merrick, Miller, Morehead, Phelps, Prentiss, Simmons, Smith, of Indiana, Southard, Sturgeon, Wright—25.

Mr. *Walker* moved to add an additional section, providing that the public lands now remaining unsold in Tennessee are hereby ceded to said state; and when each of the other states shall have been as long in the union as Tennessee has been, the public lands remaining unsold in their borders shall be ceded to them, from time to time, respectively; provided that this shall only operate as a relinquishment of such property on the part of the United States, reserving all sites of forts, armaments, &c. that have been selected by congress.

This was debated by Messrs. *Smith, of Indiana, Kerr, King, White and Archer*, which latter gentleman suggested a modification, which was accepted, to insert a provision that the lands of Tennessee should be subject to the claims of South Carolina and Georgia against them.

The amendment was then rejected by the following vote:

YEAS—Messrs. Allen, Benton, Clay, of Alabama, Fulton, King, Linn, McKelister, Moulton, Nicholson, Sevier, Simmons, Walker, Woodbridge—19.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Buchanan, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrill, Miller, Morehead, Porter, Prentiss, Rice, Simmons, Smith, of Indiana, Southard, Sturgeon, Tallmadge, White, Williams—25.

Mr. *Clay, of Alabama*, offered an amendment, to strike from the 10th section, the provision excluding all from pre-emption rights under this act, who may heretofore have had the benefit of pre-emption under any other act.

After brief remarks by Messrs. *Clay, of Alabama, Smith, of Indiana, and Benton*, this was adopted—yeas 22, nays 20.

Mr. *Sevier* moved that when the senate adjourns, they adjourn to Monday next.

Mr. *Berrien* hoped the motion would not prevail. They had long been here, and hoped soon to bring the session to a close. And independently of the ordinary duties of legislation, the senate had much peculiar business before it, which it could not consistently postpone till next session. The house were many days in advance of them.

Mr. *Sevier* had moved the adjournment with a view to visiting the ship Delaware, at Annapolis; for which the other house had adjourned to Monday. They would not, however, vote against the adjournment. They had long been here, and he wished to complete their business and return. He had expected the senator from Kentucky (Mr. *Clay*) would, before this, have brought in a resolution for adjournment by Monday week. He (Mr. *B.*) thought they could adjourn before that, and was now in favor of the despatch of business. He hoped the senator would not press the motion.

Mr. *Sevier* then withdrew this motion, and the senate adjourned till Monday next.

August 14. The bill from the house, to extend the time of issuing the Virginia military land warrants, was read a third time and passed.

The bill to provide for the distribution of the sixth census was read a third time and passed. The bill submitted a resolution calling on the postmaster general for information, at the present or next session, as to the number of new post routes created in Missouri since the 4th of March, the modes in which the mail is transported, and the number of horses and mules continuously.

The resolution submitted by Mr. *Smith, of Indiana*, in relation to the providing by law, at the present session, to enable the postmaster general to liquidate the dues from the post office to the contractors was taken up and passed.

Mr. *Sevier* introduced a resolution calling on the postmaster general for information as to any changes in the mail routes to the state of Arkansas, since the 4th of March last, the modes of conveyance, and whether daily, tri-weekly or weekly.

Mr. *Henderson* also introduced a resolution in relation to mail routes.

The resolution submitted by Mr. *Clay, of Ala.* without any reply to the causes why the resolution submitted by him at the last session, calling for the issues made of script connected with Virginia military land warrants, had not been answered, was taken up.

After some remarks by Messrs. *Clay, of Ky. Clay, of Ala. Berrien, Smith, of Indiana, King and Woodbury*, Mr. *Clay* modified his resolution by erasing the words "without delay," and it was adopted.

Mr. *Sevier* said the hour had arrived for proceeding to the consideration of the orders of the day.

Mr. *Smith, of Indiana*, said he would not call up the bill. There had been an understanding among the senators who had gone to Annapolis that the bill

should not be taken up in their absence, to which he had yielded a reluctant assent. Under these circumstances, he would rather it be postponed till Monday.

Mr. *Sevier* insisted upon the orders of the day—Yesterday, when he moved to adjourn over, it was objected to on the other side, and he withdrew the motion; and, whilst he had remained to attend to his business, he found, on coming here this morning, that the most of them had gone.

Mr. *Calhoun* moved to adjourn; but this motion was lost.

After some further remarks from Messrs. *Sevier, Kerr, Smith, of Inda. Archer, Mangum, and others*, Mr. *Henderson* moved to postpone the orders of the day for the purpose of taking up a resolution which he had submitted.

Mr. *Sevier* asked the yeas and nays, and said he should resist it if he stood alone.

And the question having been taken, it was decided in the affirmative, as follows:

YEAS—Messrs. Archer, Bayard, Benton, Buchanan, Calhoun, Clay, of Alabama, Clayton, Graham, Henderson, Huntington, King, Linn, Mangum, Miller, Morehead, Nicholson, Porter, Prentiss, Rice, Smith, of Ind. Southard, Tallmadge, Tappan, Woodbridge, Woodbury—25.

NAYS—Messrs. Berrien, Clay, of Kentucky, Dixon, Fane, Nicholson, Parce, Rivers, Sevier, Sturgeon, Walker—10.

On motion of Mr. *Huntington*, the senate proceeded to the consideration of executive business; and, after a short session, adjourned till Monday.

Aug. 15. Mr. *Clay* presented the proceedings and resolutions of a highly respectable meeting of citizens of Buckingham county, Virginia, declaring the constitutionality of a national bank, and expressing an opinion with that it be established at this extra session; against the sub treasury, and desiring its repeal. Mr. *C.* said he was very happy the latter part of their wish had been complied with, and he hoped—although he must confess it was against opinion—that their other desire would be fulfilled, and that a bank would be established this session. The meeting also approved of the measures of this session, the distribution bill and bankrupt law, and denounced, in the high character of Virginia faith, the repeal of the bill of the repeal of the act, as violating the sacredness of contracts and honor of the country. On his motion the proceedings were laid on the table, and ordered to be printed.

Mr. *Hend.* had presented memorials from five or six importing houses engaged in the business of jewelry, watches, &c. representing that an increased duty on those articles would lessen the revenue, owing to the facility with which they are smuggled. They say that 5 per cent. would add more to the revenue than the 20 per cent. contemplated. Laid on the table and order to be printed.

The resolution submitted some days since by Mr. *Linn*, requesting the president of the United States to give notice to the British government, under the convention of 1827, for the permanent occupation of Oregon, &c. was taken up; and, after some remarks from Messrs. *Linn and Prentiss*, it was passed over informally.

The senate then proceeded to the order of the day, being the bill to distribute the proceeds of the public lands among the states.

Mr. *Clay, of Alabama*, moved an amendment to the bill, which provided that there should be, at the time of the distribution, a surplus of a surplus equal to the amount of said net proceeds, after meeting and satisfying all demands against the U. States for current expenses and appropriations, and the necessary provision for the payment of any portion of the public debt.

On this amendment a debate ensued, in which Messrs. *Smith, of Indiana, Benton and Clay, of Ala.* participated.

The president's secretary, Mr. John Tyler, Jr. now appeared, having made his way with some difficulty through a crowd which surrounded the door of the senate chamber, and delivered a message from the president, returning the bill for the charter of a fiscal bank, with his objections thereto.

The further consideration of the land distribution bill was thereupon informally passed over, to be resumed to-morrow; and the message was read at the secretary's table.

At the close of the reading of the message there was a slight expression of applause in the gentleman's gallery, by striking on the floor with canes which was hastily followed by one or two rather faint lights.

Several venturers rose simultaneously, and a voice was heard loudly demanding that the galleries be cleared.

Mr. *Benton* rose at the same time, apparently under great excitement, and stated that these had been since in the gallery.

Another amendment, offered by Mr. Clay, of Ala. also unimportant in itself, was adopted.

Mr. Benton then offered an amendment to strike out "10 per cent. to the new states," and insert "12 1/2."

On this proposition a debate ensued, in which Messrs. Clay, of Alabama, Smith, of Indiana, Henderson, Woodbridge, White, Walker and others participated. No question was taken.

And the senate then adjourned.

August 18. The chair laid before the senate a communication from the secretary of the treasury, covering a report from the commissioner of the general land office, made in compliance with a resolution of the 12th inst. calling for the number of additional clerks appointed to the land office since the 4th of March last, with the salaries received, &c. Ordered to lie on the table and be printed.

Mr. Clay presented a memorial from the manufacturers of chemical and dye stuffs, asking that cream of tartar may be admitted free of duty. Laid on the table and ordered to be printed.

Mr. Kerr, from the committee on the Judiciary, reported the amendment made by his committee to the bill to amend an act entitled "an act to provide for the taking of the 6th census," with a recommendation that they be concurred in.

Mr. K. moved that the amendments be then concurred in, which was agreed to.

The amendments relate to the printing of 10,000 copies of the census returns, and binding the same in some cheap and substantial manner, provided that the cost do not exceed 50 cents per copy; and providing also for the printing of returns of Montgomery county, in Maryland, and adding the same to the enumeration of the state of Maryland.

Mr. Clay of Ala. objected to the amendments. If he mistook not, there was a proposition to alter the number of copies to a very great number, which were already printed would be thus, be sufficient. According to the rate fixed for distribution among the states, what came to the share of Alabama would be enough for all practical purposes. With regard to 50 cents per copy for binding, he thought no price should be considered, however such cheaper the work might be done, it would never be fixed at a less rate than that mentioned.

Mr. Clayton understood the bill to provide for the binding of the copies of the census, which would be of little use except substantially though plainly bound.

Mr. Calhoun insisted there was a proposition to print extra copies, or his ears had deceived him, and asked for the reading of the bill.

The amendments having been read, Mr. Clayton moved to recommit the bill; which motion was agreed to.

On motion of Mr. Benton,
Resolved, That the secretary of the treasury be directed to inform the senate what amount of public lands are now surveyed and prepared for market, and which have not yet been advertised for sale; also, what amount of public lands have been advertised for sale since the 4th day of March last; and what amounts of land have been heretofore advertised for sale by proclamations issued from March to August, inclusive, during the last four years.

Mr. Wright submitted the following:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of providing for the appointment of a naval cutter, to be employed in the revenue cutter service of the United States by the president and senate in the same manner that commissioned officers in the naval service of the United States are appointed; and also, of prescribing by law a just and proper rank as between them and the officers of the navy when both are employed together upon the same service; and to report on the report by him or otherwise at the next session of congress.

Mr. Woodbury submitted the following, which was ordered to lie on the table and be printed:

Resolved, That the committee for the District of Columbia be instructed to inquire into the extent and character of the disturbances in the galleries of the senate at two successive sessions of the present extra session, in the final passage of the bill for the fiscal bank of the United States, and one on the reading of the veto of said bill, and that they report on the same, and what further legislation may be necessary to prevent or punish similar interruptions of the public business hereafter.

Also, that the said committee inquire and report in respect to the disturbances at or near the president's house on the night ensuing the said veto; the description and object thereof, the number and names of the persons concerned in them, so far as they can be ascertained; the punishment, if any, to which they have been subjected by the civil authorities for a breach of the public peace, or for riotous and tumultuous behavior on that occasion; and to recommend any additional measures, of a legislative character or otherwise, which, in their opinion be proper for the prevention of different instances of the general kind hereafter, by violent molestation, disturbance and interruption, while

engaged in the discharge of their public duties in the city of Washington. And said committee is hereby authorized to send for persons said papers.

The bill extending the time for issuing military bounty land warrants was then taken up.

Mr. Smith, of Indiana, explained the object of the bill.

Messrs. Benton, Pierce and McRoberts, spoke against it; when

Mr. Smith, of Indiana, replied; and the bill was passed over informally, and the letter received from Mr. Gordon, of the bounty land office, ordered to be printed.

The hour of twelve having arrived, the president proclaimed the order of the day, which was the consideration of the objections of the president of the U. States to the bill chartering a fiscal bank.

Mr. Benton rose and said that, under a sense of duty, he was induced to move that the consideration of the executive message accompanying the return to the senate of the bill to establish a fiscal bank be further postponed until to-morrow, twelve o'clock.

Mr. Calhoun said he did hope that the consideration would not be postponed. He did not, indeed, insist that the constitution required that the senate should proceed to such consideration immediately. A reasonable time ought to be allowed; but it was not his object to delay the bill, but to get some longer postponement should be permitted. The president's message containing his objections to the bill had now been in possession of the senate and of the tables of members for two days. Surely there had been sufficient time to reflect upon it, yet no motion was proposed still longer to defer action upon it. He asked the honorable senator to assign some reason for the proposed delay.

Mr. Berrien replied, that when the senator from South Carolina conceded that there was no immediate constitutional necessity for taking up the message, he conceded all that was necessary to cover the motion. When the senator expressed his personal conviction that time enough had been allowed for reflection on the message, he expressed what would no doubt regulate his personal conduct; but when Mr. B. stated that, under a sense of duty, he had asked for further time, he had stated his own conviction in regard to the course which ought to be pursued. Senators would decide for themselves which opinion was to prevail.

Mr. Calhoun rejoined. The senator had admitted that the considerations on which he had come to the conclusions mentioned were confined to his own breast; and, if so, how were other gentlemen to judge of their force? Were the motives such as could not be publicly looked at? Were they founded on movements external to that chamber? It was certainly due to the senate that a reason be given; it was quite novel to refuse; some reason was always given; it had never known it to be otherwise.

Mr. Berrien said that the senator was at liberty to suggest whatever he might think proper; but that he should not conclude Mr. B. as having made a motion here for reasons which he could not disclose.

He submitted to the senate that there were upon the face of the paper itself ample reasons, from the importance of its subject-matter, why it should be maturely considered. If the senator thought otherwise, he would, of course, resist the motion to postpone.

Mr. Calhoun said that, as this was a very extraordinary motion, the votes of senators upon it ought to be taken; he would therefore demand the yeas and nays. They were ordered accordingly, and stood as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Buchanan, Clay, Ky. Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merriek, Miller, Morehead, Phelps, Foster, Prentiss, Preston, Rives, Sumners, Smith, of Ind. Southard, Tallmadge, White, Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Calhoun, Faxon, Linn, McKim, McRoberts, Monro, Nicholson, Porter, Sevier, Stuart, Tallmadge, Walker, Williams, Woodbury, Wright, Yeates—21.

So the consideration of the message was postponed till to-morrow, at 12 o'clock.

The senate then proceeded to the consideration of the general order, bearing the distribution and prepayment of bills.

The amendment of Mr. Benton was still pending, viz: to strike out ten per cent. to the new states, and insert twelve and a half.

The question was taken on this amendment without further debate, and decided in the negative as follows:

YEAS—Messrs. Allen, Benton, Clay, of Alabama, Calhoun, Linn, McKim, Monro, Porter, Sevier, Tallmadge, Tappan, Walker, Woodbridge, Young—11.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Buchanan, Clay, Ky. Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merriek, Miller, Morehead, Nicholson, Phelps, Prentiss, Preston, Rives, Smith, of Ind. Southard, Tallmadge, White, Williams—27.

Mr. Fulton then moved to amend the bill so that the distribution of the net proceeds of the public lands should be made, with the representation of the several states in congress.

On this proposition, a long and animated discussion ensued, in which Messrs. Fulton, of Arkansas, Smith, of Indiana, Woodbury, Walker, White, Benton, Clay, of Alabama, Clay, of Kentucky, Linn, King and others participated.

A message was now received from the other house announcing the passage of the bankrupt bill, with amendments.

Mr. Walker immediately moved to postpone the further consideration of the land bill, with a view to take up the bankrupt bill, as amended.

Mr. Linn called the yeas and nays on the motion, and, on the question being taken, it was decided in the affirmative as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, Ky. Dixon, Evans, Henderson, Huntington, Kerr, Mangum, Merriek, Miller, Morehead, Nicholson, Phelps, Prentiss, Preston, Rives, Smith, of Ind. Southard, Tallmadge, Walker, White, Woodbridge—21.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Clayton, Calhoun, Faxon, Graham, King, Linn, McKim, Monro, Pierce, Sevier, Sumners, Tappan, Williams, Woodbury, Wright, Yeates—20.

The amendments were then taken up, which, after having been briefly explained by Mr. Berrien, a debate ensued, in which Messrs. Buchanan, Walker, Benton, Calhoun, Clayton, Calhoun, Clay, of Ky. Allen, and others participated; and the question was taken on agreeing in the amendments, and carried in the affirmative; and the senate then adjourned.

August 19. After two successive disappointments, on previous days, from votes to postpone, the question at last came up, at 12 o'clock, on considering the executive communication containing the president's objections to the bill chartering a fiscal bank.

Mr. Clay addressed the senate in a very eloquent speech in vindication of the course of the senate in relation to the bill, and particularly that in respect to the 10th or compromise section, against which the objection was made. He was expressed with peculiar emphasis. After going through with examination of several positions taken in the message, and replying to the president's objections, Mr. C. adverted to the fact that some of his friends round him were engaged in the preparation of a new bill, and, without pledging himself to any course respecting it until he should see its precise form, Mr. C. expressed his hope that they would go on, and render it as perfect as possible. And he concluded with congratulating the country on the many important measures which had been carried through both houses during the present extra session, and expressing his hope that, if not now, at the regular session something might be done to put the currency of the country on a safe and solid and satisfactory basis.

Mr. Rives followed in a speech vindicating the course of the president, on which he passed the highest eulogiums. He seemed inclined to treat Mr. Clay's speech as an attack on the president for treachery to the treasury, and to the public credit. He repeated explanations which passed between the two senators. Mr. Clay disclaimed all such purpose, and testified that he considered as misrepresentations (though unintentional ones of course) of most of the points he had taken.

Mr. T. concluded by expressing an earnest hope that no new bill would be brought in, but that the question would be referred over to the people. He, however, such a bill should be reported as he could conscientiously support, it should have his vote.

Mr. Clay rejoined in a second speech, (which became unusually impassioned and close), and in which he warmly replied the imputation of having attacked the president, or charge him with treachery. He alluded to the long and friendly friendship, declared it to be unquarrelled by what had transpired, and his desire for its long continuance; but alluded to a rumor of the existence of a certain cabal, which claimed to be the president's friends and advisers, and who surrounded and sought to guide him as a sort of a second kitchen cabinet—whose object was the dissolution of the high party, the dissolution of congress, and a change in the whole face of the affairs of the country. These were the words which he uttered, and he endeavored to pour poison into his hearer, with a view to

separate him from Mr. C. If the president should choose, though Mr. C. was sure he could not, to lend his ear to such advisers, and separate himself from him, he should deeply regret it for the sake of their common country.

Mr. Rice also spoke, agreeing with much animation and earnestness, still taking the ground that Mr. C. had attacked the president. (Mr. C. still disclaiming and correcting his representations of what had passed.)

Mr. Clay said a few more things. In a more playful spirit than before, in reply to Mr. R.'s last remarks.

Mr. Archer made an effort to bring Mr. Clay to a disclaimer of any allusion to his colleagues in the house of representatives in what he had said about a kitchen cabinet.

Mr. Clay denied that he had asserted the existence of such a cabinet; he had stated the existence of such a rumor, and asked Mr. A. if he had never heard of it. As those colleagues being implicated, that as Mr. A.'s own inference, not Mr. C.'s assertion.

After several inquiries and replies had passed, in the last of which Mr. C. refused to go further in his disclaimer.

Mr. Berrien stated to Mr. Archer what Mr. Clay had said; with which Mr. A. professed himself satisfied, and the inquiry dropped.

The question was then (at past 5 o'clock) taken upon the passage of the bank bill, and decided by yeas and nays—yeas 77, nays 40.

YEAS—Messrs. Barrow, Bates, Bayard, Berrien, Chase, Clay, of Kentucky, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mansueti, Morris, M'Nabb, Norcross, of Pennsylvania, Preston, Sumner, Smith, of Ind. Southern, Tallmadge, White, Woodbridge—25.

NAYS—Messrs. Adams, Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Clayton, Culbert, Fulton, King, Linn, McRoberts, Mouton, Nicholson, Pierce, Rives, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—25.

There not being the constitutional majority of two-thirds in favor of the bill, which would be requisite to entitle it to be sent to the house of representatives for the like concurrence there, the bill remains finally rejected.

The acute then, after an exhausting session of seven hours adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, Aug. 20. Mr. Barnard offered the following resolution:

Resolved, That on Friday next, the 13th instant, at 12 o'clock meridian, all debate in committee of the whole on the state of the bankrupt law be suspended, and a committee of the whole be appointed to establish a uniform system of bankruptcy throughout the United States, shall cease, and the committee shall then proceed to vote on any question then pending, and on any amendment thereto, or any other bill then offered, and shall then report said bill to the house, with such amendments as may have been agreed to by the committee. *Provided*, that nothing in this resolution shall preclude the committee from reporting and bill at an earlier hour.

Mr. Morgan inquired of the speaker whether it was in order to call up the resolution offered by his colleague, (Mr. J. G. Floyd), in relation to the McLeod affair? And stated that he was desirous of making some remarks upon the resolution.

The speaker decided that the resolution of the gentleman's colleague (Mr. Barnard) had precedence.

Some conversation followed.

Mr. Wise moved to amend the resolution by striking out the words "Friday next, at 12 o'clock meridian," and inserting "to-day, at 3 o'clock, P. M."

On this, the vote stood—yeas 27, nays 64. No quorum voting, a call of the house was ordered, and proceeded in, till 136 members answered to their names, when it was suspended.

The previous question having been ordered, Mr. Wise's amendment was rejected.

Mr. Andrew, of Kentucky, moved to lay the resolution on the table; which motion was decided in the negative: yeas 56, nays 99.

And the question recurring on its adoption—

Mr. Jones asked the yeas and nays; which were ordered, and, being taken were yeas 78, nays 89. So the resolution was not adopted.

On leave, Mr. Wise, from the committee on naval affairs, reported back to the house the bill providing for the payment of navy pensions, which had been returned from the senate with amendments, in which the committee recommended the concurrence of the house.

The amendments were understood to be that no new cases should be admitted under the law of 1837, and prescribing the time during which the persons already granted under the law should be received.

Some explanations followed, between Messrs. Wise, Fillmore, Adams, McKay, Chase Johnson and Briggs.

When Mr. Adams moved to amend the amendment of the senate, by adding thereto a proviso that "nothing herein contained shall be construed so as to affect pensions granted to officers, seamen and marines by special act of congress, in which act such officer, seaman or marine shall be designated by name."

Mr. Wise moved the previous question; which was seconded.

And the main question (being the first on the amendment to the amendment, as proposed by Mr. Adams) was ordered to be put; and, being put, was decided in the negative: yeas 64, nays 100. So the amendment to the amendment was rejected.

And the amendments of the senate were then considered.

On leave given, Mr. Stearns presented the resolutions of a portion of the citizens of Wheeling, Virginia, protesting against the incorporation of a bank of the United States, and avowing the right of the people to repeal any such incorporation.

All of the resolutions of a meeting of the citizens of Ohio county, holden at Tinsdell, remonstrating against the legislation of congress at this session, and avowing the right of the people to repeal the charter of a bank of the United States.

All of which were laid on the table.

On motion of Mr. Barnard, the house again resolved itself into committee of the whole on the state of the union, (Mr. Tillinghast, of Rhode Island, in the chair), on the bill from the senate to provide for the establishment of a uniform system of bankruptcy throughout the United States.

The pending question being on the motion of Mr. Gordon to strike out the enacting clause of the bill. Mr. Milton Brown, after congratulating himself and the house that the bill now under consideration was a measure wholly unconnected with party politics, said that it united considerations of the wisest national policy with those of humanity and justice.

Mr. H. proceeded at length in support of the bill, pled in conclusion, dwelt in a feeling manner on the happiness which the passage of such a bill would diffuse through many a dejected and desponding heart, and the satisfaction derived from the consciousness of having aided in an act of policy, justice and benevolence.

Mr. Hunt, after complimenting the chairman of the judiciary committee (Mr. Barnard) on the tone of remark in which he had introduced and pressed the bill upon the committee, proceeded to remark upon the condition of his own district, and the wishes of his constituents in relation to the bill; it was not a debtor, but emphatically a creditor district—agricultural, manufacturing and commercial in its pursuits; yet they had petitioned in favor of the bill, not only from motives of compassion, but from an enlarged view of their own true interest.

He made some general remarks on the beneficial tendencies of a general bankrupt law, as experienced in other countries, and in its necessity here, as permanent provision in our commercial system.

Mr. H. argued to show the impolicy of attempting to load the bill with a clause to include banking corporations; nor would it do for gentlemen voting against the bill to cloak their opposition under the plea of a provision never introduced, the people understood the case, and no such plea would stand. There was no fitness in extending bankrupt provisions to corporations; they had none of the attributes of natural persons; better leave the bankrupt to state his condition.

Mr. H. said he should offer an amendment exempting printed books of bankrupts to the value of fifty dollars.

As he should have no opportunity to explain this amendment, would not do, he was desirous of saving to the bankrupt his Bible, Prayers Book and common school books to at least that amount.

Mr. H. said he should also, as at present advised, propose to postpone the operation of the act to some day in January next, instead of the 1st November, or 1st December.

This he should do because congress would be in session at that time. Amendments might be suggested, and still the country would have the full benefit of the assurance that we designed relieving the unfortunate.

Mr. Pope observed that there seemed a very decided disposition to pass this bill; and he therefore felt bound to state that it contained some principles which, if he rightly understood them, he never could understand.

Mr. P. continued to oppose the passage of the bill, contending that a bankrupt law was needed only by commercial men and in commercial con-

cerns. This had been the character of the bill of 1800, and so had been the understanding ever since, till this extraordinary bill, which he insisted contained some of the greatest enormities he had ever seen attempted in legislation.

[The committee rose informally to enable the house to receive a report by Mr. Handolph, from the committee on enrolled bills, who reported that the committee had examined the bill to provide for the payment of navy pensions, and had found the same to be correct; whereupon, the bill received the signature of the speaker. And the chairman again resumed his seat.]

Mr. Allen, of Maine, briefly addressed the committee. After examining the constitutional question and noticing some of the objections taken to the bill, he went on to say, that a bankrupt law had, heretofore, met the approval and support of many of the distinguished men in this country, whose hearts had been enlisted in the cause of justice and of suffering humanity. He expressed his most sincere hope that this bill would be passed, as he was sure it would bring joy and comfort to the hearts of sorrowing and desponding thousands.

The chairman gave the floor to Mr. Birdseye, who yielded to Mr. Waller, on whose motion the committee rose and reported progress.

On motion of Mr. Everett, certain additional papers relating to the Mexican commission were ordered to be printed.

Mr. Barnard gave notice that he would, to-morrow introduce a resolution to terminate the debate on the bankrupt bill.

On motion of Mr. Fillmore (by leave), an extra number of certain tables furnished from the treasury department, in relation to the revenue bill, were ordered to be printed.

Mr. Waller moved that the house adjourn; but withdrew the motion to enable

Mr. Wise to move that the committee of the whole on the state of the union be discharged from the further consideration of the bankrupt bill, on which motion Mr. W. moved the previous question.

Pending this motion, the house adjourned.

Friday, Aug. 21. Mr. Sergeant offered a resolution that when the house adjourns, it adjourn to meet on Monday, at 10 A. M. Passed, yeas 112, nays 40.

Mr. Barnard (according to notice given yesterday) introduced a resolution to enter the debate on the bankrupt bill in committee of the whole, to remain till 10 o'clock to-day. The resolution was passed: 74 to 6.

The house then went into committee of the whole on the bankrupt bill, Mr. Tillinghast in the chair.

Mr. Birdseye spoke for an hour against the policy of the bill in its present form; but was very imperfectly heard, from the great noise arising from general conversation in the hall. During a great part of the time, he was totally inaudible from the noise of conversation which continued (notwithstanding the strenuous efforts of the chairman and the appeals of various members) throughout the whole day's session. The minds of the great majority of members were evidently occupied in the consideration of some subject totally foreign to that before the house. Mr. Birdseye, however, expressed a determination to present certain amendments designed to obviate those objections to the bill which were now, in his view, conclusive against it.

Mr. Key next obtained the floor, and signified his wish to be very brief in explanation of certain intended amendments, on account of the number of members desirous of speaking during the brief remaining time allowed for debate under the resolution passed this morning. He spoke against the present bill for half an hour.

Mr. Smith, of Conn. moved that the committee rise for a few minutes, with a view to reconsider, in the house, the resolution adopted, ordering the debate to close at two o'clock.

After some remarks from Messrs. Barnard, Wise and Rosser, the committee voted to rise: yeas 79, nays 29.

On the committee rising and reporting the bill, Mr. Wise moved a call of the house, as this was to be a "test question." The call was refused: 71 to 82.

Mr. Smith, of Conn. then moved to reconsider the resolution to close the debate at two o'clock; and on this he moved the previous question.

Mr. Proffit moved to lay the motion to reconsider on the table, and on this he asked the yeas and nays; which were ordered.

The motion to lay on the table was then negatively decided: yeas 88.

Mr. Wise moved that the house do again resolve itself into committee of the whole, on the bankrupt bill.

The speaker decided that the motion was now out of order, pending the call for the previous question. The call for the previous question was then repeated. (Tellers having been ordered), ayes 85, noes 76.

The previous question was then ordered without a division.

The motion to reconsider was then passed, (the yeas and nays being ordered on motion of Mr. Wise), yeas 102, nays 95.

Mr. Ahterton moved a reconsideration of the vote on the resolution adopted this morning to adjourn over till Monday.

Mr. Pennington moved to lay on the table.

On motion of Mr. Proffitt, the yeas and nays were ordered.

The motion to reconsider was then laid on the table; yeas 101, nays 94.

A communication from the secretary of plate, relative to the census, was then presented and referred to the committee of the whole, before whom was the bill on that subject.

The house then resolved itself into committee of the whole. Mr. Tillgham in the chair.

Mr. Williams moved to take up the senate bill relating to the census.

Mr. Barnard declared it out of order and the chairman decided that the bankrupt bill was still before the committee.

Mr. Wise then spoke for a few minutes against the shifting distorities of all these recent amendments in reference to the bill, as secretly designed for political effect. The poor bankrupts were to be charged out of the expected relief, or to be gratified only in certain contingencies which were now to be waited for. He expressed his own personal opposition to the bill.

Mr. Briggs replied to Mr. Wise, disclaiming for himself and the friends of the bill, the imputations cast upon them. He had congratulated himself on the fair, open, candid character of the debate upon the bill, so far. It had been remarkably free from a partisan character. (Mr. Wise explained that he had charged only persons of the pretended friends of the bill with so doing.)

Mr. Morgan made a brief but animated and forcible speech in reply to Mr. Wise.

Messrs. White, of Ind. and Sellers, followed in favor of the bill, and Mr. Williams, of Maryland, against it.

Mr. Holmes obtained the floor; and the committee then, on motion of Mr. Underwood, rose and reported progress.

On motion of Mr. Underwood, the committee of the whole on the state of the union was discharged from the further consideration of the senate bill in relation to the census.

And the bill being before the house—on motion of Mr. Williams, of Maryland, it was amended by providing for the binding of the compendium.

Mr. Randall, of Maryland, moved that the bill be further amended by providing for the printing of 20,000 copies of the compendium instead of 10,000. Mr. R. stated that there had been already appropriated upwards of \$700,000 for the expenses of taking the census; that by this bill 10,000 copies of the census at large, and 10,000 copies of the compendium, were directed to be printed. The object of his motion was to increase the copies of the compendium to 20,000.

This committee had been prepared in the office of the secretary of state, in toto form, and contained, arranged by counties and cities, all the statistics of the census at large.

The increase in the population and intelligence of the country, the number of universities, schools, public libraries, &c. required that this number should be printed, in order to secure the proper circulation of this valuable document at present, and to retain a sufficient number for future circulation.

This was no ordinary document. In addition to the most detailed descriptions of the population, it contained, among other things, much valuable information touching the various products, &c. of the country. It was not, like many of the documents published in numbers quite as great by the house, merely for a temporary use. This would be important throughout all time, as the only correct source from which the statistics of the country could be obtained. It was due also to our country that many copies of this census should be sent abroad to foreign countries, in order to extend correct information on these important subjects.

As this immense expense had already been incurred, it was surely worth the additional amount required, (about \$7,000), in order to have the number of copies of this valuable document increased one-half.

He regretted that the committee should have declined to accept his amendment when the bill was

before them; but duty compelled him to urge it again upon the house.

The amendment was adopted. Mr. Randall also moved to amend the bill by inserting a new section providing for the retaking of the census of Montgomery county, Maryland.

Mr. R. made some explanatory remarks in relation to this amendment.

The amendment was opposed by Mr. Roosevelt. The printing of the census, he said, would be delayed by it for five months. He demanded the previous question. And there was a second.

And the main question was ordered to be taken. On the suggestion of Mr. Kennedy, of Maryland, Mr. Randall modified his amendment so as to provide that the printing of the census should not be delayed by the operation of the amendment, but that the additional statements should be printed separately.

The main question (being first on the amendment) was then taken, and decided in the affirmative: ayes 74, noes 48. So the amendment was agreed to.

And the question recurring on engrossing the amendments and ordering the bill to a third reading—Mr. Chapman asked the yeas and nays; which were ordered.

But, pending the question, the house adjourned until Monday morning at ten o'clock.

Monday, Aug. 18. Mr. Linn, by general consent, presented a petition of the inhabitants of Saratoga, New York, praying for a bankrupt law confined to natural persons, and not including corporations; which was referred to the committee of the whole on the state of the union, having charge of the subject.

Mr. Hunt, of New York, by general consent, presented the petition of E. Peck and others, manufacturers of iron in and near the city of New York, asking the appointment of a committee of congress to collect facts, &c. preparatory to a revision of the tariff laws, &c.

Several other petitions were presented, and all appropriately referred to the proper committee.

On leave given, Mr. Hopkins offered the following resolution; which was adopted:

Resolved, That the committee on the post office and post roads be instructed to inquire into the expediency of reporting, in all authorized reports, to the committee, to establish express routes along the great lines of steamboat and rail road communications in cases where it is not able to make contracts to have the mails transported, and routes by rail roads or steamboats for the rate of compensation prescribed by law.

On leave given, Mr. Welles presented the proceedings of a democratic meeting held in Hamilton, in the state of Ohio, on the 31st July last, against the incorporation of a national bank, against the repeal of the independent treasury, against the distribution of the proceeds of the public lands, &c.; which, on motion, were laid on the table.

Mr. Fillmore, from the committee of ways and means, to whom had been referred the communication from the president in relation to further appropriations for the general post office, reported that the committee had had the same under consideration and declined reporting any appropriation thereon.

Mr. Fillmore, from the same committee, to whom had been referred the communication from the secretary of war asking for appropriations to carry into effect the treaty with the Miami Indians, reported that the committee did not conceive that the bill came within the rule adopted by this house, limiting and prescribing the business which should be acted on during the present session of congress.

Mr. Fillmore, from the same committee, to whom had been referred the petition of certain stonecutters asking further appropriations for the public buildings, asked that the said committee be discharged from the consideration thereof, and that the subject be referred to the committee on public buildings.

And the subject was referred accordingly.

Mr. Randolph, from the committee on enrolled bills, reported that that committee had examined the bill in relation to fees and recoveries under the charter laws and ordinances of Georgetown, &c. and had found the same to be correct. And the bill received the signature of the speaker.

Mr. Gilmer, from the committee of ways and means, reported a bill to provide for placing Georgetown state of Washington in the returns of the nation.

The bill, having been read twice by its title, was referred to the committee of the whole on the state of the union.

And the question recurring on the post office and post roads, reported the following resolution; which was adopted:

Resolved, That the clerk of the house of representatives be directed to deliver to the auditor of the treasury for the post office department such of the papers taken from the post office department before its destruction by fire, by the committee of investigation of the house of representatives, as the said auditor may select.

Mr. Wise desired to inquire of the chairman of the committee on the expenditures of the post office department, or of the committee on the post office and post roads, whether any action would be proposed on the communication from the master general in relation to the arrearages due from that department to contractors?

Mr. Briggs (chairman of the committee on the post office and post roads) replied that that committee had the subject under consideration now.

Mr. Wise was understood to say that calls for information on the subject had been addressed to him, and to other members of the house. The session was nearly at a close, and, unless something was done soon, congress would adjourn without doing any thing.

Mr. W. W. Irwin, from the select committee on retrenchment, reported the following resolution: Resolved, That the chairman of the committee ask leave to sit on the floor during the next congressional session, and that the committee have power to send for papers and papers, and to report at the next session by bill or otherwise.

Mr. Andrew, of Kentucky moved to lay the resolution on the table.

Mr. W. W. Irwin asked the yeas and nays; which were ordered, and, being taken, yeas 139, nays 40. So the resolution was laid on the table.

On motion of Mr. W. C. Johnson, the house took up the census bill, the pending question was on engrossing the amendments (made on Friday), and on ordering the bill to a third reading, on previous motion the previous question had heretofore been ordered.

Some conversation followed, in which Messrs. W. C. Johnson and Roosevelt participated.

After which the resolution was taken by yeas and nays, (which had heretofore been ordered), and was decided in the affirmative: yeas 121, nays 63.

So the amendments were ordered to be engrossed. And the bill was ordered to a third reading at this time.

And, having been read a third time by the title, the bill was passed.

A message was received from the president of the United States, by the hands of Robert Tyler, equiforming the bill, (Mr. Tillgham, of Rhode Island, signed a bill entitled "an act to provide for the payment of navy pensions."

On motion of Mr. Barnard, the house again resolved itself into committee of the whole on the state of the union. (Mr. Tillgham, of Rhode Island, in the chair), on the bill from the senate to establish a uniform system of bankruptcy throughout the United States.

The pending question being on the motion of Mr. Gordon, of New York, to strike out the enacting clause of the bill.

Mr. Holmes, of South Carolina, who was entitled to the floor, addressed the committee during the hour in opposition to the bill, which he characterized as complex and destructive in its nature, and as fraught with deep injury to the credit of the country.

Mr. James spoke for half an hour with much animation and force in defence of the bill.

Mr. Stone, of New York, then addressed the bill.

Mr. Howard also spoke in favor of the bill. Mr. Barnard said that, if there were no other gentlemen desirous to speak, he would move that the committee now rise; giving notice, at the same time, that he would introduce a resolution providing that all debate on the bill should cease at 12 o'clock, M.

Mr. Wise inquired of the chair if the motion to rise was amendable. If so he would move to amend it by adding the words "and report the same."

The chair decided that the motion was not amendable; that motion, in committee, being equivalent to a motion for adjournment in the house.

And the question being taken, the motion, by yeas 78, noes 60, prevailed. And the committee rose and reported progress.

Mr. Boile said he had received from the marshal of the District the accounts and vouchers for the federal expenses of the late president of the United States, (gen. William Henry Harrison), for which the appropriation had yet been made.

On motion of Mr. B. the yeas were referred to the committee on ways and means.

Mr. Fillmore presented a communication from the secretary of the navy, in relation to the status of Washington; which was referred to the committee of the whole on the state of the union having charge of the bill on that subject.

Mr. Underwood submitted a motion that the house resolve itself into committee of the whole on the state of the union, for the purpose of taking up certain bills (heretofore reported) from the committee on public lands, in relation to military bounty land claims.

Pending which motion, the house adjourned.

Tuesday, Aug. 17. On leave given, Mr. Triplett, of Ky., presented the petition of R. F. Kelly and forty-one other citizens of Hopkinsville, Ky., in favor of the passage of a bankrupt law.

Also, of G. A. Kinison and sixty-two other citizens of Henderson county, against the passage of a bankrupt law.

Also, of John B. Frost and sixty-one other citizens of Hopkins city, against the passage of a bankrupt bill.

Mr. Kennedy, of Maryland, on leave given, presented a petition from citizens of Baltimore, praying the appointment of a committee of investigation to inquire into the practical operation of the existing tariff laws.

On motion of Mr. K. the petition was referred to the committee on commerce.

Mr. Mathies, on leave given, presented the proceedings of a public meeting of the democracy of Licking county, in the state of Ohio, in strong opposition to the leading whig measures, &c. Laid on the table.

On leave given, Mr. Briggs, from the committee on the post office and post roads, reported a bill making appropriations for the post office department.

[This bill appropriates the sum of \$197,657 to enable the department "to meet its engagements and pay its debts."

The bill having been read twice by the title, was referred on motion of Mr. Briggs, to the committee of the whole on the state of the union; and, together with the communication from the post office department, was ordered to be printed.

A message was received from the senate through A. Dickinson, esq. secretary, informing this house that the senate had passed the act further to extend the time for locating Virginia military land warrants and returning surveys thereof to the general land office.

And, also, informing the house that the president of the United States had officially notified the senate that he had approved and signed the bill to repeal an act commonly known as the sub-treasury law.

Mr. Barnard offered the following resolution:

Resolved, That at 12 o'clock M. this day, all debate on matters of the whole of the state of the union on senate bill No. 3, entitled "an act to establish a uniform system of bankruptcy throughout the United States," shall cease, and the committee shall then proceed to vote on any question, or on any amendments then pending, and on all amendments that may be offered, and shall then report said bill to the house, with such amendments as may have been agreed to by the committee. *Provided*, That the committee may report said bill to the house at an earlier hour if they think proper.

Mr. Graham moved to amend the resolution by substituting 2 o'clock for 12.

Mr. Knapp, of Md. moved to amend the amendment by striking out 2 o'clock of this day, and inserting 12 o'clock to-morrow.

The amendment to the amendment was rejected. And the amendment, by ayes 50, noes not counted, was also rejected.

And then the resolution as originally offered was adopted.

On motion of Mr. Barnard, the house again resolved itself into committee of the whole on the state of the union, (Mr. Tilgham, of Rhode Island, in the chair), and resumed the consideration of the bill from the senate to establish a uniform system of bankruptcy throughout the United States.

The pending question being on the motion of Mr. Gordon, of New York, to strike out the enacting clause of the bill.

Mr. Barnard, (chairman of the judiciary committee), addressed the committee in reply to some of the arguments which had been urged in opposition to the bill, concluding with a renewed and most urgent appeal to the house no longer to withhold from the country this great measure of relief, emancipation and justice.

Mr. Stillman, gave his views in favor of the bill.

Mr. Fillmore followed in some remarks, in favor of the bill, and Mr. Spry in opposition to it.

The hour of twelve having arrived, the committee, in pursuance of the order of the house of this morning, proceeded, without further debate, to vote on the amendments pending, or that might be offered.

The question was taken first on the motion of Mr. Gordon to strike out the enacting clause of the bill, and by ayes 73, noes 90, it was rejected.

The first section of the bill being under consideration, Mr. Roosevelt moved to amend the same, by adding to the end thereof an additional proviso, "that no petition under this act shall be presented or filed before the 15th day of February next;" which amendment was rejected.

Mr. Clifford moved an amendment, that nothing contained in the bill should be construed to alter or repeal any state law for the relief of insolvent debtors, or to alter or repeal any such law exempting such goods or chatties from attachment, execution, or distress; which amendment was rejected.

Mr. Roosevelt offered to amend the section by inserting "that every corporation issuing notes or bills to be in circulation as money, and which, after the — day of — next, shall fail for thirty days to redeem such notes or bills according to the tenor and legal effect thereof, shall be deemed bankrupt." Rejected by ayes 56, noes 80.

Several other amendments were offered by Messrs. Randall, of Md. Underwood Roosevelt and Holmes, all of which were rejected.

Amendments were moved to several succeeding sections, all which were rejected.

And the 17th section being under consideration— Mr. Barnard moved to amend it so as to provide that the bill shall take effect on the 1st of February, 1842, instead of the 1st of November, 1841.

Mr. Maxwell moved to amend the amendment by striking out the 1st day of March for the 1st day of February. Rejected.

And the amendment of Mr. Barnard was then agreed to.

On motion of Mr. Adams, the words "and not sooner" were struck out of the said section.

Several other amendments were offered by Messrs. Roosevelt, Birdseye and Randall, of Md.; all which were rejected.

Mr. Williams, of Maryland, here offered a substitute for the bill, which was rejected.

And the 17th section of Mr. Barnard, the committee rose and reported the bill, with the only amendment made, to the house.

And the question being on concurring in that amendment, which provides that the bill should not go into effect until the 1st day of February next—

Mr. Clifford renewed the amendment offered by him in committee of the whole, and there rejected; offering it now as an amendment to the amendment of Mr. Barnard. Mr. C.'s proposition was in the following words: "That nothing in this act contained shall be construed to alter or repeal any state law for the relief of insolvent debtors, or to alter or repeal any such law exempting such goods or chatties from attachment, execution or distress."

Mr. Barnard moved the previous question. And there was a second.

And the main question was ordered, (Saying first on amendments to the amendment).

Mr. Clifford asked the yeas and noys, which were ordered, and, being taken, were: yeas 93, noys 86; so the amendment to the amendment was agreed to.

And the question recurring on agreeing to the amendment as amended—

Mr. Underwood (for the purpose, he said, of testing the sense of the house whether this bill should be laid over to the next session or not) moved to lay the bill and amendments on the table.

Mr. Weller asked the yeas and noys which were ordered, and, being taken, were: yeas 119, noys 97, so the bill and amendments were laid on the table.

And on motion of Mr. Holmes, the house adjourned.

Wednesday, Aug. 18. Mr. Gamble rose and moved the reconsideration of the vote of yesterday by which the bill from the senate to establish a uniform system of bankruptcy throughout the United States had been laid on the table.

Mr. Weller moved a call of the house, and asked the yeas and noys, which were ordered.

Mr. Cues Johnson moved to lay the motion to reconsider on the table.

The speaker decided that the motion for a call of the house had precedence.

And the question was then taken on the motion of Mr. Weller that there be a call of the house and was decided in the affirmative: yeas 170, noys 7.

The roll was called, 206 members appearing, and excuses received for several absentees, further proceedings in the call, on motion of Mr. Butts, were dispensed with, a vote of 111 to 76.

And the question then recurring on the motion of Mr. Gamble to reconsider the vote by which the bankrupt bill had been laid on the table yesterday—

Mr. Cues Johnson asked the yeas and noys, which were ordered, and, being taken, resulted as follows: yeas 92, noys 111. So the motion to reconsider was not laid on the table.

And the question recurring on the motion of Mr. Gamble to reconsider the vote by which the bankrupt bill and amendments had been laid on the table.

Mr. Proffitt asked the yeas and noys, which were ordered, and, being taken, were as follows: yeas 108, noys 88. So the vote was reconsidered.

And the question recurring on that motion, (to wit: to lay the bill and amendments on the table)—

Mr. Barnard asked the yeas and noys, which were ordered, and, being taken, were as follows: yeas 90, noys 112. So the bill and amendments were not laid on the table.

Mr. Sellers thereupon rose, and moved that the house reconsider the vote of yesterday by which the following amendment, moved by Mr. Clifford to the amendment of Mr. Barnard, had been agreed to:

Provided, further, That nothing in this act contained shall be construed to alter or repeal any state law for the relief of insolvent debtors, or to alter or repeal any such law exempting certain goods or chatties from attachment, execution or distress.

And on this motion Mr. S. demanded the previous question.

Mr. Clifford asked Mr. S. to withdraw the motion, to enable him (Mr. C.) to say a word.

Mr. Sellers declined.

Here Mr. Fillmore introduced the honorable John T. Starnes, member from the state of Illinois, who was qualified and took his seat.

And the question recurring on the demand for the previous question, there was a second.

And the main question was ordered to be taken. Mr. Clifford asked the yeas and noys, which were ordered.

And the main question (being on the motion to reconsider) was then taken, and decided in the affirmative: yeas 116, noys 93.

The question recurring on the adoption of the amendment of Mr. Clifford.

Mr. C. modified it to read as follows: "Provided, That nothing in this act contained shall be construed to alter or repeal any state law for the relief of insolvent debtors, or to alter or repeal any such law exempting certain goods and chatties from attachment, execution and distress, so that any insolvent debtor may at his election, either take the benefit of the provisions of this act relating to bankruptcy or of the state laws where he resides."

Mr. Lewis Williams would merely inquire, he said, whether that would be uniform bankrupt law?

Mr. Fillmore inquired of the speaker whether the previous question (ordered yesterday) would apply to this question?

The speaker replied that it would.

Mr. Clifford asked the yeas and noys on the adoption of his amendment, as modified, which were ordered, and, being taken, were: yeas 90, noys 119.

And the question recurring on concurring in the amendment (to the 17th section) reported from the committee of the whole on the 21st of the union, and which amendment postponed the time at which the bill was to go into operation until the first day of February next, (the original day fixed in the bill being the first day of November current). The question was taken, and the amendment was concurred in. And the amendment was ordered to be engrossed.

The bill (as amended was ordered to a third reading at this time.

And the bill having been read a third time by its title, and the question being on the final passage thereof, Mr. Briggs moved the previous question.

Mr. Weller asked the yeas and noys, remarking that he made the motion that it might be seen who dodged this question.

Mr. Proffitt asked the yeas and noys on the motion that there be a call of this house; which were ordered, and, being taken, were—yeas 89, noys 116. So the call of the house was ordered.

And the question recurring on the demand for the previous question there was a second.

And the main question (being on the passage of the bill) was ordered to be taken.

Mr. Clifford asked the yeas and noys, which were ordered. And the main question, "shall the bill pass?" was then taken, and decided in the affirmative, as follows:

YEAS—Moore, Adams, Allen, S. J. Andrew, Ar-nold, Ayres, Babcock, Baker, Benson, Black, Brod-way, Boardman, Borden, Briggs, Bouchay, Broussau, Mil-ton Brown, Bennett, Calhoun, Thomas J. Campbell, Carothers, Childs, Cluett, Cline, C. Clark, S. N. Clark, Cook, Cresswell, Cullen, C. C. Davis, W. C. Dawson, J. B. Dawson, Deberry, J. Edwards, Everett, Fensenden, Fillmore, A. Lawrence Foster, Gamble, G. G. Giddings, G. G. Giddings, Hall, Hallock, W. S. Hastings, Henry, Howard, J. Hudson, Hunt, James Irvine, W. W. Irwin, James, William Q.

Johnson, I. D. Jones, John P. Kennedy, King, Lane, Lawrence, Linn, S. Mason, Mathis, Maxwell, Maynard, Merrick, Moore, Morgan, Morris, Mowbray, Nisbet, Osborne, Pierce, Pendleton, Powell, B. Randall, Alexander Randall, Randolph, Raper, Ridgely, Rodney, Rosewater, Russell, Sackett, Sargent, Simmons, Sale, Smith, Sellers, Shanty, Shelden, Sinton, John T. Solari, Talafiero, R. W. Thompson, Tillinghast, Toland, Tompkins, Van Cuylenburg, Warren, E. B. White, W. B. White, T. W. Williams, L. Williams, C. H. Williams, J. L. Williams, Winthrop, Wood, York, A. Young, J. Young—110.

YEAS—Messrs. A. Adams, Andrew, Arrows, Atherton, Banks, Brown, Bidlack, Birdseye, Bots, Bowne, Boyd, A. B. Brown, C. Brown, J. Brown, Burke, W. Butler, W. O. Butler, G. W. Caldwell, P. C. Caldwell, J. Campbell, W. B. Campbell, T. S. Chapman, Clifford, Clinton, Coles, Cross, Daniel, R. D. Davis, Dean, Downs, Doug, Eastman, J. C. Edwards, Eber, Ferris, J. G. Floyd, Chas. A. Floyd, Forceman, Thos. F. Foster, Georty, Gerry, Gillies, Guggin, William O. Gordon, Graham, Gustine, Harris, J. Hastings, Hays, Holmes, Hopkins, Housh, Houston, Hubbard, Hunter, Ingwers, Jack, Jackson, James, Johnson, Jones, Kennedy, Lewis, Littlefield, A. M. C. Lellan, R. McClellan, McKay, Malley, Marchand, T. F. Marshall, Mathers, Matlock, Medill, Miller, Newell, Rogers, Payson, Payne, Pickens, Plummer, Rogers, R. S. Ramsey, Reding, Rencher, Reth, Riggs, Rogers, Saunders, Shaw, Shepley, Sheld, Snyder, Spragg, Steenrod, Sweeney, J. B. Thompson, Triplett, Turner, Underwood, Van Cuylenburg, W. B. Underwood, Westbrook, J. W. Williams, Wise—106.

So the bill was passed.

Mr. Morgan moved a reconsideration of the vote by which the bill had passed, and demanded the previous question thereon, and there was a second.

And the main question was ordered to be taken.

Mr. Boyd asked the yeas and nays, and they were ordered.

And the main question: "shall the vote be reconsidered?" was then taken and decided in the negative: yeas 99, nays 116. So the vote was not reconsidered.

On motion of Mr. Underwood, the house resolved itself into committee of the whole on the state of the union, (Mr. Boardman, of Connecticut, in the chair), and took up the bill from the senate to revise and extend, for a limited time, the charters of certain banks in the District of Columbia; which bill had been reported from the committee for the District of Columbia of this house, with amendments.

The question being on concurring in an amendment reported by the committee of this house, viz: That out from one of the bills in the bill the provision forbidding the issuing and circulating hereafter of any notes of denominations between five and ten dollars and between ten and twenty dollars—

Mr. Underwood made some remarks in favor of concurring in the senate's amendment.

Mr. Case Johnson briefly stated reasons why he could not vote to concur.

Mr. Powell explained the reason and necessity for the amendment. A large portion of the circulation in this District consisted of bills of the banks of Virginia and Maryland. The Virginia notes were of various denominations between five and ten, and also between ten and twenty dollars, and as long as those banks continued to issue such notes it would be very difficult to exclude them from circulation. Besides, notes of these descriptions were very convenient for the purpose of small remittances; and as the charters for so long a term, and as the bills had been reported from the committee for the prohibition which the senate had stricken out he hoped the amendment would be concurred in.

The question was taken, and the senate's amendment was concurred in—yeas 107, nays 106.

The bill was then read through, and then read by sections for amendment.

Mr. Kern moved an amendment, to come in after the 6th section, providing that congress shall have power to revise, amend or revoke the charters.

This amendment gave rise to a discussion on the former conduct of the banks in which Messrs. Powell, Weller, Wise, Merrick, W. C. Johnson, Tillinghast, Proffit, Underwood, Snyder, Dawson and Case Johnson, took part; when

The question being now put on the amendment proposed by Mr. Kern, it was rejected without a count.

The reading of the bill having been gone through by—Mr. Underwood moved that the committee rise and report the bill to the house.

The motion prevailing, the committee rose and reported the bill and amendments to the house. The question being put on concurring with the report of the committee, no quorum voted.

A motion was made to adjourn, and lost; yeas 70, nays 71.

[A message was received from the senate, by the hands of A. Dickens, ex. secretary, stating that

the senate had concurred in the amendment made by this house to the bill to establish a uniform system of bankruptcy throughout the United States.]

The question being again put on concurring—Mr. Lewis Williams demurred the previous question; which was recorded, put and carried. And the main question being on concurring—Mr. Weller asked the yeas and nays; but the house refused to order them. And the question to recur was carried.

The bill and amendments were then ordered to be engrossed and read a third time.

It was then being read a third time by its title, and the question being on its passage—Mr. Weller demanded the yeas and nays; which were ordered and taken, and resulted as follows:

YEAS—Messrs. Adams, Landolf, W. Andrews, Sherbrook, J. Andrews, Albany, Albany, Baker, Bernard, Black, Blair, Boardman, Bots, Brockway, Bronson, M. Brown, William Butler, John Campbell, Thomas J. Campbell, Caruthers, Childs, John C. Clark, Clark, N. Clark, Aaron, Clamon, Cravens, Cushing, William C. Dawson, Deberry, John Edwards, Everett, Filmore, A. L. Foster, Thomas F. Foster, Gannett, Georty, Gogges, Fairbank, G. G. Good, H. H. Hall, Halsey, William S. Hastings, Henry, Huot, James Irvine, William W. Irwin, William Cost Johnson, Isaac D. Jones, John P. Kennedy, Lewis, Littlefield, A. M. C. Lellan, McKay, Malley, Marchand, T. F. Marshall, Mathers, Matlock, Medill, Miller, Newell, Rogers, Payson, Payne, Pickens, Plummer, Rogers, R. S. Ramsey, Reding, Rencher, Reth, Riggs, Rogers, Saunders, Shaw, Shepley, Sheld, Snyder, Spragg, Steenrod, Sweeney, J. B. Thompson, Triplett, Turner, Underwood, Van Cuylenburg, W. B. Underwood, Westbrook, J. W. Williams, Wise—106.

So the bill was passed.

Mr. Morgan moved a reconsideration of the vote by which the bill had passed, and demanded the previous question thereon, and there was a second.

And the main question was ordered to be taken.

Mr. Boyd asked the yeas and nays, and they were ordered.

And the main question: "shall the vote be reconsidered?" was then taken and decided in the negative: yeas 99, nays 116. So the vote was not reconsidered.

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into artificial pearls of great hardness. Aluminum is found to be deprived of all velocity, and hence it was impossible to spin threads from the ruby, or from Syrian garnet, topaz, fluorite of calcium (fluor spar) or the sandstone of Fontainebleau (Paris paving stone). He had made from melted quartz some admirable microscopic lenses, and pivots for miners' compasses; he had also drawn out sticks of quartz applicable to tools for barbers and watchmakers.

LOCOMOTIVES. A paragraph in the Philadelphia United States Gazette speaks of a very powerful locomotive engine which has just been finished by Messrs. Eastwick and Harrison of that city. "It is called the Macdon, and is finished on their peculiar plan, being that of having four driving and four truck wheels. The driving wheels are attached to the body of the engine in an entirely different manner from those of other engines, and are so fixed as to yield readily to any undulation of the road without jarring the engine. On a level it is calculated that it would draw one hundred loaded cars at the rate of twenty miles an hour. It has been constructed for the Auburn and Rochester road, and has been built thus powerfully in order to keep open the road during the winter season."

THE STEAMER GERM. A desideratum in ocean and canal navigation, so long and audaciously sought, is now clearly presented to the public in this simple and compact little vessel. She is propelled easily at the rate of 9 miles per hour, by two iron submerged horizontal paddle wheels, 5 feet in diameter, each paddle being just six inches by one foot.

Her length is 50 feet—beam 9 feet at water line, and 11 feet at the gunwale, and draws 2 feet 3 inches water. Although the whole power exerted by her engine is that of 6 2-3d horses, in a race she ran a few days since with a little steamer drawing 3 feet water, 73 feet long, and 5 feet beam, with a horse power engine applied to the ordinary paddle wheels, the "Germ" ranged ahead, and ran round her twice in 20 minutes, a fact establishing beyond doubt the superior efficiency of the horizontal paddle wheel.

In a heavy sea, the horizontal action of this propeller places the vessel so completely under control as to render her perfectly safe, and this propeller receiving the equal and effective resistance of so dense a medium as the water far below its surface imparts a steady and progressive movement, which carries the vessel through a head sea at a speed but little less than in smooth water.

The vessel is free from the weight and labor of the cumbersome water-wheel and axle, and the jar and shake consequent to the use of the presant paddle-wheel. She has the whole length of her deck for a saloon, unencumbered by wheel-houses, &c. and it is manifest the passages across the Atlantic will be made by the use of this invention in much less time, with greater safety and with far greater comfort.

The amount of freight too, which such a vessel may carry, is much larger than could be transported by a vessel built in the ordinary manner, for this reason, that the dip of the wheel, which would seriously impede the progress of the ordinary steamer, serves, in the case of the Germ, and of vessels built on her plan, to add, if any thing, to her sailing qualities.

The increased speed, with less power, resulting from the use of these new propellers, speaks the economy derivable from the adoption of this plan.

New York should not lose this opportunity of occupying her proper position in relation to Atlantic steam navigation.

N. Y. Jmer.

MODE OF PRESERVING TIMBER. The Civil Engineer and Architect's Journal, for January, 1841, describes a patent lately obtained in the United States, for preserving wood by boiling it in lime water. The editor of that journal remarks, however, that lime can be much better preserved from decay by soaking it in a strong solution of lime in cold water. He assigns, as a reason for this, that a much greater quantity of lime, when fresh burned or calcined, is soluble in a given quantity of cold than of hot water; and also relates several satisfactory experiments, in which a quantity of lime, when thus used, in preserving timber from decay. The length of time for which the timber should be soaked depends very much upon the thickness and texture of the timber, and the quality of the lime, and may vary from a fortnight, and others three or four weeks, and even longer. An artificial pond, the sides made water-tight, is used for soaking the timber.

CHRONICLE.

ADULTERATION. The Cleveland, Ohio, Herald says, three citizens of Illinois, viz. John A. Wilson, a Wm. George Thompson—have been arrested in Marion Co. Missouri, and committed to jail, charged with attempting to entice away the slaves of Mr. Woodick, under promise to employ them in Canada. They are members of the "Mission Institute," near Quincy, Illinois, a kind of Ucherian altar. The Argus says of their guilt, there can be no doubt; and it is quite certain that they will have time enough for repentance in the penitentiary.

THE AMBIT AFRICANS. One of them was drowned at Falmouth, Conn. on the 7th inst.

BANK OF THE U. S. OF V. William Drexler having resigned, James Anderson, of Pa., has been elected president of this institution. There are indications of a disposition to recall the Biddle and discard the Lippincott party from the management of the institution. Mr. Samuel Jackson has been appointed to proceed to England to act as agent to the institution. The price of stock had declined to 14, has gone up to 14½—and discount on their notes fell from 25 to 22.

BRIEFER AND CORRUPTER. A young candidate for a seat in parliament naked, in a country town, what was most wanted, and was answered, "means to pay off the debt incurred by building our church." The candidate wrote a check for £100, and the next day was elected the member from that county.

CANTOR OIL. A western paper states that cantor oil is manufactured to a large extent in Illinois; in Randolph county alone, it is estimated that 100,000 barrels are annually made, and can be sold with great facility, and at little expense. When clarified the oil is and is given a much clearer light, than sperm oil, and is entirely free from offensive matter.

CHAMPAGNE WINE. A large bundle of some thousand champagne wine labels, lately passed through the Boston custom house, and have gone to New York; they were printed in England, and were for the use of the American market. Let champagne wine drinkers look out.

COTTON. A few bales of the new crop have reached the New Orleans and Mobile markets. Sales have almost ceased for a moment, all waiting to learn the product of the season, before advertising either to sell or buy in any quantities. Prices at New Orleans on the 7th inst., Liverpool goods are, ordinary M. 70; fine, 75; Louisiana, middling, 70; middling fair 8; 10; fair, fully fair and good fair 10; 1; 2; 3; 4; 5; 6; 7; 8; 9; 10; 11; 12; 13; 14; 15; 16; 17; 18; 19; 20; 21; 22; 23; 24; 25; 26; 27; 28; 29; 30; 31; 32; 33; 34; 35; 36; 37; 38; 39; 40; 41; 42; 43; 44; 45; 46; 47; 48; 49; 50; 51; 52; 53; 54; 55; 56; 57; 58; 59; 60; 61; 62; 63; 64; 65; 66; 67; 68; 69; 70; 71; 72; 73; 74; 75; 76; 77; 78; 79; 80; 81; 82; 83; 84; 85; 86; 87; 88; 89; 90; 91; 92; 93; 94; 95; 96; 97; 98; 99; 100; 101; 102; 103; 104; 105; 106; 107; 108; 109; 110; 111; 112; 113; 114; 115; 116; 117; 118; 119; 120; 121; 122; 123; 124; 125; 126; 127; 128; 129; 130; 131; 132; 133; 134; 135; 136; 137; 138; 139; 140; 141; 142; 143; 144; 145; 146; 147; 148; 149; 150; 151; 152; 153; 154; 155; 156; 157; 158; 159; 160; 161; 162; 163; 164; 165; 166; 167; 168; 169; 170; 171; 172; 173; 174; 175; 176; 177; 178; 179; 180; 181; 182; 183; 184; 185; 186; 187; 188; 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989; 990; 991; 992; 993; 994; 995; 996; 997; 998; 999; 1000.

THE NEW ORLEANS FLEET. The New Orleans fleet of cotton, in the vicinity of Natchez, has been greatly injured by long drought and insects here; on the point near the plant has nearly died all its forms, but the cotton and bollworms have been killed, and the uplands rice on the product of the second growth, and whether there will be a second growth depends entirely on the season. Nothing but heavy and abundant rains and a late fall will save any good crop.

CROPS. A review of all that we have met with in the public papers, relative to the crops of grain this season, confirms the impression, that the product upon the whole, will be nearly or quite an average. Maryland will certainly be light, but the wheat in the north and eastern Virginia also; but the year would be much above an average in which no section of the union failed. Wheat turns out much lighter than was expected in the middle states, and in New York and Ohio there will be some falling off from the average of 1839 and 1840—Michigan and Indiana will show an excess—rice failed extremely, but nearly every other crop has returned, and some are good—corn recovers considerably after having suffered by drought, but the crop will fall far below an average—potatoes and other vegetables are abundant, and of good quality.

ILLUSTRATIONS during the last week in Philadelphia 170, of which 99 were under two years, three over 30, and one over 100 years of age; 22 were people of color. In Baltimore 48, of which thirty-five were under two years, and one more for each age, and one for each sex.

Amongst the obituary notices of last week, we notice that of *Gen. Griffin*, a representative from South Carolina, in the last congress; *Gen. James Lawrence*, of New York, Conn. aged 72 years. For fifty years a member of the Connecticut bar; for a long time the state's attorney for his country; a member of the convention that secured the constitution of the United States; a member of one of the judges of the supreme court. *Major Wm. Niles*, an officer of the army of the revolution, at his residence in New York, on the 12th inst., aged 82 years. On the 8th inst. at his residence in Grainger county, Tennessee, *William Clay*, esq. father of the hon. C. C. Clay, senator in congress from Alabama. He was born in the county of Gloucester, Virginia, on the 11th of August 1769. Consequently, when he died, he was within 1 week of completing his 81st year. He entered the revolutionary army at the early age of sixteen, and served a campaign of duty with the militia of his native state, and aided in the closing scene of the war at the siege of Yorktown and the capture of Lord Cornwallis. He resided for many years in the county of Halifax, Va. where he resided several years. He then removed to the western country, and settled in Tennessee, where he spent the forty-five years of his life. He was a man of great industry and numerous descendants. A man named *Boisard*, a Canadian by birth, died lately in Lafayette

Parish, in Louisiana, at the age of one hundred and eighteen.

DEATHS. Every thing in any way connected with the Great West, necessarily goes off with celerity and dispatch. She herself on Saturday left the wharf precisely at the time designated, and even a peck-pole, by the name of *Harvard* and *Scuffin*, which had been added "off" by the police officers, before he had time to transfer to his own pocket the wallet legitimately belonging to the pocket of a southern gentleman who witnessed the departure, and who was a noble steamer. The case was presented to the grand jury, a true bill immediately found, he put upon trial, found guilty by the jury without leaving their seats, and shortly after was on his way to Sing Sing, where he is to be employed the next five years in picking stone instead of peckers. (New York Times.)

ELECTIONS. The returns so far received, indicate that Alabama has elected an increased number of Van Buren members to their legislature.

Tennessee. Jones, the whig candidate for governor is ahead of Gov. V. B. by 30,000 as far as heard from 4,200 votes, and in Washington is elected to give the composition of the legislature is not yet ascertained. There are 25 senatorial districts in the state, which in the last legislature were divided by 14 in Van Buren and 11 in Whigs. So far the whigs have gained one senator and four representatives, losing none. The house has 75 members of which last season 42 were Van Buren and 33 whigs.

Two United States senators are to be chosen by the legislature now elected.

Indiana. Last session the whigs had a large majority in the popular branch. A considerable majority of Van Buren members are now elected to that body—numbers not yet ascertained. The senate will probably be elected in Washington is elected to give the vote in favor of the bankrupt bill on its final passage.

Illinois. Two Van Buren and one whig representative are elected to congress. The latter, Mr. Stuart is elected to Washington is elected to give the vote in favor of the bankrupt bill on its final passage.

EXCHANGE in New York upon England 98½; upon France 61, 21. At this rate of exchange on France specie again leaves us to pay a balance.

FLOUR. There were inspected during the last week in Baltimore 12,905 bbls. and 1,286 half bbls. The demand is active, the prices maintained as our last quotations.

GAS. On the 1st of January, 1841, the capacity of the gas establishment of this city could be set down as capable of producing 200,000 cubic feet of gas daily; and by filling up an additional series of gas pipes, as proposed, will be increased to 400,000 cubic feet daily. The whole quantity manufactured during the last year was 45,110,000 cubic feet, and the average consumption was 125,000 cubic feet daily. The gas is sold to private consumers and public lamps through nearly thirty miles of street mains. The number of private lights on the register on the 1st of July was 17,790, and 2,203 consumers; the public lamps amounted to 727. (Phil. Ledger.)

MACKEREL FISHING. The prospects of a crop of mackerel this season are very promising. The *Yarmouth Register* says that several fishermen from that vicinity, who were usually successful during the first part of the season, have recently returned with very small fares. Many of the most experienced fishermen are included in the number, who give as their opinion that the number of mackerel diminishes every year. The Gloucester Telegraph mentions that two vessels arrived a few days ago at that port, which had been absent over three weeks, without obtaining one barrel of mackerel!

MANNA. By a recent despatch from Van, in Turkish Armenia, an authenticated statement has been received at Constantinople of a copious fall of manna from heaven. Although manna was not reported to have fallen to the earth two inches deep, and to afford food many days to the people. Specimens were forwarded to the government, which the ports intend to have chemically analyzed. The following passage, translated from the Arabic, in the Malta Times, seems to be connected with this subject. "A great famine has happened in Aleppo, Malatia and Barbut, inasmuch that the people died with hunger, and sold their sons and daughters in great bread. But the Almighty God rained upon them seed and fed them with it. The words of the prophet of these few words, add, the Malta Times, 'extracted from an Arabic letter, we are perfectly misled.' The seed was manna, which fell in Malta, being nearly like fine sawdust, and when being kept a little while, became white, like snow (very fine wheaten flour).

MORMONS. The Trenton N. J. State Gazette states that the Mormons have two societies in Monmouth county, one at *Burner's* town and the other at *Ton's* place, both of them belonging to *Mr. Farmer*, and 70 or 80 in the latter. They have also meetings regularly, once a week, at New Egypt, besides occasional meetings at other places.

NEW YORK STATE CANALS. Under circumstances which we fear from preventing the return of the New York state canal promises to be this year quite as large, if not larger, than the warmest friends of in-

ternal improvements anticipated. Up to the 1st of this month they amount to \$1,164,977, when last week they reached the sum of \$1,716,370 11. And on the whole, it may be set down that the net revenue from this source will prove nearly double the estimate made by Mr. Verplanck. It has nearly upon the finances presented to the senate at the last session, which was assumed as exaggerated.

(N. Y. Cour. & Eng.)

SMALL NOTES. The attorney general of Pennsylvania has issued a circular to the judges, in which he directs them after the 10th of next month, September, to institute proceedings against all those who have issued and not redeemed, or small continue to issue or distribute, the estimate made by Mr. Verplanck. It has nearly upon the finances presented to the senate at the last session, which was assumed as exaggerated.

STEAMERS. The Acadia left Boston on the 13th with 50 passengers for Halifax, and 84 for Liverpool, 7,000 letters and the usual quantity of newspapers.—Donald McLeod esq. of Washington, went out in her with despatches to our minister in London. A package of despatches for our minister reached Boston three hours too late for the Acadia.

STEAMBOATS. Buffalo papers say that half a million of dollars worth of steamboat stock is now lying up at that place out of commission. The season of business on the lakes has been prodigiously overdone for two or three years past.

The *St. Louis* and *St. Charles* hotten boat drawing about ten inches water the timber, in which six weeks ago were growing in the forests, had made two trips from Pittsburgh to Beaver and one to Cincinnati, when on the 11th inst. the boiler burst, and the vessel, with four small boilers burst, and a Mr. Harring, a passenger, either fell or jumped overboard and was drowned.

The Green. The beautiful lake experimental steamer *Green*, commanded by Capt. Green, left New York on Saturday last. It is mentioned in the Argus that Capt. H. will probably take his Gorm through the Erie canal.

STEEL. The Acadia steamer, which left Boston on Monday last, took out over \$100,000 in specie.

SAFETY BELTING is more actively carried on at present than any business in the country. The *Baltimore* are parading the ship *Hope* recently built at Duxbury as the most splendid piece of naval architecture ever entered the port of Boston, and probably the largest merchant ship, being accompanied by regular 353 tons. It is intended for the cotton trade and will carry 3,200 bbls. of cotton, and is to be commanded by Capt. Freeman Soule.

STOCKS. Within the last ten years \$150,000,000 worth of stocks has been imported into this country.—Where are the stocks now? Where are they any thing to show for what we have paid? No.

We are now 150 millions of dollars poorer than we should have been had we not a duty on them as high as to prevent their importation. Let no one say that we need no duty, that the people must learn economy. If they are imported, the rich will have them, and the poor will be left with nothing but the duty, striving to save their more wealthy neighbors. The only remedy is to stop the supply. (Whiting Times.)

Tobacco. Two hogheads of tobacco, mis-entred, have been sold recently in Lynnhourg, Virginia, at \$25 25 per 100 lbs.

The inspections in Baltimore last week consisted of 506 hogheads of which 606 were Maryland, 223 Ohio, 60 Virginia and 1 Kentucky. The demand fell off during the week; prices, Maryland inferior and common 61st 50c; middling to good 53rd 50c; good 55th 50c; and 56th 50c. Common Union middling 54th 50c; good 55th 50c; and 56th 50c. Extra 57th 50c; and extra 58th 50c.

WHEAT. declined during the last week in the Baltimore market from 81 25 to 81 24 for Maryland red.

Wool. The *Forbesburgh* Anglo quotes this article as in demand at 48 to 50 cents, cash, for first quality, and 30 to 40 for second.

The Boston Advertiser says, of the clip wool: "There is but little doing in our own market; we understand that there is a considerable extent have been made in Vermont by our manufacturers, at a distance, their below our range of quotations. Large purchases have also been made in the state of New York—about 60,000 lbs. of clip wool, and a large quantity in the region of White River, Hoonock and Duches county, at an average of about 41 cents per lb. for the best fleece, being 3 to 4 cents per lb. above the prices of last year—the wool, however, is considered 10 per cent. lighter and cleaner than last year."

The Michigan farmers are turning their attention to raising corn. They have recently taken 1,620 into California county—no state in the union is better adapted for the business.

WHALES. The ships *Montezuma*, of Philadelphia, and *Peruvian*, of Baltimore, have both been sold for whales.

The Delaware Republican says, The ship *Ceres*, captain Ayres, left her wharf this morning, and dropped anchor to wait for the *Peruvian*, in fine company. She will not sail on Saturday, upon a fine day, as the *Pacific* ocean still sports whale.

NILES' NATIONAL REGISTER.

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BALTIMORE, AUGUST 28, 1841.

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THE PAST—THE PRESENT—FOR THE FUTURE.

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FOREIGN ARTICLES.

The Cunard steamer *Columbia*, captain Judkins, arrived at Boston on the 19th inst. in 154 days from Liverpool, bringing papers as late as the 4th from that place.

The *owes* brought by the Colombis is highly interesting and important; the intelligence taken out by the Britannia had created a great deal of alarm amongst the friends of peace; and at the stock exchange consols immediately fell, in consequence of the decision of the supreme court not to liberate McLeod.

The commercial *owes* is bad. Trade was indescribably dull in all the manufacturing districts. Cotton had declined $\frac{1}{4}$ per lb. Several heavy failures had taken place; a great many workmen were out of employ, and serious disturbances were apprehended unless relief should come from some quarter.

A complete list of the new parliament gives 292 liberals and 358 tories, making together 650. But this does not agree with other accounts—the Morning Post claims a tory gain of 82. But the Spectator shows a gain of 75 to the tories and 55 liberals, giving a balance of 40, and counting 50 on a division to the tories.

Daniel O'Connell is speechifying, keeping up his "burrah for repeal," and collecting subscriptions in Ireland.

The arrival of another overland mail from India with not the least *owes* from China, created great astonishment, and gave rise to many conjectures as to the reason of such an unusual occurrence.

Great alarm was felt at one time for the crops in Great Britain, which, it was supposed would be entirely destroyed by the continued hot weather; but recent accounts state that the crops now promise well in all quarters.

The Britannia steamer arrived out on 29th July, making the voyage from Boston, including that to Halifax, in 124 days, the shortest yet.

GREAT BRITAIN.

Sir Robert Peel gave a dinner on the 27th ult. at Tanworth, to his supporters, and made a long speech on the occasion. He declared that he intended to act upon the declarations which he made in 1835, and upon particular measures which he supported in 1840. He would not state positively whether he would do it called to the administration of affairs, but he intended to be in place in parliament, August 19th, personally to witness the result of the appeal which had been made to the people.

Lord John Russell, the day before his marriage, (July 19th) wrote an address to his London constituents, which appeared in the papers immediately after, and caused considerable talk. He says "as no minister of the crown can stand without the confidence of the house of commons, our retirement from office will immediately follow the condemnation of our policy."

Meeting of parliament. A general impression exists that parliament will meet for the despatch of business on the 19th (August), but that is by no means certain. The writs are returnable on that day, but the meeting of the legislature must be convened by proclamation, agreed upon by her majesty in council.

The new ministry. The following is given as a list of those to whom it is supposed will constitute the new ministry.

Sir Robert Peel, first lord of the treasury and chancellor of the exchequer.

Earl of Aberdeen, principal secretary of state for foreign affairs.

Lord Wharncliffe, lord lieutenant of Ireland.

H. Ho, Henry Goldwin, secretary of state for the home department.

Sir Wm. Follett, lord high chancellor.

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Lord Stanley, secretary of state for the colonies.

Duke of Wellington, president of council.

Hon. C. Shaw Lefevre, speaker of the house of commons.

Sir H. Hardinge, secretary for Ireland.

Duke of Bedford, lord chamberlain.

Lord Liverpool, lord steward.

Earl of Jersey, master of horse.

Lord Lyndhurst, ambassador at Paris.

Markets. *See American stocks in London, July 31.*

—Maryland fives, 75; New York fives for 1855, 80; Ohio fives 87; Tennessee fives 75; United States bank 85.

Liverpool cotton markets, Monday, August 2.

The demand still continues very limited, and the prices of the ordinary and middling qualities of American have given very fully $\frac{1}{4}$ per lb.; all other descriptions too are dull, and have suffered a similar depression. The business of the week amounts to 20,220 bales, (of which 600 are American and 200 Surat to speculators, with 2,250 American and 200 Pernambuco for shipment) and comprises: *See*

Sea Island at 13d. to 21d.; 5,060 bowed 5 $\frac{1}{2}$ d. to 7 $\frac{1}{2}$ d.; 4,650 Mobile, Alabama and Tennessee at 5 $\frac{1}{2}$ d. to 7 $\frac{1}{2}$ d.; 7,250 Orleans 5 to 8 $\frac{1}{2}$ d.; 470 Pernambuco, Parahiba, &c. 8 to 9 $\frac{1}{2}$ d.; 490 Bahia and Maricao 7 $\frac{1}{2}$ d. to 8 $\frac{1}{2}$ d.; 230 Maranhon 6 $\frac{1}{2}$ d. to 8 $\frac{1}{2}$ d.; 1,120 Peruvian 6 $\frac{1}{2}$ d. to 8 $\frac{1}{2}$ d.; 30 Carthagea 5 $\frac{1}{2}$ d.; 570 Egyptian 5 $\frac{1}{2}$ d. to 10 $\frac{1}{2}$ d. and 2,150 Surat at 3 $\frac{1}{2}$ to 5 $\frac{1}{2}$ d. per lb.

Tuesday, Aug. 3. The sales to-day are 1,200 bales.

Liverpool markets, Aug. 3. The tobacco market has been quiet, and the sales amount only to 30 bbls. at fair prices.

Our import that this week shows moderate supplies of British grain, flour and oatmeal; the receipts of American are also of trivial amount. Several cargoes of foreign wheat have arrived, which are for the present entered under bond.

A return of unfavorable weather since our last giving renewed activity to the demand for bonded wheat and flour, and has again to report considerable quantities in these articles at advanced rates. 28s. 6d. per barrel has been paid for best brands United States flour. Holders of free wheat and flour have also demanded 25s. to 31. per bushel, and 6d. to 1s. per barrel above our last quotations, with which, however, our millers and dealers have reluctantly complied. Canadian wheat flour has brought 37s. to 38s. per barrel. Quakers—American wheat 10s. a 10s. 4d.; Canadian 10s. 3d. a 10s. 6d.

FRANCE.

The papers announce the signature, by all the parties, of the treaty which closes the passage of the *Daendels* against the ships of war of all foreign powers. This was the last step remaining to complete the return of France from her isolated position among the great powers.

The census of the doors and windows was still in progress, and had caused in many places partial outbreaks of discontent, but no such violent proceedings as at Toulouse.

The anniversary of the three days was celebrated in Paris as usual, with great display and ceremony, but without disturbance of any kind. The weather was very fine.

The government had taken very decided measures with the refractory inhabitants of Toulouse. An extraordinary commissioner had been sent there, with two royal ordinances, one dissolving the national guard and the other the municipal council. Large bodies of troops were pointed in and about the city, and every symptom of disturbance was promptly and rigorously put down.

The king and royal family had gone to Fontainebleau.

It was reported that the finance minister, M. Humann, had resolved to meet the chambers without consulting the proposed loan.

The allies from Algiers were to the 26th of July. Marseilles and Montpellier were occupied by the French troops, and several partial engagements had taken place, but none of great importance.

FROM THE EAST.

The overland mail from India had arrived, but the advices from Madras were only to the 2nd of April—not so late by three weeks as we have had direct. There were, however, late dates from Calcutta, but the news was not interesting.

TURKEY, EGYPT, SYRIA, &c.

Constantinople, July 13. A Turkish steamer reached this place on the 9th, bringing despatches of a favorable nature from their post. His expedition against the Candia rebels may be considered as terminated. After defeating the insurgents in divers skirmishes and encounters, two provinces submitted at discretion; and the third, with the exception of the mountains of Skisau, has followed the example of its other neighbors.

The eastern question. The following protocol of the conference was signed on July the 20th, 1841, and is published by the Augsburg Gazette:

"As the difficulties in which his highness the sultan was involved, and which induced him to accept the aid and support of the four powers, are terminated; and as Mehemit has fulfilled the act of submission to the sultan, which the convention of July aimed at, so have the representatives of the powers, signers of that treaty, thought fit to recognize and consecrate the old usages of the Ottoman ports for preventing armed ships of war to enter the straits of the *Daendels* and Bosphorus. To give a constant and permanent sanction to this, and, at the same time, to give a mark of the harmony and unity which guide the intentions of the powers, it is agreed to guarantee this, and to get the sultan to invite France to join therein.

As this agreement is intended to give Europe a pledge of the unity of the four powers, the British foreign secretary has undertaken, in concert with the other plenipotentiaries, to communicate them to the French government, and to take part in the arrangements, by which the sultan declares his determination to uphold the said rule, the five powers on their side making known their resolution to respect it. [Signed] ESTERHAZY, PALMELOTT, NEUMANN, BULOW, BRUNOW.

Alexandria, July 16. Col. Napier is still here, and his mission appears to await the despatches of the porte.

Troops are now under orders for the Hadgas, the military occupation of which it has been found necessary to entrust to Mehemit Ali, every species of disorder and anarchy having resulted from the short period in which these countries have been under the direct domination of the porte.

Mehemit Ali has sent 8,000,000 of piastres to Constantinople—5,000,000 of which is on account of the tribute, and the rest is for presents to the sultan and others. The sultan was so much pleased that it was believed he would reduce the tribute.

NATIONAL AFFAIRS.

Trade of Great Britain with the United States and France. We extract the following valuable information from the *London Times* of April 10th, 1841, exhibiting at one glance, the effect produced by the policy which is maintained in England and France, as contrasted with the policy which the United States has ruinously pursued.

Imports and exports.

The interchange of the United Kingdom of Great Britain and Ireland with all countries, given in English money, according to a scale of official value settled in the year 1698:

	Imported.	Exported.
1835	£ 48,911,524	£ 94,174,455
1836	£ 57,380,997	£ 77,624,300
1837	£ 47,737,301	£ 85,781,669
1838	£ 61,268,320	£ 105,170,549
1839	£ 62,001,000	£ 110,198,716

The interchange of France with all countries, given in English money, at the rate of 25s. for one pound sterling, according to a scale of official value settled in the year 1826:

	Imported.	Exported.
1835	£ 30,428,067	£ 33,376,858
1836	£ 36,223,011	£ 41,331,300
1837	£ 32,511,718	£ 30,232,888
1838	£ 37,482,179	£ 39,236,305
1839	£ 37,878,557	£ 40,139,271

The interchange of the United States with America with all countries, given in English money, at the rate of 50s. for each dollar, according to the actual worth of the merchandise at the time and in the place where landed or shipped, in the year ending as under:

	Imported.	Exported.
1835	£ 30,428,067	£ 33,376,858
1836	£ 36,223,011	£ 41,331,300
1837	£ 32,511,718	£ 30,232,888
1838	£ 37,482,179	£ 39,236,305
1839	£ 37,878,557	£ 40,139,271

The interchange of the United States with America with all countries, given in English money, at the rate of 50s. for each dollar, according to the actual worth of the merchandise at the time and in the place where landed or shipped, in the year ending as under:

	Imported.	Exported.
Sept. 30, 1835	\$1,252,829	\$2,455,329
" 1836	39,579,173	26,804,800
" 1837	29,872,753	24,462,370
" 1838	28,611,125	22,651,378
" 1839	35,227,527	25,214,253

The interchange of France with Great Britain and her dependencies, by official value, given in English money, at the rate of 25s. for each pound sterling:

	Imported from.	Exported to.
Great Britain, and possessions in Europe	\$2,451,531	\$3,962,533
Mauritius, and British possessions in Africa	43,452	138,296
New South Wales, and the East India	1,052,802	194,191
British possessions in America	17,506	4,750

In the year 1835	\$3,365,291	\$4,510,070
" 1836	9,974,156	6,037,195
" 1837	4,056,528	4,189,382
" 1838	4,545,077	6,011,993
" 1839	6,028,585	6,952,001

The interchange of the United States of America with Great Britain and her dependencies, (by declared value), given in English money, at the rate of 50s. for each dollar.

	Imported from.	Exported to.
Great Britain and Ireland	\$12,760,318	\$10,871,015
British dependencies	979,120	1,663,290

Year ending } 1835	\$18,789,428	\$12,534,085
Sept. 3, } 1836	17,921,023	13,334,906
" 1837	10,881,157	12,738,642
" 1838	10,215,995	12,434,014
" 1839	15,020,906	14,201,982

Perhaps few of our readers were prepared to see that France, as we are shown by her returns, is already importing from England and her dependencies direct, to an amount exceeding \$5,000,000 sterling, and the import or custom of France is larger considerably than here appears, inasmuch as under existing regulations all products not being of European growth or manufacture cannot be received into the French market direct, but are sent from this country to Belgium or Holland, and thence into France. The excess of the French exports to this country and her dependencies, compared with the imports, is in some degree accounted for by this cause.

In like manner, out of the exports of the United States to this country, a certain portion of the amount (between £100,000 and £200,000) represents not the products of the United States, but goods sent there; as, for example, the gum of Senegal or the annatto of Cayenne, which are dependencies of France, in order that they may afterward be imported by British vessels into England.

The excess in the amount of the general exports over the imports of this country shows, that we are a saving and a lending people; our merchants lend to the merchants of other countries, and individuals of acquired fortune invest in a portion of their capital in foreign stocks, or in the purchase of lands in our colonies.

In the general interchange of the U. States we see a condition of trade, comparing the amount of imports and exports, the opposite of our own. We see that they are a borrowing people, and that the extent of their purchasing our products is measured by the degree of our lending the capital by which they are to be paid for. We say this in no invidious spirit, because we are among those who are of opinion that the bond of any salient community is as good and convenient a return for our industry as commodities in the ordinary sense; only, we speak of it as a fact, attested by all reasonable observation, and by such returns as are here before us, that when this country is in a spirit to invest in American securities, then it is that America is an unusually active customer for British goods.

In the general interchange of France, we see a steadily increasing trade, and that a remarkable equality obtains throughout, if the exports be compared with the imports. It may be stated incidentally, with regard to French commerce, that about one-third of the amount of imports, and about one-fourth of the amount of exports, are transported by land.

We cannot close this subject without subjoining one more table, for the purpose of exhibiting from our own custom house returns, the progress of that portion of the exports to France and to the United States, consisting only of British and Irish produce and manufactures, which by declared value, was as follows, viz:

	To France.	To the United States.
1835	\$1,453,686	\$1,049,456
" 1836	1,501,281	12,425,605
" 1837	1,643,204	4,695,225
" 1838	2,814,141	7,583,760
" 1839	2,299,307	8,538,304

As the exports from Great Britain to the United States extend little or nothing beyond our own produce and manufactures, it is at first sight not easy to reconcile what we return as the amount of our exports to the United States with what the United States government returns as the amount of their exports from this country. Among the causes which seem to explain the excess of the United States return, one is, that the freight of the goods is only earned and added to their value after arrival, and the other, that all the imports into the U. States south of New York, will for the last two or three years have been estimated, we might perhaps add, paid for, in depreciated money. Still explain it as we will, the irregularity of the United States, as a country, is evident. The same remarks, if the sum is large, but occasional disorder is one of the conditions under which we enjoy it.

INDIAN FRONTIER AFFAIRS. The Fayetteville (Arkansas) Witness says:—"It appears that upon the 4th of July, on account of its being a national day, a number of the soldiers of the garrison were allowed the privilege of visiting the village of Maysville, a short distance from the fort. Whilst there, having indulged first freely in the cups, as it is a soldier's wont, a riot took place, in which several of the soldiers and some Indians from the Cherokee nation took part, the consequence of which was, that one of the Indians met his death and another was badly wounded. The soldiers concerned in this affray were immediately placed in the guard-house, and efforts were made to ascertain which of them it was who committed the murder, but without success. Meanwhile, the friends of the deceased Indian became impatient at the delay, and collecting some six or seven hundred warriors, set themselves down before the fort, threatening to burn it and massacre the garrison, unless the persons concerned were instantly given up for punishment. This, of course, the commandant of the fort refused to do, and it was with the greatest difficulty that a number of the chief men of the nation could prevail upon the multitude to desist for a time from violence."

THE ARMY.

General orders, No. 47.

Head quarters of the army, adjutant general's office, Washington, June 23, 1841.

Promotions and appointments in the army of the United States, made by the president, with the advice and consent of the senate, received through the department of war, since the 4th of March, and the promulgation of "general orders" No. 18, of March 24, 1841.

I.—Promotions.

Second regiment of dragoons.

First lieutenant Nath. W. Hunter to be captain 1st April, 1841, vice Foster, resigned.

Second lieutenant Wm. J. Newton to be 1st lieutenant 1st April, 1841, vice Hunter, promoted.

Second lieutenant W. H. Saunders to be 1st lieutenant 2nd June, 1841, vice Ashton, deceased.

Brevet 2d lieutenant W. G. Torrey, of the 1st dragoons, to be 2d lieutenant 1st April, 1841, vice Newton, promoted.

Brevet 2d lieutenant Daniel G. Rogers to be 2d lieutenant 2nd June, 1841, vice Saunders, promoted.

Third regiment of artillery.

Second lieutenant Edw. O. C. Ord to be 1st lieutenant 1st July, 1841, vice Mock, resigned.

First regiment of infantry.

First lieutenant Samuel M. Plummer to be captain 1st May, 1841, vice Peppan, resigned.

Second lieutenant Fred. H. Marsten to be 1st lieutenant 1st May, 1841, vice Plummer, promoted.

Second regiment of infantry.

Second lieutenant Justus McKinstry to be 1st lieutenant 19th April, 1841, vice Woodruff, deceased.

Third regiment of infantry.

Second lieutenant Wm. H. Gordon to be 1st lieutenant 21st June, 1841, vice Vose, jr. deceased.

Fourth regiment of infantry.

Second lieutenant A. L. Sheppard to be 1st lieutenant 2nd June, 1841, vice Riell, deceased.

II.—Appointments.

Brig general Winfield Scott, major general by brevet, to be major general 18th June, 1841, vice major general Alexander Macomb, deceased.

Medical department.

Charles E. Isaacs, of the state of Mississippi, to be assistant surgeon.

Richard H. Conledge, of the state of New York, to be assistant surgeon.

R. S. Holmes, of the state of Pennsylvania, to be assistant surgeon.

Chas. W. Stearns, of the state of Massachusetts, to be assistant surgeon.

Rank.] Corps of engineers. [Company.

1. Cadet Zealous B. Tower to be 2d lieutenant 1st July, 1841.

2. Cadet Horatio G. Wright to be 2d lieutenant 1st July, 1841.

3. Cadet Massillon Harrison to be 2d lieutenant 1st July, 1841.

4. Cadet Joseph F. Irons to be 2d lieutenant 1st July, 1841.

5. Cadet Ariel Whipple to be 2d lieutenant 1st July, 1841.

6. Cadet Joseph F. Irons to be 2d lieutenant 1st July, 1841.

7. Cadet Henry A. Allen to be 2d lieutenant 1st July, 1841.

8. Cadet George W. Ayres to be 2d lieutenant 1st July, 1841.

9. Cadet Sewel L. Fish to be 2d lieutenant 1st July, 1841.

10. Cadet George W. Ayres to be 2d lieutenant 1st July, 1841.

11. Cadet Nathaniel Lyoo to be 2d lieutenant 1st July, 1841.

12. Cadet Joseph B. Plummer to be 2d lieutenant 1st July, 1841.

13. Cadet Schuyler Hamilton to be 2d lieutenant 1st July, 1841.

14. Cadet Richard B. Barnett to be 2d lieutenant 1st July, 1841.

15. Cadet Richard B. Barnett to be 2d lieutenant 1st July, 1841.

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58. Cadet Richard B. Barnett to be 2d lieutenant 1st July, 1841.

59. Cadet Richard B. Barnett to be 2d lieutenant 1st July, 1841.

60. Cadet Richard B. Barnett to be 2d lieutenant 1st July, 1841.

III.—*Cavalries*.—(18.)

Resignations.—(8.)

- Capt. Henry W. Fowler, 2d dragoons, 31st March, 1841.
 Capt. George H. Pegram, 1st infantry, 30th April, 1841.
 1st lieutenant William Mock, 3d artillery, 30th June, 1841.
 2d lieutenant Andrew J. Fields, 6th infantry, 11th May, 1841.
 2d lieutenant M. S. Culbertson, 1st artillery, 19th April, 1841.
 2d lieutenant W. Irvin, 4th artillery, 31st March, 1841.
 2d lieutenant Edward S. Osgood, 6th infantry, 31st March, 1841.
 Assistant surgeon J. H. Baldwin, 31st May, 1841.

Deaths.—(8.)

- Major general Alexander Macomb, at Washington, 25th June, 1841.
 1st lieutenant Chas. E. Woodruff, 2d infantry, Fort Monroe, Va. 17th July, 1841.
 1st lieutenant Josiah H. Vose, jr. 3d infantry, at N. York, 30th June, 1841.
 1st lieutenant John A. Kiall, 8th infantry, at sea, 22d June, 1841.
 2d lieutenant Thomas B. Gleason, 3d infantry, at sea, 9th June, 1841.
 2d lieutenant Thomas S. Brownell, 4th infantry, Hartford, Conn. 8th May, 1841.
 2d lieutenant J. R. H. Lancaster, 1st infantry, Fort Mifflin, Pa. 6th July, 1841.
 2d lieutenant Henry Wardwell, 9th infantry, Fort Dallas, Tex. 21st July, 1841.
 Assistant surgeon Charles Noyes, at St. Augustine, Fla. 26th July, 1841.

Dismissed.—(1.)

- 1st Lieutenant R. C. Arbetson, 2d dragoons, 23d June, 1841.

IV.—The officers promoted and appointed will join their proper stations and companies with out delay; those on detached service, or acting under special orders and instructions will report by letter to the commanding officers of their respective regiments.

V.—The graduates appointed second lieutenants will join their respective companies, except those assigned to the regiments in Florida, (3d artillery, 2d, 3d, 4th, 5th, 6th, 7th and 8th regiments of infantry), who will report in person to the commanding officer at Fort Columbus, N. Y.

The brevet second lieutenants of dragoons will report for temporary duty and instruction to the commanding officer at Carlisle barracks; the brevet artilleers to the artillery will join the light companies to which they are temporarily assigned for duty; those engaged to the infantry, if not otherwise specially instructed, will report in person to the commanding officer at Fort Columbus.

The usual leave of absence allowed by the regulations is hereby granted to the several graduates; at the expiration of which (September 30) they will join their proper stations and regiments as herein directed.

VI.—Acceptances or non-acceptances of appointments will be reported to the adjutant general of the army; and, in case of acceptance, the birth places of the persons appointed will be stated.

Announced to the army by command of major general Scott:

Assistant adjutant general.

SPEECH OF MR. CLAY, OF KENTUCKY, ON THE EXECUTIVE MESSAGE CONTAINING THE PRESIDENT'S OBJECTION TO THE BANK BILL.

In Senate, United States, August 19, 1841.

MR. CLAY, of Kentucky, rose and addressed the senate as follows: Mr. President, the bill which forms the present subject of our deliberations had passed both houses of congress by decisive majorities, and, in conformity with the requirement of the constitution, was presented to the president of the United States for his consideration. He has returned it to the senate, in which it originated, according to the direction of the constitution, with a message announcing his veto of the bill, and containing his objections to its passage. And the question now to be decided is, shall the bill pass, by the requisite constitutional majority of two-thirds, the president's objections notwithstanding.

Knowing, sir, but too well that no such majority can be obtained, and that the bill must fail, I would have been rejoiced to have found myself at liberty to abstain from saying one word on this painful occasion. But the president has not allowed me to give a silent vote. I think, with all respect and deference to him, he has not reciprocated the friendly spirit of concession and compromise which animated congress to the provisions of this bill, and especially in the modification of the sixteenth fundamental condition of the bank. He has commented,

I think, with undesigned severity on that part of the bill he has used, I am sure unintentionally, harsh. If not reproachful, language; and he has made the very concession, which was prompted as a peace offering, and from friendly considerations, the cause of stronger and more decided disapprobation of the bill. Standing in the relation to that bill which I do, and especially to the acceptable clause, the duty which I owe to the senate and to the country, and self-respect, impose upon me the obligation of at least attempting the vindication of a measure which has met with a fate so unwarmed and so unexpected.

On the 4th of April last the lamented Harrison, the president of the United States, paid the debt of nature. President Tyler, who, since the president, succeeded to the duties of that office, arrived to the city of Washington on the 6th of that month. He found the whole metropolis wrapped in gloom, every heart filled with sorrow and sadness, every eye streaming with tears, and the surrounding hills yet in the echo of the wailing dirges which the people tolled on that melancholy occasion. On entering the presidential mansion he contemplated the pale body of his predecessor stretched before him, and clothed in the black habiliments of death. At such a solemn moment I have no doubt that the heart of President Tyler was overflowing with mingled emotions of grief, of patriotism, and of gratitude—above all, of gratitude to that country by a majority of whose citizens he was elected president on the 6th of November, he then stood the most distinguished, the most elevated, the most honored of all living whigs of the United States.

It was under these circumstances, and in this probable mood of mind, that president Tyler, on the 10th day of the same month of April, voluntarily promulgated an address to the people of the United States. That address was in the nature of a coronation oath, which the chief of the state in other solemn moments have so often and so solemnly, upon ascending the throne. It referred to the solemn obligations, and the profound sense of duty, under which the new president entered upon the high trust which had devolved upon him, by the joint action of the people and of Providence, and it stated the principles and delineated the policy by which he would be governed in his exalted station. It was emphatically a whig address, from beginning to end—every inch of it was whig, and was patriotic.

In that address the president, in respect to the subject matter embraced in the present bill, held the following concise and emphatic language: "I shall promptly give my sanction to any constitutional measure which, originating in Congress, shall have for its object the restoration of a sound circulating medium, so essentially necessary to give confidence in all the transactions of life, to secure the interests of justice and adequate security, and to re-establish the true principle." In deciding upon the adaptation of any such measure to the end proposed, as well as its conformity to the constitution, I shall resort to the fathers of the great republican school for advice and instruction, to be drawn from their sage views of our system of government, and the light of their ever glorious example."

To this clause in the address of the president, I believe, but one interpretation was given throughout the whole country, by friend and foe, by whig and democrat, and by the presses of both parties. It was, by every man with whom I conversed on the subject at the time of its appearance, or of whom I have since inquired, construed to mean that the president intended to occupy the same high ground, and to regard the question of the power to establish a national bank as immovably settled. And I think I may confidently appeal to the senate and to the country, to sustain the fact that this was the contemporaneous and unanimous judgment of the public. Reverting back to the period of the promulgation of the address, could any other construction have been given to its language? What is it? "I shall promptly give my sanction to any constitutional measure which, originating in congress, shall have certain defined objects in view." He concedes the vital importance of a sound circulating medium to industry and to the public prosperity. He concedes that its origin must be in congress, and he prevents any inference from the qualification, which he prefixes to the measure, being interpreted to mean that a United States bank was unconstitutional, he declares that in deciding upon the adaptation of the measure to the end proposed, and its conformity to the constitution, he will resort to the fathers of the great republican school. And who were they? If the father of his country is to be excluded, are Madison, (the father of the constitution,) Jefferson, Monroe, Gerry, Gallatin, and the long list of republicans who associated with them, not to be regarded as among those

fathers? But president Tyler declares not only that he should appeal to them for advice and instruction, but to the light of their ever glorious EXAMPLE. What example? What other meaning could have been possibly applied to the phrase, than that he intended to refer to what had been done by the illustrious Jefferson, Madison, and Monroe?

Entertaining this opinion of the address, I came to Washington at the commencement of the session, with the most confident and buoyant hopes that the whigs would be able to carry all their proposed measures, and especially the bank of the United States, by far that one of the greatest immediate importance. I anticipated nothing but cordial cooperation between the two departments of government; and I was not disappointed. I was soon to find, at the head of the executive branch, a personal and political friend, whom I had long and intimately known, and highly esteemed. It will not be my fault if our amicable relations should unhappily cease, in consequence of a difference of opinion between us on this occasion. The president has been always perfectly familiar with my opinion on this bank question.

Upon the opening of the session, but especially on the re-reading of a national bank, as proposed by the secretary of the treasury, fears were excited that the president had been misunderstood in his address, and that he had not valued but adhered to his constitutional scruples. Under these circumstances, it was with pleasure that the adoption of a mutual spirit of compromise and concession, a bank, competent to fulfill the expectations and satisfy the wants of the people, might be established.

Under the influence of that spirit, the senate and the house of representatives, to the great rejoicing of all, I confess, sir, that there was something exceedingly odious and revolting to my ears in the term "fiscal bank;" but I thought, "What is there in a name? A rose by any other name would smell as sweet." Looking, therefore, rather to the utility of the substantial facilities than to the name of the contemplated institution, we consented to that which was proposed.

As to the place of location of the bank. Although Washington was passed through my mind as among the cities in which it might be expedient to place the bank, it was believed to have the least eligible of some four or five other cities. Nevertheless, we consented to fix there.

And, finally, as to the branching power, there was not probably a solitary vote given in either house of congress for the bill that did not greatly prefer the unqualified branching power, as asserted in the address of the president, to the limitation of the United States, to the 16th fundamental condition as finally incorporated in this bill. It is perfectly manifest, therefore, that it was not in conformity with the opinion and wish of majorities in congress, but in a friendly spirit of compromise, that the president and his particular friends, that the clause assumed that form. So repugnant was it to some of the best friends of a national bank in the other house, that they finally voted against the bill because it contained that compromise of the branching power.

It is true, that, in presenting the compromise to the senate, I stated, as was the fact, that I did not know whether it would be acceptable to the president or not; that, according to my opinion, each department of the government should act upon its own responsibility, independently of the other; and that I presented the modification of the branching power because it was necessary to ensure the passage of the bill, and to occupy the same high ground, and to regard the question of the power to establish a national bank as immovably settled. But I nevertheless did entertain the most confident hopes and expectations that the bill would receive the sanction of the president; and this motive, although not the immediate one, had great weight in the introduction and adoption of the compromise clause. I knew that our friends who would not vote for the bill as reported were actuated, they avowed, by considerations of union and compromise, and of expediency. The views of the president, and I presumed that he would not fail to feel and appreciate their sacrifices. But I deeply regret that we were mistaken. Notwithstanding all our conciliatory, kind, and sincere spirit of conciliation, and the sanction of the president could not be obtained, and the bill has been returned by him with his objections.

I shall now proceed to consider those objections, with as much brevity as possible, but with the most perfect respect to official and personal, towards the chief magistracy.

After stating that the power of congress to establish a national bank, to operate *per se*, has been a controversial question, and the origin of the government, the president remarks: "Men most justly and

deservingly esteemed for their high intellectual endowments, their virtue and their patriotism, have, in regard to it, entertained different and conflicting opinions. Congress has differed. The approval of one president has been followed by the disapproval of another."

From this statement of the case it may be inferred that the president considers the weight of sympathy, pro and con, to be equal and balanced.—But if he intended to make such an array of it—it he intended to say that he was equally divided—most respectfully, but most decidedly, dissent from him. I think the conjoint testimony of history, tradition, and the knowledge of living witnesses prove the contrary. How stands the question as to the opinion of Congress? In the congress of 1791, the congress of 1813-14, the congress of 1815-16, the congress of 1831-32, and, finally, the present congress, have all respectively and unequivocally affirmed the existence of a power in congress to establish a national bank to operate *pro et contra*. We be hold, then, the concurrent opinion of five different congresses on one side. And what congress is there on the opposite side? The congress of 1811? I was a member of the senate in that year, when it decided, by the count of yeas and nays, in opposition against the renewal of the charter of the old bank of the United States. And I now here, in my place, add to the testimony already before the public, by declaring that it is within my certain knowledge, that that decision of the senate did not proceed from a disbelief of a majority of the senate in the power of congress to establish a national bank, but from combined considerations of expediency and constitutionality. A majority of the senate, on the contrary, as I know, considered the object as to the power of congress. Thus the account, as to congress, stands five for and not one, or, at most, not more than one, against the power.

Let us now look into the state of authority derivable from the opinions of presidents of the United States. President Washington believed in the power of congress, and approved a bank bill. President Jefferson approved acts to extend branches into other parts of the country, and to purchase the confiscated notes of the bank—acts which were devoid of all justification whatever upon the assumption of the unconstitutionality of the bank. For how could branches be extended or punishment be lawfully inflicted upon the members of the legislature of a corporation which came into existence without any authority, and in violation of the constitution of the land? James Madison, notwithstanding those early scruples which he had entertained, and which he afterwards so frequently mentioned and signed a bill to charter the late Bank of the United States. It is perfectly well known that Mr. Monroe never did entertain any scruples or doubts in regard to the power of congress. Here, then, are four presidents of the United States who have directly or collaterally borne official testimony to the existence of the bank power in congress.—And what president is there that ever bore unequivocally opposite testimony—that disapproved a bank charter in the acute intensity of the debate? George Jackson, although he did apply the veto power to the bill for re-chartering the late Bank of the United States in 1832, it is within the perfect recollection of us all that he not only testified to the utility of a bank of the United States, but declared that, if he had been applied to by congress, he could have furnished the plan of such a bank.

Thus, Mr. President, we perceive that, in reviewing the action of the legislative and executive departments of our government, there was vast preponderance of the weight of authority maintaining the existence of the power in congress. But president Tyler has, I presume, unintentionally, wholly omitted to notice the judicial department of the government upon this controverted question—that department, whose interpretations of the constitution, within its proper jurisdiction and sphere of action, are binding upon all, and which, therefore, may be considered as exercising a controlling power over both the other departments. The supreme court of the U. States, with its late chief justice, the illustrious Marshall, at its head, unanimously decided that congress possessed the power to charter a bank of the United States, without any dissenting all afterwards the question arose before the court.

After recounting the occasion, during his public career, on which he had expressed an opinion against the power of congress to charter a bank of the United States, the president proceeds to say:—"Entertaining the opinions alluded to, and having taken this oath, the senate and the country will see that I could not give my sanction to a measure of the character described." Without any dissenting all claim to the respect of honorable men—all confidence on the part of the people—all self-respect—

all regard for moral and religious obligations; without an observance of which an government can be prosperous, and no people can be happy. It would be to commit a crime which I would not willingly commit to gain any earthly reward, and which would reflect upon me to the ridicule and scorn of all virtuous men."

Mr. President, I must think, and hope I may be allowed to say, with profound deference to the chief magistrate, that it appeared to me he was viewing with too lively sensibility the personal consequences to himself of his approval of the bill; and that, surrendering himself to a vivid imagination, he has depicted them in much too glowing and exaggerated colors, and that it would have been most unjust if the cool reasoner had depicted more the consequences of a veto upon the hopes, the interests and the happiness of his country. Does it follow that a magistrate who yields his private judgment to the concurring authority of numerous decisions, repeatedly and deliberately announced, after the lapse of long intervals, by all the departments of government, and by all parties, incurs the dreadful penalties described by the president? Can any man be disgraced and dishonored who yields his private judgment to the endorsement of the government in such a case, the country, (I mean a majority), congress, and, according to common fame, an unanimous cabinet, were all united in favor of the bill. Should any man feel himself humbled, and degraded in yielding to the conjoint force of such official authority? Does any man, who at one period of his life has already expressed a particular opinion, and at a subsequent period still act upon the opposite opinion, expose himself to the ridicule of posterity? Is the man betrayed by the president? How is it with the judge, in the case by no means rare, who bows to the authority of repeated precedents, settling a particular question, whilst in his private opinion he is of the opposite opinion? Is it with that numerous class of public men in this country, and with the two great parties that have divided it, who, at different periods, have maintained and acted on opposite opinions in respect to this very bank question?

How is it with James Madison, the father of the constitution—that great man whose services to his country placed him only second to Washington—whose virtues and purity in private life—whose respect for the rights of the citizen—whose character stand unsurpassed? He was a member of the national convention that formed, and of the Virginia convention that adopted, the constitution. No man understood it better than he did. It was opposed to him, and he established the bank of the United States upon constitutional ground; and in 1816 he approved and signed the charter of the late Bank of the United States. It is a part of the secret history connected with that bank, that James Madison acted, at the instance of George Jackson, as a veto for him in the contingency of his rejection of the bill. Thus stood James Madison when, in 1835, he applied the veto to a bill to charter a bank upon considerations of expediency, but with a clear and express admission of the existence of a constitutional power of congress to charter one. In 1816, the bill which was then presented to him being free from the objections applicable to that of the previous year, he sanctioned and signed it. Did James Madison surrender all confidence on the part of the people—all self-respect—all regard for moral and religious obligations? Did not the president, in the gift of that sanction, by his sanction and signature to the charter of the late Bank of the United States, commit a crime which justly subjected him "to the ridicule and scorn of all virtuous men?"

Not only did the president, as it respectfully appears to me, state entirely too strongly the consequences of his approval of the bill, but he has perfectly erred in treating the question, (as he seems to me to have done), which he was called upon to decide, as presenting the sole alternative of his direct approval or rejection of the bill? Was the preservation of the consistency and the conscience of the president wholly irreconcilable with the restoration of the blessings of a sound currency, regular and unobscured prices, and the revival of confidence and business which congress believes will be secured by a national bank? Was there no alternative but to prolong the sufferings of a bleeding country, or to send on this wretched and mischievous bill to the executive department of the government, during the last twelve years, has sprung most of the public ills which have afflicted the people. Was it necessary that the source of suffering and of evil should be perpetuated, in order to preserve the consistency of the president unviolated? Was that the only sad and deplorable alternative? I think, Mr. President, there were other alternatives worthy

of the serious and patriotic consideration of the president. The bill might have become a law, in virtue of the provision which required its return within ten days. If the president had retained it three days longer, it would have been a law, without his sanction and without his signature. In the contingency, the president would have remained passive, and would not have been liable to any accusation of having himself violated the constitution. All that could have been justly said would be, that he did not choose to give his name to a bill that was an obstacle to the passage of a measure indispensable to the prosperity of the nation, in the judgment of the party which brought him into power, of the whig congress which his first met, and, if public fame says truly, of the great majority of the people. Had Harrison called around him; and which he voluntarily continued. In an analogous case, Thomas McKean, when governor of Pennsylvania, then when the United States have produced but few men of equal vigor of mind and soundness of purpose, permitted a bill to become a law, although, in his opinion, it was contrary to the constitution of that state. And I have heard, and, from the creditable nature of the source, I am inclined to believe, although I will not venture for the fact, that in the close of the charter of first bank of the United States during the second term of Mr. Jefferson, some consideration of the question of the renewal of the charter was entertained, and that the expressed wish that, if the charter were renewed, it might be affected by the operation of the ten days' provision, and his consistency thus preserved.

If it were possible to disinter the venerated remains of James Madison, reanimate his perishing form, and place it before him in the halls of this state, which he so much admired, what would have been his course, if this bill had been presented to him, even supposing him never to have announced his acquiescence in the settled judgment of the nation? He would have said, that human contrivance in regard to a single question should not be perpetual, and ought to have a termination. Thus, about the power to establish a bank of the United States, his mind was divided, and he was torn, as it were, under all the forms of its public action, has often and deliberately decided it. A bank, and associated financial and currency questions, which long slept, were revived and have divided the nation into two parties, and have been the center of struggle; and the party which put down the bank, and which occasioned all the disorders in our currency and finances, has itself been signally put down, by one of those great moral and political revolutions which are the scourges of the world, and seldom assume itself to make. Human infirmity has not been granted by God; and the chances of error are much greater on the side of one man than on that of the majority of a whole people and their successive rulers during a long period of time. I yield to the irresistible force of authority. I will not put myself in opposition to a measure so imperatively demanded by the public voice and so essentially to elevate my depressed and suffering countrymen.

And why should not president Tyler have suffered the bill to become a law without his signature? Without meaning the slightest possible disrespect to him, (nothing is further from my mind than the exhibition of any such feeling towards that distinguished citizen, long my personal friend), it cannot be forgotten that he came into his present office under peculiar circumstances. The people did not vote for the continuance of his administration. They voted for him as vice president. They did not, therefore, scrutinize his opinions with the care which they probably ought to have done, and would have done, if they could have looked into futurity. If the present state of the fact could have been anticipated—if at Harrisburg, or at the polls, it had been foreseen that general Harrison would die in one short month after the commencement of his administration; that vice president Tyler would be elevated to the presidency during a long period of time by decisive majorities of the first whig congress, chartering a national bank, would be presented for his sanction; and that he would veto the bill, do I hazard any thing when I express the conviction that he would not have received a solitary vote in the nominating convention, nor any solitary electoral vote in any state in the union?

Should I believe that the honor, the firmness, the independence, the clearness of vision which he has drawn in question if he had remained passive, and so permitted the bill to become a law? I answer that the office of chief magistrate is a sacred and exalted trust, created and conferred for the benefit of the nation, and not for the private advantage of the person who fills it. Can any man's reputation for firmness, independence and honor be of more importance than the welfare of a great people? There is nothing, in

my humble judgment, in such a course, incompatible with honor, with firmness, with independence properly understood. Certainly, I must respectfully think, in reference to a measure like this, recommended by such high sanctions—by five congresses—by the adoption of four precedents—by repeated decisions of the supreme court—by the acquiescence and judgment of the people of the U. States during long periods of time—by its salutary operation on the interests of the community for a space of forty years, and deemed by the people whose suffrages placed president Tyler in that second office from whence he was translated to the first, that he might have suppressed the promptings of all personal pride of private opinion, if any arose in his bosom, and yielded to the wishes and wants of his country. Nor do I believe that, in such a course, he would have made the smallest sacrifice, in a just sense, of personal honor, firmness or independence.

But, sir, there was still a third alternative, to which I allude not because I mean to intimate that it should be embraced, but because I am reminded of it by a memorable event in the life of president Tyler. It will be recollected that, after the senate had passed the resolution of abolishing the single public deposits from the late bank of the U. States to have derogatory from the constitution and laws of the United States, for which resolution president then senator Tyler, had voted, the general assembly of Virginia, to which he was elected from that state to vote for the expunging of that resolution. Senator Tyler declined voting in conformity with that instruction, and resigned his seat in the senate of the United States. This he did because he could not conform, and did think it right to go counter, to the wishes of those who had placed him in the senate. If, when the people of Virginia, or the general assembly of Virginia were his only constituency, he would not set up his own particular opinion in opposition to that which ought to be the rule of his conduct when the people of 26 states—a whole nation—compose his constituency? Is the will of the constituency of one state to be respected, and that of twenty-six to be wholly disregarded? Is obedience to the single state of Virginia? The president admits that the bank question deeply agitated and continues to agitate the nation. It is inconsistent that, in all our recent, absorbing and controlling question, in all our recent divisions and dissensions, he should be convinced, and it is my deliberate judgment, that an immense majority, not less than two-thirds of the nation, desire such an institution. All doubts on this respect ought to be dispelled by the recent decisions of the two houses of congress. I speak of their *assent* of popular opinion. In the house of representatives the majority was 181 to 150. If the house had been full, and but for the modification of the 18th fundamental condition, there would have been a probable majority of 200. It is to be believed that this large majority of the immediate representatives of the people, fresh from amongst them, and to whom the president seemed inclined, in his opening message, to refer this very question, have mistaken the wishes of their constituents.

I pass the sixteenth fundamental condition, in respect to the branching power, on which I regret to feel myself obliged to say that I think the president has commented with an unexampled severity, and with a harshness of language, and a want of the maintenance of that friendly and harmonious intercourse which is so desirable between co-ordinate departments of the government. The president does not have been restrained that every one of the twenty-six senators, and nearly every one of the hundred and thirty-one representatives who voted for the bill, if left to his own separate wishes, would have preferred the branching power to have been conferred unconditionally, as it was in the charters of the two former banks of the United States, in consenting to the restrictions upon the exercise of that power, he must have been perfectly aware that they were actuated by a friendly spirit of compromise and concession. Yet nowhere in his message does he reciprocate or return in any manner. Speaking of the assent or dissent which the clause requires, he says: "This iron rule is to give way in circumstances—it is unbending and inflexible. It is the language of the master to the vassal. An unconditional assent is claimed *forfeited*." The "high privilege" of a submission of the question, on the part of the state representatives, to their constituents, according to the message, is denied. He puts the cause of the resolution in the hands of the legislature expressing its dissent by a unanimous vote, and its resolution may be defeated by a tie vote in the senate, and "both branches of the legislature yet the governor may exert the veto power conferred on him by the state constitution, and their legis-

lative action be defeated." "The state may afterwards protest against such unjust inference, but its authority is gone." The president continues: "To interferences so violent, and as they seem to me irrational, I cannot yield my assent. No exert of justice would or could sanction them, without reversing all that is established in judicial proceeding, by introducing presumptions at variance with fact, and inferences at the expense of reason. A state in a condition of distress would be presumed to speak as an individual, nation and not as a principle, might be presumed to be in the enjoyment of freedom. Far better to say to the states, boldly and frankly, congress wills, and submission is demanded." Now, Mr. President, I will not ask whether these animadversions were provoked by a reciprocal spirit of animosity and kindness, but I inquire whether all of them are perfectly just.

Beyond all question, those who believed in the constitutional right of congress to exercise the branching power within the states, unconditionally and without limitation, did make no small concession when they consented that it should be subjected to the restrictions specified in the compromise clause. They did not, it is true, concede every thing to the advocates of the absolute right, but to establish branches without the authority of the states during the whole period of the existence of the charter; but they did agree that reasonable time should be allowed to the several states to determine whether they would or would not consent to the establishment of branches within their respective limits. They did not think it right to leave it an open question, for the space of twenty years; nor that a state should be permitted to grant to-day the veto to-morrow its assent, and not to-day annex onerous or impracticable conditions to its assent, but that it should definitely decide the question, after the lapse of ample time for full deliberation. And what was that time? No state would have had less time than four months, and some of them from five to nine months for consideration. Was it, therefore, entirely correct for the president to say that an "unconditional assent is claimed *forfeited*," forthwith means immediately, instantly, without delay, which amounts to a denial of a space of time varying from four to nine months. And the president supposes that the "high privilege" of the members of the state legislature submitting the question to their constituents is denied? How could it be denied at any time during that space have consulted their constituents?

The president proceeds to say that I must, with the greatest deference and respect, consider as extreme cases. He supposes the popular branch to express its dissent by a unanimous vote, and that it is overruled by a tie in the senate. He supposes that "both branches of the legislature may concur in a resolution of decided dissent, and yet the governor may exert the veto power." The unfortunate case thereof is a case which no legislator will be so checked by executive authority, would not be worse than that of the union, the will of whose legislature, in establishing this bank, is checked and controlled by the president.

But did it not occur to him that extreme cases brought forward on the one side, might be met by the extreme cases suggested on the other? Suppose the popular branch were to express its assent to the establishment of a branch bank by a unanimous vote, and yet the legislature by a tie vote in the senate, or suppose that both branches of the legislature, by majorities in each, exactly equal to one vote to make two-thirds, were to concur in a resolution involving the introduction of a branch within the limits of the state, and the governor were to exercise his veto power, and defeat the resolution. Would it be very unreasonable in these two cases to infer the assent of the state to the establishment of a branch?

Extreme cases should never be resorted to. Happily, in the present case, the affairs are not so badly affected or influenced by them, in consequence of the rarity of their occurrence.

The plain, simple, unvarnished statement of the case is this: congress believe itself invested with the constitutional power to authorize, unconditionally, the establishment of a bank in the United States, and asking any other consent of the states than that the president does not concur in the existence of that power, and was supposed to intend that the previous assent of the states was necessary. Here was an unfortunate conflict of opinion. Here if the difference could be reconciled, Congress would have far towards a compromise, and the states to express their assent or dissent, but then it thought that this should be done without some limited, but reasonable, time; and it believed, since

the bank and its branches were established for the benefit of twenty-six states, if the authorities of any one of them really could not make up their mind within that limited time either to assent or dissent to the introduction of a branch, that it was not unreasonable, after the lapse of the appointed time without any positive action, one way or the other, on the part of the state, to proceed as if it had assented. Now, if the power contended for by congress really exists, it must be admitted that there was a concession, or a concession according to which an unconditional power is placed under temporary restrictions—a privilege offered to the states which was not extended to them; by either of the charters of the two former banks of the United States. I am totally at a loss to comprehend how the president reached the conclusion that it would have been "far better to say to the states, boldly and frankly, congress wills, and submission is demanded." Was it better for the states that the power of branching should be exerted without consulting them at all? Was it nothing to afford them an opportunity of saying whether they desired branches or not? How can it be believed that a clause which qualifies, restricts, and limits the branching power, is more derogatory from the sovereignty of the states, than the reign of the states, than if it inexpressly refused to the states any power whatever to deliberate and decide on the introduction of branches? Limited as the time was, and unconditionally as they were invited to express their dissent, by either of the last proviso, overrule its law, and upon grounds which, to such state, will appear to rest on a constructive necessity and propriety, and nothing more.

Even if the dissent of a state should be overruled, in the manner supposed by the president, how is the condition of that state worse than it would have been if the branching power had been absolutely and unconditionally asserted in the charter? There would have been the dissent of a state, it is conceded, with a high degree of probability that if the dissent were expressed no branch would be introduced.

The last proviso to which the president refers is in these words: "And provided, nevertheless, that whenever it shall become necessary and proper for carrying into execution any of the powers granted by the constitution, to establish an office or offices in any of the states, and the establishment thereof shall be deemed to be necessary, the majority of the said directors to establish such office or offices accordingly."

This proviso was intended to reserve a power to congress to compel the bank to establish branches, if the establishment of them should be necessary to the great purposes of this government, notwithstanding the dissent of a state. If, for example, a state had once unconditionally assented to the establishment of a branch, and afterwards assented, the bank could not have been compelled, without this

reservation of power, to establish the branch, however urgent the necessity might be.

The president, I think, ought to be reminded of the form and substance of the proviso, the spirit of conciliation in which it was drawn, as I know. It does not assert the power; it employs "the language of the constitution itself, leaving every one free to interpret the language according to his own sense of the instrument."

Why was it deemed necessary to speak of its being "the language of the master to the vassal" of "this iron rule," that "congress wills and submission is demanded." What is this whole federal government but a mass of powers abstracted from the sovereignty of the several states, and wielded by an organized government for their common benefit and general welfare, according to the grants supreme; the constitution is the acts of congress, and the constitution. Whenever, therefore, this government acts within the powers granted to it by the constitution, submission and obedience are due from all; from states, from individuals, from persons. And if this submission and congressional domination, if the constitution, created or consented to by the states, that act in accordance with the powers granted, the contingency supposed, that an act of congress has repealed an act of state legislation. Undoubt-

edly in case of a conflict between the state constitution or state law, and the constitution of the United States or an act of congress passed in pursuance of it, the state constitution or state law would yield. But it could not at least be formally or technically said that the state constitution or law was repealed. Its operation would be suspended or abrogated by the necessary predominance of the paramount authority.

The president seems to have regarded as objectionable that provision in the clause which declares that a branch, once established, it should not afterwards be withdrawn without the sanction of the previous congress. That provision was intended to operate both upon the bank and the states. And, considering the changes and fluctuations in public sentiment in some of the states within the last few years, was the security against them to be found in that provision unreasonable? One legislature might invite a branch, which the next might attempt, by penal or other legislation, to drive away. We have had such examples heretofore, and I cannot think that we are to be wiser by experience. Besides, an exactly similar provision was contained in the scheme of a bank which was reported by the secretary of the treasury, and to which it was understood the president had given his assent. But I understand that, when that scheme could not have obtained his sanction, if congress had passed it without any alteration whatever. It authorized what is termed by the president local discounts, and he does not believe the constitution confers upon congress the right to limit a bank having that faculty. He says, indeed, "I regard the bill as asserting for congress the right to incorporate a United States bank, with power and right to establish offices of discount and deposit in the several states of this union, with or without their consent; a privilege to which I have always heretofore been opposed, and which can never obtain my sanction." I pass with pleasure from this painful theme; deeply regretting that I have been constrained so long to dwell on it.

At a former occasion I stated that, in the event of an unfortunate difference of opinion between the legislative and executive departments, the point of difference might be developed, and it would be then seen whether they could be brought into coincidence by any measure corresponding with the public hopes and expectations. I regret that the president has not, in this message, favored us with a more clear and explicit exhibition of his views. It is sufficiently manifest that he is in favor of the establishment of a new bank of the United States formed after the two old models. I think it is fairly to be inferred that the plan of the secretary of the treasury could not have received his sanction. He is opposed to the passage of the bill which he has returned; but whether he would give his approbation to any bank, and, if any, what sort of a bank, is not absolutely clear. I think it may be collected from the message, with the aid of information derived through other sources, that the president would concur in the establishment of a bank whose operations should be limited to dealing in bills of exchange, to deposits and to the supply of a circulation, exceeding the power of discounting promissory notes. And I understand that some of our friends are now considering the practicability of arranging and passing a bill in conformity with the views of president a year.

It is not a safe policy to take no active part in such an experiment, and must reserve to myself the right of determining whether I can or cannot vote on such a bill after I see it in its mature form. I am not a candidate for any office, and I shall find no objection to my speaking in me. On the contrary, I say to them, go on: God speed you in any measure which will serve the country, and preserve our harmony and concert between the departments of government. An executive veto of a bank of the United States, after the sad experience of the late veto, is an event which was not anticipated by the political friends of the president; certainly not by me. But it has come upon us with tremendous weight, and amidst the greatest excitement within and without the metropolis. The question now is, what shall be done? What of this most embarrassing and unexpected state of things, what our constituents expect of us? What is required by the duty and the dignity of the executive? I repeat that it, after all, is a question which will afford any remedy to existing evils, and secure the president's approbation, let the project of such a bank be presented. It shall encounter no opposition, if it should receive no support from me.

But what further shall we do? Never, since I have enjoyed the honor of participating in the public councils of the nation—a period now of nearly thirty-five years—have I met congress under more

bappy or more favorable auspices. Never have I seen a house of representatives animated by more patriotic dispositions—more united, more determined, more business-like. Not even that house which declared war in 1812; nor that which, in 1815-16, laid broad and deep foundations of national prosperity, in adequate provisions for a sound currency, by the establishment of a bank of the United States for the payment of the national debt, and for the protection of American industry. This house has solved the problem of the competency of a large deliberative body to transact the public business. It has firmly there established a sentiment of opinion and cordial co-operation between the different departments of the government, and all the members of the party, we should have carried every measure contemplated at the extra session, which the people had a right to expect from our plodgers, and should have been, by this time, at our respective homes. We are disappointed in one, and an important one, of that series of measures; but shall we therefore despair? Shall we abandon ourselves to unworthy feelings and sentiments? Shall we allow ourselves to be transported by rash and intemperate passions and counsels? Shall we adjourn and go home in disgust? No! No! No! A higher, nobler and more patriotic career lies before us. Let us do our duty, that of Representatives of the people, our whole duty, and nothing short of our duty, towards our common country. We have repelled the sub-treasury. We have passed a bankrupt law: a beneficial measure of substantial and permanent relief. Let us now proceed to the distribution of the proceeds of the public lands; the revenue bill, and the bill for the benefit of the oppressed people of this District. Let us do all—let us give every thing we can for the public good. If we finally be disappointed in our hopes of giving to the country a bank which will once more supply it with a sound currency, still let us go home and tell our constituents that we did all that we could under actual circumstances; and that, if we finally give every measure of relief, it was only because to do so was possible. If nothing can be done at this extra session to put upon a more stable and satisfactory basis the currency and exchanges of the country, let us hope that hereafter we shall be able to find a more desirable object, either by an amendment of the constitution limiting and qualifying the enormous executive power, and especially the veto, or by increased majorities in the two houses of congress. Let us not, by any wise and sagacious policy, let us not, by any law, the president's objections notwithstanding.

This seems to me to be the course now incumbent upon us to pursue; and by conforming to it, whatever may be the result of the measures now in progress or in contemplation in relation to a new attempt to establish a bank, we shall go home bearing no self-reproaches for neglected or abandoned duty.

FISCAL BANK OF THE UNITED STATES.

REMARKS OF MR. WISE, OF VIRGINIA.
On the bill to incorporate the subscribers to the fiscal bank of the United States, delivered in the house of representatives, in committee of the whole on the state of the union, on Friday, August 6th, 1841.

Mr. MARSHALL, of Kentucky, having concluded his remarks on the 16th section of the bill.

Mr. WISE rose and said: Mr. Chairman, the main part of my remarks is done, and done in such a manner that I could not write it myself. The gentleman who has just concluded to use the language of his own compliment to me on the distribution bill—has asked this compromise 16th section from stem to stern; he will let neither again, nor tieing, nor bulk; will be hardly necessary for me to survey the wreck of that part of this bill which his argument has left behind. But I have in view other matter, and will proceed to touch upon as much of it as Shrevebury will allow. I would give the per diem of the members for two hours instead of one.

As to the power of congress to incorporate a national bank I have no scruples. I never had. At the very beginning of my public life I met the question without any, the least concealment, without the aid of secret and double-deal. I met it in a district where the issue was at first doubtful, and in a state which has always been certainly opposed to my opinions. These opinions have been expressed at various times, in private and in public, in season and out of season, and particularly at the extra session of 1837, when the independent treasury bill was debated in congress. I then took occasion to avow both the constitutionality and expediency of a national bank, and these I say in advance upon the intelligence and virtue of the people whom I represented.

The proofs upon which I relied were: history, contemporaneous exposition, the expedience of the country, and the letter and spirit of the constitution. Upon these I can now only touch. In history in general I have very little faith. But the proofs of history of this question are irrefragable. The facts are too recent and too well known to be doubted or misunderstood, and the witness to them too high and too sacred to be impeached. We know what was done before the constitution was formed, what was done at its formation, and what has occurred since. The constitution is in our hands, and the men who made it are still with us. It was formed, made the first bank charter. They were not men who said one thing and meant another. They were not partisans, but patriots. They were Washingtons, Madisons and Franklins—fathers of the country, fathers of the constitution, fathers of science and knowledge, to whom the Father of the Gods, handed down from Heaven the very lightning of his power! I firmly abide by the exposition of such men—none of whom ever contradicted themselves on this question, except those who at first opposed and afterwards sanctioned the exercise of this power to charter a bank. And their acts and construction of their own works have ever since been confirmed by all the sanctions of every succeeding generation, by the approbation of the executive, legislative, and judicial departments of government, and by the uniform acquiescence of the popular will under the law. If the constitution was doubtful, this was ever enough for my conviction. But I never had any difficulty in deciding under the constitution itself.

In 1837, I presented all the arguments, old and new, upon the constitutional question. I do not propose to discuss them again now. Nothing new has ever been added to the arguments of 1791. But one view of reading one clause in the constitution, a little different from, in being more comprehensive than, that of others, I will barely touch.

The old postulate are—

1st. Every power granted to congress and every duty imposed upon congress is specified, and that the means to execute the powers and to perform the duties are not specified. They are undefined, and left to the sound discretion of congress restrained only by the words "necessary and proper." Congress has the option of determining whether to adopt the best adapted to any or all granted powers or ends, "necessary" to their accomplishment or exercise, and "proper"—that is, not uncongenial or inconsistent with the salute and form of our government. And to give "necessary" an absolute or indispensable meaning would be to destroy all option of means whatever.

2d. A specific enumeration of means was wisely avoided, or, rather, never vainly attempted. For such an enumeration would have been infinite and have required Omniscience itself to embrace all the means to suit all the ends and powers and duties of the government, throughout all times and emergencies, and their endless vicissitudes.

3d. As to these means, too, congress was expressly made independent, or self-dependent. As far as it was given any power, so far was it made to depend upon the means of its own creation to exert that power.

4th. To incorporate a national bank is not in itself a substantive power, but is a use absolutely incidental to great substantive powers, and ends of legislation "necessary and proper" to their execution or accomplishment.

The powers granted to congress to which this means of a national bank is usually made to attach are—

- 1st. To lay and collect taxes, &c.
- 2d. To borrow money, &c.
- 3d. To regulate commerce, &c.
- 4th. To coin money, regulate the value thereof, and of foreign coin, &c.

And the chief duty of congress to which it attaches it, to make "all duties, imposts and excises uniform throughout the United States."

Such are the powers, and duty of congress. And the clause of the constitution which I read differently from most others is that which concludes the 8th section of the first article:

"And to make all laws which shall be necessary and proper for carrying into execution the foregoing powers."

Now, here, sir, most gentlemen stop in their railing, and their argument too, on this question. They never touch the subsequent and most important part of the constitution, and most important part of this clause which follows: "And all other powers vested by this constitution in the government of the United States, or in any department or office thereof." Mark this clause throughout—"And all other powers." There are

prevent the passage of laws which might bring the consequences of constructively treason down upon the citizen. The tariff controversy in South Carolina might illustrate this. Again: the marshal is but a minister of justice. He has no province to judge, but must execute merely. So even with a president of the United States. Under an existing law, passed already, he is merely an executive officer. He has no power to judge whether an existing law be constitutional. He is sworn to take care that the laws, no matter what may be his opinion about their validity or the decisions respecting them, are faithfully executed. The inferior judges even in the courts, and the succeeding supreme judges, are in principle bound by the decisions of the courts during the existence of a law to be in. If a president were to assume to annul and reverse, by refusing to execute, the decisions of the congress and of the supreme court, under laws in operation and not expired, he would unquestionably be guilty of usurpation. But when the law has expired, has ceased to exist, is it then binding on the president? any, even on the citizen or the marshal? Could any one then execute it, or be punished for not executing it? No, certainly not. No, certainly not. Then the question arises, when it is again proposed to pass it, are the decisions under its prior existence to bind any one concerned in its passage? They may, as persuasive or argumentative authorities, be the basis of the law proposed, but that is expired precisely, but they are no otherwise obligatory. The question then becomes a new question. It is not a question as to the execution of the law, but as to its creation. When a new bank charter is proposed to the president of the United States, he is asked—not whether he will resist the legislative and judiciary departments, but whether he approves of the passage of the law—not whether the law shall be executed, but whether he will give his sanction to its being. After a bill has been passed, is it not the province of the president, or the citizen, or the mere ministerial officer, to adjudicate and decide upon the question of its constitutionality; but, when a bill is proposed, not, and the president is asked to support the constitution, is bound to decide whether he approves or not, and, if not, in the language of the constitution, "he shall return it with his reasons."

The gentleman from Pennsylvania, however, treated these "Tyler" too, these scrupulous republican abstractions, with much liberality, and yielded them, at least, perfect freedom. He released them from the obligation of conscience and the constitution, to him, that is, to the president, the object of the decisions of a majority? But my colleague, (Mr. BOTT), carried this doctrine much further. I confess he was novel and original, quite so, on this point. He laid down the proposition, however, that the president is sworn to give his assent, opinion, and official too, to the decision of the supreme court of the United States, under the previous law. He says that the president "has no right of thought" on the question of constitutionality—this doctrine is no less extraordinary than the face of the constitution. My colleague was led into this gross absurdity by failing simply to distinguish between the oath to "execute the office of president," &c. prescribed by article 24, section 1st of the constitution, and the duty imposed by article 26, section 3d, that "he shall take care that the laws be faithfully executed." By failing too, to discriminate between faithfully executing laws already passed, and announcing laws yet to be passed, and waiting for his approval. Now, the "office of president of the United States" requires, under section 7th of article 1st, that, when a bill "shall have passed the house of representatives and the senate," it "shall, before it becomes a law, be presented to the president of the United States; if he approve, he shall sign it; but if not, he shall return it, with his objections, to that house in which it shall have originated." &c. But, when a law, by article 24, section 2d, it needs not his approval, it beyond his disapproval, when the "shall take care that it be faithfully executed." The constitution is plain in its distinction between the passage of a law and the execution of a law. In the one case, if he approves, he shall sign it; if not, he shall return it. He is not left the option even of transcending the ten days, to allow it to become a law by the lapse of the time limited for the return of a bill. He must exercise his judgment, or he may be presumed to have approved of the passage of a law? But he must execute a law already passed, whether he approve it or not; for, in that case, it is not his province to judge, either for approval or disapproval. It was under these plain restrictions, undoubtedly, that Mr. Jefferson agreed to a bill for a branch bank at New Orleans. There the act was in the nature of an act to execute an already existing law. It was to extend the benefits of the bank of the United States, already in being,

to a portion of the people who were entitled equally to them; and when, too, as I have shown, he could not do less than faithfully execute an existing law, of the validity of which it was not his province to judge. Of a like nature was his approval of a law to punish the forgery and counterfeiting of the notes of the bank. And as to Mr. Gallatin's report, made two days only before he went out of office, it is sufficient to say that the secretary of the treasury was then, and he is now, a legislator, not a judge, who reported to congress and not to the president, and was one over whom he could take no control, without being guilty of usurpation and tyranny.

Certainly it is thus these distinctions are canonized in the republicanism. By no decision of a majority in congress, or of a majority of the court, under a prior law now expired, can be considered as binding upon the president as his oath to support the constitution, and his judgment that any law which you may propose for his sanction is unconstitutional. I would not presume, if I knew them, to quote his opinions now; but I do know what his opinions were in 1818, and that opinion is exactly in point upon the questions I am now discussing. First, as to the constitutionality of a branch in his judgment; and, secondly, as to the binding obligation of a law chartering such an institution. His views on both are comprehensively embraced in a single sentence:

"House of representatives, Feb. 18, 1818. The committee of the whole, the resolution submitted by Mr. Johnson, of Va. being under consideration—*Resolved*, That the committee on the judiciary be instructed to report a bill to repeal the act entitled 'An act to incorporate the subscribers to the Bank of the United States,' passed April 10, 1816."

"Mr. Tyler said: The question whether it be proper to direct a *scire facias* against the bank divides itself into two heads of inquiry. First, whether the charter has been so violated as to constitute a forfeiture? And, if so, it is expedient to exact the forfeiture? The decision of the first would preclude us from an inquiry into the second. For, as, inasmuch as I believe the creation of this corporation to be unconstitutional, I cannot, without a violation of my oath, hesitate to repair the breach thus made in the constitution, when an opportunity presents itself of doing so without violating the public faith." "But believing, also, that it is expedient to put it to the test, and let the government see the result of liberty to follow up that inquiry, I propose to express to you my views on that subject."

His last words were, in this speech: "Let me say what I may, and let the consequences be what they will." Mr. SKRAGAN, we are told, followed him, and must have heard what he said. And this opinion he has never changed or recanted, as far as I know or can ever see or hear.

(Here Mr. Wise was cut off by the hour ring, and what follows is what he would have said, had he been permitted to proceed.)

The veto power, I should think, could not be held by one of those opinions, unchanged, to be a mere ministerial act, or even an executive act only, involving no power or function of judgment, no assent or dissent of the mind or conscience of one acting under an oath to support the constitution, and bound imperatively to approve or disapprove a proposed law. I observe that the veto power is inserted in the 7th section of the 1st article of the constitution, which prescribes the legislative powers, and is long antecedent in that instrument to the clause which prescribes the executive power. Whether it be legislative or executive, though, in its nature, it involves, equal the constitutionality or expediency either of a law, a duty to approve or disapprove, and a free and full right of judgment and discretion in the president. That right of judgment, in any official sense or action, is gone from him as soon as the proposed measure becomes a law. And the very purpose of the veto power is to prevent the constitution from becoming a majority. Why should a majority, then, be set up to overrule the president, even if there was a majority?

But we are told that this bill does respect the constitutional power of the president, and that the republicans of the ruling party who deny the power of congress to incorporate a national bank. We are told that it contains a compromise. A compromise! What is that? Something which I always dread—something which I have never before been obliged to consider. It is to the strong, with the reserved privilege to the stronger side not to keep the faith, even at that rate of advantage. It is something which I never advised a client to accede to unless he had a case, to have the weaker side, and to be bound to the stronger, was to be sure to get a right in which he had no interest "apart into the difference" in his favor. It means always, at least that something is yielded on both sides. Now, pray tell me how can a con-

stitutional power—which exists or don't exist at all—be divided into parts, and partly yielded and partly denied? It is an entirety. It exists or don't exist. How can it—the mere naked question of power—be yielded in part and not to be yielded in the whole? I can't and never could solve that question. Before you can divide or apportion any thing, you must admit that thing to exist. Well, how is it with this 16th rule of the bill?

"16. The power of said corporation shall establish one competent office of discount and deposit in any state in which two thousand shares shall have been subscribed or may be held, whenever, upon application of the legislature of each state, congress may by law require the same. And the said directors may also establish one or more competent offices of discount and deposit in any territory or district of the United States, and in any state, with the assent of said directors, and when established, the said office or offices shall be only withdrawn or removed by the said directors, prior to the expiration of this charter, with the previous assent of congress: *Provided*, in respect to any state which shall not, at the first session of the legislature thereof, hold after the passage of this act, by resolution or other usual legislative proceeding, unconditionally assent or dissent to the establishment of such office or offices within it, such assent of the said state shall be thereafter presumed, and, when established, the charter, whenever it shall become necessary and proper, for carrying into execution any of the powers granted by the constitution, to establish an office or offices in any of the states whosoever, and the establishment thereof shall be directed, to wit, it shall be the duty of the said directors to establish such office or offices accordingly."

1st. The directors shall establish the branch in any state where there are 2,000 shares, whenever, upon application of the legislature of each state, congress may by law require the same. And the power is in congress undivided. A state may apply for its exercise.

2d. And the directors may establish branches in any state, territory, or district, with the assent of such state, territory, or district, and of the legislature, or its creature, the corporation; and the assent is in this state.

3d. Branches thus established can only be withdrawn or removed with the previous assent of congress. Hence the power to do is still in congress, or its corporation, and the power to undo received, too, to congress.

4th. The states are graciously given the time at the first session of the legislature to assent to this act to unconditionally assent or dissent, or to assume to be presumed. Why should dissent not be presumed by those who deny the power? A man, whose right I deny totally, gives me notice that if, by a given time, I do not dissent, he will presume to do something, he will presume my assent to his right to my land or other property. Am I bound to assent or dissent, either conditionally or unconditionally? And if I am bound to do neither, will the omission to do either give his presumption the right he claims? And are the states bound to do either act, conditionally or unconditionally? If not, will their omission to do either confer a constitutional power on this government which it does not possess? Can even the assent, unconditional, and once having and irrevocable, confer a power which the constitution does not confer already? But the dissent must be unconditional, or the assent will be presumed. And yet,

5th. It is provided at last, after all this complex conditional and unconditional assent or dissent, or assent to be presumed, that "whenever it becomes necessary and proper, congress may by law compel the directors to establish branches in any of the states whosoever, or even those in which there is no assent, within the time allowed, should unconditionally dissent. Was there ever such an absurd bunch of contradictions strung together?"

"First it is what and then it won't. Then it does and then it don't."

And after a hurly-burly of assent and dissent, unconditional and conditional, or assent to be presumed, enough to make a head ache—if it last through out of the dizzy maze by asserting the unlimited, unlimited, absolute power in congress to establish the bank and its branches where it pleases, holds unconditionally, and what more would you say of an Irish argument I heard in its support?

"It either gives the power or it does not give the power. If it gives the power, why it gives the power; and if it doesn't give the power, why it doesn't give the power. And what more would you say? Surely you're unreasonable if you can't be satisfied with neither view, when there are some of us who are satisfied with either view, no come in, and be united upon a proposition which must please

all, for it's either or neither of what you would have, or it's all you would have, or just nothing at all, at all!"

Now such a proposition as this pays no respect whatever to the intelligence or the honesty and sincerity of those who shun the power to congress to charter a bank. On its face it presumes hard conscience or a soft head in the bosom or on the shoulders of those to whom it is addressed, as even a compromise upon which cannot be so easily pronounced. For myself, having no scruples about the power of congress, I could individually adopt it as a direct assertion of power more strong than the bill would make without it. But I must confess that, did I doubt of its wisdom, I cannot be so easily persuaded. For myself, having no scruples about the power of congress, I could individually adopt it as a direct assertion of power more strong than the bill would make without it. But I must confess that, did I doubt of its wisdom, I cannot be so easily persuaded. For myself, having no scruples about the power of congress, I could individually adopt it as a direct assertion of power more strong than the bill would make without it. But I must confess that, did I doubt of its wisdom, I cannot be so easily persuaded.

I had resolved to imitate the example of Mr. Madison, and to sanction a charter, I would veto this bill with this clause in it, lest the world and posterity might suppose, as they certainly would, either that I had not intellect enough to discover its patent absurdity, or that I had a conscience patient enough to catch at such a pretext to evade a solemn oath. I can well excuse the course of Mr. Madison, signing as he did no dubious charter as to the power; but I never could trust either his honesty or his sincerity of that man who would veto this bill without this clause, for reasons of constitutional scruple, and yet sign it for the reason of the insertion of this clause.

I cannot regard it as inserted in good faith. If the bill be signed, every partisan of the power to incorporate a national bank by congress will be truly assured that it impairs not, denies not, but emphatically asserts that power. And, if it be signed, the president will be arraigned for giving his sanction to a pretended compromise: This is to be the effect of it, and I will not give it the least toleration or countenance. Let what will come, I will not treat any man, whom I have elected to lay down his known public and published constitutional opinions and conscientious scruples, with such gross injustice, or torture him with any such cruel stain, as that of this bill with this clause in its provisions. Sir, I would, perhaps, be tempted to say, if I were here, but I would not and will not steal the powers of the constitution. Nor will I be participus criminis in the act. Pass the bill, and let it go to the president. Its fate, I hope, will soon be known. But whether that may be, it will become a law, or be vetoed without my vote.

Now, like Giles of old, may be reproached with having denied the abstractions of Virginia, and yet with having yielded practical obedience to them; so like Giles of old, may be said to have denied that practical obedience. But let me say to my colleague, (Mr. STUART), that if Giles was punished for denying the abstraction of instructions—a doctrine which I never heard any Virginian dispute as an abstraction before, even those who yielded practical obedience to its mandates from his mother state—with how many more stripes shall he be punished who not only denies, but denies, all her cherished abstractions—all the tracts of her foul soil—and that, too, in a land of strangers! Sir, my colleague (Mr. STUART) excepted to the gentleman from N. Carolina (Mr. SAUNDERS) saying that in 1816 the constitutional question was not raised. He very properly replied that a constitutional question always rises of itself, without being raised. That is true; I agree with him that, not like Samuel, it requires no Witch of Endor to weave her magic wand to raise it up before the consciences and minds of the free lovers of the Union. But I say to those, Sir, who, when it does rise up before them, habitually cry it down! down! and those who will not permit others to raise it up on its feet without upbraiding them with the federal scold of "abstraction!"

Abstraction! I take that name—I will adopt it, and write it in my book of books. Let it be abused and denounced and derided by those who have been overcome before now by the principle it imports—the great and mighty and indomitable principle of constitutional republicanism! Partisan know the value of hard names. Republicanism has borne more opprobrium than this—it has been called Jacobinism, and democrats have been called red-meat-eaters and even infidels and atheists! This nickname of modern times is not half so bad as those applied to it of old, when it was triumphant, as it will be again. Under its real name none dare assail it, and this gives its power to assist still among the people. Abstractions can well bear a name which, in terms, imports that they are those who can and will die for principle—and that is the meaning of the reproach in these degenerate days to Virginia.

Let my colleague take care of his health, for I warn him that he will be sick of this nickname before he is done with it. Does he mean, and those with whom he acts mean, that the name of "voting"

is henceforth dropped? Be it so. We will recognize, if he will have it so, and go before the sovereign people under the less imposing and the opposing names of "abstractions" on the one side and "realism" on the other; the former "the cognomen of constitutional republicanism," the latter of national republicanism—the former representing the doctrines and principles of 1789, of state sovereignty and popular rights, and the latter the doctrine of consolidated and centralization. In this contest I take my side, and am "an abstractionist." I glory in the name, and confident of the issue, I appeal only to the old republicans to rally!

TWENTY-SEVENTH CONGRESS.

FIRST SESSION.

SENATE.

August 19. Mr. Morehead presented a memorial from some merchants in Louisville, Kentucky, stating that they had made large orders of coffee, not anticipating any duty, and asking that that article may be exempt from duty.

The following resolution, offered by Mr. Wright, was adopted:

Resolved, That the committee on naval affairs be instructed to inquire into the expediency of providing by law for the appointment of the commissioned officers employed in the revenue cutter service of the United States; and that the committee on the same matter that commissioned officers in the naval service of the United States are appointed; and also of prescribing by law a just and proper rank to between them and the officers of the navy when both are employed together upon the same service; and that the committee report by bill or otherwise at the next session of congress.

Mr. Morehead and senator on the same matter committee on the District of Columbia to inquire into the nature and extent of disturbances in the gallery of the senate, in two instances this session, viz: the passage of the fiscal bill, and the reading of the president's veto on said bill; and also of the disturbance at or near the president's house the night ensuing said veto, and also the measures that may be necessary to prevent the different departments of government from violent molestation at the gallery taken up.

Mr. Merrick thought it was not the appropriate business of a committee of this body, to investigate disorderly proceedings that might have taken place in this city; it belonged to the authorities, and if the law not sufficient power for this purpose congress ought to pass the requisite laws for their assistance. It was also inappropriate, and unnecessary to go back and inquire into past disturbances, which had been settled by the law, and which had passed over; it might be proper to take measures to prevent future occurrences of this kind, in the senate galleries or lobbies.

Mr. Woodbury advocated the resolution.

Mr. Clay, Mr. Preston and others, briefly gave their views, concurring in the importance of necessary laws to ensure peace at the seat of government, and security to the public officers.

The resolution was then laid on the table, to next session.

Mr. Davis gave notice that he should on Saturday renew his motion to go into the consideration of executive business.

Mr. Smith, of Indiana, hoped that the land bill would be brought to-day, or at farthest to-morrow. If they were going into executive session on Saturday he hoped the final vote on the bill would be taken at once.

Mr. Smith, (with his hands full of slips of paper), I have only two amendments to offer myself.

The land bill was then taken up—the question pending being the amendment of Mr. Fulton to make the distribution of the net proceeds according to the ratio of representation in congress.

After a few remarks from Mr. Fulton the question was taken on his amendment, and lost by a tie vote; yeas 18, nays 21.

Mr. Sewer then moved to amend the bill so as to declare that all the public land which had been in market for twenty years and remained unsold should revert to the states.

On this proposition a debate ensued, in which Messrs. Smith, of Indiana, Benton, Linn, Sewer and others took part, when the bill was taken and decided in the negative; yeas 15, nays 30.

Mr. Clay, of Alabama, then moved to amend the bill by extending the graduation principle to it.

This was debated by Messrs. Smith, of Indiana, Benton, Linn, and Mr. Woodbury, when the question was taken on its adoption and decided in the negative; yeas 18, nays 27.

Mr. Benton rose with his hand full of amendments which he proposed to offer. How stands the time by our show-busby clock? Is it not the hour for taking up the veto? Or are we to have another postponement? He hoped the land bill would be passed over informally.

Which was done; and the senate took up the special order, being the executive veto on the bill chartering the fiscal bank of the United States, which subject occupied the attention of the senate till a late hour, as stated in our brief report of yesterday, inserted in the last Register, page 395.

August 20. Mr. Buchanan presented a remonstrance from the board of trade of Philadelphia, against the passage of a bankrupt law, retrospective in its operation.

The bill to revive and extend the charters of the banks of the District of Columbia, as amended by the house of representatives, was taken up, and, after a few explanatory remarks from Mr. Morehead, and a reply to the bill by Mr. Benton, the question was taken on concurring in the amendments of the house, and decided in the affirmative, as follows:

YEAS—Messrs. Archer, Bates, Berrien, Chastie, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Macon, Merrell, Miller, Morehead, Phelps, Porter, Preston, Simmons, Smith, of Indiana, Sprague, Tallmadge, White—34. NAYS—Messrs. Allen, Calhoun, Clay, of Alabama, Fulton, Linn, McRoberts, Pierce, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright—14.

Mr. Calhoun presented the proceedings and resolutions of the citizens of the District of Columbia, Virginia, condemning the measures of the present extra session of congress, a national bank, distribution, &c. and applauding the honorable course of Messrs. Wiza, Gales, Hunter and Audrey, representatives from that state, in their opposition to the public business, and the vigilance with which they have guarded against the deleterious measures of the session; also, declaring the unconstitutionality of a national bank, and expressing their earnest desire that its injurious effect to the country would be arrested by a veto from the president.

Mr. Calhoun expressed his concurrence in the resolutions, and briefly adverted to the ruinous consequences of all banks to the country, expressing his joy at the veto of the present extra session of congress, that had been passed at this extra session. After some further remarks by Messrs. Benton and Archer, the proceedings were laid on the table and ordered to be printed.

The distribution and pre-emption bill was again taken up.

Mr. King offered an amendment to deduct from the proceeds of the lands before distribution, the Indian annuities, expenses of Indian treaties, &c. now due.

Mr. King advocated the amendment, contending that all these expenses were justly chargeable to the lands, and that no distribution should take place, until they were paid from the proceeds. The bill was delivered, and proposed to distribute the net proceeds while in reality, the gross proceeds of the lands were to be divided.

Mr. Smith, of Indiana, hoped this amendment would not be adopted. Other amendments of a similar character had already been rejected. The lands were now creditors to the government to a large amount, and their proceeds justly belonged to the states. He referred to the numerous amendments that had been offered, and the delay two weeks that had already taken place in the consideration of this bill. He thought the majority owed it to themselves and the country not to debate the various amendments longer, but merely to vote, and for that part he intended to finish the amendments, to-day, before they adjourned.

After further remarks by Messrs. Clay, of Alabama, Woodbury, Wright and Allen, the amendment was rejected; yeas 22, nays 24.

Mr. Benton moved an additional section to the bill, providing that the states shall not take place till all debts incurred at this session of congress shall be paid.

Mr. Benton briefly explained the propriety of this amendment. It was also advocated by Mr. Clay, of Alabama, and then rejected—yeas 20, nays 26.

Mr. Benton offered an amendment, to limit the operation of the act to five years. This was negative. Yeas 19, nays 26.

Mr. McRoberts moved to strike out the proviso, that "no person who shall quit or abandon his residence on his own land, to reside on any public lands in the same state or territory, shall acquire any right of pre-emption under this act."

This, after brief remarks by Mr. McRoberts, was rejected—yeas 19, nays 26.

Mr. Allen offered an amendment, providing that no distribution should take place till the means of the treasury were adequate to the demands of the government, and the payment of the taxation on salt and coffee. This was rejected—yeas 18, nays 23.

At 9 o'clock, the senate adjourned, after having been in session eleven hours.

August 21. Mr. *Rives* presented the plan of Alexander Hamilton for a national bank; which was laid on the table.

Mr. *Walker* presented a memorial from citizens of Lynchburg, remonstrating against the passage of any bankrupt law; which was laid on the table.

Mr. *Tullidge* presented a memorial from citizens of New York, in favor of a bankrupt law; which was laid on the table.

Mr. *Tappan*, on leave, introduced a joint resolution to adjourn congress on Monday, the 30th August; which was read and ordered to a second reading.

The resolution submitted by Mr. *Lin*, requesting the president to give notice to the British government, under the convention of 1827, for the joint occupation of Oregon, &c. was then taken up.

Mr. *Morehead* said there was one subject of great importance connected with this matter, which, at a proper time, he meant to submit. He thought our Indian relations were becoming of more and more interest every day, and would require a separate and distinct department of the government, in order that they might be extensively and variously conducted.

Mr. *M.* moved to amend the resolution so as to direct the committee on foreign relations "to inquire into the expediency of requesting the president," which having been agreed to, the resolution was adopted.

The senate then proceeded to the consideration of the general order, being the bill to distribute the proceeds of the public lands among the states.

This bill was discussed as some length by Messrs. Smith, of Indiana, King, McRoberts, Walker, Buchanan, Prentiss, Evans and others, when it was reported to the senate.

Mr. *Berrien* moved to amend the bill by inserting: *Provided, also, That if the rate of duty on imported articles shall be so regulated by law, as, after the 20th June, 1842, to increase said rate of duty beyond 20 per cent. ad valorem, to be computed according to the provisions of the act of 2d of March, 1833, the duties on the proceeds of the public lands provided for by this act shall cease during the existence of such rate of duty, and shall be renewed whenever such rate of duty shall be reduced to 20 per cent. unless prohibited by the other provisions of the act."*

This proposition was debated by Messrs. Benton, Bates, McRoberts, Walker, White, Morehead, Prentiss, Berrien and others, when

Mr. *Rives* moved to amend the amendment to the following effect:

"Strike all out after the word provided to 1833, inclusive, and insert, 'That if a higher duty than 20 per cent. as established by the act of the 2d of March, 1833, shall be laid on any article to be levied after the 30th of June, 1842.'"

This proposition was discussed by Messrs. Merrick, Berrien, Woodbury and Rives, when the question was taken by yeas and nays, and decided in the negative, as follows:

YEAS—Messrs. Allen, Archer, Benton, Calhoun, Clay, of Alabama, Fulton, Henderson, King, Linn, McRoberts, Montau, Rives, Sevier, Sturgeon, Tappan, Walker, Woodbury, White, Woodbridge—24.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Prentiss, Rives, Sevier, Smith, of Indiana, Tallmadge, White, Woodbridge—24.

The question then recurred on the original proposition of Mr. *Berrien*, pending which, on motion of Mr. *Morehead*, the senate adjourned.

August 23. The chair laid before the senate a communication from the secretary of the treasury, covering a report from the general land office, made in compliance with a resolution of the senate of the 15th inst. calling for the amount of lands surveyed and ready for sale, &c. since March, 1841.

After a few observations from Mr. Benton, and a brief reply from Mr. Smith, of Indiana, it was laid on the table and ordered to be printed.

Mr. *Buchanan* presented a memorial from citizens of Philadelphia engaged in manufacturing, asking that a duty might be imposed on chloride of lime and bleaching powders. Mr. B. said the memorial gave reasons at length why those articles should not be exempted, and he therefore moved to have it printed for the use of the senate; which motion was agreed to.

Also, another memorial in relation to the same subject; which he would move to be laid on the table.

Mr. *Mangum*, from the committee on naval affairs reported the bill from the house making appro-

priation for the purchase of naval ordnance and naval stores, without amendment, and moved that it be made the order for Wednesday next; which motion was agreed to.

Also, a memorial from the same committee, the joint resolution for the purchase of water-rotted hemp for the use of the navy of the United States.

This resolution was taken up in committee of the whole, and after having been discussed by Messrs. Benton, Prentiss, Buchanan, Calhoun and Woodbury, its further consideration was postponed until to-morrow.

The joint resolution submitted by Mr. *Tappan* in relation to the adjournment of congress on Monday, the 30th August, was taken up when Mr. *Mangum* moved to lay it on the table. The question having been taken by yeas and nays, it was decided in the affirmative; yeas 28, nays 21.

Mr. *Rives* said he had some days since given notice that he should submit a motion to go into executive session. There was now some important business before them, and he would submit that motion now. The motion was lost; yeas 23, nays 21.

Mr. *King* gave notice that he should make a similar motion to-morrow.

Mr. *Benton* renewed the motion to go into executive session, and after some conversation, it was decided out of order.

After a few observations, he proceeded to the consideration of the general order, being the bill to distribute the proceeds of the public lands among the states; the amendment of Mr. *Berrien* still pending, as published in the proceedings of yesterday—

Mr. *Berrien* moved to modify his amendment; which was unanimously agreed to, so as to read—

"That if at any time during the existence of this act there should be an imposition of duties on imports inconsistent with the provisions of the act of March 2, 1833, entitled 'an act to modify the act of 14th February, 1832, and all the acts imposing duties on imports,' and beyond the rate of duty fixed by that act, to wit: 20 per centum on the value of such imports, or any of them, then the distribution provided in this act shall be suspended, and shall so continue until the cause of its suspension shall be removed, when, if not prevented by other provisions of this act, such distribution shall be renewed."

The words "to wit, 20 per centum on the value of such imports or any of them," were inserted in the amendment at the suggestion of Mr. *Allen*.

This proposition, prior to the modification of Mr. *Allen*, was the subject of a debate of some length, in which Messrs. Berrien, King, Calhoun, Cuthbert, Walker, Linn, Huntington, Woodbury and Benton participated.

The question was then taken on the amendment, as modified, and decided in the affirmative, as follows:

YEAS—Messrs. Allen, Archer, Barrow, Bayard, Berrien, Calhoun, Clay, of Alabama, Clay, of Kentucky, Clayton, Cuthbert, Fulton, King, Linn, McRoberts, Kerr, Mangum, Merrick, Morehead, Porter, Prentiss, Sevier, Simmons, Smith, of Indiana, Tallmadge, Walker—24.

NAYS—Messrs. Bates, Benton, Buchanan, Choate, Dixon, Evans, Huntington, Linn, Miller, Prentiss, Sturgeon, Tappan, White, Williams, Woodbridge, Wright, Young—18.

Mr. *Lin* then moved the amendment offered by him in committee of the whole, to appropriate the proceeds of the public lands to the national defence.

Mr. *Lin* offered his views in support of the amendment, and was briefly replied to by Mr. *Smith*.

Mr. *Benton* also supported the amendment.

The question having been taken, it was decided in the negative, as follows:

YEAS—Messrs. Allen, Benton, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McRoberts, Montau, Pierce, Sevier, Tappan, Walker, Williams, Wright, Young—17.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Buchanan, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, King, Linn, McRoberts, Miller, Morehead, Prentiss, Rives, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbridge—29.

Mr. *Woodbury* then offered an amendment to the effect that the distribution should cease when any loan should be required.

On this proposition a debate ensued, in which Messrs. Clay, Calhoun, Woodbury, King and others participated, when the question was taken and decided in the negative, as follows:

YEAS—Messrs. Allen, Archer, Benton, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McRoberts, Montau, Nicholson, Pierce, Rives, Sevier, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Mangum, Merrick,

Miller, Morehead, Phelps, Porter, Prentiss, Preston, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—26.

Mr. *Tappan* announced to postpone the bill until the first Monday in December next, on which motion he demanded the yeas and nays, when the vote stood as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Clayton, Rollins, King, Linn, McRoberts, Montau, Nicholson, Pierce, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—24.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Preston, Rives, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—29.

Several other amendments were offered, on all of which yeas and nays were taken, though none of them were adopted.

Mr. *Calhoun* moved that the further consideration of the bill be postponed until to-morrow.

Mr. *Woodbury* moved that the senate adjourn: for the motion 21, against it 23.

The question was then taken on the engrossment, and decided as follows:

YEAS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Dixon, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Rives, Sevier, Simmons, Smith, of Indiana, Southard, Tallmadge, White, Woodbridge—29.

NAYS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McRoberts, Montau, Nicholson, Pierce, Preston, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—22.

And the bill and amendments were ordered to be printed.

The senate then held a short executive session, and afterwards adjourned.

August 24. A message was announced from the house of representatives, stating that they had passed "an act to provide for the better collection, safe-keeping and disbursement of the public revenue, by means of a corporation to be styled the fiscal corporation of the United States."

The bill was then taken up and read by its title; and, on the question, shall it be read a second time? it was decided in the affirmative: yeas 18, nays 17.

The second reading was asked for then; when the chair declared that it required the unanimous consent of the senate.

No objection having been stated, the chair directed the secretary to read the bill a second time in its title; and when the secretary had read half through—

Mr. *Allen* objected to the reading.

The chair explained.

Mr. *Tullidge* made the issue for objecting had gone by; the chair had stated that it required the unanimous consent of the senate, and no objection having been made the secretary had proceeded to the reading.

Mr. *Calhoun* stated that the practice heretofore had been to put the question, "shall this bill have its second reading now?" which required the unanimous consent of the senate; if no objection was made, then the secretary proceeded to read the bill.

Mr. *Allen* replied. That was precisely what was done in this case.

After some further brief observations, the point was yielded; and Mr. *Tappan* moved to postpone the bill indefinitely.

Mr. *Rives* then hoped the motion would not prevail. He asked senators to consider the importance of this matter, and to reflect that it was the incumbent duty of congress to make provision for the safe-keeping and disbursement of the public revenue.

Such had been done; he alluded to the bill which had failed by the disagreement between the executive and legislative branches as to the constitutionality of the measure; and hence the money was left without any other care or control than that of the executive.

He then presented that measure to the consideration of the senate, and prayed senators before they took any step to defeat the will of the other branch that they would consider well the consequences not providing some measure for the safe-keeping of the revenue of the country.

The yeas and nays having been ordered, the vote on the postponement resulted as follows:

YEAS—Messrs. Allen, Benton, Buchanan, Calhoun, Clay, of Alabama, Cuthbert, Fulton, King, Linn, McRoberts, Montau, Nicholson, Pierce, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbury, Wright, Young—21.

NAYS—Messrs. Archer, Barrow, Bates, Bayard, Berrien, Choate, Clay, of Kentucky, Clayton, Evans, Graham, Henderson, Huntington, Kerr, Mangum, Merrick, Miller, Morehead, Phelps, Porter, Prentiss, Rives, Sevier, Sturgeon, Tappan, Walker, Williams, Woodbridge—24.

Mr. *Berrien* then moved that the bill be referred to a select committee of five. The other select committee had expired.

Mr. *Clay* rose to second this motion, and to express the hope that the motion would prevail. The facts as stated by the senator from Georgia were correct—the committee that reported the original bill no longer existed. He had no desire to have anything particularly to do with the bill. The friends of the measure he hoped might be allowed to concoct something that would suit the wishes of the country.

Mr. *Buchanan* would certainly vote for the reference to a select committee, for he did not wish the senator from Kentucky to be placed at the head of a committee to take the charge of this kite-flying fiscalty: there was but one step between the sublimity and the ridiculous; this bill had taken that step, and he did not wish the senator from Kentucky, against his own wishes to be connected, with it.

The motion having been agreed to, the bill was referred to a select committee of five, consisting of Messrs. *Berrien, Evans, Archer, Matthews and Hamilton*.

Mr. *King*, then moved to proceed to the consideration of executive business. He said it seemed to be the understanding yesterday that they were to go into executive session to-day to dispose of some of the business that had been postponed.

Mr. *Clay* hoped not: there was nothing connected with the executive session that might not be delayed for some days. The land bill was important and should be disposed of once. He mentioned that several gentlemen desired to be heard on the subject, and those who wished to speak on the bill, if ready, he would prefer that they should go on.

Mr. *King* withdrew his motion, the bill for the distribution of the proceeds of the public lands was put on its third reading; when

Mr. *Cullison* rose, and in a speech of near two hours, opposed the bill on the ground of its being unconstitutional, inexpedient and impolitic.

Mr. *Archer* followed in favor of the distribution of the proceeds of the public lands, and spoke until entirely exhausted, and had to give way before concluding his remarks.

The senate then went into executive session, and after some time spent therein, adjourned.

August 25. Mr. *Shapen* presented a memorial from the manufacturers of glass in the city Pittsburgh, asking that the articles used in the manufacture of that article may be exempted from duty.

Mr. *Cullison* then presented a memorial from the citizens of a meeting held in Petersburg, Virginia, protesting against the measures of the present administration, and expressing a hope that the president would withhold his assent from the land bill if passed. Laid on the table and ordered to be printed.

Mr. *Tappan* moved to take up the joint resolution for the adjustment of both houses of congress on Monday, the 30th of August next, on which motion he was adjourned to the next day.

The question having been taken, it was decided in the negative: yeas 19, nays 22.

Mr. *King* moved to add two members to the select committee appointed yesterday by the chair, to which the bank bill from the house had been referred.

After some remarks by Messrs. *King, Benton and Walker*, on the formation of the committee, and a reply by the chair, giving his reasons for the character of the committee, he said he would add a note in Jefferson's Manual: Mr. *King* withdrew his motion.

The senate proceeded to the consideration of the order of the day, and to distribute the proceeds of the public lands; when

Mr. *Archer* rose and finished the argument he commenced yesterday, in favor of the general principles of the bill.

Mr. *Woodbury* followed in a speech of very considerable length, against the whole system of distribution, as unjust, unequal and injurious, and closed his remarks with the expression of an opinion that the president would withhold his assent from a measure clearly so unconstitutional as that of the bank charter.

Messrs. *Tappan, Serier, Walker, Wright* and *Woodbury* severally addressed the senate at some length, when

Mr. *Cullison* rose and expressed a desire to deliver his opinion in relation to the subject before the senate; but the late hour and the exhaustion which all must feel, admonished him that he had better defer it until the morning. He then rose and delivered his opinion on the public lands would ascend to the committee.

Mr. *Smith*, of Indiana, said he felt deeply anxious to press the matter to a final conclusion. He had indulged the hope that they would have been able to have the question that day; but as the hour was

late and the senator from Georgia had expressed a wish to be heard, he would consent to the delay, with the understanding that the question should be taken by three o'clock to-morrow.

And then the senate adjourned.

HOUSE OF REPRESENTATIVES.

Thursday, August 19. Mr. *Jeremiah Brown* rose and stated that he had voted yesterday in favor of the passage of the bank law, whereas his vote had been recorded in the negative. He asked that the journal might be so corrected as to conform to the fact. And the journal was amended accordingly.

Mr. *Balls* rose and asked leave to present a copy of a series of resolutions, adopted, he said, at a very respectable meeting of citizens held in Buckingham county, in the state of Virginia, expressive of their opinion as to the constitutionality and propriety of the establishment of a national bank, and in favor of other measures adopted at this present session of congress.

After some remarks from Mr. B. the resolutions were received, and laid on the table.

Mr. *Leane* given, Mr. *Adams*, of Pennsylvania, presented the memorial of Gabriel Adams, and divers other citizens of Pittsburgh, in the commonwealth of Pennsylvania, praying for an increase of duties on foreign cigars, when, on motion, on motion of Mr. *L. referred to the committee on manufactures.*

On leave given, Mr. *Jones*, of Virginia, presented certain resolutions adopted at a meeting of citizens in the city of Washington, Virginia, expressive of their opinion against the constitutionality of a bank of the United States, and asserting the right of appeal. The resolutions also express an opinion that that meeting against the distribution of the proceeds of the sales of the public lands, and against the power of congress to lay taxes, &c. for any other purpose than to pay the debts of the United States, and to provide for the common defence and general welfare thereof.

The resolutions were received and laid on the table.

Mr. *Pickens*, on leave, presented certain memorials from citizens of Ohio, against the constitutionality and expediency of a national bank.

Mr. *Cox*, on leave given, offered the following resolution, which was adopted:

Resolved, That the secretary of war be directed to communicate to this house, the number of troops stationed at Fort Gibson, in the State of Arkansas, respectively; whether the original location of the latter fort has not been abandoned, and if so, the reasons therefor; and whether, in the judgment of the military force now on that frontier is sufficient to protect the citizens of the state of Arkansas against Indian depredation; and what increase, if any, will be necessary for that purpose.

Mr. *Wilmington*, on leave, presented certain resolutions from the legislature of Rhode Island, upon the subject of revenue. Laid on the table and ordered to be printed.

On leave given, Mr. *Balls*, from the committee of ways and means, reported a bill making appropriations for the funeral expenses of the late president of the United States.

The bill, having been read twice by the title, was referred to the committee of the whole on the state of the union, and the bill, and accompanying documents, ordered to be printed.

On leave given, Mr. *Grassman* introduced a bill in relation to placing the statue of Washington in the rotundo of the capitol; which was read twice.

[The bill authorizes the location of the statue in the rotundo of the capitol as the artist may deem permanently best.]

Mr. *G.* moved that the bill have its third reading. Some discussion followed, directed to the point of view where the light would best strike the statue, and in which Messrs. *Adams, Graham, Mason*, of Ohio, *Borland, Gilmer*, and *Cushing* participated.

Mr. *Cushing* then moved that the bill be committed to the committee of the whole on the state of the union, which had charge of a bill on the same subject heretofore reported by a gentleman from Virginia, (Mr. *Gilmer*), which was agreed to.

Mr. *Roads*, from the joint committee on enrolled bills, reported that that committee had examined the bill to establish a uniform system of weights and measures throughout the United States, and found the same to be correct. The bill then received the signature of the speaker.

On motion of Mr. *Filmor*, the house resolved itself into a committee on the state of the union, (Mr. *Widman*, of Maryland, in the chair), and took up house bill, No. 8, entitled "a bill making appropriations for various fortifications, for armaments, and for preventing and suppressing Indian hostilities, which bill had been returned from the senate with certain additional items, to which

items certain amendments had been moved committee of ways and means of this house.

The amendments are as follow:
Page 8 of the engrossed bill, after line 21 insert:
"1st. For defensive works and barracks
paid for at or near Detroit, Mich
\$50,000."

Add to the end of the bill the following:
"2d. For surveys in reference to the in
defensibility of the frontier, inland and At
\$30,000."

3d. For errandages due for roads, harbor
riders, where public works and improvement
have been made, and the protection of
property now on hand at these places, and
revenues for surveys, and completing maps
issued on or before March 3d, 1839, \$40,000."

4th. For defraying the expenses of select
purchasing a site for a western, southwest
northwestern armory, to be selected by the
dent of the United States, the sum of \$75,000."

5th. For the construction or armament of
armored steamers or other vessels for defence,
northwestern lakes, as the president may think
proper, and may be authorized by the es
tablishment of the navy, and the British gu
money, \$100,000."

To what amendments of the senate the co
llect says adds means of this house propos
following amendments:

The committee recommend that the hous
cur in the first amendment, with the foll
inserted in the bill:

Add thereto the following words:
"For purchase of sites, and for barracks, an
fensive works, at or near Buffalo, New
\$50,000."

For fortifications at the outlet of lake Cham
and purchase of site, \$75,000."

For defensive works, barracks, and other
any buildings, and purchase of site for a de
or near the junction of the Matawanack an
sub-rivers, Maine, \$25,000."

The committee also recommend a non-con
resolution to the senate, to the effect, that
of the senate, and a concurrence in the fifth
amendment.

The amendments were discussed by M
Daniel, of Ohio, the court, President, Mr.
Brown, Prof. Howard, S. Mason, Sprigg,
Perrell, Cushing, Silhouette, Allen, Zane
Eastman, and Tillinghast.

The amendments reported from
committee of ways and means to the amend
of the senate were agreed to.

And, on motion of Mr. *Filmor*, the pr
of having a vote taken on the house, the
amendments of the senate were concurred in.

And the committee rose, and reported the
amendments to the house.

A message was received from the presid
the United States, by the hands of John Ty
his private secretary, informing the house th
president had approved and signed a bill auth
the recovery of fines and forfeitures, and
charter laws and ordinances of Georgetown,
justices of the peace.

Also, the bill to extend the time for locatin
ginia military land warrants, and return
surveys thereon to the general land office.

And then the house adjourned.

Friday, Aug. 20. On leave given, Mr. *K
of Maryland, introduced a bill, to amend
whom had been referred the joint resolution
the senate in relation to the light boats now sta
at Sandy Hook and Bartlett's reef, report
estimated.*

And on motion of Mr. *K.* the resolution wa
a third time and passed.

Mr. *Gilmer* asked leave to present the proc
of a meeting of the people of the county of L
in the state of Virginia, expressive of the senti
of that meeting—sentiments, Mr. *G.* said, we
nearly concurring with his own particular
of having a vote taken on the house, the
of meeting in the views of the administ
proper at the other end of the avenue, which
of the administration improper at d
of the arm.

The resolutions were received and laid i
table.

K. *K.* from the committee on comm
reported a resolution calling on the presiden
full return of officers now employed in the
v departments, with a view to reduction of ex
tended to the public lands. (See page 411.)

The unfinished business of the morning ha
in the following resolution, heretofore offered b
J. G. Floyd.

Resolved, That the president of the United St
requested to inform this house, if not in accor

with the public interest, whether any officer of the army, or the attorney general of the United States has, since the 4th of March last, been directed to visit the city of New York for any purpose connected with the imprisonment or trial of Alexander McLeod; and if so, to communicate to this house copies of the instructions, and report of any officer and whether, by any executive measures or correspondence, the British government has been given to understand that Mr. McLeod will be released or surrendered.

Mr. Morgan, (who was entitled to the floor) remarking that so long a time had elapsed since he had been entitled to the floor that he had almost forgotten what he intended to say, addressed the house briefly on the subject of the resolution, and especially in reply to remarks heretofore made by his colleague from Ohio, (*Mr. Bowne*).

Mr. Barnard then obtained the floor, and yielded it to

Mr. Bowne, who rejoined briefly to *Mr. Morgan*. *Mr. Barnard* again took the floor, and intimated his desire to address the house, but suggested that, as the morning hour was far advanced, the resolution should go over for to-day.

Mr. Mansell moved to lay the resolution on the table, upon which, on motion of *Mr. J. G. Floyd*, the yeas and nays were ordered.

The house refused to lay on the table: yeas 79, nays 107.

A message was here received from the senate, informing the house of the failure of the bank bill, in consequence of less than two-thirds of the senate voting for it, on its being returned by the president to the objections of the resolution, and that he had signed the bankrupt bill; and that the senate had concurred with the house in their amendments to the bill rechartering the banks of the District of Columbia.

At the request of *Mr. Barnard*, the "McLeod resolution" was laid over.

The joint resolution, from the senate, ordering the distribution of copies of the compendium of the census among the states, was then taken up; and after some inquiries and remarks from *Mr. Dawson*, *Fillmore* and *Williams*, it was referred to the committee on the judiciary.

The house took up the bill No. 8, being a bill making appropriations for various fortifications, for ordnance, and for preventing and suppressing Indian hostilities, which had been reported yesterday from the committee of the whole on the state of the union with the amendments of the senate, and then proceeded to a vote thereon reported by the committee of ways and means.

Mr. Dawson objected to the latter amendments as out of order, incorporating as they did the substance of another bill on the table. A brief debate ensued on the point of order; the speakers, *Mr. Dawson*, *Fillmore* and others, the speaker, deciding that the amendments were in order.

Mr. Innes made some remarks on the subject of amendments formerly proposed by him to provide for a western army.

A desultory debate then ensued between Messrs. *Irvine*, *Fillmore*, *Cove Johnson*, *Howard* and others, as to the order in which the amendments should be voted on.

Messrs. *Triplett*, *Fillmore*, *Rhett*, *Tullahoma*, and *Hunt*, remarked upon the amendments.

Mr. Hunt moved the previous question—which was ordered, as well as the yeas and nays.

The house then concurred with the committee in the amendment to the senate's amendment—yeas 124, nays 72.

The house then concurred in the first senate amendment, (appropriating \$50,000 for fortifications at Detroit), without a division.

The house refused to concur in the second senate amendment, (appropriating \$30,000 to surveys for defense)—yeas 99, nays 101.

The house concurred in the third amendment of the senate without a division.

The fourth amendment was rejected—yeas 79, nays 105.

The fifth amendment was agreed to.

The amendments were ordered to be engrossed. *Mr. Irvine* moved a reconsideration of all the votes just taken, and half an hour was consumed in taking the yeas and nays on this motion—the house refusing to reconsider—yeas 74, nays 119.

And the amendments, as amended, were ordered to be engrossed and sent to the senate for concurrence.

On motion of *Mr. Sergeant* the house resolved itself into a committee of the whole on a state of the union, (*Mr. Dawson*, of Georgia, in the chair), and took up house bill No. 11, being a bill reported from the select committee appointed by this house on the subject of the currency, entitled "a bill to incorporate the subscribers to the fiscal bank of the United States."

Mr. Sergeant said that he would state to the committee what he meant to propose to them. The committee would undoubtedly recollect the nature of the bill which had been reported by the committee on the currency some considerable time ago, and which was numbered "fourteen." His intention was now to move to amend the bill by striking out all after the word "acting," and inserting what he would send to the effect. His intention, further, was to ask, upon this motion being made and certain amendments which he intended to propose being presented to the committee, that the committee of the rise, in order that he might have the honor of printing of those amendments that they might be laid before the members of the house.—And then, as soon as that was done, he would ask the house to go into committee of the whole on the state of the union for the purpose of taking up the subject.

Mr. Wise rose and expressed his wish that, before any action should be taken on the amendments, the gentleman from Pennsylvania [*Mr. Sergeant*] would state the contents of them as briefly and succinctly as he could.

Mr. Gilmer rose, he said, merely to ask that the amendments might be read before they were ordered to be printed. He would then be very glad to state the contents of the amendments to the house, (*Mr. Sergeant*) might think proper to make. *Mr. Charles Brown* said that it would be necessary to read the bill and amendments from beginning to end before ordering the amendments to be printed.

The clerk then read bill No. 14, with the amendments proposed by *Mr. Sergeant*.

Mr. Sergeant said that, as several inquiries had been made of him with regard to this bill he would now make a short statement of its contents in what respects it differed from that recently before the house. He would say, first, that there were two or three verbal errors in this bill, and there were words, in two or three places, which he thought had better have been left out, and which were intended to have been omitted by the committee. There were several gentlemen in the present congress who entertained extreme hostility to the word "bank," as far as he was concerned, he felt every disposition to indulge their feelings, and he had therefore endeavored throughout this bill to avoid using the word "bank." If that word anywhere remained as applicable to the being it was proposed to let it stand. Now, the word "corporation" sounded well, [laughter], and he was glad to perceive it gave pleasure to the house. At all events they had a new word to fight with. Now, the difference between this bill and that which passed this house some days ago would be seen by comparison. The present differed from the other principally in three or four particulars, and there were some other parts of the bill which varied, in some particulars, from that which had been before the house a few days ago. Those differences gentlemen would have no difficulty in discovering and understanding when the bill should have been printed. He would now proceed to answer the inquiries of gentlemen in reference to this bill. *Mr. S.* then said the following as the substantial points of difference between the two bills:

1. The capital in the former bill was thirty millions, with power to extend it to fifty millions. In this bill twenty-one millions, with power to extend it to thirty five millions.
2. The former bill provided for office of discount and deposit. In this there are to be agencies only.
3. The capital of the corporation are to be confined to buying and selling foreign bills of exchange, including bills drawn in one state or territory and payable in another. There are to be no discounts.
4. The title of the corporation is changed.

Mr. Wise raised the point of order that this bill was, in substance, the same as that which had yesterday been rejected, and that it could not, therefore, be taken up; otherwise the constitutional provision might thus be evaded.

After some conversation, the chairman overruled the objection, on the ground that the measures were not the same, though parts of them might be similar. No appeal being taken, the motion of *Mr. Sergeant* was put and agreed to. And the committee rose and reported progress on the bill.

Mr. Sergeant moved that the amendments offered by him in committee be printed.

Mr. Williams, of Maryland, moved to amend this bill by adding "and that every part of the amendments which is not literally contained in the original bill proposed to be struck out, shall be printed in Italics."

Mr. Wise moved to amend the amendment by striking out the veto message be printed for the use of the members of this house."

Mr. Lewis Williams said that the house had not got the veto message, and could not, therefore, order the printing of it.

And the previous question was decided.

After some conversation, *Mr. W. C. C. Johnson* moved the previous question on the motion to print; and there was a second. And the main question (being on the printing) was ordered to be taken.

The amendment of *Mr. Williams* was voted down. And the motion of *Mr. Sergeant* was agreed to. So the amendments were ordered to be printed.

Mr. Brownson, of Maine, moved a reconsideration of the vote of yesterday by which the accounts for the funeral expenses of the late president of the United States, Wm. H. Harrison, had been ordered to be paid.

Mr. Stansel moved the previous question; pending which the house adjourned.

Saturday, Aug. 21. The unfinished business of yesterday was the motion of *Mr. Brownson*, of Maine, to reconsider the vote by which the accounts for the funeral expenses of the late president of the United States, Wm. H. Harrison, had been ordered to be paid.

The immediately pending question was on the demand of *Mr. Stansel* for the previous question.

Mr. Stansel moved the previous question. And *Mr. Brownson*, after an explanation from himself and *Mr. Botts*, withdrew his motion to reconsider.

Mr. Morgan offered the following resolution:

"Resolved, That at a clock on Monday next all debate in committee of the whole on the bill (No. 14) to incorporate the subscribers to the fiscal bank of the United States" shall cease, and the committee shall then proceed to vote on the amendments then pending; or that may be offered to said bill; and the same shall then be reported to the house with such amendments as may have been agreed to by the committee. *President*. That nothing in this resolution shall prevent the committee from reporting the bill to the house at an earlier hour if it shall think fit.

And *Mr. W.* moved the previous question.

Mr. C. Johnson moved to lay the resolution on the table; which was rejected, yeas 57, nays 110. After some remarks of an excitable character, the question on the adoption of the resolution was taken, and decided in the affirmative, yeas 116, nays 76.

Whereupon the house, on motion of *Mr. Sergeant*, again resolved itself into committee of the whole on the subject of the currency, (*Mr. Dawson*, of Georgia, in the chair), and resumed the consideration of bill No. 14, to incorporate the subscribers to the fiscal bank of the United States.

Mr. Sergeant then offered the amendments indicated by him yesterday, first moving to strike out all after the enacting clause.

Mr. S. proceeded to explain the amendments, and the advantages to result from the passage of the bill. *Mr. S.* spoke to the expiration of the hour, and they resumed his seat, without concluding his remarks.

Mr. Wise obtained the floor, and addressed the committee in opposition to the bill, and on the subject of the veto, the cabinet, &c. &c.

The hour having elapsed, *Mr. Turney* rose and moved to strike out the enacting clause of the bill.

The chairman decided that this motion took precedence over the motion of *Mr. Sergeant*.

Whereupon, *Mr. W.* rose, and, being recognized by the chairman, proceeded to address the committee during a second hour.

A question of order arose, which resulted in the decision of the chairman that, the motion of the gentleman from Tennessee (*Mr. Turney*) being a new motion, and the gentleman from Virginia (*Mr. Wise*) having first addressed the chair, and been recognized by it, the latter gentleman was entitled to proceed. No appeal was taken. *Mr. W.* proceeded in his remarks.

After *Mr. W.* had closed, *Mr. Marshall*, of Kentucky, obtained the floor, the committee then rose, and reported progress.

Mr. Prell asked leave to introduce a resolution, declaring that if congress chartered a fiscal agent, it should reserve the power to repeal the same whenever it saw fit.

Objection was made, and the house adjourned.

Monday, Aug. 23. After the reading and correction of the journal, *Mr. Arnold*, newly elected representative from Illinois, was introduced and sworn in by the speaker.

On motion of *Mr. Sergeant*, the house resolved itself into committee of the whole on the state of the union, (*Mr. Dawson*, of Georgia, in the chair), and took up house bill No. 14, being a bill to incorporate the subscribers to the fiscal bank of the United States. The pending question being on the motion of *Mr. Turney* to strike out the enacting clause of the bill,

Mr. Saunders, from the committee on the judiciary, to whom had been referred the resolution from the senate providing for the distribution of the printed returns of the sixth census, reported the same with an amendment, (in relation to the number of copies), which was concurred in.

The amendment was ordered to be engrossed. And the bill having been ordered to a third reading at this time, was read a third time and passed.

On motion of Mr. Tillinghast, the house resolved itself into committee on the petition of the union, (Mr. Everett, of Vermont, in the chair).

Mr. Tillinghast moved that the committee take up the joint resolution providing for the distribution of the digest of patents.

Mr. Briggs moved that the committee take up the bill making appropriations for the post office department.

Mr. Gilmer moved that the committee take up the bill providing for placing the statue of Washington in the rotundo of the capitol.

The motion of Mr. Briggs having prevailed, the committee proceeded to the consideration of house bill No. 80 to make appropriations for the post office department. The bill having been read, Mr. Briggs explained the condition of the department, and the necessity with reference to it, of granting this appropriation, upwards of two hundred and sixty-seven thousand dollars of which had fallen due prior to and within the quarter ending March 31st, beyond any means in the department to meet the demand.

Mr. Gilmer expressed his concurrence in the views of the gentleman from Massachusetts, (Mr. Briggs). That gentleman had made out a clear case of justice and necessity.

Mr. G. offered the following amendment, to come in at the end of the bill.

"Provided, That the money hereby appropriated shall be accounted for by the post office department hereafter, when the condition of its funds shall permit; to be refunded into the treasury, or deducted from any sums which the post office department may heretofore have paid into the treasury."

The debate was continued by Messrs. Roosevelt, J. G. Floyd, Saltonstall, Cress Johnson, Dawson, of Georgia, Cliftenden, Tillinghast, Clifford, Morgan, Hopkins, Bidack, Brown, Briggs and Campbell. The arguments of the gentleman from Massachusetts and those of the gentleman from New York on both sides were very similar, and may be generally stated as follows:

The bill was opposed—

1. Because it introduced a new principle, or at least a new practice into the government, viz: paying the debts of the post office department out of the general treasury of the government, instead of keeping it separate, causing its receipts to meet its expenditures; when they were redundant, extending mail facilities; and when they were deficient, curtailing mail facilities.

2. Because it assumed the existence of a debt which was not, and could not be authentically stated, inasmuch as there had not been time to receive the necessary returns in relation to the payment of drafts on postmasters.

3. Because the estimates on which the bill was founded included \$150,000 to be retained in the department as a fund to meet contingencies; and it was wrong to drain the treasury to place such a fund at the disposal of the postmaster general.

4. Because the postmaster general differed in opinion from the president, and ought to resign.

5. Because he was incompetent to his office.

6. Because he had three times been rejected by the people of his State.

7. Because he had stopped a Sunday mail between New York and Boston, which looked like an attempt to introduce a system which had once before been pressed by a certain portion of the community, and utterly rejected and put down by public opinion.

8. Because he had carried out a system of proscriptio in the removal of postmasters, contrary to what professions and promises before the election. One postmaster had been appointed because his recommendations stated that he was "a steamboat in politics."

9. Because, by a proper economy, the whole of the present debt might be paid off, as Amos Kendall had paid off a debt of \$800,000 entailed upon him by Mr. Barry.

10. Because Amos Kendall was the best postmaster general the country had ever seen since the foundation of the government, and had been removed to make way for the present incumbent.

11. Because, if this debt was once paid out of the treasury, it would introduce a new revolutionary principle, which would eventually be followed, and would lead to great waste and extravagance.

12. Because the treasury was said not to be able to meet the ordinary current expenditures of the government, and how could it bear this additional burden? The loan would have to be increased.

13. Because the contractors, when they made contracts, looked only to the receipts of the department for their security; and, if there were insufficient, they could not complain; they never looked to the treasury for their pay.

14. Because the only control congress has over the postmaster general is to limit his revenues.

15. Because \$150,000 had already been appropriated to the post office in Washington.

16. Because the 2 cents allowed to postmasters for the delivery of franked documents amounted to \$200,000 a year, and sometimes brought the department in debt to a post office instead of the post office to the department.

The bill was advocated—

1. On the ground that the money was a government debt, undeniably due.

2. That the constitution knew no difference between public debts, whether due from our department or another.

3. That it made no difference to what contractors might have looked at their security, the government was bound for every debt justly and properly contracted by any one of its authorized agents.

4. Because the contractors were suffering for want of the money they had earned—their stock, in some cases, having been detached, in others under execution, and in some cases, actually sold.

5. Because the contractors had exhibited great zeal and fidelity in the discharge of their contracts, and great forbearance and patience under unmerited embarrassment and suffering.

In reply to the arguments on the other side, it was contended—

1. That Mr. Granger was not answerable for this debt, it having been due before he came into office.

2. That the debt could be known and was known very nearly notwithstanding all the returns were not actually in.

3. That the report rested in part on the responsibility of Mr. Whitley, the auditor general of the post office department, whose accuracy, industry and fidelity were above all doubt or suspicion.

4. That Mr. Granger's conduct in removals or appointments had nothing to do with the debts of the department, or the rights of its creditors.

5. That Mr. Granger did not more than his duty in removing improper incumbents.

6. That his rule in removals had been to remove those who were incompetent to discharge political purposes, and made themselves busy politicians at elections.

7. That while some complained of the number removed, more persons complained that so many violent Republicans were still retained in office. (Governor Marcy for one).

8. That there was no more reason the post office department should be kept independent of the treasury than that the navy department or the war department should. And congress might as well refuse to appropriate for the navy department because it did not take prizes enough to support its own expenses, or for the war department because it did not conquer territory enough to pay for its own expenses.

9. Because, when the constitution gave a power to congress to establish post offices and post roads, it impliedly required congress to do so. And if congress did so, it must pay whatever it cost to establish and to keep them up.

10. Because the insufficiency of its revenues no more prevented congress from this duty than would the insufficiency of court fees discharge congress from the duty of establishing courts inferior to the supreme court, and providing for the administration of justice to the people.

11. Because the number of nipsaid mail contractors was very large, being over 400; and the amount due them not less than \$497,607, (\$300,000 due to one contractor).

12. Because the credit of the government was the honor of the country, and it was disgraceful that men who had faithfully served the public should be ruined by the refusal of government to pay them their just dues.

13. Because to refuse to pay the debt of a department because members of congress had a personal dislike or other objection to the person at the head of the department, was not only open disloyalty, but it was introducing a revolutionary principle, which, if pursued, would destroy the government.

14. As to the discontinuance of a single Sunday mail from the whole of the debt had been discontinued by Mr. Niles, a postmaster general of the gentleman's own politics. The discontinuance of

this one route was temporary, and to resist extinction.

15. As to Mr. Granger's having been three times rejected by the people of New York for a state office, so had Mr. Van Buren been three times rejected for the presidency of the union.

16. It is no more than fair, even on the principle that the post office is to be kept independent of the treasury, that the treasury should give the post office this half million, while the treasury has heretofore received from the post office over a million.

17. What evidence is there of a disposition to raise a high tariff, because gentlemen plead that the government should pay a honest debt?

18. The mail contractors have made with the government, therefore the government is bound to pay the money; if the department cannot, the treasury must.

The committee then rose (for want of a quorum), and at a little after 8 o'clock, the house adjourned.

Wednesday, Aug. 28. On leave given, Mr. Parmenter presented the petition of Wm. Parker and others for admission free of duty of certain articles used in the manufacture of glass. Also, the petition of C. W. Wood and others, of Ashby, Massachusetts, for the discontinuance of the spirit ration in the United States navy. Referred to the committee on naval affairs.

The speaker, before the house a letter from Wm. W. Weston, esq. mayor of the city of Washington, communicating a copy of the proceedings of a large and highly respectable meeting of citizens, expressive of the opinion of the meeting on the late riotous proceedings of a few disorderly persons, most of them presumed to be non-residents, and of the outrage on the feelings of the president of the United States on the occasion of his rejection of the bank bill. These proceedings are signed by the highly respectable committee appointed by the meeting for the purpose of making known its views and wishes to the president and the two houses of congress, and which consists of Mr. Weston, the mayor, Richard S. Cox, Joseph Bryan, Nathan Townson and John P. Van Ness, esqs. The proceedings were referred to the committee for the District of Columbia.

On motion of Mr. Briggs, the house again resolved itself into committee of the whole on the state of the union, (Mr. Everett, of Vermont, in the chair), on the bill making appropriations for the post office department.

The pending question being on the motion of Mr. Gilmer to amend the bill by making it the duty of the department to refund the money to the treasury.

Messrs. Gilmer, Cliftenden, Hays, Littlefield and Gordon, made some remarks, when

Mr. Arnold took the floor, and addressed the committee during an hour, in a speech upon the general political condition of parties, upon the political topics which had been introduced in the debate, and in reply to the remarks of Mr. Cress Johnson and other members who had preceded him.

Mr. Stansly replied to Mr. Arnold, and in opposition to the course pursued by Mr. Bolts.

Mr. Bolts followed in explanation, and replied to the remarks of Mr. Stansly.

The debate was further continued by Messrs. Proffit, Dawson and Briggs.

Mr. McKay then proposed the following modified proposition as an amendment of the gentleman from Virginia, (Mr. Gilmer).

"That the president of the United States be, and he is hereby authorized, in case it is necessary to enable the post office department to meet its present engagements and pay its debts, to cause a sum not exceeding three hundred and forty-seven thousand dollars of the treasury which may be borrowed in execution of the act entitled 'an act authorizing a loan not exceeding the sum of twelve millions of dollars,' approved July 21st, 1841, to be applied to the use of such department for the purposes aforesaid, and to be reimbursable out of the accruing funds of the department; the said money to be accounted for in the manner prescribed in the second section of the 'act to change the organization of the post office department and the funds of the department for the settlement of the accounts thereof,' passed, July 9, 1841."

Mr. McK. trusted, he said, that the separation which had existed twenty years between the funds of the post office department and the funds of the general treasury should still be preserved. And it could only be preserved by the adoption of this amendment.

Mr. Briggs briefly opposed the proposition.

The debate was further continued by Messrs. Payne, C. Brown, James, of Penn. Cushing, Marshall and Wise, when Mr. Andrews moved that the committee be and they were prevailed the committee rose and reported progress.

And, at a late hour, the house adjourned.



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